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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Land Transport
N° prev. doc.:	14619/1/25 REV1
N° Cion doc.:	13259/25 + ADD 1
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 - Presidency compromise = Comments from France

Delegations will find, attached, comments from **France** on the above-mentioned document, followed by a courtesy translation in English.

PREMIER MINISTRE
Liberté
Égalité
Fraternité

Secrétariat général des affaires européennes

PUBLIC

Réf. : SGAE/MMT/2026/0049

Paris, le 29 janvier 2026

NOTE DES AUTORITÉS FRANÇAISES

Objet : Commentaires des autorités françaises sur la proposition modifiée de directive modifiant les directives 1999/62/CE, 1999/37/CE et 2019/520 en ce qui concerne la classe d'émissions de CO_2 des véhicules lourds avec remorques et clarifiant et simplifiant certaines dispositions, comme suite à la réunion du groupe de travail « Transports terrestres » du 13 janvier 2026

Réf. : Document ST 14619/1/25 REV 1

Comme suite du groupe de travail « Transports terrestres » du 13 janvier 2026, les autorités françaises souhaitent transmettre leurs commentaires concernant la proposition modifiée de directive modifiant les directives 1999/62/CE, 1999/37/CE et 2019/520 en ce qui concerne la classe d'émissions de CO_2 des véhicules lourds avec remorques et clarifiant et simplifiant certaines dispositions.

A titre liminaire, **les autorités françaises saluent l'abandon, par la Présidence, des propositions initialement envisagées concernant l'introduction de modulations en fonction des remorques**.

L'unique objet de la proposition de directive concerne donc la définition des émissions de CO_2 (article 1er, paragraphe 3) et la classification des véhicules qui en résulte, c'est-à-dire des amendements à la seule directive 1999/62/CE. **Les autorités françaises indiquent ne pas avoir d'observation particulière à émettre quant aux modifications concernant le *rétrofit* des véhicules.**

- **S'agissant de l'application des redevances en fonction des émissions de CO_2 de référence (art. 7ga de la directive 1999/62/CE)**

Les **autorités françaises remercient la Présidence pour les clarifications quant à la date à laquelle l'obligation de faire varier les redevances d'infrastructures** en fonction des émissions de CO_2 **s'applique au deuxième sous-paragraphe**, ainsi que la **date à laquelle les émissions de CO_2 de référence ajustées sont intégrées par les Etats membres au troisième sous-paragraphe**.

En revanche, si la Commission se dit favorable à laisser un délai suffisant aux autorités nationales pour leur mise en œuvre, **le délai envisagé à ce stade entre la publication ou l'ajustement des émissions de CO_2 de référence et leur mise en œuvre effective apparait insuffisant**. Les termes de la proposition actuelle ont pour effet de porter ce délai entre six mois et un an selon la date de publication ou d'ajustement des émissions de CO_2 de référence (2ème et 3ème sous-paragraphes), puisque l'obligation interviendrait à date fixe, à savoir le 1er janvier si la publication des émissions de CO_2 de référence a eu lieu au premier semestre de l'année précédente et le 1er juillet si la publication des émissions de CO_2 de référence a eu lieu au second semestre de l'année précédente. **Or, la mise en œuvre effective de la modulation suppose que les**

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fournisseurs de service européen de télépéage (SET) inscrivent la classe adéquate dans le badge du véhicule, ce qui peut nécessiter, en l'état des technologies disponibles, le changement du badge de télépéage lui-même, puis que les percepteurs de péage définissent les mises à jour et mettent en œuvre les nouveaux niveaux de modulation des tarifs de péages, en fonction de l'évolution de répartition des véhicules dans chaque classe.

En conséquence, les autorités françaises demandent à que ce délai soit porté au 1er juillet de l'année N si la publication des émissions de CO_2 de référence a eu lieu au premier semestre de l'année N-1 et le 1er janvier de l'année N+1 si la publication des émissions de CO_2 de référence a eu lieu au second semestre de l'année N-1.

