

Procedure file

Basic information	
INI - Own-initiative procedure	2012/2296(INI)
Procedure completed	
Strategy for an electronic toll service and a vignette system on light private vehicles in Europe	
Subject	
3.20.05 Road transport: passengers and freight	
3.20.11 Trans-European transport networks	
3.30.03.06 Communications by satellite	
3.30.05 Electronic and mobile communications, personal communications	
3.30.06 Information and communication technologies, digital technologies	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	TRAN Transport and Tourism		05/11/2012
		PPE HIGGINS Jim Shadow rapporteur S&D AYALA SENDER Inés ALDE KLINZ Wolf Verts/ALE LICHTENBERGER Eva ECR ZÍLE Roberts	
European Parliament	Committee for opinion	Rapporteur for opinion	Appointed
	ITRE Industry, Research and Energy	The committee decided not to give an opinion.	
	JURI Legal Affairs	The committee decided not to give an opinion.	
European Commission	Commission DG Financial Stability, Financial Services and Capital Markets Union	Commissioner KALLAS Siim	

Key events			
30/08/2012	Non-legislative basic document published	COM(2012)0474	Summary
22/11/2012	Committee referral announced in Parliament		
23/04/2013	Vote in committee		
25/04/2013	Committee report tabled for plenary	A7-0142/2013	Summary
10/06/2013	Debate in Parliament		

11/06/2013	Results of vote in Parliament		
11/06/2013	Decision by Parliament	T7-0248/2013	Summary
11/06/2013	End of procedure in Parliament		

Technical information

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Committee dossier	TRAN/7/11239

Documentation gateway

Document attached to the procedure	COM(2012)0199	14/05/2012	EC	Summary
Non-legislative basic document	COM(2012)0474	30/08/2012	EC	Summary
Committee draft report	PE504.407	18/02/2013	EP	
Amendments tabled in committee	PE507.996	26/03/2013	EP	
Committee report tabled for plenary, single reading	A7-0142/2013	25/04/2013	EP	Summary
Text adopted by Parliament, single reading	T7-0248/2013	11/06/2013	EP	Summary
Commission response to text adopted in plenary	SP(2013)626	15/11/2013	EC	

Strategy for an electronic toll service and a vignette system on light private vehicles in Europe

The Commission presents a Communication on the application of national road infrastructure charges levied on light private vehicles.

It begins by noting that the [White Paper on Transport](#) (Roadmap to a Single European Transport Area Towards a competitive and resource-efficient transport system) outlines the Commission's intention to propose mandatory measures to achieve the internalisation of the main external costs of transport covering noise, local pollution and congestion in 2020 horizon. While there are EU secondary rules concerning road charges levied on heavy goods vehicles (see [the "Eurovignette" Directive](#)), the only rules concerning the charging of light private vehicles stem directly from the Treaty on the Functioning of the

European Union. As a part of the broader strategy on road charging outlined in the White Paper, the Communication aims to clarify the Commission's understanding of how the general principles of non-discrimination and proportionality of the Treaty are to be applied to a vignette system for light private vehicles. It also provides guidance on the application of such vignette system. The Commission underlines that the Communication does not create new legislative rules.

The current situation: until now, seven EU Member States have taken the advantage of the freedom to put in place a vignette system for light private vehicles. These are Austria, Bulgaria, Czech Republic, Hungary, Slovakia, Slovenia and Romania. Other Member States (e.g. Belgium) are planning to implement such systems.

The current levies applied on light private vehicles reflect a wide variety of approaches between Member States. Some countries rely on a mix of different taxation instruments (fuel and vehicle taxes). In others, the mix of instruments is more diverse and includes road user charges to recover infrastructure costs from motorists using motorways. User charges take the form of time-based charges (vignettes) often levied on the full primary network, or distance-based charges (tolls) levied on individual road sections frequently equipped by toll barriers. National vignettes are paid by light private vehicles in return for the right to use the main road network for a certain period.

Nevertheless, the numerous complaints that the Commission keeps receiving show that the implementation of vignette systems for light private vehicles, if not designed carefully, may raise practical problems, including: (i) hindrance to the free flow of traffic, especially in cross-border regions, (ii) inadequate enforcement practices, (iii) risks of potential discrimination of occasional users, mainly motorists coming from other Member States, who may not be offered shorter-term vignettes or may be offered shorter-term vignettes at an equivalent daily rate substantially higher than the rate applied to annual vignettes which are mainly used by resident users. This may be seen as disproportionate.

The application of the vignette systems varies between Member States and these variations may give rise to potential shortcomings. On the other hand, tolling systems for light private vehicles do not entail the same problems as vignette systems, as tolls are distance-based charges, directly linked to the use of infrastructure and therefore less likely to be discriminatory. Moreover, electronic tolling systems allow for the

free-flow of traffic, without users having to stop at toll barriers.

