















# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive 2017/0114(COD)	Awaiting Council's 1st reading position
Charging of heavy goods vehicles for the use of certain infrastructures Amending Directive 1999/62/EC <a href="#">1996/0182(COD)</a>	
Subject 3.20.05 Road transport: passengers and freight 3.70.02 Atmospheric pollution, motor vehicle pollution 3.70.15 Environmental taxation	
Legislative priorities <a href="#">Joint Declaration 2018-19</a>	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 <a href="#">Transport and Tourism</a>		26/09/2019
		 <a href="#">FERRANDINO Giuseppe</a> Shadow rapporteur	
		 <a href="#">THALER Barbara</a>	
		 <a href="#">RIQUET Dominique</a>	
		 <a href="#">HAIDER Roman</a>	
		 <a href="#">DEPARNAY-GRUNENBERG Anna</a>	
		 <a href="#">POREBA Tomasz Piotr</a>	
	Former committee responsible  Transport and Tourism (Associated committee)		04/07/2017
		 <a href="#">REVAULT D'ALLONNES BONNEFOY Christine</a>	
	Former committee for opinion  Environment, Public Health and Food Safety (Associated committee)		21/06/2017
		 <a href="#">DANCE Seb</a>	
	 Economic and Monetary Affairs	The committee decided not to give an opinion.	
Council of the European Union European Commission	Commission DG	Commissioner	

Key events			
31/05/2017	Legislative proposal published	<a href="#">COM(2017)0275</a>	Summary
15/06/2017	Committee referral announced in Parliament, 1st reading/single reading		
16/11/2017	Referral to associated committees announced in Parliament		
24/05/2018	Vote in committee, 1st reading/single reading		
24/05/2018	Committee decision to open interinstitutional negotiations with report adopted in committee		
07/06/2018	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A8-0202/2018</a>	Summary
11/06/2018	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 71)		
13/06/2018	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 71)		
24/10/2018	Debate in Parliament		
25/10/2018	Results of vote in Parliament		
25/10/2018	Decision by Parliament, 1st reading/single reading	<a href="#">T8-0423/2018</a>	Summary
24/09/2019	Committee decision to open interinstitutional negotiations after 1st reading in Parliament		
09/10/2019	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 72)		

Technical information	
Procedure reference	2017/0114(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
	Amending Directive 1999/62/EC <a href="#">1996/0182(COD)</a>
Legal basis	Treaty on the Functioning of the EU TFEU 091-p1
Other legal basis	Rules of Procedure EP 159
Mandatory consultation of other institutions	<a href="#">European Economic and Social Committee</a> <a href="#">European Committee of the Regions</a>
Stage reached in procedure	Awaiting Council's 1st reading position

Documentation gateway					
Legislative proposal		<a href="#">COM(2017)0275</a>	31/05/2017	EC	Summary
Document attached to the procedure		SWD(2017)0180	31/05/2017	EC	
Document attached to the procedure		SWD(2017)0181	31/05/2017	EC	
Reasoned opinion	AT_BUNDESRAT	PE609.367	29/08/2017	NP	
Economic and Social Committee: opinion, report		<a href="#">CES2888/2017</a>	18/10/2017	ESC	
Committee draft report		<a href="#">PE615.363</a>	08/01/2018	EP	
Committee of the Regions: opinion		<a href="#">CDR3560/2017</a>	01/02/2018	CofR	
Amendments tabled in committee		<a href="#">PE615.519</a>	23/02/2018	EP	
Amendments tabled in committee		<a href="#">PE618.222</a>	23/02/2018	EP	
Amendments tabled in committee		<a href="#">PE618.188</a>	01/03/2018	EP	
Committee opinion	ENVI	<a href="#">PE613.289</a>	28/03/2018	EP	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A8-0202/2018</a>	07/06/2018	EP	Summary
Text adopted by Parliament, 1st reading/single reading		<a href="#">T8-0423/2018</a>	25/10/2018	EP	Summary
Commission response to text adopted in plenary		SP(2018)755	21/11/2018	EC	

Additional information	
Research document	<a href="#">Briefing</a>

## 2017/0114(COD) - 31/05/2017 Legislative proposal

**PURPOSE:** to improve the application of the "polluter pays" and "user pays" principles to promote sustainable road transport.

