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PROPOSAL

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	27 June 2025
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

Subject:	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 1999/62/EC as regards the extension of the period in which zero-emission heavy-duty vehicles can benefit from significantly reduced rates of infrastructure or user charges or from exemptions to pay them
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Delegations will find attached document COM(2025) 348 final.

Encl.: COM(2025) 348 final



EUROPEAN
COMMISSION

Brussels, 27.6.2025
COM(2025) 348 final

2025/0188 (COD)

Proposal for a

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Directive 1999/62/EC as regards the extension of the period in which zero-emission heavy-duty vehicles can benefit from significantly reduced rates of infrastructure or user charges or from exemptions to pay them

(Text with EEA relevance)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

• Reasons for and objectives of the proposal

The Competitiveness Compass ¹ is guiding the economic policy of the Commission in the current mandate. It builds on the European Council's Budapest Declaration ² and the Antwerp Declaration ³ of European business and trade union representatives. The Competitiveness Compass defines *a joint roadmap for decarbonisation and competitiveness* as one of three transformational imperatives to boost competitiveness.

This imperative is developed in the Clean Industrial Deal ⁴. It aims to strengthen the EU's competitiveness while remaining on track to achieve climate neutrality. The focus is on supporting and creating the right conditions for companies to achieve this goal. It also aims to increase the EU's economic and energy security by decreasing its dependence on imported fossil fuels and increasing the share of energy produced from decarbonised generation within the EU.

The Competitiveness Compass and the Clean Industrial Deal pay particular attention to the automotive sector. This sector is undergoing a profound and transformative shift, driven by technological changes such as digitalisation and decarbonisation. With this in mind, the Commission has adopted an Industrial Action Plan for the European automotive sector ⁵.

These three strategies identify decarbonisation as a powerful driver of growth and put forward concrete measures to provide EU industries with a stronger business case for clean production. The action plan contains specific incentives to boost the uptake of zero-emission vehicles, including heavy-duty vehicles.

In 2022, the heavy-duty road transport sector caused 27.5% of road transport CO₂ emissions ⁶ despite making up only 2.4% of the vehicle fleet ⁷. CO₂ emissions in the heavy-duty road transport sector accounted for more than 6.9% of all emissions in the EU and were 20% higher than in 1995.

Road freight transport is a 'hard-to-abate sector', meaning that the cost of reducing its emissions is higher than in other economy sectors. Furthermore, the market of road freight transport services is highly competitive and is characterised by low profit margins, which constrain investment in expensive abatement technologies such as zero-emission vehicles.

¹ COM(2025) 30 final.

² <https://www.consilium.europa.eu/en/press/press-releases/2024/11/08/the-budapest-declaration/>.

³ <https://antwerp-declaration.eu/>.

⁴ COM(2025) 85 final.

⁵ COM(2025) 95 final.

⁶ CO₂ emissions from the heavy-duty road transport sector increased by 20% between 1995 and 2022 and traffic volume increased in the same period by 70%. A relative reduction of CO₂ emissions therefore took place due to more efficient vehicles, however this improvement fell short of an absolute decrease in CO₂ emissions due to the increase in traffic levels. For comparison, cars' CO₂ emissions and traffic volume increased by 9% and 24% respectively over the same period. https://transport.ec.europa.eu/facts-funding/studies-data/eu-transport-figures-statistical-pocketbook/statistical-pocketbook-2024_en.

⁷ https://www.acea.auto/files/ACEA_Report_-_Vehicles_on_European_roads_2025.pdf.

Innovation from heavy-duty vehicles manufacturers has in recent years led to the roll-out of zero-emission models that cover all use cases, including long-haul ⁸. Their deployment has increased substantially since 2019 ⁹. In 2024, 3.9% of all new heavy-duty vehicles were zero-emission vehicles ¹⁰, including 1.2% of new heavy goods vehicles weighing more than 12 tonnes. However, the share of zero-emission vehicles in the heavy-duty vehicle fleet remains extremely low ¹¹.

