

24<sup>th</sup> October 2016

## UEAPME Transport Forum

### Position on European Electronic Toll Service

**UEAPME Transport Forum** is a co-operation platform set up by UEAPME (The European Association of Craft, Small and Medium-sized Enterprises) and bringing together representatives of European branch confederations, SMEs from road transport, manufacturing and repair of road vehicles. It aims to gather different stakeholders and develop joint positions on all road transport-related issues such as sustainable transport, organisation of the supply chain, road safety, and infrastructure efficiency.

#### Background:

In July 2016, the European Commission launched a public consultation on a Review of Directive 2004/52/EC and Decision 2009/750/EC on the European Electronic Toll Service. The European Electronic Toll Service (hereafter referred to as EETS) was introduced as an initiative in order to enable road users to easily pay tolls throughout the whole EU with a single on-board unit, under one contract and a single invoice. The issue of enhancing a common framework for paying access to motorways came to light as a result of the different electronic tolling systems existing across Europe. Thus, a single EETS will ensure interoperability of tolling services on the entire EU road network, eliminating cash transactions at toll stations as well as facilitating daily operations for road users, improving traffic flow and decrease congestion.

#### Our position:

UEAPME Transport Forum stresses the importance of reviewing the legislative framework on the development of interoperable electronic tolls. UEAPME TF strongly supports the idea that technological differences between national tolling systems should gradually disappear and EETS should ensure the full European interoperability of electronic road tolling technologies. It is highly recommended the harmonisation of procedures applied by different toll chargers, which will create economies of scale and decrease the cost of electronic tolling for both toll chargers and users. An interoperable tolling system established at EU level would greatly facilitate the payments for using roads.

UEAPME Transport Forum provides suggestions with regard to the existing problems in the area of electronic tolling systems throughout the EU. We would like the Commission to take them into account when improving the Directive on EETS.

- **Fair division of competences between toll chargers and toll service providers:** A number of Member States has assigned to the same company the operation of the tolling system, enforcements and the collection of tolls. Transport Forum supports the mandatory separation of accounts if a toll charger also provides EETS services. As a result, this division would lead to preventing any conflicts of interests. In addition, the powers of the conciliation bodies, which will supervise the correct application of the rights and obligations of all partners (in particular ensure the absence of any discrimination in the treatment of different EETS providers) as well

as mediate in case of disputes, should be increased in order to enforce the outcome of the mediation procedure upon the parties to the dispute.

- **Organisation of toll domains by EETS providers:** The EETS legislation stipulates that all EETS providers are required to offer their services across all tolled roads in the EU within 24 months from their registration. It has been indicated that the existence of hundreds of electronic toll domains in the EU and the fact that the required technical accreditation procedures are extremely complex and time-consuming impede the effective conduct of services to all toll domains in parallel. EETS services should be applied in compliance with the needs of the local market, in the sense that the market dynamics should define in which toll domain an EETS provider should be active. Therefore, the decision should be left to the EETS providers to decide in which toll domains they prefer to provide their services. Phasing out the requirement of covering all EU toll domains by the EETS providers can lead to increasing market competition.
- **Interoperable electronic toll system:** Although a legal framework to achieve interoperability of the EETS in the EU has been set up, Member States and stakeholders have reported problems in its practical implementation. Different national tolling systems still prevail throughout Europe generating administrative burden and costs. It is essential to establish a common and harmonized EETS system, which can lead to more efficiency and simplify the administrative procedures for hauliers. Transport Forum also considers that EU should ensure a successful application of the EETS to passenger cars.
- **Recovery and enforcement of unpaid tolls:** No harmonised legal framework currently exists at EU level stipulating the recovery of unpaid tolls from road users registered in another Member State. Avoiding paying tolls is a form of unfair competition with respect to the compliant road users and denotes a practice that undermines the "user pays" principle. It reduces the revenues coming from toll charging, which leads to a decreased budget available for the maintenance of road infrastructure. The Transport Forum is persuaded that the European Union should establish a mandatory mechanism for the exchange of data on toll offenders. It is very important to tackle this problem at European level in order to ensure the compliance with the EETS system by all road users.
- **Scrutiny of the tolling system:** The European Commission should be in charge of inspecting closely and thoroughly the planned architecture of the new electronic tolling systems, as this would guarantee a balanced treatment for all road haulers that operate across the EU. The position of the European Commission should be totally binding to the Member States or road operators, so that a general compliance with the planned architecture of new electronic tolling systems is achieved. This would protect the interests of road users against conflicted interests of individual Member States, which may hinder the integrity and the efficiency of the EETS system.

**Our proposal:**

At the EU level, the UEAPME Transport Forum asks for a higher level of technical and procedural harmonization. More attention has to be given to measures stimulating a pan-European interoperability of the electronic toll system. In order to better face these important issues, we suggest the following actions:

- 1. Separation of accounts between toll chargers and EETS providers.**
- 2. Definition of toll domains in compliance with the needs of the local market.**
- 3. Harmonization of the tolled framework for more efficiency.**
- 4. Application of EETS to passenger cars.**
- 5. Establishment of an EU mechanism responsible for the exchange of data on toll offenders.**
- 6. Binding role of the European Commission with regard to scrutinising the tolling system at EU level.**