

Brussels, 1 March 2004

OPINION

of the
Committee of the Regions
of 11 February 2004

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 infrastructure

COM(2003) 448 final – 2003/0175 (COD)

THE COMMITTEE OF THE REGIONS,

Having regard to 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 infrastructure **COM(2003) 448 final - 2003/0175 (COD)**;

Having regard to the decision of the Council of 12 September 2003 to consult it on this subject, under the Article 71 and the first paragraph of Article 265 of the Treaty establishing the European Community;

Having regard to the decision of its President of 19 June 2003 to instruct its Commission for Territorial Cohesion Policy to draw up an opinion on this subject;

Having regard to its draft opinion (CdR 290/2003 rev. 1) adopted on 3 December 2003 by the Commission for Territorial Cohesion Policy (rapporteur: **Mr Robert Neill**, member of the London Assembly (UK, EPP));

Whereas:

1. Congestion and pollution in our cities and regions lead to increased costs to businesses, damage the effectiveness of the transport system, degrade the environment and are harmful to public health;
2. Infrastructure charging is only one of a range of tools which can be used to ensure a more sustainable and effective use of the transport infrastructure;
3. Current levels of taxes and levies on road transport are not based on a calculation of true costs, which contributes towards a distortion of competition between Member States, ignores environmental and social costs and results in difficulties with financing of infrastructure investment;
4. Freight transport is a vital factor in achieving European integration and furthering the economic and social development of the regions;
5. Authorities who are responsible for roads which suffer from heavy international freight traffic have to bear the costs at present, which can leave them with a disproportionate burden;
6. Article 3c of the Amsterdam Treaty obliges the EU to integrate environmental protection requirements into the definition and implementation of Community policies with a view to promoting sustainable development;
7. The Gothenburg European Council placed shifting the balance between modes of transport at the heart of the EU's sustainable development strategy;
8. Part of the package of proposals for supporting the development of Trans-European networks is the proposal for a directive on the interoperability of electronic road-toll systems in the Community which is the subject of another opinion (CdR 185/2003 fin)¹.

adopted the following opinion unanimously at its 53rd plenary session, held on 11 and 12 February 2004 (meeting of 11 February).

1) The Committee of the Regions' views

The Committee of the Regions

welcomes the revision of the common European framework on the charging of heavy goods vehicles on the use of certain roads to ensure a level-playing field with other modes of transport in the internal market for heavy goods vehicles operators;

believes that this framework should contribute towards the efficient functioning of transport systems in the internal market, by influencing road use and addressing congestion, the costs of extensive road use and infrastructure maintenance as well as the efficient provision of new infrastructure;

supports the “polluter pays” and the territorial principle (costs are paid where they arise): there should be an equal system of payment for road use regardless of from where users come;

welcomes the revision of the charging system which would more accurately reflect local social and environmental factors but believes that the charge should be based on all external costs;

believes that better demand management of road use will contribute towards safer roads, and notes that road safety is the subject of another opinion.

1. Application of the directive

1. **supports** the limitation of the application of the European framework to heavy goods vehicles over 3.5 tonnes and the Trans-European networks and potential diversionary routes, in accordance with the principle of subsidiarity. The Committee also welcomes the fact that the Commission proposal leaves it up to the Member States whether they introduce tolls and user charges on their whole road network;
2. **believes** that local and regional authorities must be involved in the decision-making process regarding the application of charges within their area, balancing the need to avoid distortions of competition in the EU and local/regional economic, environmental and social interests. Local and regional authorities must have the freedom and flexibility to decide whether and where to charge or not, in agreement with the Member States. However, in the interests of a sustainable transport policy a harmonised minimum charge for heavy goods vehicles should be introduced throughout Europe;
3. **welcomes** the express recognition of the problem of diversionary routes, and seeks maximum flexibility to vary the structure of charging to ensure that minor routes are not used as a substitute for the main /major route;
4. **believes** that Member States should not be required to seek the Commission's assent for introducing charges on other roads, in accordance with the principle of subsidiarity;

5. **asks** the Commission to promote a technical dialogue between Commission desk officers and experts from local and regional government, during policy formulation and the drafting phase of transport policy.