The 2025 CO₂ reduction target for heavy-duty vehicles of 15% compared with 2019 values ¹² can be achieved through efficiency improvements in conventional vehicles, but the deployment of zero-emission vehicles must rapidly increase to achieve subsequent targets ¹³. However, the upfront investment for acquiring a zero-emission vehicle is approximately 2.5 times higher than the cost of equivalent conventional vehicles ¹⁴ and remains one of the main barriers to their wider deployment.

Unlike the market for passenger cars, the market for heavy-duty vehicles is a business-to-business market. Investment choices are driven by a vehicle's cost over its entire lifetime. This is known as the total cost of ownership ¹⁵ (TCO). The market for heavy-duty vehicles is price sensitive. This means that the purchase decision of operators when investing in a new vehicle is likely to be driven by the vehicle's TCO. In other words, operators will have a business case to invest in a zero-emission vehicle once its cost becomes lower than the cost of a conventional vehicle powered by fossil fuels.

Differentiated road charges may reduce operational costs and therefore the TCO of zero-emission vehicles. They can thus help to build a stronger business case for investing in those vehicles.

⁸ See the Communication from the Commission to the European Parliament and the Council on the technological and market readiness of heavy-duty road transport vehicles (COM(2025)260). See also a list of the existing zero-emission models in the document available at the bottom of this webpage: <https://www.acea.auto/news/truck-and-bus-manufacturers-contribution-to-climate-neutral-road-transport/>.

⁹ Compared with 2019, 40 times more zero-emission heavy goods vehicles with weight above 12 tonnes were sold in 2024, 6.5 times more zero-emission heavy goods vehicles weighing under 12 tonnes and above 3.5 tonnes, and 4 times more zero-emission buses and coaches. The zero-emission vehicle sales figures in 2024 were: 3 400 heavy goods vehicles weighing above 12 tonnes (approximately 1.2% of new registrations), 4 800 weighing below 12 tonnes and above 3.5 tonnes (10%), and 6 000 buses and coaches (17%). <https://theicct.org/publication/r2z-eu-hdv-market-development-quarterly-jan-dec-2024-feb25/>.

¹⁰ <https://theicct.org/publication/r2z-eu-hdv-market-development-quarterly-jan-dec-2024-feb25/>.

¹¹ Battery electric heavy goods vehicles (i.e. vehicles weighing above 3.5 tonnes) made up 0.1% of the EU's fleet in 2023 (Denmark had the highest proportion with 1%). Battery electric buses and coaches made up 2.5% of the fleet (the Netherlands had the highest proportion with 17.7%). https://www.acea.auto/files/ACEA_Report_-_Vehicles_on_European_roads_2025.pdf.

¹² The emission reduction targets for the heavy-duty road transport sector are set out in Regulation (EU) 2019/1242 of the European Parliament and of the Council of 20 June 2019 setting CO₂ emission performance standards for new heavy-duty vehicles. See the section below on 'Consistency with other EU policies'.

¹³ Manufacturers indicated that approximately one in three new heavy-duty vehicles can be expected to be a zero-emission vehicle in 2030. See COM(2025)260 and the corresponding support study: "Market readiness analysis – Expected uptake of alternative fuel heavy-duty vehicles until 2030 and their corresponding infrastructure needs", <https://op.europa.eu/en/publication-detail/-/publication/8a598b35-40f3-11f0-b9f2-01aa75ed71a1/>

¹⁴ A comparison between retail prices of trucks propelled by different technologies is available in Appendix C of the following study: <https://theicct.org/publication/total-cost-ownership-trucks-europe-nov23/>.

¹⁵ The TCO of a vehicle is the sum of the upfront acquisition cost and of the costs to operate the vehicle over its useful life (fuel, maintenance, taxes, road charges, and insurance).

Directive (EU) 2022/362¹⁶ enabled road charging¹⁷ on the basis of CO₂ emissions. Directive (EU) 2022/362 amended Directive 1999/62/EC¹⁸ by providing, among other changes, for the variation of infrastructure and user charges (favouring the deployment of cleaner vehicles) and/or for the internalisation of external costs of CO₂ (penalising vehicles that are more polluting). Both measures reduce the gap between the TCO of conventional vehicles and the TCO of zero-emission vehicles.

