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REPORT

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
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Subject:	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 – Progress report

I. INTRODUCTION

The Commission submitted the above-mentioned proposal to the European Parliament and to the Council on 1 June 2017 as a part of the First Mobility Package.

The Commission has presented its proposal to address the problems relating to greenhouse gas emissions, financing of the road infrastructure and congestion. The proposal modifies the directive on the charging of heavy goods vehicles for the use of certain infrastructures (Directive 1999/62/EC).

II. WORK AT OTHER INSTITUTIONS

The European Parliament designated the Committee on Transport and Tourism (TRAN) as the responsible committee on this proposal and Ms Christine REVAULT D'ALLONNES BONNEFOY (SD, FR) as the rapporteur. The Committee on the Environment, Public Health and Food Safety (ENVI) adopted its opinion on 28 March 2018.

The responsible committee, TRAN, voted on the report on 24 May 2018. On 25 October 2018, the Parliament voted in its plenary session on the report and adopted it as its first reading position.

The European Economic and Social Committee adopted its opinion on the proposal at the 529th plenary session, on 18 October 2017. The European Committee of the Regions adopted its opinion at the 127th plenary session, on 1 February 2018.

III. WORK AT THE COUNCIL AND ITS PREPARATORY BODIES

The Working Party on Land Transport started its work on 1 June 2017 with a general presentation of the proposal. On 21 June 2017 the impact assessment was analysed.

During autumn 2017 the Working Party continued with the detailed examination of the proposal. The Council (TTE, Transport) held a policy debate on the proposal on 5 December 2017 (doc. 14426/17).

In 2018, the Working Party on Land Transport focused its work on other proposals under discussion, in particular those related to the three Mobility Packages.

IV. WORK TOWARDS A COMPROMISE

During spring 2019 the work on the *Eurovignette* proposal resumed in the Working Party, starting with a general analysis of the main elements of the proposal on 14 and 18 February. Following the article-by-article examination on 25 February and on 4, 7 and 11 March 2019, the Presidency drafted a first compromise proposal. This compromise was examined on 8 and 12 April 2019 in the Working Party.

Based on the feedback on the first compromise, the Presidency prepared a revised compromise (doc. 8681/19) which was discussed on 13 May 2019.

Denmark and United Kingdom have a parliamentary reservation on the proposal. All Member States maintain scrutiny reservations on the Presidency compromise proposal. The Commission maintains a general reservation.

V. CONCLUSIONS

Based on the work carried out so far, the Presidency draws the following conclusions:

1. A clear majority of the Member States considers that several requirements in the proposal by the Commission are too prescriptive, and they could limit the flexibility of Member States in the use of their policy instruments.
2. In particular, the following key themes merit special mentioning:
 - impact on existing concession contracts, in particular as regards legal certainty;
 - while distance-based charging appears to be better suited to the principle of *polluter pays*, time-based charging - *vignettes* - offers a cost-effective and straightforward instrument to charge for the use of the road infrastructure, which many Member States wish to maintain as an option;

- treatment of private cars, as well as buses, coaches and minibuses, may be conflicting with the policies of the Member States, such as regional development, social policies, public transport and road safety;
- modalities for differentiation of tariffs based on CO₂-emissions call for closer examination; and
- further earmarking of revenues from road charging to spend them in certain sectors conflicts in some Member States with national practices of budgeting, including even constitutional principles.

3. Additional technical work on the Presidency compromise will be necessary in order to develop a position that could be supported by a majority of the Member States.

In the light of the above the Permanent Representatives Committee and the Council are invited to take note of this progress report on the work regarding the proposed revision to the Eurovignette Directive.
