

WRITTEN QUESTION E-1118/07

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to the Commission

Subject: Compensation arrangements pursuant to Article 7b of Directive 2006/38/EC

On 10 June 2006 Directive 2006/38/EC¹ of the European Parliament and of the Council amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures - the so-called Road Costs/Eurovignette Directive - came into force. Article 7b reads as follows:

'This Directive does not affect the freedom of Member States which introduce a system of tolls and/or user charges for infrastructure to provide, without prejudice to Articles 87 and 88 of the Treaty, appropriate compensation for these charges.'

The aim of Article 7b is to enable those Member States which impose tolls and/or user charges to offer operators which are required to pay tolls compensation in such a way that the burden on those operators does not increase. This thinking is also made clear in Recital 2:

'... The objective of making optimum use of the existing road network and achieving a significant reduction in its negative impact should be achieved in such a way as to avoid double taxation and without imposing additional burdens on operators, in the interests of sound economic growth and the proper functioning of the internal market, including in outlying regions.'

1. In the Commission's view, what practical compensation arrangements are covered by Article 7b of the Road Costs Directive, Article 87 of the EC Treaty and the ban on discrimination in cases where Member States have introduced road tolls and/or user charges?
2. How much freedom do Member States have under Article 7b of the Road Costs Directive when devising compensation arrangements?

¹ OJ L 157, 9.6.2006, p. 8.