

## ● Board of Directors

our reference HD/ALB/MP/yvb/2015-044

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European Commissioner for Transport  
Ms Violeta Bulc  
Rue de la Loi/Wetstraat 200  
1049 BRUSSELS  
BELGIUM

re German toll regulation

date 8 April 2015

Dear Commissioner,

On 27. March the German Bundesrat agreed on the draft regulations for the introduction of an 'Infrastrukturabgabe' and the toll compensation for German car owners in the Verkehr Steueränderungsgesetz, this despite substantial doubts on the underlying figures and compliance with European rules and principles.

We warmly welcome your intention to investigate whether or not the German regulations underlying this 'Infrastrukturabgabe' are in accordance with European rules.

**Request:**

**We urgently ask you to consider an official compliance and infringement procedure as soon as possible, preferably after the publication of the underlying national regulations, if possible not later than the date on which these regulations will become effective.**

Important considerations for us:

- There will be a longer period of uncertainty on the legitimacy of these regulations if the check is done after the date on which the regulations become effective. This is certainly true if the date of introduction is delayed after publication.
- The later the check is planned, the more investments will already have been made by German authorities. Moreover, community funding will not have been spent appropriately in case of non-compliance with European rules.
- If the effective dates of the underlying laws are not the same, it could be more difficult to prove the relation between payment of the Maut and the compensation for it according to the other law. This relationship is essential to prove the discriminating effects of the regulations.

We have indications that a vignette price based on the class of car emissions could disadvantage foreign car owners. This is because in countries like the Netherlands and Denmark, registration of the lower category of car emissions (like Euro IV) in the national administration has not yet been completed.

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Consequently, this group of car owners will pay the highest tariff because they will have problems proving that their car belongs to the emissions class with a reduced tariff.

If we can be of help by giving you specific information on Dutch or Danish cross-border traffic, please let us know.

Best regards,

A handwritten signature in black ink that reads 'F. van Bruggen'.

Frits van Bruggen  
CEA & President ANWB

A handwritten signature in black ink that reads 'Thomas Møller Thomsen'.

Thomas Møller Thomsen  
CEO FDM