

EU ISSUES UPDATE

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OPPORTUNITIES FOR DIALOGUE

European Commission published study on urban vehicle access restrictions

In September, the European Commission published a study on Urban Vehicle Access Regulations (UVAR). The Study was commissioned two years ago and is designed to assist the European Commission in its ongoing work on clean urban transport. Specifically, it aims to address the action point of the Commission's 2013 Communication "Together towards competitive and resource-efficient urban mobility", which noted that smarter urban vehicle access regulations and road user charging required "non-binding guidelines" that would allow cities and Member States to benefit from the experiences elsewhere to foster a more common approach to issues such as vehicle categories, road signs, information provision, enforcement, exemptions, and pricing.

The Study and its Recommendations have been published on the European Commission's DG MOVE website as information to help and give guidance to any national/local authority designing and implementing a UVAR – which include Low Emission Zones, Congestion Zones and urban road tolling schemes.

The detail of the Study is provided in 6 Annexes addressing: Information and communication; Vehicle types, exemptions and (cross-border) enforcement; Planning, consultation and design; National legal frameworks; Evaluation and assessment; and Technology options and interoperability.

FIVA has worked with the authors of the Study and the European Commission over the past two years to explain the historic vehicle movement, explain why and where historic vehicles are already treated positively by authorities with the effect that they are exempted from provisions of Low Emission Zones, and to explain why it is appropriate for these examples to be recognised and promoted as best practice. As a consequence of this work, the study makes positive reference to the possibility for historic vehicles to be treated differently to other vehicles and to be exempted from the provisions of Low Emission Zones, notably in:

- The Annex on "Vehicle types, exemptions and (cross-border) enforcement": it notes that historic vehicles (amongst others) are most often entitled to exemptions; it details the exemptions for historic vehicles from LEZs in German, Sweden, Denmark and London; and concludes with a recommendation that:

Historic vehicles could be exempted from low emission zones because of their minimal use in the regulated areas combined with their contribution to the preservation of motoring heritage. LEZs would thus disproportionately penalise particularly urban-based owners and

businesses servicing historic vehicles since practically no retrofitting possibilities exist. A definition of historic vehicles is included in the Directive 2014/45/EU on periodic roadworthiness tests for motor vehicles and their trailers.

- The Annex on “National Legal Frameworks”: it notes the components that may be considered when developing a national legal framework for urban vehicle access regulations, notes that they can be divided in two categories: primary contents, which should necessarily be included, and secondary contents, which could be considered; and notes that any exempted vehicles should fall under the term “primary contents” – i.e. if historic vehicles are exempted by a UVAR/LEZ, the exemption should be included on the framework legislation. The Chapter includes a Recommendation that:

National legislation should be written in such a way to include common issues which might apply to all UVARs schemes. An example might be legislation that is drafted to include general reference to issues that could be applied to any prospective UVARs in country (e.g. types of vehicles exempt from any UVARs charge, classifications of road that could be included in UVARs scheme, emission levels of vehicles to which a UVAR charge might apply etc.) where possible.

The European Commission is expected to now work on a Communication on UVARs to detail its own views taking account of the parallel discussion about emissions, urban air pollution and diesel vehicles.

FIVA and ANF actions: The Study is available on the European Commission’s DG MOVE website at: https://ec.europa.eu/transport/themes/urban/studies_en

It is in the interest of ANFs to highlight the availability of the study to any local national authority planning to implement a UVAR and/or a Low Emission Zone and to encourage them to follow the recommendations on historic vehicles.

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The FIVA Legislation Commission members are: Tidde Bresters (Chairman), Wolfgang Eckel, Peter Edqvist, Carla Fiocchi, Lars Genild, Adalberto Gueli, Alain Guillaume, Peeter Henning, Johann König, Stanislav Minářík, Bob Owen, Christos Petridis and Andrew Turner of EPPA works with the Committee.