

# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2008/0239(COD) Procedure completed
Marco Polo II programme: financial assistance to improve the environmental performance of the freight transport system Amending Regulation (EC) No 1692/2006 <a href="#">2004/0157(COD)</a>	
Subject 3.20.07 Combined transport, multimodal transport 3.70.02 Atmospheric pollution, motor vehicle pollution 8.70.60 Previous annual budgets	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>TRAN</b> Transport and Tourism		05/01/2009
		PSE <a href="#">STOCKMANN Ulrich</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>BUDG</b> Budgets		21/01/2009
		ALDE <a href="#">JENSEN Anne E.</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">General Affairs</a>	<a href="#">2957</a>	27/07/2009
	<a href="#">Transport, Telecommunications and Energy</a>	<a href="#">2935</a>	30/03/2009
European Commission	Commission DG Energy and Transport	Commissioner TAJANI Antonio	

Key events			
10/12/2008	Legislative proposal published	<a href="#">COM(2008)0847</a>	Summary
13/01/2009	Committee referral announced in Parliament, 1st reading		
30/03/2009	Debate in Council	<a href="#">2935</a>	Summary
31/03/2009	Vote in committee, 1st reading		Summary
02/04/2009	Committee report tabled for plenary, 1st reading	<a href="#">A6-0217/2009</a>	
22/04/2009	Debate in Parliament		
23/04/2009	Results of vote in Parliament		

23/04/2009	Decision by Parliament, 1st reading	<a href="#">T6-0284/2009</a>	Summary
27/07/2009	Act adopted by Council after Parliament's 1st reading		
16/09/2009	Final act signed		
16/09/2009	End of procedure in Parliament		
09/10/2009	Final act published in Official Journal		

### Technical information

Procedure reference	2008/0239(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Regulation (EC) No 1692/2006 <a href="#">2004/0157(COD)</a>
Legal basis	EC Treaty (after Amsterdam) EC 080-p2; EC Treaty (after Amsterdam) EC 071
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/6/71297

### Documentation gateway

Legislative proposal		<a href="#">COM(2008)0847</a>	10/12/2008	EC	Summary
Document attached to the procedure		<a href="#">SEC(2008)3021</a>	10/12/2008	EC	
Document attached to the procedure		<a href="#">SEC(2008)3022</a>	10/12/2008	EC	
Committee draft report		<a href="#">PE418.255</a>	28/01/2009	EP	
Committee opinion	<b>BUDG</b>	<a href="#">PE419.939</a>	23/02/2009	EP	
Amendments tabled in committee		<a href="#">PE420.162</a>	04/03/2009	EP	
Economic and Social Committee: opinion, report		<a href="#">CES0623/2009</a>	24/03/2009	ESC	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A6-0217/2009</a>	02/04/2009	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T6-0284/2009</a>	23/04/2009	EP	Summary
Commission response to text adopted in plenary		<a href="#">SP(2009)3507</a>	25/06/2009	EC	
Draft final act		<a href="#">03660/2009/LEX</a>	16/09/2009	CSL	

### Additional information

National parliaments	<a href="#">IPEX</a>
European Commission	<a href="#">EUR-Lex</a>

### Final act

[Regulation 2009/923](#)

## Marco Polo II programme: financial assistance to improve the environmental performance of the freight transport system

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**PURPOSE:** to establish the second 'Marco Polo' programme for the granting of Community financial assistance to improve the environmental performance of the freight transport system ('Marco Polo II'), and amending Regulation (EC) No 1692/2006.

**PROPOSED ACT:** Regulation of the European Parliament and of the Council.

**CONTENT:** the Marco Polo programme is one of the instruments to reduce congestion as part of a coherent EU transport policy strategy which includes the internalisation of external costs and the use of market-based instruments to reflect the utilisation of infrastructure.