2. **The charging structure**

1. **agrees** that a transparent charging structure is essential to ensure its acceptability amongst users;
2. **is disappointed** however, that the Commission's proposals are not in line with its original suggestion in its 2001 white paper "European transport policy for 2010: time to decide", in that only the cost of the infrastructure and uncovered accident costs can be used as the basis for calculating the cost of infrastructure. The Committee of the Regions supported the approach outlined in the Commission's 1998 white paper "Fair payment for infrastructure use" where the model proposed was that of charges based on marginal costs, reflecting all external costs;
3. **calls** upon the Commission to continue to seek an agreed methodology by which all relevant external costs can be quantified, ideally on a marginal cost basis, so that a proper assessment can be made of the desirability and practicality of including such costs in the charging regime, when set against any potential adverse impacts upon business and competitiveness;
4. **agrees** that costs should take account of the impact of the vehicle on the infrastructure and environment. The proposals refer to vehicle weights, axle configurations and engines types/emission levels, therefore it is possible that there will be an impact on local and regional authorities or agencies who may have to test these vehicles or undertake enforcement activity to ensure compliance with minimum standards. However, notes that not all vehicle testing agencies will currently have information relating to type approval or plating of goods vehicles;
5. **calls** on the Commission, however, to re-examine the damage class proposals as laid out in Annex III. In particular, the apparently anomalous case where a vehicle combination (articulated vehicles and road trains) of a maximum permissible laden weight of between 36-40 tonnes on 3+3 axles is classed as damage class I, the same as a two-axle motor vehicle of a maximum permissible laden weight of between 3.5 tonnes and 7.5 tonnes. The respective real strains placed on the road system produced by the abovementioned categories of vehicles bear little resemblance to the relation between the proposed level of tolls to be charged;
6. **supports** the ability to vary the charge according to local factors, which take into account in particular areas with higher population density, environmental sensitivity of the area;
7. **calls** on the Commission to clarify the definition of what is a sensitive area where mark-ups of up to 50% would be possible; as it currently stands it is too vague and could be open to a wide interpretation by Member States; as far as the Alpine Region is concerned, the field of application of the Alpine

Convention, which was also ratified by the EU, provides a criterion for defining the region;

8. **equally** supports variation according to time of day and level of congestion to ensure optimal use of the road network by freight operators;
9. **believes** that the charge should be able to vary according to the type of day as well, not only the time of day, as well as the direction of travel, provided that the applied average costs are in line with the EC guidelines;
10. **calls** on the Commission to remove the limit on the variation of the charge for the purposes of congestion management. This limit would impede the effectiveness of congestions tolls, which in some cases would have to be set at more than double the minimum level in order to achieve reasonably free movement of traffic. Authorities should be free to set the charge at an effective level, according to local circumstances. Proportionality should be the governing principle;
11. **is concerned** that since the more peripheral and less accessible areas of the EU inevitably face longer hauls for their imports and exports, charges relating to distance travelled may have a disproportionate impact on local economies. Variations should be allowed to counter this impact;
12. **agrees** that variations have to be proportionate to the objective, in order to prevent any unfair competition in the market;
13. **welcomes** the ability to off-set charges by introducing tax cuts, in particular annual vehicle tax;
14. **questions** again whether the existing Community policies in this field are adequate enough to accelerate the use of cleaner technologies and fuels. Considers that the Commission should consider more integration of policies in this field and on infrastructure charging to ensure that both policies contribute directly towards the goals of reducing congestion and lowering levels of harmful emissions;
15. **calls** on the Commission to invest in technical studies to develop the system of charging for the use of road infrastructure, in particular the calculation of marginal costs, including all external costs in the charge.