Variation of road charges consists in granting a 50% to 75% reduction in infrastructure or user charges for zero-emission vehicles¹⁹. The external-cost charge adds the external cost for traffic-based CO₂ emissions to the infrastructure charge. The Directive provides for reference values for this charge, based on a CO₂ price of EUR 100 per tonne of CO₂ emitted²⁰.

The Directive further strengthens those two mechanisms by allowing Member States to set greatly reduced rates or even grant a full exemption for zero-emission vehicles from the infrastructure or user charge until 31 December 2025²¹. It also allows Member States to apply higher external-cost charges for traffic-based CO₂ emissions up to twice the reference values of the Directive²².

The monetary support in a Member State that makes full use of these provisions to incentivise an operator to invest in a zero-emission motor vehicle that can weigh up to 40 tonnes is estimated to be as high as EUR 45 000 in the first year of operation²³. Smaller vehicles receive a lower level of support. For some use cases, the Directive helps to achieve cost parity between zero-emission heavy-duty vehicles and conventional vehicles²⁴.

The transposition of these provisions into national legislation was due to be completed by 25 March 2024. The option of applying significantly reduced rates to zero-emission vehicles or exempting them from infrastructure or user charges is due to end on 31 December 2025. This period is too short to sufficiently incentivise demand for new zero-emission heavy-duty vehicles.

¹⁶ Directive (EU) 2022/362 of the European Parliament and of the Council of 24 February 2022 amending Directives 1999/62/EC, 1999/37/EC and (EU) 2019/520, as regards the charging of vehicles for the use of certain infrastructures (OJ L 69, 4.3.2022, p. 1, ELI: <http://data.europa.eu/eli/dir/2022/362/oj>).

¹⁷ The term ‘road charging’ covers tolls and user charges. Tolls are also known as distance-based charges and user charges are also known as time-based charges or vignettes. Tolls are defined in Article 2(1), point (7), of Directive 1999/62/EC as the sum of at least one of the following three elements: an infrastructure charge, an external-cost charge, and a congestion charge. User charges are defined in Article 2(1), point (16) of the same Directive as a specified amount which, when paid, confers the right for a vehicle to use certain road infrastructure for a given period.

¹⁸ Directive 1999/62/EC of the European Parliament and of the Council of 17 June 1999 on the charging of vehicles for the use of road infrastructures (OJ L 187, 20.7.1999, p. 42, ELI: <http://data.europa.eu/eli/dir/1999/62/oj>).

¹⁹ Article 7ga(3)(d) of Directive 1999/62/EC.

²⁰ Article 7c(1) and Annex IIIc of Directive 1999/62/EC. As explained in the explanatory memorandum to the proposal for what would become Directive (EU) 2022/362 (COM(2017) 275 final), the values in the Directive’s annexes are based on the handbook on the external costs of transport. The values of Annex IIIc are calculated on the basis of the figures presented in Table 24 of the study available at: <https://op.europa.eu/en/publication-detail/-/publication/9781f65f-8448-11ea-bf12-01aa75ed71a1/language-en>.

²¹ Article 7ga(1), fifth subparagraph of Directive 1999/62/EC.

²² Article 7cb(1) of Directive 1999/62/EC.

²³ https://www.transportenvironment.org/uploads/files/202403_TE_Eurovignette_briefing_update.pdf.

²⁴ <https://www.iru.org/resources/iru-library/alternative-vs-traditional-truck-powertrains-eu-total-cost-ownership-2024> and <https://www.youtube.com/watch?v=ktAEN7do6pA>.

The Commission therefore proposes to extend the applicability of this exemption. To support European manufacturers in achieving their target of reducing CO₂ emissions from new heavy-duty vehicles by 43% in the 2030 reporting period (as laid down in Regulation (EU) 2019/1242), the Commission proposes that the exemption should be extended until the end of the 2030 reporting period, which ends on 30 June 2031. This change would ensure a coherent legislative framework.