The external evaluation of the first Marco Polo programme estimates that 64% of the objective of tkm to be shifted off the road is being met. Therefore if no action is taken, in a context of decreasing proposals and successful projects, then the second Marco Polo programme will in the best case achieve the same percentage of success. This would imply missing the target of avoiding or shifting a substantial part of the estimated 60% growth of international freight transport by road, equivalent to 20.5 billion tonne-kilometres in absolute terms. This will have negative consequences in terms of additional road infrastructure costs, accidents, congestion, local and global pollution, environmental damage and unreliability of the supply chain and of logistics processes.

This rate of success is corroborated by the level of response to the second call under the second Marco Polo programme, which shows a marked decrease of the total proposed modal shift. Furthermore the new types of actions introduced by this second Programme, Motorways of the Sea and Traffic Avoidance, have not attracted enough applications (only 9% of the proposals in 2007 and 4% in 2008).

Two measures have already been taken to improve the Programme's results without any need for a change in the Regulation: the outsourcing of the management of the Programme to an Executive Agency which is expert in managing projects; and the doubling of the funding intensity for projects from EUR 1 to EUR 2 per 500 tkm shifted or avoided, so as to attract more projects.

But these measures will not be enough and a targeted revision of the Programme has been proposed, which will bring:

- a further increase in the effectiveness of the programme;
- a more balanced distribution of community support among project types;
- a substantial simplification of the legal basis and the management of the Programme;
- a significant reduction of administrative costs to manage the programme;
- a positive effect in terms of benefits for peripheral areas and non-member countries.

The proposed amendments aim to increase the effectiveness of the Programme in terms of tonne-kilometres avoided or shifted off the roads, in order to achieve the goals set in the legal basis. The specific measures intend to stimulate applications for funding by increasing participation by small enterprises, particularly the Inland Waterway Transport companies, lowering the eligibility thresholds, increasing the grant intensity and simplifying the administrative processes of the Programme.

## Marco Polo II programme: financial assistance to improve the environmental performance of the freight transport system

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The Presidency briefed the Council on the state of play of the current discussions with the European Parliament on the Commission proposal on the second Marco Polo programme, which are aimed at reaching a first reading agreement.

## Marco Polo II programme: financial assistance to improve the environmental performance of the freight transport system

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The Committee on Transport and Tourism adopted the report drawn up by Ulrich STOCKMANN (PES, DE), amending, under the first reading of codecision procedure, the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 1692/2006 establishing the second 'Marco Polo' programme for the granting of Community financial assistance to improve the environmental performance of the freight transport system ('Marco Polo II').

The main amendments are as follows:

**Online helpdesk:** submissions shall contain all the information necessary to enable the Commission to make its selection. If required, the Commission shall provide assistance to applicants to facilitate their application process, for instance by way of an online helpdesk.

**Marco Polo III:** the Commission shall present a Communication (rather than an evaluation report) on the results achieved by the Marco Polo Programme for the period 2003-2010. It shall do so before drawing up a proposal for a third Marco Polo Programme and shall take account of the Communication's findings when drawing up the proposal (rather than by 30 June 2011 as the Commission had proposed.)

**Communication:** the Communication should deal with the following:

- the impact of Regulation amending Regulation (EC) No 1692/2006 establishing the second 'Marco Polo' programme for the granting of Community financial assistance to improve the environmental performance of the freight transport system ('Marco Polo II');
- the experience of the Executive Agency for Competition and Innovation with programme management;
- the need to differentiate between transport modes in the conditions for funding, on the basis of safety, environmental performance and energy efficiency;

- the effectiveness of Traffic Avoidance Actions;
- the need to set up demand-driven assistance at the application stage, taking into account the needs of small and micro transport companies;
- the recognition of economic recession as an exceptional reason for extending the duration of projects;
- product-specific lowering of eligibility thresholds;
- the possibility of indicating the targets for minimum funding thresholds for proposed projects in terms of energy efficiency and environmental benefits in addition to tonne-kilometres shifted;
- the appropriateness of including the transport unit in the definition of the term "freight";
- the availability of complete yearly overviews of projects which have been co-financed;
- the possibility of ensuring consistency between the Marco Polo Programme, the Logistics Action Plan and the TEN-T programme by taking the appropriate measures in order to coordinate the allocation of community funds, in particular for Motorways of the Sea;
- the possibility of making costs incurred in a third country eligible if promoted by undertakings from a Member State;
- the need to take into account the specific characteristics of the inland waterway sector and its small- and medium sized enterprises, for example by way of a dedicated programme for the inland waterway sector;
- the possibility of extending the programme to the neighbouring countries;
- the possibility of further adapting the programme to the insular and archipelagic Member States.