Elles formulent ainsi la proposition suivante d'amendement :

> « *(a) in paragraph 1, the second, third, and fourth subparagraphs are replaced by the following:*
>
> *'Member States shall apply that variation to the vehicle sub-groups covered by Regulation (EU) 2019/1242 following the publication of the reference CO_2 emissions of those vehicle sub-groups, in accordance with Article 11(1) of that Regulation. The variation shall apply either from ~~1 January~~ **1 July** of the year following the year of publication, if it occurred before 1 July, or from ~~1 July~~ **1 January** of the second year following the year of publication, if it occurred on or after 1 July. However, for vehicle sub-groups 4-UD, 4-RD, 4-LH, 5-RD, 5-LH, 9-RD, 9-LH, 10-RD, 10-LH, Member States shall apply that variation at the latest on 13 May 2023.*
>
> *Member States shall apply the reference CO_2 emissions as adjusted pursuant to Article 11(2) of Regulation (EU) 2019/1242 either from ~~1 January~~ **1 July** of the year following the year of publication, if it occurred before 1 July, or from ~~1 July~~ **1 January** of the second year following the year of publication, if it occurred on or after 1 July. However, for vehicle sub-groups 4-UD, 4-RD, 4-LH, 5-RD, 5-LH, 9-RD, 9-LH, 10- RD and 10-LH, Member States shall apply the reference CO2 emissions as adjusted pursuant to Commission Implementing Regulation (EU) …/... [add reference once known] from 1 July 2026.* »

Par ailleurs, s'agissant du 2ème paragraphe, dont l'objectif est de corriger la trajectoire de réduction des émissions de CO_2 pour la rendre cohérente avec l'objectif de -30 % en 2030, les autorités françaises notent **que le délai de reclassement des véhicules**, bien qu'augmenté à six mois dans la présente version de compromis, **reste insuffisant**, **dans la mesure où un travail entre l'administration et, potentiellement, de nombreux usagers s'avérerait nécessaire**. En effet, le reclassement suppose, pour chaque poids lourd concerné, de corriger les documents du véhicule ainsi que la donnée du badge associé au véhicule.

Les autorités françaises proposent donc un délai minimal d'un an, plus adapté :

> « *in paragraph 2, the following subparagraphs are added:*
>
> *'Member States shall reclassify the vehicles that have been classified in CO2 emission class 1 or 2 with an emission reduction trajectory based on a CO2 emissions reduction target for 2030 of 43% by instead using an emission reduction trajectory based on a CO2 emissions reduction target for 2030 of 30% at the latest by [date of entry into force of this Directive + ~~six~~ **a minimum of twelve** months]* ».

- **S'agissant de la mise en œuvre de la présente directive (art. 2)**

Le nouveau délai pour la transposition, désormais fixé à deux ans, **convient aux autorités françaises**.

* * * * *

Les autorités françaises se tiennent à la disposition de la Commission et de la Présidence pour toute information complémentaire.

Courtesy translation

This is a courtesy translation. In the event there are any differences with the French version, the latter shall prevail.

Subject:

Comments from the French authorities on the Presidency compromise proposal discussed at the meeting of the Working Party on Land Transport on 13 January 2026 concerning the 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_2 emission class of heavy-duty vehicles with trailers and clarifying and simplifying certain provisions

Ref.: Document ST 14619/1/25 REV 1

Following the meeting of the Working Party on Land Transport on 13 January 2026, the French authorities wish to submit comments on the amended proposal for a directive amending Directives 1999/62/EC, 1999/37/EC, and 2019/520 with regard to the CO2 emission class of heavy-duty vehicles with trailers and clarifying and simplifying certain provisions.