The current exemption is due to end on 31 December 2025 and national authorities would have to transpose the provisions of the currently proposed Directive into national law. The Commission is therefore inviting the European Parliament and Council to consider fast-tracking the adoption of this proposal.

- **Consistency with existing policy provisions in the policy area**

This proposal would prolong an existing provision that has been recently introduced and is therefore consistent with the existing policy framework on road charging. Where implemented, this provision had a positive impact on creating a business case for zero-emission vehicles. The exemption from infrastructure or user charges complements the application of external-cost charges because both measures reduce the gap between the operational costs and thus between the TCOs of zero-emission and conventional vehicles. Both measures are therefore important in strengthening the business case for investment in zero-emission vehicles.

- **Consistency with other Union policies**

This proposal extends a measure on the demand side of the market for new heavy-duty vehicles in order to accelerate their deployment. It therefore complements the CO₂ emission performance standards of the Heavy-duty Vehicles **Regulation**²⁵, which acts on the supply side of the market for new heavy-duty vehicles, and which sets out a 43% CO₂ reduction target for manufacturers by 2030 (and subsequent higher targets until 2040). Manufacturers can achieve the targets by (i) improving the efficiency of conventional vehicles; and/or (ii) increasing the number of zero-emission vehicles that they put on the market. This proposal helps manufacturers ramp up the deployment of zero-emission vehicles.

The internalisation of the cost of carbon reduces the gap in the TCO between cleaner vehicles and more polluting vehicles by increasing the operational costs of conventional vehicles. Directive 1999/62/EC internalises the cost of carbon by imposing an external-cost charge. From 2027, road transport emissions will also be covered by the emission trading system in **Directive 2003/87/EC (ETS2)**²⁶. The consistency between those two measures will be the subject of a report from the Commission that will be presented by 2027, in accordance with Articles 7cb(4) and 7ga(8) of Directive 1999/62/EC. The assessment will also address the

²⁵ Regulation (EU) 2019/1242 of the European Parliament and of the Council of 20 June 2019 setting CO₂ emission performance standards for new heavy-duty vehicles and amending Regulations (EC) No 595/2009 and (EU) 2018/956 of the European Parliament and of the Council and Council Directive 96/53/EC (OJ L 198, 25.7.2019, p. 202, ELI: <http://data.europa.eu/eli/reg/2019/1242/oj>).

²⁶ Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a system for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC (OJ L 275 25.10.2003, p. 32, ELI: <http://data.europa.eu/eli/dir/2003/87>).

effect of **energy taxation** on carbon pricing, as regulated under **Council Directive 2003/96/EC** ²⁷.

Recharging infrastructure is an enabling condition for the faster deployment of zero-emission heavy-duty vehicles. The recently revised **TEN-T Regulation** ²⁸ and the **Alternative Fuels Infrastructure Regulation** ²⁹ set targets for the deployment of recharging and hydrogen refuelling stations, including specific targets for heavy-duty transport. Furthermore, the industrial action plan for the EU's automotive sector stated that the Commission will work on **European Clean Transport Corridors** in order to fast-track the deployment of heavy-duty vehicle charging hubs. It also stated that additional proposals will be made in the upcoming **Sustainable Transport Investment Plan**.

In order to reduce CO₂ emissions, it is essential to shift from fossil fuels to renewable energy sources. Renewable energy became the leading source of electricity production in the EU in 2023 ³⁰. However, expanding the electricity grid infrastructure is equally important to support this transition. Grid connections are crucial for the deployment of the recharging infrastructure for heavy-duty transport. Several actions are already planned under the **EU Action Plan for Grids** ³¹ and this will also be supplemented by the **Grid Package** and the **Electrification Action Plan**. The Commission will issue **Guidance and Recommendations** to the Member States on shortening the waiting time for recharging points' connections to grids and their priority treatment and will recommend that Member States consider that charging stations and their connection to the grid are in the overriding public interest in the context of permitting procedures.