3. Using the revenues from the fees

1. **believes** that good transport infrastructure is essential in contributing to the economic and social cohesion of the regions of Europe. Given the increasing road traffic, it is important to change behaviour in relation to transport choice, to encourage sustainable means of transport, this means that useable and equally efficient and competitive alternatives are essential;
2. **supports** hypothecation of income received from charging for transport related services, as it plays a key role in ensuring the acceptability of a road user charging system; does, however, at the same time, propose that

authorisation be given for the use of income from road-user charges also to compensate for losses incurred as a result of reducing vehicle taxes or fuel tax;

3. **however**, the CoR believes that, according to subsidiarity, Member States and regional and local authorities should be free to decide how to use the revenue from the proposed charging system on transport, in particular in the case of charges levied on roads for which regional and local authorities are themselves responsible;
4. **believes** that the ability to cross-finance alternative modes of transport should be expressly recognised in relation to all charges in order to promote more sustainable modes of transport and that this should not apply exclusively to sensitive areas where mark-ups are applied;
5. **calls** on Member States to improve the alternative modes of transport which will ease congestion and promote modal shift for freight transport;
6. **believes** that the establishment of a national supervisory authority in each Member State is not necessary. However, should such an authority be created, it should include representatives of local and regional authorities. It should be for the Member States and regional and local authorities to decide how they monitor and manage the revenues generated by the charge. They should adopt adequate transparent procedures to account for the charges collected, and the way in which they are spent on transport. It should be transparent for all actors involved;
7. **notes** that the financing of TENs is the subject of a separate opinion.

4. Urban Charging

1. **notes** that many local and regional authorities have, or are, seeking to introduce road charging policies, that operate both distance and time-based schemes including tolls and vignettes² respectively;
2. **welcomes** the express recognition, that in accordance with the principle of subsidiarity, that charging on other roads and urban congestion charging schemes remains a matter for Member States and its local and regional authorities and that they are not constrained by the principles of the directive, only by general Treaty law as is currently the case;
3. **notes** that the Eurovignette directive does not apply to urban or local roads, except to the extent that charges may be imposed on diversionary routes or that they are part of the main trans-European network;
4. **stresses**, therefore, the following issues:
 - the need to avoid double charging or overlap between national and urban schemes, in particular where the main road network involves urban transit sections;

- different principles of calculating the costs may apply to local congestion schemes, which are geared towards demand management. Local and regional authorities may choose to introduce charging schemes based on the marginal costs approach rather than the average costs approach adopted by the Commission in the Eurovignette directive. If the scope of the directive is extended in future to other roads and road users, then the basis of charging will have to be revisited, as other social, economic and environmental factors come into play.

5. Impact Assessment

1. Calls on the Commission to consider the effect of the charging system in particular in relation to:

- urban and local charging schemes;
- peripheral areas;
- small freight operators whose business is mainly domestic or localised;

when it reports to the European Parliament and the Council on the implementation and effects of the directive in 2008.

This should not, however, impose undue extra administrative burdens on Member States or its regions.

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2) The Committee of the Regions' recommendations

Amendments

Recommendation 1

Recitals – amendment

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
(5) When Member States decide to introduce tolls, they should also take account of accident costs which are not covered by insurance but are borne by society as a whole.	(5) When Member States decide to introduce tolls, they should also take account of all external costs including congestion, health and environmental costs and the accident costs which are not covered by insurance but are borne by society as a whole, to the extent to which an agreed method of quantification can in future be agreed, considering also the impact

	upon business and competition.
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Reason

The charge should be take account of all external costs, not only accident costs, to reflect the true social, environmental and economic costs of road use.