Eligible costs: the eligible costs related to ancillary infrastructure shall not be higher than 20% (rather than 10%) of the total eligible costs for the project.

Contract value threshold: value thresholds for motorways of the sea and modal shift are amended.

## Marco Polo II programme: financial assistance to improve the environmental performance of the freight transport system

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The European Parliament adopted by 581 votes to 7, with 5 abstentions, a legislative resolution amending, under the first reading of the codecision procedure, the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 1692/2006 establishing the second "Marco Polo" programme for the granting of Community financial assistance to improve the environmental performance of the freight transport system ("Marco Polo II").

The amendments are the result of a compromise negotiated with the Council.

The main amendments are as follows:

Submission of actions: actions shall be submitted to the Commission in accordance with the detailed rules on the submission and selection procedure. Submissions shall contain all the information necessary to enable the Commission to make its selection.

If required, the Commission shall provide assistance to applicants to facilitate their application process, for instance by way of an online helpdesk.

The Commission shall, after having informed the committee referred to in the regulation, adopt the decision to grant financial assistance.

Communication: the Commission shall present to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions a Communication on the results achieved by the Marco Polo Programme for the period 2003-2010. It shall do so before drawing up a proposal for a third Marco Polo Programme and shall take account of the Communication's findings when drawing up the proposal. The Communication shall in particular deal with the following:

- the impact of the future Regulation amending Regulation (EC) No 1692/2006 establishing the second "Marco Polo" programme for the granting of Community financial assistance to improve the environmental performance of the freight transport system ("Marco Polo II");
- the experience of the Executive Agency for Competition and Innovation with programme management;
- the need to differentiate between transport modes in the conditions for funding, on the basis of safety, environmental performance and energy efficiency;
- the effectiveness of Traffic Avoidance Actions;
- the need to set up demand-driven assistance at the application stage, taking into account the needs of small and micro transport companies;
- the recognition of economic recession as an exceptional reason for extending the duration of projects;
- product-specific lowering of eligibility thresholds;
- the possibility of indicating the targets for minimum funding thresholds for proposed projects in terms of energy efficiency and environmental benefits in addition to tonne-kilometres shifted;
- the appropriateness of including the transport unit in the definition of the term "freight";
- the availability of complete yearly overviews of projects which have been co-financed;
- the possibility of ensuring consistency between the Marco Polo Programme, the Logistics Action Plan and the TEN-T programme by taking the appropriate measures in order to coordinate the allocation of community funds, in particular for Motorways of the Sea;
- the possibility of making costs incurred in a third country eligible if promoted by undertakings from a Member State;
- the need to take into account the specific characteristics of the inland waterway sector and its small- and medium sized enterprises, for example by way of a dedicated programme for the inland waterway sector;
- the possibility of extending the programme to neighbouring countries;
- the possibility of further adapting the programme to the insular and archipelagic Member States.

Eligible costs: the eligible costs related to ancillary infrastructure shall not be higher than 20% of the total eligible costs for the project.

Motorways of the sea: the minimum indicative subsidy threshold per motorways of the sea action shall be 200 million tonne-kilometres, to be implemented over the entire life of the subsidy agreement.

Modal shift: the minimum indicative subsidy threshold per modal shift action shall be 60 million tonne-kilometres or its volumetric equivalent of modal shift per year, to be implemented over the entire life of the subsidy agreement. Modal shift actions aiming at implementing a shift to

inland waterways will be subject to a special threshold of 13 million tonne-kilometres or its volumetric equivalent of modal shift per year.

## Marco Polo II programme: financial assistance to improve the environmental performance of the freight transport system

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**PURPOSE:** to amend Regulation (EC) 1692/2006 establishing Marco Polo II in order to facilitate participation by small and micro enterprises and simplify the Programme's implementation and administrative procedures.