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

• Legal basis

The legal bases of Directive 1999/62/EC are Articles 91 and 113 of the Treaty on the Functioning of the European Union (TFEU). This proposal pertains to the imposition of road charges on vehicles, an area to which Article 91(1) TFEU applies. The legal basis of this proposal is therefore Article 91(1) TFEU.

• Subsidiarity (for non-exclusive competence)

The EU shares competence with Member States to regulate in the field of transport pursuant to Article 4(2)(g) TFEU, but only the EU can adapt the existing EU rules. Directive

²⁷ Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy products and electricity (OJ L 283 31.10.2003, p. 51, ELI: <http://data.europa.eu/eli/dir/2003/96>).

²⁸ Regulation (EU) 2024/1679 of the European Parliament and of the Council of 13 June 2024 on Union guidelines for the development of the trans-European transport network, amending Regulations (EU) 2021/1153 and (EU) No 913/2010 and repealing Regulation (EU) No 1315/2013 (OJ L, 2024/1679, 28.6.2024, ELI: <http://data.europa.eu/eli/reg/2024/1679/oj>).

²⁹ Regulation (EU) 2023/1804 of the European Parliament and of the Council of 13 September 2023 on the deployment of alternative fuels infrastructure, and repealing Directive 2014/94/EU (OJ L 234, 22.9.2023, p. 1, ELI: <http://data.europa.eu/eli/reg/2023/1804/oj>).

³⁰ In 2023, 44.7% of electricity production came from renewable energy sources and 32.5% came from fossil fuels <https://ec.europa.eu/eurostat/web/products-eurostat-news/w/ddn-20240627-1>.

³¹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Grids, the missing link – An EU Action Plan for Grids, COM(2023) 757 final. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2023%3A757%3AFIN&qid=1701167355682>

1999/62/EC defines the cases in which reductions or exemptions from tolls and user charges may be granted. National authorities have discretion in deciding how to use those possibilities. The significantly reduced rates or exemption for zero-emission vehicles from infrastructure or user charges can only be extended beyond the end of 2025 by amending the Directive. The choice of whether to make use of this possibility or not lies with the national authorities.

- **Proportionality**

The proposed measures do not go beyond what is necessary in order to achieve the EU's objectives of reducing greenhouse gas emissions, while also ensuring fairness and environmental integrity.

- **Choice of the instrument**

The legal act to be amended is a Directive, so the amending act should take the same form.

3. RESULTS OF EX-POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS

- **Ex-post evaluations/fitness checks of existing legislation**

The short time that has elapsed since the new rules had to be implemented (i.e. 25 March 2024) means that there is not sufficient information for a fully-fledged ex post evaluation of Directive (EU) 2022/362. Moreover, this proposal would merely extend a provision that already exists.

- **Stakeholder consultations**

While preparing this proposal, the Commission held targeted consultations with specific stakeholders, including transport operators' and vehicle manufacturers' associations, civil society and national authorities.

- **Collection and use of expertise**

The Commission has relied on publicly available information to assess both the current level of deployment of zero-emission vehicles and the effectiveness of the exemption from infrastructure or user charges. All sources used by the Commission are available in the footnotes to the text in Section 1 above.

- **Impact assessment**

The Commission conducted an impact assessment accompanying the proposal which led to the adoption of Directive (EU) 2022/362³². The current proposal only amends the end date of an optional provision. There is therefore no need to conduct a new impact assessment.

- **Regulatory fitness and simplification**

This proposal would merely change a date and therefore does not have any consequences for the simplification of EU law.

³² Impact assessment accompanying 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 infrastructures and the proposal for a Council directive amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures, as regards certain provisions on vehicle taxation (SWD(2017) 180), available at <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=SWD:2017:180:FIN>.

- **Fundamental rights**

The proposal respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union.

4. BUDGETARY IMPLICATIONS

The extension of the exemption from infrastructure or user charges has no implications for the EU's budget.

