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General Secretariat

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**LIMITE**

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#### **WORKING DOCUMENT**

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From: General Secretariat of the Council  
To: Working Party on Land Transport

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N° Cion doc.: 13259/25 + ADD 1

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Subject: Amended proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 1999/62/EC, Council Directive 1999/37/EC and Directive (EU) 2019/520 as regards the CO2 emission class of heavy-duty vehicles with trailers and clarifying and simplifying certain provisions  
- Comments from Belgium

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Delegations will find, attached, comments from **Belgium** on the above-mentioned proposal.

**Position BELGIUM****Regarding the following proposal**

Amended proposal for a

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 1999/62/EC, Council Directive 1999/37/EC and Directive (EU) 2019/520 as regards the CO<sub>2</sub> emission class of heavy-duty vehicles with trailers and clarifying and simplifying certain provisions

COM/2025/589 final

**General comment:**

We would like to express our concerns regarding enforcement, particularly in relation to trailer characteristics. To accurately determine the emission class of a vehicle combination, reliable and up-to-date vehicle data is essential. This is especially challenging because vehicle combinations can change on a daily basis. It should be noted that a trailer is not permanently assigned to a specific vehicle. This dynamic setup makes it extremely difficult and confusing for users, as parameters would need to be updated each time a trailer is changed.

If it is not technically feasible to classify all relevant vehicle combinations correctly, this could lead to a high number of objections and disputes. Such a situation would result in significant complexity and administrative burdens, not only for the transport sector but also for toll chargers and tolling service providers.

Moreover, this increases the risk of fraud, since such changes are nearly impossible to verify automatically. Many current systems do not support flexible updates within the On-Board Unit (OBU), further complicating enforcement and compliance.

In addition to our concerns regarding enforcement, we would like to know whether an estimate has been made of the budgetary costs that toll chargers would face in implementing the proposed additional checks. More importantly, is there information available on the cost-effectiveness of the proposal?

**Questions intended to get a better understanding of the proposal:**

Although the explanatory memorandum of the initial proposal (COM(2023) 189) claims that concerns from Member States' transport ministries about enforcement were addressed by amending article 7j, we still question whether adequate information for enforcement is available:

- Recital 17 and article 1(2) (amending article 7ga – paragraph 2):  
*“Member States shall not apply reduced charges in accordance with CO<sub>2</sub> emission class 5 to zero-emission vehicles that have been retrofitted with a fuel-powered engine that generates electrical energy or that contributes to the propulsion of the vehicle. Member States shall instead apply the charges in accordance with CO<sub>2</sub> emission class 1.”*

Could the Commission clarify how retrofitted zero-emission vehicles — for example, those equipped with a fuel-powered engine after initial registration — will be treated under the CO<sub>2</sub> emission classification system? Specifically, how and by whom will toll chargers or service providers be notified that a zero-emission heavy-duty vehicle has been retrofitted, and that the original data provided by the VECTO simulation tool is no longer valid?

Furthermore, manufacturers are required to calculate the specific CO<sub>2</sub> emissions of vehicles using the VECTO simulation tool before placing them on the market. Will toll chargers systematically receive the results of these VECTO simulations? Is an automatic data flow foreseen to ensure timely and accurate transmission of this information, or is this currently handled on an ad hoc basis? Ensuring proper and consistent data transmission is essential to avoid enforcement issues, objections, and delays.

- Recital 8 and article 1(3) (inserting article 7gc):  
*“4. For the purpose of recording the equipment referred to in paragraph 3, fourth subparagraph, Member States shall make use of item 10 (other information) of Annex II to Directive 2014/45/EU.”*

Considering that item 10 of Annex II of Directive 2014/45/EU (“Minimum contents of a roadworthiness certificate”) refers to ‘other information’, could the Commission clarify whether the data required for enforcing this proposal will be systematically included in roadworthiness certificates? Given that there is no obligation under the Directive to add such specific information, we are concerned about its consistent availability.

- Article 2 (amendment to Directive (EU) 2019/520):  
Given that ‘CO<sub>2</sub> emission class’ and ‘efficiency ratio’ are listed as optional (O) data elements in Annex I of Directive (EU) 2019/520, could the Commission clarify whether the availability of this information can be guaranteed for the enforcement of this proposal?
  
- Recital 10 and article 3 (amendment to Directive 1999/37/EC):  
Considering that Annex I of Directive 1999/37/EC has been amended to allow Member States to include the efficiency ratio of trailers and their trailer class in the vehicle registration certificate — but that this data remains non-mandatory — could the Commission clarify whether this information will be reliably available for enforcement purposes, either on the registration certificate or through electronic databases?