**LEGISLATIVE ACT:** Regulation (EC) No 923/2009 of the European Parliament and of the Council amending Regulation (EC) No 1692/2006 establishing the second 'Marco Polo' programme for the granting of Community financial assistance to improve the environmental performance of the freight transport system (Marco Polo II).

**CONTENT:** the Council adopted this Regulation amending Regulation (EC) 1692/2006 on the EU's Marco Polo II programme for the granting of Community financial assistance to improve the environmental performance of the freight transport system, following an agreement reached with the European Parliament in first reading. The amendment to the Marco Polo II programme is intended to increase its effectiveness in terms of shifting cargo from road transport to transport by sea, inland waterway and rail. The new Regulation addresses problems encountered under the previous regulation in that a substantial part of the allocated budget has not been used.

**Measures to facilitate the participation of small enterprises and micro-enterprises:** the participation by small and micro enterprises in the Programme will be increased by allowing single undertakings to apply for funding and by lowering the eligibility thresholds for proposals submitted by inland waterway transport enterprises.

**Lowering the action eligibility thresholds:** the eligibility thresholds for proposals for funding will be lowered and expressed in terms of yearly tonne-kilometres shifted, except for common learning actions. Those thresholds will be computed over the entire implementation period of the actions referred to in the Annex, without setting any yearly rate of implementation. There is no further need for a specific threshold applying to traffic avoidance actions, and a minimum duration is established for this kind of action, catalyst actions and Motorways of the Sea actions.

**Increasing the funding intensity:** the funding intensity is increased by introducing a definition for 'freight', in order to include the transport element in the calculation of the modal shift, and allowing exceptional extensions of the maximum duration for actions with start-up delays. The update of the funding intensity from EUR 1 to EUR 2 following the procedure set out in Annex I to Regulation (EC) No 1692/2006 is reflected in the text of that Annex as amended.

**Simplifying the programme's implementation and administrative procedures:** in order to simplify the implementation of the Programme, Annex II to Regulation (EC) No 1692/2006 on funding conditions for ancillary infrastructure is deleted. Furthermore the committee procedure for the yearly selection of actions to be funded is eliminated. A more detailed link between the Programme and the Trans-European Transport Network setting out the framework for the Motorways of the Sea is established and the environmental considerations extended to include the whole external costs of the actions.

The Commission will present a Communication on the results achieved by the Marco Polo Programmes for the period 2003-2010. It shall do so before drawing up a proposal for a third Marco Polo Programme and shall take account of the Communication's findings when drawing up that proposal.

The Communication shall in particular deal with the following:

- the impact of this Regulation as amended by Regulation (EC) No 923/2009 of the European Parliament and the Council amending Regulation (EC) No 1692/2006 establishing the second 'Marco Polo' programme for the granting of Community financial assistance to improve the environmental performance of the freight transport system (Marco Polo II),
- the experience of the Executive Agency for Competition and Innovation with programme management,
- the need to differentiate between transport modes with regard to the conditions for funding, on the basis of safety, environmental performance and energy efficiency,
- the effectiveness of traffic avoidance actions, the need to set up demand-driven assistance at the application stage, taking into account the needs of small and micro transport enterprises,
- the recognition of economic recession as an exceptional reason for extending the duration of actions,
- the lowering of the eligibility thresholds for product-specific actions,
- the possibility of indicating the targets for minimum funding thresholds for proposed actions in terms of energy efficiency and environmental benefits in addition to tonne-kilometres shifted,
- the appropriateness of including the transport unit in the definition of the term 'freight',
- the availability of complete yearly overviews of actions which have been co-financed,
- the possibility of ensuring consistency between the Programme, the Logistics Action Plan and the TEN-T by taking the appropriate measures in order to coordinate the allocation of community funds, in particular for Motorways of the Sea,
- the possibility of making costs incurred in a third country eligible if the action is carried out by undertakings from a Member State.

**ENTRY INTO FORCE:** 10/10/2009.