

【欧州】【自動車】

Road/Railways - New legal instruments on environment for vehicles: The EU Member States agree on a negotiating mandate for a new road charging system including CO2 emissions

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【概要 : Summary】

In recent years, the EU transport sector's GHG emissions have been still rising, mainly due to increasing road passenger and freight traffic volumes. In order to achieve a reduction of GHG emissions in road transport, which is responsible for nearly one fourth of the total GHG emissions in the EU, several new emission targets have been introduced. Based on the European Green Deal, which envisages to reach a climate-neutrality goal in the EU by 2050, a 90% reduction of GHG emissions in the EU transport sector should be achieved by 2050.

In order to align the road charging system with the European Green Deal's climate-neutrality goal, the EU plans to revise the Eurovignette Directive 1999/62/EC. The Directive 1999/62/EC provides a detailed legal framework for charging heavy goods vehicles (HGVs) for the use of certain roads. The Directive 1999/62/EC notably sets minimum levels of vehicle taxes for HGVs and specifies the detailed rules of infrastructure charging, including the variation of charges according to the environmental performance of vehicles. Annual vehicle taxes are payments linked to a vehicle registration of a taxpayer during a given period. This tax does not reflect any particular use of infrastructure or emission

levels. Accordingly, they are not effective when it comes to incentivising cleaner and more efficient operations or reducing congestion. Therefore, the European Commission proposed a revision of the Eurovignette Directive and the road charging rules therein. The aim is to better address GHG emissions and other environmental impacts, congestion and road infrastructure financing.

On 18 December 2020, the Member States' ambassadors agreed on a negotiating mandate for the reform, which will include a new system of varying charges for HGVs based on CO2 emissions. The main change will be the introduction of an EU-wide tool for infrastructure and user charges, based on CO2 emissions. Under the reform of the Eurovignette Directive, the scope of the rules could also be extended from HGVs only to other vehicles. Therefore, EU Member States would be able to apply charges for buses, vans or passenger cars, depending to their level of CO2 emissions.

【記事 : Article】

1. The EU's Eurovignette Directive on current EU road charging rules

In the EU, road charging exists in several EU Member States. The introduction of road charging

is in general a national choice of the EU Member States and they can choose as to whether or not they want to introduce a road charging system on their territory. However, if a Member State opts for levying charges for road use, they have to consider certain criteria and a common set of EU-level rules, defined in the so-called Eurovignette Directive (1999/62/EC). This Directive 1999/62/EC provides the legal framework for charging heavy goods vehicles (HGVs) for the use of certain roads.

The Eurovignette Directive (1999/62/EC) aims at ensuring that the imposition of road charges does not discriminate against international traffic or results in the distortion of competition between transport operators. Notably, it sets minimum levels of vehicle taxes for HGVs, including the variation of charges according to the environmental performance of vehicles. These EU road-charging rules concern distance-based tolls and time-based user charges (vignettes) for HGVs for the use of certain infrastructures. The idea is that the cost of constructing, operating and developing infrastructure should be covered through tolls and vignettes for road users. The charges can also be complemented by an “external cost” charge, in order to reducing pollution from road transport.

Although the Directive 1999/62/EC provides the legal framework for charging HGVs and harmonises vehicle taxes under fair mechanisms for infrastructure charging, in the view of increasing GHG emissions and climate change as well as air pollution, the Commission decided to revise the Eurovignette Directive 1999/62/EC. This revision was necessary in order to adapt the legislation to the new and increasing environmental challenges.

2. The necessity to revise the Eurovignette Directive

The European Commission has come to the conclusion that while road transport plays the

most important role in the EU’s inland transport system, at the same time, it is responsible for several environmental challenges including the increase of GHG emissions and the related climate change, and air pollution, among others.

While the current Eurovignette Directive (1999/62/EC) includes the legal framework for distance-based tolls and time-based user charges (vignettes) for HGVs as well as the possibility to apply an “external cost” charge, it so far does not contain any measure that could contribute to the reduction of CO2 emissions from transport. However, the negative impacts of HGVs and passenger cars in the environment are different. While cars and vans cause less damage to the infrastructure than HDV (Heavy-duty vehicles), including HGVs and buses/coaches, passenger cars are at the source of about 2/3 of external costs including the cost of climate change, air pollution, noise, accidents and other negative impacts. Furthermore, in particular passenger cars could risk to being charged with overpriced short-term vignettes and could suffer discrimination in particular vis-à-vis occasional, mostly foreign users. Moreover, there exists the potential problem of discrimination towards foreign users of infrastructure as national users are compensated if time-based charges are introduced.

In this general context, road pricing is considered being an important tool to achieve a cleaner, more efficient transport sector.

Therefore, considering the EU’s commitments under the Paris Agreement, the European Commission’s 2017 Work Programme envisaged the review of the Eurovignette Directive 1999/62/EC and the road charging rules. The revised version of the Eurovignette Directive should not only address GHG emissions and other environmental impacts, congestion and road infrastructure financing by charging HDVs. It should also cover other road users, including passenger cars.