The Directive's provisions would have different implications for national budgets depending on the Member States' individual implementation strategies. Reducing or exempting cleaner vehicles from road charges may negatively impact revenues and therefore national budgets unless the average rate for other vehicles is increased³³. Conversely, external-cost charges generate revenue and positively impact national budgets. The Directive offers three options to Member States, which may implement:

road charge reductions or exemptions in order to incentivise investment in cleaner vehicles;
external-costs charges in order to factor those external costs into the investment decisions of the private sector;

both these instruments simultaneously in order to maximise the reduction in the TCO gap between conventional vehicles and zero-emission vehicles.

In the short and medium terms (i.e. the temporal scope of this proposal), the potential negative effect of road charges reductions on national budgets can be expected to be less than the positive effect of external-cost charges. The reason is that today zero-emission vehicles are still a very small part of the vehicle fleet³⁴ and by 2030 they are expected to be 5% to 9% of the heavy-duty vehicle fleet³⁵. Accordingly, if both instruments are applied simultaneously, the revenues from external-cost charges can be expected to be greater than the foregone revenues of road charges reductions or exemptions. The use of the revenues generated by road charges (infrastructure or user charges) and by external-cost charges is regulated under Article 9(2) of Directive 1999/62/EC.

5. OTHER ELEMENTS

- **Implementation plans and monitoring, evaluation and reporting arrangements**

Article 11 of Directive 1999/62/EC sets a five-yearly reporting obligation. The latest deadline was 25 March 2025, and the next deadline will be 25 March 2030. Article 11(2)(c) requires reporting on '*the variation of infrastructure charges or user charges according to the environmental performance of vehicles, pursuant to Article 7g, 7ga or 7gb*'. The next deadline is before the proposed end date of the exemption and will therefore be appropriate for assessing its implementation. No additional reporting obligation is therefore planned.

³³ Article 7ga(4) requires that toll variations that are based on that Article must not be designed to generate additional revenues. This means that Member States have the possibility to recover foregone revenues due to reductions or exemptions granted to cleaner vehicles with higher charges on other vehicles.

³⁴ See footnote 11.

³⁵ COM(2025)260

- **Explanatory documents (for directives)**

This proposal would prolong an existing optional provision, so no explanatory document is required. Member States that use this option should nevertheless inform the Commission.

- **Detailed explanation of the specific provisions of the proposal**

Article 1 amends the fifth subparagraph of Article 7ga(1) of Directive 1999/62/EC by extending the exemption laid down in that provision until 30 June 2031.

Article 2 requires Member States to immediately inform the Commission of measures taken pursuant to this Directive.

Article 3 sets the date of entry into force of the Directive.

Article 4 specifies that the Directive is addressed to the Member States.

Proposal for a

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Directive 1999/62/EC as regards the extension of the period in which zero-emission heavy-duty vehicles can benefit from significantly reduced rates of infrastructure or user charges or from exemptions to pay them

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,
Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91(1) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee ³⁶,

Having regard to the opinion of the Committee of the Regions ³⁷,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) The registration figures of new zero-emission heavy-duty vehicles have recently increased in the Union but remain too low to achieve the CO₂ emission reduction targets of the transport sector set in the Sustainable and Smart Mobility Strategy ³⁸. One of the main barriers to wider deployment of zero-emission heavy-duty vehicles is the high upfront cost of acquiring such a vehicle. Securing a stronger business case for investing in zero-emission vehicles means working towards cost parity with conventional vehicles. The total cost of ownership consists of the upfront investment made to acquire the vehicle and the operational costs incurred during the vehicle's lifetime. The gap of the total cost of ownership between conventional and zero-emission vehicles can be reduced by lowering the operational costs of zero-emission vehicles. Those costs include road charges.
- (2) Directive (EU) 2022/362 of the European Parliament and of the Council ³⁹ amended Directive 1999/62/EC of the European Parliament and of the Council ⁴⁰ by, among other changes, making it possible to set road charges according to vehicles' CO₂

³⁶ OJ C , , p. .