Applicable provisions of the TFEU: the Commission looks at the Treaty provisions that apply in this field, these being non-discrimination on grounds of nationality, and proportionality. It notes that any vignette system applied by a Member State would operate to the detriment of nationals of the other Member States, if it penalised non-resident drivers who use its road network only on an occasional basis, by failing to provide a charge for short-term usage or transit of the road infrastructure.

A national measure that is equally applicable to nationals or residents and non-nationals or

non-residents may also constitute a discriminatory measure (indirect discrimination). Such discrimination might nevertheless be justified by an overriding reason of general interest e.g. the improvement of traffic flows and/or reduction of environmental costs/damage. However, it has to be emphasised that such measures should constitute a proportionate means of achieving the objectives of general interest, meaning in particular that the objective pursued by the measure cannot be achieved by other measures that are less onerous.

Guidance: on the basis of the received complaints and analytical studies, the Commission proposes guidance on the following points: (a) the availability of proportionately-priced vignettes; (b) proper access to information; (c) the collection of fees and their payment; (d) an appropriate enforcement practice.

These rules should be non-discriminatory and proportionate to the infringements committed, and enable citizens to effectively implement their procedural rights. In particular, enforcement practices which could give rise to indirect discrimination against non-resident occasional users must be avoided.

Accordingly, the Commission advises that in order to provide for a non-discriminatory vignette system for light private vehicles, Member States must establish vignette systems that offer, in addition to annual and monthly vignettes, a weekly (or shorter period) vignette.

Furthermore, it would be advisable that:

- short-term and long-term vignettes are provided at a proportionate price;
- non-resident occasional users have proper access to information concerning vehicles subject to charging, road infrastructure subject to charging, types of vignettes, their validity and the rates, sales points and penalties applied;
- non-resident occasional road users are provided with a wide range of options to pay for a vignette;
- enforcement is focussed on locations where the likeliness of non-compliance with rules is relatively high and not mainly at border locations on non-residents who are often first time offenders, so that both residents and non-residents are treated equally;
- penalties are proportionate to other traffic offenses and reasonably reflect the sanction element.

As vignette systems mainly implement the "user-pays" principle, the Commission advocates a transparent use of their revenue which would ideally be applied only on roads for which a proper maintenance programme exists, in order to offer users a minimum level of service in return of their payment. The Commission invites Member States which have a vignette system for light private vehicles, or intend to introduce such a system, to assess their systems in the light of the Communication. In the light of the experience, the Commission may consider an initiative to further clarify the rules applicable to road charges applied to light private vehicles.

Strategy for an electronic toll service and a vignette system on light private vehicles in Europe

PURPOSE: Commission Communication on the Implementation of the European Electronic Toll Service (EETS).

CONTENT: in accordance with Commission Decision 2009/750/EC defining the European Electronic Toll Service, the Commission presents this Communication on the state of advancement of EETS deployment. After putting the EETS in the broader context of European transport policy, the communication presents the progress achieved in its implementation and gives the Commission's assessment of the next steps to be taken for making the EETS operational.

The Commission recalls that in its [2011 White Paper](#) Roadmap to a Single European Transport Area, it outlined possible measures to accelerate the development and the harmonisation of road use charging. It stressed that the European Electronic Toll Service can be instrumental in the promotion of road charging strategies that contribute to a sustainable transport system and in facilitating road charging acceptance by users.

Similarly on the occasion of the recent amendment of the [Eurovignette Directive](#) on the charging of heavy goods vehicles, the European Parliament and the Council asked the Commission to monitor progress made to implement within the agreed dates a genuine European Electronic Toll Service and to promote cooperation between Member States that may prove necessary to ensure the interoperability of electronic toll collection systems at European level.

The Commission notes that European industry is at present a global front-runner in road charging and tolling equipment. European companies keep winning tolling contracts over the world. EETS can facilitate the introduction and roll-out on a global scale of new products such as interoperable on-board units, combining the digital tachograph and tolling with other intelligent transport systems applications. This in turn may give rise to completely new services and applications, again with a potentially global market, which will contribute to the creation of growth and jobs in the European economy.

Progress achieved in deployment: the progress achieved in the advancement of EETS deployment is disappointing. Despite the adoption of Decision 2009/750/EC which sets out the necessary technical specifications and requirements as well as contractual rules relating to EETS provision, the efforts of the Commission, and the maturity of tolling technologies, the European Electronic Toll Service is not yet a reality in everyday life of road users. Not all Member States and stakeholders have demonstrated the full commitment necessary to finalise the regulatory and operational context of the service at their level.