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

**ROLE OF THE EUROPEAN PARLIAMENT:** the European Parliament shall decide in accordance with the ordinary legislative procedure and on an equal footing with the Council.

**BACKGROUND:** this initiative is part of the Commission's efforts to create an energy union and from a series of proposals on low-emission transport. It is a follow-up to the Communication "[A European strategy for low-emission mobility](#)".

CO2 emissions from road transport in 2014 were still 17% higher than in 1990. The highest share of these emissions originates from passenger cars (over 60%). Under current trends, the emission reduction will not be sufficient to achieve the EU goals set for 2030 and 2050. Moreover, road infrastructure is degrading in many Member States.

Road pricing can be a key incentive for cleaner and more efficient transport operations. Progress towards the Commission's objective of applying the "polluter pays" and "user pays" principles has been slow. There are still inconsistencies in the application of road pricing across the EU.

[Directive 1999/62/EC](#) provides the legal framework for charging heavy goods vehicles (HGVs) for the use of certain roads. So far, however, the Directive does not contain elements specifically contributing to the reduction of CO2 emissions from transport. Moreover, it only applies to HGVs, all other vehicles are left unaddressed.

It is for this reason that the Commission proposed to include buses, passenger cars and vans in the scope of the Directive, thereby ensuring more consistent pricing of infrastructure use across the road transport sector.

**IMPACT ASSESSMENT:** the preferred option provides for the variation of charges for light vehicles according to their CO<sub>2</sub> and pollutant emissions, as the preferred option, possibly complemented with the requirement of external cost charging on at least part of the network for HDVs and the phasing-out of time-based charging for light vehicles over a sufficiently long period.

**CONTENT:** the proposal aims at addressing the shortcomings of existing legislation (Directive 1999/62/EC), i.e. at a better fulfilment of the legislation's objectives.

**Scope:** it is proposed to extend the scope of the application of the Directive to include light duty vehicles such as minibuses, passenger cars, vans and coaches.

**Tolls and user charges:** provisions on non-discrimination, proportionality of charges and on the collection and payment of tolls and user charges shall not only apply to networks mainly used by international traffic (the trans-European road network and motorways) but to other roads. Given that distance-based pricing (tolls) rather than duration (tags) better reflects actual use, emission levels and pollution, the Commission proposes to phase out tariff systems based on (2023 for heavy-duty vehicles, 2027 for other categories of vehicles). The possibility of exempting heavy goods vehicles weighing less than 12 tonnes from road charging would be abolished and the scope of any tariff system would be extended to coaches / buses.

**External cost charging:** it is proposed that the maximum weighted average external-cost charges should be replaced by readily applicable reference values updated in light of inflation, the scientific progress made in estimating the external costs of road transport and the evolution of the fleet composition. From 1 January 2021, Member States that levy tolls shall apply an external-cost charge to heavy duty vehicles on at least the part of the network where environmental damage generated by heavy duty vehicles is the most important.

**Congestion charging:** the proposal allows the application of congestion charges on top of the infrastructure charge. Any such congestion charge has to be applied to all vehicle categories in a proportionate and even-handed manner.

Revenues from congestion charges should be used to address congestion problems, for example by supporting alternative transport solutions or removing bottlenecks.

Moreover, the possibility of applying mark-ups would be extended and would no longer be restricted to mountainous regions alone.

**Variation of charges:** as regards heavy duty vehicles, it is proposed to phase out the variation of charges according to the Euro emission class of the vehicle. Modalities for the variation of tolls and user charges according to the environmental performance of passenger cars, minibuses and vans have been specified. The variation shall be based on emissions of both CO<sub>2</sub> and air pollutants, as specified in Annex VII. This provision should incentivise the use of cleaner and more efficient vehicles.

**Notifications:** it is proposed to simplify the prior information of the Commission in respect of intended external cost charging, by confining the information to basic elements.

**DELEGATED ACTS:** the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union.

## 2017/0114(COD) - 07/06/2018 Committee report tabled for plenary, 1st reading/single reading

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The Committee on Transport and Tourism adopted the report by Christine REVAULT D'ALLONNES BONNEFOY (S&D, FR) on 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.

The Committee on the Environment, Public Health and Food Safety, exercising its prerogative as an associated committee in accordance with [Article 54 of the Rules of Procedure](#), also gave its opinion on the report.