Firstly, **the French authorities welcome the Presidency's decision to abandon the proposals initially envisaged concerning the introduction of adjustments based on trailers.**

The sole purpose of the proposed directive is therefore to define CO_2 emissions (Article 1(3)) and the resulting classification of vehicles, i.e. amendments to Directive 1999/62/EC alone. **The French authorities indicate that they have no particular comments to make on the amendments concerning the *retrofitting* of vehicles.**

- **With regard to the application of charges based on reference CO_2 emissions (Article 7ga of Directive 1999/62/EC)**

The French authorities thank the Presidency for the clarifications regarding the date on which the obligation to vary infrastructure charges according to CO_2 emissions **applies in the second subparagraph, as well as the date on which the adjusted reference CO_2 emissions are incorporated by Member States in the third subparagraph.**

However, while the Commission says it is in favor of allowing national authorities sufficient time for implementation, **the timeframe envisaged at this stage between the publication or adjustment of CO_2 reference emissions and their effective implementation appears insufficient.** The terms of the current proposal have the effect of extending this period to between six months and one year, depending on the date of publication or adjustment of the CO_2 reference emissions (2nd and 3rd subparagraphs), since the obligation would take effect on a fixed date, namely 1 January if the publication of the CO_2 reference emissions took place in the first half of the previous year and 1 July if the publication of the CO_2 reference emissions took place in the second half of the previous year. **However, the effective implementation of modulation requires European Electronic Toll Service (EETS) providers to enter the appropriate class in the vehicle badge, which, given the current state of available technology, may require changing the electronic toll collection badge itself, and then requiring toll collectors to define updates and implement new levels of toll rate modulation, based on changes in the distribution of vehicles in each class.**

Consequently, the French authorities request that this deadline be extended to 1 July of year N if the reference CO_2 emissions were published in the first half of year N-1, and to 1 January of year N+1 if the reference CO_2 emissions were published in the second half of year N-1.

They therefore propose the following amendment:

« *(a) in paragraph 1, the second, third, and fourth subparagraphs are replaced by the following:*

'Member States shall apply that variation to the vehicle sub-groups covered by Regulation (EU) 2019/1242 following the publication of the reference CO_2 emissions of those vehicle sub-groups, in accordance with Article 11(1) of that Regulation. The variation shall apply either from ***~~1 January~~*** ***1 July*** *of the year following the year of publication, if it occurred before 1 July, or from* ***~~1 July~~*** ***1 January*** *of the second year following the year of publication, if it occurred on or after 1 July. However, for vehicle sub-groups 4-UD, 4-RD, 4-LH, 5-RD, 5-LH, 9-RD, 9-LH, 10-RD, 10-LH, Member States shall apply that variation at the latest on 13 May 2023.*

Member States shall apply the reference CO_2 emissions as adjusted pursuant to Article 11(2) of Regulation (EU) 2019/1242 either from ***~~1 January~~*** ***1 July*** *of the year following the year of publication, if it occurred before 1 July, or from* ***~~1 July~~*** ***1 January*** *of the second year following the year of publication, if it occurred on or after 1 July. However, for vehicle sub-groups 4-UD, 4-RD, 4-LH, 5-RD, 5-LH, 9-RD, 9-LH, 10- RD and 10-LH, Member States shall apply the reference CO2 emissions as adjusted pursuant to Commission Implementing Regulation (EU) …/... [add reference once known] from 1 July 2026.* »

Furthermore, with regard to the second paragraph, which aims to correct the CO_2 emissions reduction trajectory to bring it into line with the target of -30% in 2030, the French authorities note that **the deadline for reclassifying vehicles,** although increased to six months in the current compromise version, **remains insufficient, as it would require work between the administration and, potentially, many users**. Indeed, reclassification requires, for each heavy-duty vehicle concerned, the correction of the vehicle documents and the data on the badge associated with the vehicle.

The French authorities therefore propose a minimum period of one year, which is more appropriate:

« *in paragraph 2, the following subparagraphs are added:*

'Member States shall reclassify the vehicles that have been classified in CO2 emission class 1 or 2 with an emission reduction trajectory based on a CO2 emissions reduction target for 2030 of 43% by instead using an emission reduction trajectory based on a CO2 emissions reduction target for 2030 of 30% at the latest by [date of entry into force of this Directive + ***~~six~~*** ***a minimum of twelve*** *months]* ».

- **With regard to the implementation of this directive (Article 2)**

The new transposition deadline, now set at two years, is acceptable to the French authorities.

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The French authorities remain at the disposal of the Commission and the Presidency for any further information.