

## **ASECAP STATEMENT POLLUTER PAYS PRINCIPLE – FITNESS CHECK OF ITS APPLICATION TO THE ENVIRONMENT**

ASECAP welcomes the initiative of the Commission to collect feedback on the The Polluter Pays Principle implementation in the EU, measures to prevent, control and remedy pollution and for the cost to society of pollution.

ASECAP members are strongly committed to reach carbon free objectives for a sustainable road infrastructure to reduce pollution. ASECAP members support EU policy to make transport more sustainable by :

- stimulating actions improving transport sector carbon footprint, protecting environment and biodiversity
- optimizing the entire transport system,
- supporting multimodal approaches and answer issues of mobility by unfolding new services and a better use of the infrastructure (urban accesses, dedicated lanes for mass public transport, carpooling, multimodal hubs,...) where needs are in demand and the least satisfied, especially in important metropolitan area with large cities.
- Deployment of robust alternative fuel network with fast electrical charging station for light vehicle, hydrogen stations for trucks.
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Road operators have always been committed to responsible management of the environment, going well beyond the legal requirements they have to comply with. Insertion into the countryside, enhancement of the landscape, preservation of biodiversity have become crucial challenges to which satisfactory solutions have been proposed and adopted (eg, noise fences, noise-reducing road surfaces). Important environmental upgrading programmes aiming to rebuild old networks up to modern environmental standards (water, noise, biodiversity protection in compliance with regulations currently in force).

- ASECAP believes that the European Commission should define sustainable funding mechanisms to implement measures aiming at preserving the environment and biodiversity.
- Important investments are still needed to offer a safe, reliable, multimodal and sustainable transportation system, especially in periurban and urban growing areas.

- We believe that the source of funding should be sustainable in time, and as such it should be encouraged (to not burden future generations with debt repayments) and ideally come from road users/polluters, that benefit from the infrastructure and generate externalities.
- User/polluter/ is not only a mechanism to finance the needed investments on road infrastructure (to build, enlarge and make resilient the EU road network and adapt it to the digitalisation and green evolutions) but it is also a key mechanism to manage the traffic demand, boosting the transition to cleaner, safer, connected and automated vehicles and to place the right incentives to our mobility.
- ASECAP would like to recall that earmarked tolling has allowed the development of efficient safe road infrastructure with high-level of services, long-term optimization, proper maintenance and investments. These infrastructures achieve the best level of quality, safety and protection of the environment and biodiversity, based on user/polluter/payer principle which is a sustainable financing scheme.
- The “user/polluter/pays” principle is the fairest way to finance Infrastructure projects as tax payers no longer have to bear the cost of infrastructure. Public funds are released and can be allocated to other social priorities such as health, education or public transport.
- Investors can act in long-term liaison between administrations to ensure the pursuit of sustainable goals through long term public-private partnerships. A transparent mechanism with an entity bearing and managing most of the risks, having an economic incentive to ensure that infrastructure, is resilient. This sustainable mechanism can be transferred to future generations in the same or better conditions. **It has already been tested by concession models or PPP schemes and should be encouraged in compliance with the regulation.**
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### Concluding consideration

Polluter pay principle is key to ensure sustainable development. Therefore, it is important that EU law in particular continue to promote, extend and enforce polluter pay and thus user pay principle.

- In this context, it is a pity that the **latest version of Eurovignette Directive (2022/362 from 24 February 2022)** as adopted is still a missed opportunity, capping road tariffs and related variations in a way which does not allow to really address climate change and does not allow for a genuine polluter pay model.

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- At the same time, we consider that **Concession Directive** (2014/23) has allowed higher and better harmonised legal framework for a legal model which is key to support user pay and thus polluter pay principles in the financing and management of infrastructure. Since the Concession Directive is under review, we call for stability of this existing framework, rather than reopening a good text.
- Last but not least, we consider that greening of mobility will not be achieved based on one single solution. While promotion of greener transport mode and greener vehicles is key, while infrastructure should be adapted to such changes and can be as such be more sustainable, "tech" is still the missing piece. **ITS** which has been key to promote smart and safe mobility is not yet as such focused on greener mobility. As far as possible on going dialogues regarding the revision of Directive 2010/40 should also take this objective into account.

**About ASECAP:**

***ASECAP is the European Association of Operators of Toll Road Infrastructures across 19 member countries representing 128 companies employing more than 50.000 direct jobs and 200.000 indirect jobs. They operate, maintain, manage a network of more than 82.000 km with a long-term vision that ensures highest quality standards to make the road infrastructure safest thanks to the user/polluter/payer principle providing sustainable financing. ASECAP members are shouldering their responsibility as mobility providers linking inter-urban and metropolitan areas, playing a major role by moving people for their daily trips to go to work, school, hospital....***

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