³⁷ OJ C , , p. .

³⁸ COM(2020)789

³⁹ Directive (EU) 2022/362 of the European Parliament and of the Council of 24 February 2022 amending Directives 1999/62/EC, 1999/37/EC and (EU) 2019/520, as regards the charging of vehicles for the use of certain infrastructures (OJ L 69, 4.3.2022, p. 1, ELI: <http://data.europa.eu/eli/dir/2022/362/oj>).

⁴⁰ Directive 1999/62/EC of the European Parliament and of the Council of 17 June 1999 on the charging of vehicles for the use of road infrastructures (OJ L 187, 20.7.1999, p. 42, ELI: <http://data.europa.eu/eli/dir/1999/62/oj>).

emissions. It introduced the possibility to vary infrastructure and user charges and/or to internalise the external costs of CO₂ emissions. Both measures affect the operational costs of vehicles. The variation of charges decreases the operational costs of less-polluting vehicles, while external-cost charges increase the operational costs of more-polluting vehicles. Both measures reduce the gap in the total cost of ownership between zero-emission and conventional vehicles. Both measures are important to strengthening the business case for investing in zero-emission vehicles.

- (3) Article 7ga(1), fifth subparagraph, of Directive 1999/62/EC currently gives Member States the possibility to apply reduced rates of infrastructure or user charges without putting any ceiling on such reductions, or to apply full exemptions from such charges, only until 31 December 2025. Member States were required to transpose that provision, introduced by Directive (EU) 2022/362, into national laws by 25 March 2024. That end date for transposition implies a very short implementation period of less than two years. That period is too short to meaningfully incentivise the demand of new zero-emission heavy-duty vehicles. Therefore that end date should be postponed in order to create the right conditions for the wider deployment of zero-emission vehicles.
- (4) The variation of road charges affects investment decisions of transport operators acquiring a new vehicle. It therefore has an effect on the demand side of the market for new heavy-duty vehicles. Heavy-duty vehicle manufacturers constitute the supply side of the same market. They have a CO₂ emissions reduction target of 43% by 2030, as set out in Regulation (EU) 2019/1242 of the European Parliament and of the Council⁴¹. While efficient conventional vehicles also contribute to the achievement of this target, the wider deployment of zero-emission vehicles is necessary in order to achieve it. The first year when manufacturers are to achieve that target is the reporting period 2030, with a deadline of 30 June 2031.
- (5) To ensure a clear and coherent legal framework and to support Union companies in the automotive sector in achieving their CO₂ emissions reduction targets, the timing of the measures on the demand and supply side of the market of heavy-duty vehicles should be aligned. The end date until when it is possible for Member States to apply significantly reduced rates of infrastructure or user charges or to exempt zero-emission vehicles from such charges should therefore be postponed until 30 June 2031.
- (6) The optional nature of the amended provision means that Member States are not obliged to transpose this Directive. They should nevertheless immediately inform the Commission if they use the option to grant zero-emission vehicles significantly reduced rates of infrastructure and user charges or exemptions to pay them after 31 December 2025,

⁴¹ Regulation (EU) 2019/1242 of the European Parliament and of the Council of 20 June 2019 setting CO₂ emission performance standards for new heavy-duty vehicles and amending Regulations (EC) No 595/2009 and (EU) 2018/956 of the European Parliament and of the Council and Council Directive 96/53/EC (OJ L 198, 25.7.2019, p. 202, ELI: <http://data.europa.eu/eli/reg/2019/1242/oj>).

HAVE ADOPTED THIS DIRECTIVE:

Article 1

In of Article 7ga(1), fifth subparagraph, of Directive 1999/62/EC, the date ‘31 December 2025’ is replaced by ‘30 June 2031’, and the date ‘1 January 2026’ is replaced by ‘1 July 2031’.

Article 2

Member States shall immediately inform the Commission of measures taken pursuant to this Directive.

Article 3

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 4

This Directive is addressed to the Member States.

Done at Brussels,

For the European Parliament
The President

For the Council
The President