Recommendation 2

Recitals – amendment

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
(8) Where possible, the financial burden for the transport sector must not be increased, but distributed differently by replacing fixed taxes and charges by a system of charges related to use. When Member States introduce tolls and/or user charges, they must therefore be able to reduce in particular the rates of annual taxes on vehicles, where appropriate to below the minimum levels provided for in Annex I to Directive 1999/62/EC.	(8) Fixed taxes and charges should be replaced by a system of charges related to use. When Member States introduce tolls and/or user charges, they may therefore be able to reduce the rates of annual taxes on vehicles. , If vehicle tax is reduced it must not fall below the minimum levels provided for in Annex I to Directive 1999/62/EC.

Reason

Vehicle taxes should not, as a matter of principle, be cut to a level below the minimum rates set out in Annex I of Directive 1999/62/EC. Any reduction below these minimum rates would have unacceptable drawbacks, not least the following:

- it would weaken the environmental steering effect of emission-related vehicle taxes;
- it would unduly distort the relative vehicle tax burden on private cars. Many cars might thereby be liable for a much higher rate of vehicle tax than heavy goods vehicles. That would run counter to the rationale behind the vehicle tax, which is levied - if not legally then materially - to meet infrastructure costs.

Recommendation 3

Recital 9

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
(9) With regard to infrastructure financing, efforts to reduce congestion and complete the	(9) With regard to infrastructure financing, efforts to reduce congestion and complete the

trans-European network infrastructure should be stepped up. Consequently, the revenue from fees must be used for maintenance of the road infrastructure and for the benefit of the transport sector, in order to contribute to the balanced development of all infrastructure in the interests of the transport network as a whole.	trans-European network infrastructure should be stepped up. Consequently, the revenue from fees must be used for maintenance of the road infrastructure and for the benefit of the transport sector, in particular alternative sustainable means of transport, in order to contribute to the balanced development of all infrastructure in the interests of the transport network as a whole. With this aim in view, they may also be used to offset the effects of a reduction in vehicle tax.
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Reason

The ability to cross-finance alternative modes of transport should be expressly recognised in relation to all charges in order to promote more sustainable modes of transport, this should not apply exclusively to sensitive areas where mark-ups are applied.

Recommendation 4

Recitals

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
	<i>Insert text</i>
(13) In order to ensure that the requirements of the Directive are correctly enforced, Member States must designate an independent infrastructure supervision authority. This body will have a key role in ensuring, through appropriate monitoring, balanced use of the available resources. Simple, clear rules must therefore be established regarding the possibility of promoting synergies between competing transport infrastructure modes in a single corridor.	(13) In order to ensure that the requirements of the Directive are correctly enforced, Member States must adopt transparent accounting procedures for the balanced use of the available resources. Simple, clear rules must therefore be established regarding the possibility of promoting synergies between competing transport infrastructure modes in a single corridor.

Reason

The establishment of a national supervisory authority in each Member State is not necessary. It should be for the Member States to decide how they monitor and

manage the financing. Member States should adopt adequate transparent procedures to account for the charges collected, and the way in which they are spent on transport.

Recommendation 5

Recitals

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
	<i>Insert text</i>
(14) Further technical progress is still needed to develop the system of charging for the use of road infrastructure. There must be a procedure allowing the Commission to adapt the requirements of Directive 1992/62/EC to technical progress following consultation of the Member States for this purpose. The measures necessary to implement this Directive must be adopted in accordance with Council Decision No 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission.	(14) Further technical progress is still needed to develop the system of charging for the use of road infrastructure, in particular the calculation of marginal costs which includes all external costs. There must be a procedure allowing the Commission to adapt the requirements of Directive 1992/62/EC to technical progress following consultation of the Member States for this purpose. The measures necessary to implement this Directive must be adopted in accordance with Council Decision No. 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission.

Reason

There are many different models for calculating marginal costs which encompass all external costs, we would like to stress the need for this to be investigated further, so that a consistent pan-European approach can be adopted.