Next steps: in order to facilitate the timely introduction of EETS by Member States and the industry and to promote the necessary cooperation as requested by the European Parliament and the Council, the following actions are necessary:

1. Accelerate a uniform implementation of the decision:

- the Commission and Member States will intensify the works of the Toll Committee set up by Directive 2004/52/EC. Member States should fulfil as a matter of urgency their obligations provided for by Decision 2009/750/EC regarding in particular the designation of their national Conciliation Body. The Commission will launch infringement procedures where appropriate;
- the Commission will monitor the implementation of EETS by Member States in the light of its Guidance Note on the interpretation of concepts referred to in Annex I of Decision 2009/750/EC. Member States and national conciliation bodies should use the note in their contacts with Toll Chargers and potential EETS providers. The latter should also use it in their contractual negotiations. Furthermore the Commission will create a European network of national Conciliation Bodies which would contribute to securing an EU-wide level playing field for the EETS professional stakeholders;
- Member States shall see to it that contractual clauses automatically ending the contract if an EETS Provider does not reach full European coverage within 24 months are not allowed. Such clauses go against the intended useful effect of Decision 2009/750/EC. If such a practice is kept, the Commission will launch infringement proceedings;
- the Commission will take an initiative using the structure established by the current EETS legislation to develop a uniform set of protocols for suitability for use tests, including on the security aspects, in order to limit the discrepancy of these protocols between toll Chargers, which would in turn contribute to reducing the costs charged to EETS Providers;
- the Commission will set-up with the stakeholders a comprehensive information sharing resource platform, providing up-to-date information on EETS through a single point of access on the Internet. This platform will also contribute to the exchange of best practice and dissemination of up-to-date information on EETS among professional stakeholders.

2. Adoption of a stepwise approach:

- as a first step towards full European interoperability, Member States with significant volume of traffic on the trans-European network should encourage the cross-border interoperability of their electronic road toll systems. These early deployment project(s), on a regional basis, will be promoted in a way so that they can be extended to cover all the electronically tolled road infrastructures in the EU as soon as possible at a later stage and can provide concrete experiences in solving practical EETS issues.
- attention should be paid to the involvement of a sufficiently wide set of Toll Chargers and Member States to ensure these projects are scalable to the entire Union. The knowledge gained in implementing these regional projects fully complying with the single contract/single on-board unit principle should be shared effectively across all the stakeholders. The Commission is willing to provide technical assistance to such regional initiatives and is ready to examine the provision of possible financial support to large scale regional projects in the context of the TEN-T programme.

3. Closely monitor development and take new initiatives:

- Member States when starting new projects or renewing concessions should systematically check and ensure compliance with EETS requirements. When adopting its opinion on new tolling arrangements which are notified in the framework of the Eurovignette Directive, the Commission will issue a negative opinion if they do not include a fully EETS compatible system.
- If disputes between toll chargers and EETS Providers cannot be solved by the Conciliation Body, the Commission will examine the points of contention and whether the arrangements between toll chargers and their existing local/national service providers are discriminatory in comparison with those proposed to EETS providers.

Lastly, it can be noted that the White Paper on transport has indicated that if, despite all these efforts, its assessment shows that no substantial progress has been achieved by mid-2013, with no availability of an interoperable electronic toll service on a substantial scale, the Commission reserves its right to present a new initiative to the European Parliament and the Council.

Strategy for an electronic toll service and a vignette system on light private vehicles in Europe

The Committee on Transport and Tourism adopted an own-initiative report by Jim HIGGINS (EPP, IE) on a strategy for an electronic toll service and a vignette system on light private vehicles in Europe.

Members agree with the Commission's assertion that the current European Electronic Toll Service (EETS) system, established by Directive (2004/52/EC), has not been working and needs to be overhauled. They consider that the market-driven approach favoured by the Commission has failed to bear fruit and that political action is therefore needed in order to speed up the implementation of the EETS and translate it into reality in the immediate future.

Considering it regrettable that Member States have, on the whole, shown little interest in developing the EETS, Members call on the Commission to take more measures to pursue the enforcement of EU legislation. They urge the Commission, therefore, to devise and propose an incentive scheme to encourage operators and Member States to shorten the timeframes for implementing the system. They believe that the Commission should consider appropriate legislative measures in the area of interoperability as soon as possible, so as to oblige all stakeholders to advance the EETS project.

The Commission is invited to:

- present, by the end of 2013, a review of all available studies on the subject so as to provide a clear basis for different options for action in both the medium and the long term, including charging for road use via technologies such as GPS/GNSS, in order to prevent and reduce traffic congestion caused by physical barriers;
- undertake a study on the financial aspects and conditions which would make the EETS a working reality;
- provide, in its work programmes on the trans-European transport networks, for the possibility of financing projects that might afford a means of speeding up the implementation of the EETS.

