

EU ISSUES UPDATE

JANUARY 2018



OPPORTUNITIES FOR DIALOGUE

European Parliament starts to discuss the Road Charging Directive

The EP Environment Committee's draft opinion for the Transport Committee on the Road Charging Directive (under the Mobility Package - see May EU issues update) has called for external-cost charges based on congestion, air pollution and noise to be mandatory on the entire tolled road network as opposed to only sections of roads that are particularly sensitive to pollution as proposed by the European Commission. In the Transport Committee, the Rapporteur's Report does not go so far, but it does propose extending the road charging provisions to motorcycles alongside cars and vans as proposed by the Commission.

The draft Environmental Committee Opinion has been welcomed by environmental lobby groups. Conversely, the FIA has stated that it does not believe that the European Commission can make the proposal under the legal provisions of the Treaties on the grounds that the proposals do not comply with the Commission's principle of subsidiarity. Specifically, the view is that if Member States are to be free to decide whether or not to impose charges, the EU should not attempt to regulate the system of charges. The FIA has further argued that direct regulation of vehicle emissions by Member States would be more effective than allowing toll systems to take account of external costs.

FIVA action: FIVA is encouraging members of the Transport Committee to table amendments to allow Member States to put in place exceptional measures for the charging of historic vehicles on the grounds that historic vehicle users would be charged a disproportionately and unnecessarily high charge /km under a "polluter-pays" system which would impact on use and potentially lead to the loss of motoring heritage.

INFORMATION

Air quality policy developments

The European Environment Commissioner has criticised Member State actions to meet EU air quality standards as insubstantial and has told Germany, France, Italy, Spain, the UK, Romania, Hungary, the Czech Republic and Slovakia in a specially-called summit that they must immediately pledge credible measures to tackle illegal levels of atmospheric pollutants such as

NOx and particulate matter. A further 14 Member States are also breaching limits and some have already been referred to the court.

At the same time the European Environmental Bureau (EEB) and manufacturers have claimed that the expected shift from diesel to petrol vehicles could challenge CO² targets with the share of diesel cars at 49.5 % in 2016 following a percentage high of 55.2 % 2011. Numbers of plug-in hybrid and battery electric vehicles remained at 1% in 2015 and 2016 with other alternative fuel vehicles making up 2%.

Court warning against Bavaria about diesel ban

In January, the Bavarian Administrative Court fined the Bavarian Environment Minister for the third time for failing to tackle air pollution in Munich under a case brought by international and national environmental lobby groups. Previously, the Court has ruled that the State Government must adopt a clean air plan to bring down levels of nitrogen dioxide (NO₂) and also draft a ban on diesel vehicles. The State Government claims that it has been taking the necessary action but the Court has said that the action is inadequate and ignores the previous demand for a diesel ban. The State Government has rejected the need for a diesel ban on the grounds that it would affect citizens disproportionately and could threaten Bavaria's status as a business location.

Malta and Romania taken to court for failing to draft alternative fuels plan

The European Commission has referred Malta and Romania to the Court of Justice for their failure to bring forward national plans on infrastructure for low-carbon vehicles as required by Directive 2014/94/EU. The Directive requires roll-out of infrastructure for alternatives to fossil-fuelled cars i.e. including recharging points for electric vehicles and refuelling points for natural gas and hydrogen and which the Directive requires in order to ensure coordinated roll-out across all member states to avoid a fragmentation of the internal market.

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