



44TH ASECAP STUDY & INFORMATION DAYS 2016

Toll Enforcement & cross-border issues

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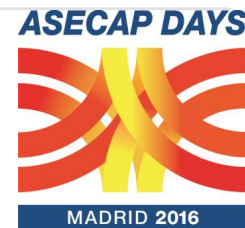
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CROSS BORDER ENFORCEMENT DIRECTIVE



Public consultation for the **evaluation of the CBE Directive** (2015/413/EU)
(27/11/2015 - 19/02/2016)

- ⇒ Report of the Commission to the European Parliament and to the Council (by November 7th 2016)
- ⇒ In order to provide an assessment of the effectiveness of the Directive and of the relevance of its scope
- ⇒ Including assessment on:
 - ⇒ *« the need to strengthen the enforcement of sanctions and to propose common criteria concerning the follow-up procedures in the case of non-payment of a financial penalty »*

CBE DIRECTIVE... OBJECTIVES & MEANS

Objectives & main principles:

- ⇒ reduction in the number of violations on EU roads
- ⇒ compliance with basic road safety rules as a crucial element in the road

Means:

- ⇒ provides access to vehicle registration data in order to identify non-resident offenders

Scope:

- ⇒ 8 safety offenses

WHAT ABOUT TOLL VIOLATIONS?

Not (yet) in the scope of CBE Directive!

But should be in the scope of the CBE Directive

⇒ as toll violations have direct implications

⇒ on road safety (« petit train »)

⇒ on competition

⇒ on implementation of ETC systems and free-flow systems

⇒ as toll violations are a real barrier to the development of ETC and free-flow systems

ENFORCEMENT AS A DETERRENT FACTOR

CBE Directive aims at

- pursuing violators even when they are non-residents
- discourage violations as violators know that they will be identified and prosecuted

This second factor, *i.e.* the deterrence is most interesting as it does not generate any cost and is not an administrative burden

That is exactly the goal of toll enforcement: not to be applied and be able to generate a deterrent effect, **discouraging users to avoid the payment of tolls**

TOLL ENFORCEMENT AS A DETERRENT FACTOR

Toll Enforcement is immediately effective and rewarding

⇒ As soon as enforcement is effective, it acts as a real deterrent

i.e. the French toll enforcement that has been effective since 2013 is a real success as the fraud has been **divided by 3**

⇒ implementation of an enforcement process based on a transaction:

- ⇒ the client is offered to pay the toll due to the motorway operator plus 20 euros as processing fees
- ⇒ the toll motorway company recovers unpaid tolls
- ⇒ the procedure is handled by toll motorways companies
- ⇒ toll violations are systematically pursued

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But...

Only resident violators are identified

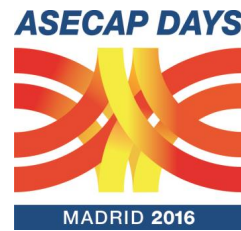
⇒ Toll Enforcement should be effective and applied to all offenders, not just to residents

⇒ to avoid competition issues between resident and non-resident offenders

⇒ to reach the objective of reducing the negative impact of toll violations of the road-safety

⇒ to apply the « user pays » principle

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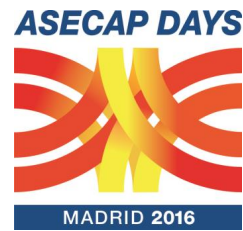


Toll Chargers must find a way to implement an **effective enforcement applicable to all toll violators including non-resident offenders**

This concern has been fully detailed in all European Interoperability Projects (Cesare, REETS) as a **key factor for deploying ETC** in Europe

ASECAP and its members have called for **including toll enforcement in the scope of the CBE Directive** and strongly expect the evaluation of CBE Directive will consider their concerns

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Thank you for your attention