By widening the scope of the Directive, more

consistent pricing of infrastructure use across the entire road transport sector should be achieved. The idea is to replace HGVs taxes by a distance-based road charging, i.e., the application of tolls related to distances. The initiative is part of the Commission's effort to create a low-emission transport and it could make some progress in the application of the "polluter pays" principle. Thereby, it would promote the change towards a financially and environmentally sustainable and socially equitable road transport. In May 2017, the Commission presented the Proposal for a Directive 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 (COM (2017) 275 final).

3. Main aspects of the revision of the Eurovignette Directive and road charging reform as adopted by the Council

The reform of the Eurovignette Directive has been under discussion for already about three and a half years and the European Parliament adopted its position already in October 2018.

Since the EU Member States have different charging systems in place and since each country also differs in its geography, population density and road networks, the Council's mandate provides a toolbox for Member States to levy charges for the use of roads. The aim is to reduce pollution from transport, make traffic flow more smoothly and to recover the costs of construction, operation and maintenance of infrastructure.

However, the Council did not succeed in adopting a general approach for two years until finally under the German Presidency, at the EU transport Council meeting on 8 December 2020, the transport ministers agreed on the latest compromise version of the proposal. A first adjustment introduces the possibility to exempt from charges vehicles between 3.5 and 7.5 tonnes, carrying out operations to transport materials, equipment or

machinery on their own account. The text gives also the possibility of applying an additional toll (mark-up) on specific congested road sections, provided that an agreement is concluded by all affected Member States.

In its position on the Eurovignette, the European Parliament also called for a mandatory transition to distance-based toll systems. The Council of Ministers, on the other hand, wanted to continue to leave the EU Member States the choice between distance- and time-based systems. A compulsory toll was still not envisaged.

On 18 December 2020, the EU Member States' ambassadors agreed on a negotiating mandate for the reform of the Eurovignette Directive, which will include a new system of varying charges for heavy-duty vehicles based on CO2 emissions. The framework encourages the Member States to use taxation and infrastructure charging in the best way in order to promote the "user pays" and "polluter pays" principles. The new Directive will promote the market entry of vehicles with lower emissions and help combat climate change in line with the European Green Deal.

The main change would be the introduction of a new EU-wide tool for varying infrastructure and user charges with regard to CO2 emissions, which is expected to incentivise cleaner and more efficient transport operations. In order to incentivise the purchase of low-emission vehicles, the EU Member States will be able to give preferential treatment to zero-emission vehicles, while continuing to choose their preferred charging model. Time-based charging will be maintained as a cost-effective alternative to distance-based charging. The scope of the rules will be extended from heavy goods vehicles only to other vehicles. Therefore, EU Member States will also be able to apply charges for buses, vans or passenger cars. In addition, Member States will also be able to offer reduced toll rates or user charges, or exempt vehicles from the obligation to pay tolls or user charges under

specific conditions.

The new Directive will also contribute to the internalisation of external costs, related to road transport, such as those generated by the use of infrastructure or its environmental and social impacts. With the internalisation of external costs, the EU also wants to encourage a more efficient use of transport infrastructures currently affected by congestion.

While road charging can be a useful instrument to generate cleaner, more energy-efficient modes of transport, the application of vehicle taxes could also act as an obstacle to the introduction of tolls. Therefore, Member States should be afforded more scope to lower vehicle taxes, namely by way of a reduction of the minima set out in Directive 1999/62/EC. In order to minimise the risk of distortions of competition between transport operators established in different Member States, such reduction should be gradual. Another proposal is intended to address the shortcomings of Chapter III of Directive 1999/62/EC, related to tolls and user charges, in order to promote the application of tolls, which are related to distance travelled.

The initiative is part of the Commission's effort to create an Energy Union, and of a series of proposals related to low-emission transport. This includes the revision of CO₂ emission Regulations for cars and vans, proposals for the certification and monitoring/reporting of CO₂ emissions from HGVs and buses and related initiatives. The proposed changes are also in line with the goal to moving towards full application of the "polluter pays" principle and the "user pays" principles in order to ensure more sustainable transport and infrastructure financing.

The main principles for earmarking road charge revenue remain unchanged. In general, EU Member States should earmark the revenues generated by infrastructure and external cost charges for projects in the transport sector, in particular

in the trans-European transport network.

After the endorsement of the mandate, by the EU Member States' Permanent Representatives Committee, the negotiations between the EU Council of Ministers and the European Parliament on a new version of the Eurovignette Directive can now finally begin.

4. Conclusion

Road charging can be a useful instrument to generate new sources of revenues for revitalising the EU's infrastructure, towards a cleaner, more energy-efficient transport. The reform of the Eurovignette Directive has been under discussion since 2017. However, only on 18 December 2020, the EU Member States' ambassadors in the Council agreed on a negotiating mandate for the reform of the Eurovignette Directive. The main change would be the introduction of a new EU-wide tool for varying charges with regard to CO₂ emissions. The reform will include a new system of varying charges for HGVs, based on CO₂ emissions, but also other vehicles. Thereby, the EU Member States will be able to give preferential treatment to zero-emission vehicles, while continuing to choose their preferred charging model. It will promote the "user pays" and "polluter pays" principles. The revision of the road pricing system will incentivise cleaner and more efficient transport and promote the market entry of low-emissions vehicles towards achieving the European Green Deal target of net zero GHG emissions by 2050.

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