



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 1 February 2011 (02.02)  
(OR. en,fr,it,nl)**

**5767/11  
ADD 1 REV 1**

---

---

**Interinstitutional File:  
2008/0147 (COD)**

---

**CODEC 109  
TRANS 22  
FISC 7  
ENV 50**

**REVISED ADDENDUM TO "I/A" ITEM NOTE**

---

from : General Secretariat of the Council  
to : COREPER/COUNCIL

---

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 [**first reading**]  
- Adoption  
(a) of the Council's position  
(b) of the Council's reasons  
- Statements

---

**STATEMENT BY THE ITALIAN DELEGATION**

While sharing the ecological considerations advanced as the basis of the proposal to amend the *Eurovignette* Directive, Italy has always believed in the need to differentiate the terms for its adoption, for two specific reasons:

- to avoid adding further to the impact of the cost of transport on the value of the goods transported, at a time when economic recovery is difficult,
- to ensure certainty regarding transfers of the resources generated by the *Eurovignette* to promote identifiable infrastructures.

We would emphasise that the *Eurovignette* Directive impacts greatly on the competitiveness of the production processes, especially if account is taken of the specific conditions in some countries of the European Union, such as their **mountainous nature, number of passes, high level of land use (anthropization)**. We would also stress that for some countries, mountain "multipliers" result in increases of up to 100 % of the applicable external costs. This applies not only to Italian territory, although that does have specific characteristics, but also to extensive territories of the European Union at risk of seeing their growth and development penalised.

A Community system in which over 90 % of goods now move by road, while the cost of supply and transport in some cases exceeds the threshold of 25 %, cannot be further burdened by payments which are not subsequently reinvested in the area of infrastructure networks.

This is clearly in conflict with the "Europe 2020" strategy and the policy of cohesion, and in addition causes great damage in the sphere of road transport, which despite expenditure of resources would obtain no advantage in terms of improving the efficiency of the infrastructure available.

The **Directive should be based on two fundamental principles:**

1. A **gradual introduction** of externalities, in all forms of transport, in combination with a **full evaluation of the economic, environmental and social impact**.
2. Clear **definition of the destination of the revenue from external costs**, which should in any case be assigned to the transport sector, with the stipulation that resources deriving from mountain multipliers are to be used for TEN networks priority projects.

The Common Position adopted by the Council on 15 October 2010 is inadequate because it does not contain the abovementioned points.

With a view to the next stages of the process of co-legislation with the European Parliament, we consider it essential, in addition to the aforementioned, to:

- introduce what is known as "**mini- earmarking**", i.e. the forecast for reinvestment in TEN networks priority projects of resources deriving from mountain multipliers of external costs.
- **exempt the Euro VI class** for an appropriate period of time in order to allow for renewal of the vehicle fleet, thus rewarding operators who invest in green technologies.
- lay down the maximum variation of the cost of congestion, within the infrastructure charge, which should preferably amount to around 100 % of the weighted average cost for a reasonable number of daily hours (classified as peak congestion period).

These requests are on the one hand intended to attenuate the negative impact on the road transport sector and on the other to guarantee resources for the completion of the priority projects, as well as to encourage more eco-compatible behaviour.

#### **STATEMENT BY THE NETHERLANDS**

The Netherlands is of the opinion that the common position on the review of Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures ("Eurovignette") contains positive features such as the exclusion of the external costs of congestion, the strict upper limit for external costs of air pollution and noise and the exemption of the cleanest vehicles from the charge for external costs of air pollution.

The Netherlands nevertheless considers that the figure of 175 % for the infrastructure charge differentiation is too high. The Netherlands therefore continues to advocate lowering that percentage.

In addition, the Netherlands considers that the Directive should include sufficient guarantees of fair treatment for hauliers. This could be achieved, inter alia, by stipulating that a country which differentiates according to congestion by making a higher charge during peak periods must compensate by making a lower charge in off-peak periods on *the same stretch of road*. That would make it clear to hauliers that such a differentiation does not on balance involve a cost increase but is a measure designed to encourage the use of that stretch of road outside peak periods by raising and lowering the toll rates depending on the level of congestion. In that way, the differentiation would achieve maximum effect.

The Netherlands is therefore abstaining.

#### **STATEMENT BY THE UNITED KINGDOM, SWEDEN AND IRELAND**

"The UK, Sweden and Ireland note that the proposed adoption of amendments to the Eurovignette Directive on the sole legal base of Article 91(1) of the Treaty on the Functioning of the European Union is inappropriate for a legislative measure which contains substantial fiscal provisions. In line with observations the UK, Sweden and Ireland have made in similar circumstances previously, the UK, Sweden and Ireland continue to take the view that where EU legislation includes fiscal provisions the legal base should include, either solely or, where appropriate, jointly, one of the Treaty articles dealing with fiscal issues. In this case, the UK, Sweden and Ireland believe that Article 113 should have been used as a legal base for the Amending Directive. The support of the UK, Sweden and Ireland for this political agreement is without prejudice to their stance on similar measures in the future."

## STATEMENT BY IRELAND

"Ireland supports the internalisation of external costs on a balanced basis for all transport modes in the interests of sustainable economic development. However, the application of this principle must be undertaken in a manner that does not result in the targeting of any particular transport mode or transport user. In the current economic crisis, anything that adds costs to our goods or services is a matter of serious concern to Ireland."

---