The committee recommended that the European Parliaments position adopted at first reading under the ordinary legislative procedure should amend the Commission proposal as follows:

**Tolls and user charges:** since distance-based pricing (tolls) rather than time-based pricing (vignettes) better reflects actual usage, emission levels and pollution, the Commission proposed to phase out time-based pricing schemes after an appropriate transitional phase. Members considered that road pricing imposed by Member States should be based on distance from 2026 for passenger cars (two years earlier than was proposed by the European Commission) and from 2023 for heavy goods vehicles and vans for the transport of goods.

Members considered that road networks covered by an infrastructure charge must afford a high level of road safety, together with all necessary infrastructure facilities, such as safe and secure parking areas, for compliance with the obligations laid down by the regulation on rest periods and driving times.

**User rights (proportionality and equal treatment):** the proportionality of user charges may take into consideration the specific characteristic of transport operations which start in a Member State on the periphery of the EU. As of 1 January 2020, tolls and user charges applied to heavy duty vehicles shall apply to all heavy duty vehicles, as well as to all vans intended for the carriage of goods fitted with a tachograph.

**External cost charging:** from 1 January 2021, Member States that levy tolls shall apply an external-cost charge for traffic-based air or noise pollution to heavy duty vehicles and to vans intended for the carriage of goods on all parts of the network referred to in Article 7(1) that are subject to an infrastructure charge.

From 1 January 2026 onwards, an external-cost charge imposed on any section of the road network shall apply in a non-discriminatory manner to all vehicle categories. Member States may apply derogations which allow external-cost charges to be adjusted for vehicles of historical interest.

**Congestion charging:** Members proposed that congestion charges may be introduced or maintained independently from infrastructure charges. Member States may, however, decide to exempt buses and coaches for the promotion of collective transport and socio-economic development and territorial cohesion.

The level of charges shall be reviewed annually to ensure that they are not higher than the cost of congestion occurring in that Member State and generated on those road sections, which are subject to the congestion charge.

Mark-up: the increase should not exceed 15% of the weighted average infrastructure charge, except in mountainous regions, where infrastructure costs as well as climatic and environmental damage are higher, in which case the increase may not exceed 50%.

Variation in charges: Members proposed that from the date of entry into force of this Directive, zero-emission vehicles shall benefit from infrastructure charges reduced by 50 % compared to the lowest rate. Zero-emission operation shall benefit from the same reduction, provided that such operation can be proved.

Member States may take into account the improvement of the environmental performance of the vehicle which is linked to that vehicles conversion to alternative fuels. A standing subscription or any other mechanism approved by the toll systems operator should allow users to benefit from a variation in toll charges that rewards the improved environmental performance of the vehicle, after conversion.

Discounts: for light vehicles, in particular for frequent users on the areas of dispersed settlements and the outskirts of cities, Member States may provide for discounts or reductions to the infrastructure charge provided that such discounts contribute to social cohesion and ensure the mobility of peripheral regions or remote areas.

Member States or competent authorities may introduce a kilometre-based flat-rate exemption on a specific road section, taking into account the mobility patterns and economic interest of peripheral regions.

In mountain areas and peripheral regions, Member States or competent authorities may vary toll rates for heavy vehicles according to distance travelled by the tolled vehicles to minimise socio-economic impacts.

Use of revenues: to enable the transport network to be developed as a whole, revenues generated from infrastructure and external costs charges, or the equivalent in financial value of these revenues, shall be used to carry out road network maintenance and upkeep, and to optimise the entire transport system.

Revenues shall be used to: (i) reduce air and noise pollution from road transport; (ii) finance collective and sustainable modes of transport; (iii) develop alternative fuel infrastructures; (iv) support the trans-European transport network and eliminating bottlenecks.

Members proposed that the revenue from charges be used on the territory containing the road section on which they applied.

Member States should clearly indicate how the revenue generated by road user charges is used. They should publish the results of reinvesting infrastructure charges and external costs, as well as the benefits in terms of increased road safety, a reduced environmental impact and reduced traffic congestion.

Lastly, Members proposed to establish in each Member State an independent authority to supervise toll systems and to guarantee all road users a high level of information on how revenues are used.