Recommendation 6

Point 3 (a) amending Article 7 paragraph 2 – partly delete

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
2. Tolls and user charges shall be imposed on the vehicles defined and on the trans-European road network. Member States may extend the imposition of tolls and user charges to other roads of the primary road network. Without prejudice to paragraph 6, their extension to these other roads shall be subject to the procedure referred to in Article 9c(5).	2. Tolls and user charges shall be imposed on the vehicles defined and on the trans-European road network. Member States may extend the imposition of tolls and user charges to other roads of the primary road network.

Reason

Member States should not be required to seek the Commission's assent for introducing charges on other roads, in accordance with the principle of subsidiarity.

Recommendation 7

Point 1(b) amending Article 2(b)

Commission text	CoR proposal
"construction costs" means the costs related to construction, including, where appropriate, the cost of the interest on the capital invested, of new infrastructure or of infrastructure completed not more than ... [15 years before the entry into force of this Directive];"	"construction costs" means the costs related to construction, including, where appropriate, the cost of the interest on the capital invested, of new infrastructure or of infrastructure completed not more than ... [30 years before the entry into force of this Directive];"

Reason

Restrictions on offsetting construction costs would be disadvantageous for those Member States that invested early on in expanding the high-grade road network.

Recommendation 8

Point 3(f) amending Article 7(9)

Commission text	CoR proposal
9. The weighted average tolls shall be related to the costs of constructing, operating, maintaining and developing the infrastructure network concerned, including any infrastructure costs designed to reduce nuisance related to noise and costs of actual payments made by infrastructure operator corresponding to objective environmental elements such as for example soil contamination, and to the direct or indirect costs of accidents which, not being covered by an insurance system, are borne by society. The weighted average tolls shall be calculated without prejudice, as regards taking into account construction costs, to rights relating to	9. The weighted average tolls shall be related to the costs of constructing, operating, maintaining and developing the infrastructure network concerned, including any infrastructure costs designed to reduce nuisance related to noise and costs of actual payments made by infrastructure operator corresponding to objective environmental <u>and health-related</u> elements such as ranging , for example, <u>from</u> soil contamination, and to the direct or indirect costs of accidents which, not being covered by an insurance system, are borne by society. The weighted average tolls shall be calculated without prejudice, as regards taking into account

concession contracts existing at ... [date of entry into force of this directive]	construction costs, to rights relating to concession contracts existing at ... [<i>date of entry into force of this directive</i>].
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Reason

Charges should factor in all external costs – not only the costs of accidents – so that they reflect the actual social, environmental and economic costs of infrastructure use.

Recommendation 9

Point 3(h) amending Article 7(11)

Commission text	CoR proposal
<p>11. In exceptional cases concerning infrastructure in particularly sensitive regions, in particular mountainous regions, and after consulting the Commission in conformity with the procedure referred to in Article 9c(5), a mark-up may be added to the tolls to allow for cross-financing the investment costs of other transport infrastructures of a high European interest in the same corridor and in the same transport zone. The mark-up may not exceed 25% of the tolls. The application of this provision shall be subject to the presentation of financial plans for the infrastructure concerned and a cost/benefit analysis for the new infrastructure project. Application of this provision to new transfrontier projects shall be subject to the agreement of the Member States concerned.</p> <p>Should the Commission consider that the planned mark-up does not meet the conditions set in this paragraph, it shall seek the opinion of the Committee referred to in Article 9c(1). It may reject the plans for charges submitted by the Member State concerned in conformity with the procedure referred to in Article 9c(2).</p> <p>When the Commission informs the Member State concerned that it intends to seek the opinion of the Committee, the deadline of 30 days mentioned in Article 2 of the Council Decision referred to in Article 9c(5) shall be suspended.</p>	<p>11. In exceptional cases concerning infrastructure in particularly sensitive regions, in particular mountainous regions <u>and the Alpine region as covered by the Alpine Convention</u>, and after consulting the Commission in conformity with the procedure referred to in Article 9c(5), a mark-up may be added to the tolls to allow for cross-financing the investment costs of other transport infrastructures of a high European interest <u>and alternative measures to ease road congestion or environmental protection measures</u> in the same corridor and in the same transport zone. The mark-up may not exceed 50 % of the tolls. The application of this provision shall be subject to the presentation of financial plans for the infrastructure concerned and a cost/benefit analysis for the new infrastructure project. Application of this provision to new transfrontier projects shall be subject to the agreement of the Member States concerned.</p> <p>Should the Commission consider that the planned mark-up does not meet the conditions set in this paragraph, it shall seek the opinion of the Committee referred to in Article 9c(1). It may reject the plans for charges submitted by the Member State concerned in conformity with the procedure referred to in Article 9c(2).</p> <p>When the Commission informs the Member State concerned that it intends to seek the opinion of the Committee, the deadline of 30 days mentioned in Article 2 of the Council</p>