Whatever the system chosen, the Commission should take great care to ensure that consumers are made aware at all times of the cost of the toll being levied via an electronic device or toll tag.

As regards the charging for road use, Members believe that, while the power to raise revenue rests with the Member States, the EU should favour a system of distance-based tolling over vignette-type systems. The Commission must make it mandatory for time-based systems.

In addition, Members believe that the introduction of any new charging system which involves the sharing of operating systems and data on clients and their movements must be strictly subject to EU data protection regulations, and that the data should be de-personalised in order to protect individual privacy.

The Commission is invited to:

- oblige those Member States with vignette systems substantially to simplify the sale of vignettes and access to information;
- operate an online payment service that allows customers to pre-pay their charges via an interface accessible to all, in accordance with the requirements of universal design;
- take into account the specific position of border regions when developing plans for road-charging systems, so as to minimise the impact on people living in border regions.

Noting the importance of these companies and SMEs in bringing economic growth and jobs to Europe, Members consider it essential not to impose any unnecessary extra charges on them, but instead to apply the user pays principle across the board to all vehicle categories.

Strategy for an electronic toll service and a vignette system on light private vehicles in Europe

The European Parliament adopted by 516 votes to 111, with 12 abstentions, a resolution on a strategy for an electronic toll service and a vignette system on light private vehicles in Europe.

Parliament notes the Commission's statement that the two main stakeholders concerned are toll chargers and European Electronic Toll Service (EETS) providers but points out that road users, especially transport companies, are a third key stakeholder. It considers that users of private vehicles are potential end users who could help to speed up the development of the EETS.

EETS - unsuccessful to date and in need of a new direction: Parliament agrees with the Commission's assertion that the current European Electronic Toll Service (EETS) system, established by Directive (2004/52/EC), has not been working and needs to be overhauled. It considers that the market-driven approach favoured by the Commission has failed to bear fruit and that political action is therefore needed in order to speed up the implementation of the EETS and translate it into reality in the immediate future.

Considering it regrettable that Member States have, on the whole, shown little interest in developing the EETS, Parliament calls on the Commission to take more measures to pursue the enforcement of EU legislation. It urges the Commission, therefore, to devise and propose an incentive scheme to encourage operators and Member States to shorten the timeframes for implementing the system. Members believe that the Commission should consider appropriate legislative measures in the area of interoperability as soon as possible, so as to oblige all stakeholders to advance the EETS project.

Parliament considers that there is no will for an EETS on the part of industry stakeholders, namely toll service providers, road concessions and manufacturers of electronic tags and associated equipment, and that a regulation may be needed to force stakeholders to come together.

The Commission is invited to:

- present, by the end of 2013, a review of all available studies on the subject so as to provide a clear basis for different options for action in both the medium and the long term, including charging for road use via technologies such as GPS/GNSS, in order to prevent and reduce traffic congestion caused by physical barriers;
- undertake a study on the financial aspects and conditions which would make the EETS a working reality;
- provide, in its work programmes on the trans-European transport networks, for the possibility of financing projects that might afford a means of speeding up the implementation of the EETS.

Whatever the system chosen, the Commission should take great care to ensure that consumers are made aware at all times of the cost of the toll being levied via an electronic device or toll tag.

The implementation of charging systems should not, under any circumstances, discriminate against non-residents by creating obstacles to the principle of free movement.

Charging for road-use: Members believe that, while the power to raise revenue rests with the Member States, the EU should favour a system of distance-based tolling over vignette-type systems.

Time-based systems: the Commission should make it mandatory for time-based systems: (i) to offer road users custom-made vignettes based on various pro-rata charging structures, such as daily, weekly, monthly and yearly options, with the possibility of purchasing a vignette up to 30 days in advance of the road use, and; (ii) to state clearly the amount being charged in administrative fees.

In addition, Members believe that the introduction of any new charging system which involves the sharing of operating systems and data on clients and their movements must be strictly subject to EU data protection regulations, and that the data should be de-personalised in order to protect individual privacy.

The Commission is invited to:

- oblige those Member States with vignette systems substantially to simplify the sale of vignettes and access to information;
- operate an online payment service that allows customers to pre-pay their charges via an interface accessible to all, in accordance with the requirements of universal design;
- take into account the specific position of border regions when developing plans for road-charging systems, so as to minimise the impact on people living in border regions.

Noting the importance of these companies and SMEs in bringing economic growth and jobs to Europe, Parliament considers it essential not to impose any unnecessary extra charges on them, but instead to apply the user pays principle across the board to all vehicle categories.