## 2017/0114(COD) - 25/10/2018 Text adopted by Parliament, 1st reading/single reading

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The European Parliament adopted by 398 votes to 179, with 32 abstentions, a legislative resolution on 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.

The European Parliaments position adopted at first reading under the ordinary legislative procedure amended the Commission proposal as follows:

Tolls and user charges: the proposed Directive aims to help meet EU emission reduction targets for the transport sector and make road user charges fairer. Since distance-based pricing (tolls) rather than time-based pricing (vignettes) better reflects actual use, emission levels and pollution, the draft Directive would phase out time-based pricing systems after an appropriate transitional phase.

Parliament considered that road charging imposed by Member States would need to become distanced-based from 2023 for heavy-duty vehicles and larger goods vans with a maximum permissible laden mass of between 2.4 and 3.5 tonnes and a height of more than 2 metres and from end of 2027 for light duty vehicles, meaning vans and minibuses.

As of 1 January 2020, tolls and user charges applied to heavy duty vehicles shall apply to all heavy duty vehicles and vans intended for the carriage of goods.

User rights (proportionality and equal treatment): the proportionality of user charges may take into consideration the specific characteristic of transport operations which start in a Member State on the periphery of the EU.

According to the amended text, road networks covered by an infrastructure charge shall offer a high level of road safety and be equipped with all the necessary infrastructure, such as safe parking areas in all weather conditions, to comply with the obligations laid down in the Regulation on rest periods and driving times.

External cost charging: from 1 January 2021, Member States that levy tolls shall apply an external-cost charge for traffic-based air or noise pollution to heavy duty vehicles and to vans intended for the carriage of goods on all parts of the network referred to in the Directive that are subject to an infrastructure charge.

From 1 January 2026 onwards, an external-cost charge imposed on any section of the road network shall apply in a non-discriminatory manner to all vehicle categories. Member States may apply derogations which allow external-cost charges to be adjusted for vehicles of historical interest.

Congestion charging: Members proposed that congestion charges may be introduced or maintained independently from infrastructure charges. Member States may, however, decide to exempt buses and coaches for the promotion of collective transport and socio-economic development and territorial cohesion

Mark-up: the mark-up does shall not exceed 15 % of the weighted average infrastructure charge, except in mountainous areas, where

infrastructure costs as well as climate and environmental damage are higher, in which case the mark-up may not exceed 50 %.

Variation in charges: Parliament proposed that from the date of entry into force of this Directive, zero-emission vehicles shall benefit from infrastructure charges reduced by 50 % compared to the lowest rate. Zero-emission operation shall benefit from the same reduction, provided that such operation can be proved.

Member States may take into account the improvement of the environmental performance of the vehicle which is linked to that vehicles conversion to alternative fuels. A standing subscription or any other mechanism approved by the toll systems operator should allow users to benefit from a variation in toll charges that rewards the improved environmental performance of the vehicle, after conversion.

Discounts: for heavy duty vehicles and vans intended for the carriage of goods, Member States may provide for discounts or reductions to the infrastructure charge on condition that such discounts or reductions do not exceed 20 % of the infrastructure charge paid by equivalent vehicles not eligible for the discount or reduction and those used for local or habitual transport, or both.

For light vehicles, in particular for frequent users on the areas of dispersed settlements and the outskirts of cities, Member States may provide for discounts or reductions to the infrastructure charge provided that such discounts contribute to social cohesion and ensure the mobility of peripheral regions or remote areas.

Member States or competent authorities may introduce a kilometre-based flat-rate exemption on a specific road section, taking into account the mobility patterns and economic interest of peripheral regions.

In mountain areas and peripheral regions, Member States or competent authorities may vary toll rates for heavy vehicles according to distance travelled by the tolled vehicles to minimise socio-economic impacts.

Use of revenues: revenues generated from infrastructure and external costs charges, or the equivalent in financial value of these revenues, shall be used to carry out road network maintenance and upkeep, and to optimise the entire transport system.

Revenues shall be used to: (i) reduce air and noise pollution from road transport; (ii) finance collective and sustainable modes of transport; (iii) develop alternative fuel infrastructures; (iv) support the trans-European transport network and eliminating bottlenecks.

Lastly, Members proposed to establish in each Member State an independent supervisory authority for infrastructure charging responsible for ensuring compliance with this Directive.