Decision referred to in Article 9c(5) shall be suspended.

Reason

The area covered by the Alpine Convention is a good yardstick for defining the sensitive Alpine region. Moreover, cross-financing should not only be an option for improving transport infrastructure, but also for alternative measures to ease traffic congestion or environmental protection measures. Also, the mark-up in sensitive areas should not be strictly limited to 25% but should be higher and more flexible.

Recommendation 10

Point 3 (g) amending Article 7 paragraph 10 – amendment

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
<p>"10. Without prejudice to the weighted average tolls referred to in paragraph 9, Member States may vary the toll rates according to:</p> <p>(a) vehicle type, based on its road damage class in conformity with Annex III and its EURO emission class in accordance with Annex 0;</p> <p>(b) time of day and level of congestion on the road concerned, provided that no toll is more than 100% above the toll charged during the cheapest period of the day;</p> <p>(c) the particular road in the network, depending on the environmental sensitivity of the area, the population density or the accident risk;</p> <p>Any variation in tolls charged with respect to different types of vehicle, time of day and congestion level and the particular route taken in the road network shall be proportionate to the objective pursued.</p> <p>No later than 1 July 2008, Member States shall be required to vary the rates at which tolls are charged according to the particular route in the road network, in conformity with point (c)."</p>	<p>"10. Without prejudice to the weighted average tolls referred to in paragraph 9, Member States may vary the toll rates according to:</p> <p>(a) vehicle type, based on its road damage class in conformity with Annex III and its EURO emission class in accordance with Annex 0;</p> <p>(b) <u>the type of day and direction of travel</u>;</p> <p>(c) time of day and level of congestion on the road concerned, provided that no toll is more than 100% above the toll charged during the cheapest period of the day;</p> <p>(d) the particular road in the network, depending on the environmental sensitivity of the area, the population density, <u>peripherality</u> or the accident risk;</p> <p>Any variation in tolls charged with respect to different types of vehicle, time of day and congestion level and the particular route taken in the road network shall be proportionate to the objective pursued.</p> <p>No later than 1 July 2008, Member States shall be required to vary the rates at which tolls are charged according to the particular route in the road network, in conformity with point (c)."</p>

Reason

If the charges are to be used as an effective demand management tool, then account must be taken of all factors which affect road use, this includes the type of day, i.e. the day of the week or holidays. It should be possible to vary the charge according to the direction of travel at certain times of the day.

The limit on the variation of the charge for the purposes of congestion management should be removed. This limit would impede the effectiveness of congestions tolls, which in some cases would have to be set at more than double the minimum level in order to achieve reasonably free movement of traffic. Authorities should be free to set the charge at an effective level, according to local circumstances. Proportionality should be the governing principle.

The more peripheral and less accessible areas of the EU inevitably face longer hauls for their imports and exports, charges relating to distance travelled may have a disproportionate impact on local economies. Variations should be allowed to counter this impact.

Recommendation 11

Point 4 amending Article 7b – amendment

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
1. Without prejudice to Articles 87 and 88 of the Treaty, and subject to other provisions of Community law, Member States may, on introducing a system of tolls and/or user charges for infrastructure, provide compensation for these charges, in particular by reducing the rates of vehicle taxes, where appropriate, to a level below the minimum rates in Annex I to the Directive.	1. Without prejudice to Articles 87 and 88 of the Treaty, and subject to other provisions of Community law, Member States may, on introducing a system of tolls and/or user charges for infrastructure, provide compensation for these charges, in particular by reducing the rates of vehicle taxes.

Reason

Member States' ability to reduce fuel tax to off-set the road charges should be expressly recognised in the directive. Reduction in fuel tax is a more equitable system for ensuring that all road users are treated equally within the internal market regardless of their nationality.

Recommendation 12

Point (6) inserting Article 8a – partly delete and amend

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
<p>6) Article 8a and 8b are inserted as follows:</p> <p>"Article 8a</p> <ol style="list-style-type: none"> 1. Each Member State shall ensure that an independent infrastructure supervision authority is designated. 2. The independent infrastructure supervision authority shall monitor the system of tolls and/or user charges to ensure that it functions in a manner that guarantees transparency and non-discrimination between operators. 3. Without prejudice of the autonomy of private concessionaries, the independent infrastructure supervision authority shall verify that the revenue from tolls and user charges are used for sustainable projects in the transport sector. 4. The independent infrastructure supervision authority shall promote synergy in financing by coordinating the various transport infrastructure funding resources. 5. Member States shall inform the Commission of the designation of the independent infrastructure supervision authority and of its areas of responsibility." <p>Article 8b</p> <p>Any discounts or reductions in tolls shall be limited to the actual saving in administrative costs by the infrastructure operator. In setting the level of any discount, no account may be taken of the cost savings already internalised in the tolls levied."</p> <p>Article 8b</p> <p>Any discounts or reductions in tolls shall be limited to the actual saving in administrative costs by the infrastructure operator. In setting the level of any discount, no account may be taken of the cost savings already internalised in the tolls levied."</p>	<p>6) Article 8a is inserted as follows:</p> <p>Any discounts or reductions in tolls shall be limited to the actual saving in administrative costs by the infrastructure operator. In setting the level of any discount, no account may be taken of the cost savings already internalised in the tolls levied."</p>

Reason

The establishment of a national supervisory authority in each Member State is not necessary. It should be for the Member States to decide how they monitor and manage the financing. Member States should adopt adequate transparent procedures to account for the charges collected, and the way in which they are spent on transport.

Recommendation 13

Point 6(b) amending Article 9 – amendment

<i>Text proposed by the Commission</i>	<i>CoR amendment</i>
b) paragraph 2 is replaced by the following text: "2. Without prejudice to Article 7(11), revenue from tolls and/or user charges shall be used for the maintenance of the infrastructure concerned and for the benefit of the transport sector as a whole, taking account of the balanced development of the transport networks.	b) paragraph 2 is replaced by the following text: "2. Without prejudice to Article 7(11), revenue from tolls and/or user charges shall be used for the maintenance of the infrastructure concerned and for the benefit of the transport sector as a whole, <u>including sustainable alternative modes of transport</u> , taking account of the balanced development of the transport networks. <u>With this aim in view, they may also be used to offset the effects of a reduction in vehicle tax.</u>

Reason

The ability to cross-finance alternative modes of transport should be expressly recognised in relation to all charges in order to promote more sustainable modes of transport, this should not apply exclusively to sensitive areas where mark-ups are applied.

Reference should be made to the possibility of making use of charges to finance compensatory tax reductions.

Brussels, 11 February 2004.

The President
of the
Committee of the Regions

The Acting Secretary-General
of the
Committee of the Regions

Peter Straub

Gerhard Stahl

¹ OJ C 73 of 23.3.2004, p. 54

² Vignettes are widely used across the Community as a form of toll, often on motorways to allow people to pay for their road use by means of a voucher or permit, otherwise known as a vignette.

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CdR 290/2003 fin EN/o .../...

CdR 290/2003 fin EN/o