



## ECTA POSITION PAPER

### **Combined Transport Directive – Review ECTA Board discussion 17.11.2023 with SR updates**

The Proposal of the EU Commission of Nov. 7<sup>th</sup>, 2023 for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**Amending Council Directive 92/106/EEC as regards a support framework for intermodal transport of goods and Regulation (EU) 2020/1056 of the European Parliament and the Council as regards calculation of external costs savings and generation of aggregate data (called: the PROPOSAL)**

#### Positive aspects of the proposal

We agree that an update of the support framework for intermodal transport is instrumental in achieving the ambition of both the Sustainable and Smart Mobility Strategy as well as that of the Green Deal.

From this viewpoint, the following elements of the PROPOSAL are from our viewpoint very much supported and recommended for implementation:

#### **(1) Inclusion of national combined transport and empty containers Art. 1c**

The inclusion of domestic combined transport in the CTD (in addition to international transport) and empty container transport to/from container depots in the definition of combined transport operations are very positive elements. It recognises the operational needs of container management.

#### **(2) Treatment of haulier pre-/on carriage and option to reimburse road taxes on intermodal legs Art. 4, Art. 6**

The continuity of the equal treatment of international combined transport and international road transport as regards the use of non-resident hauliers and the option for Member States to reimburse road taxes applicable to road vehicles used in combined transport are also positive elements.

#### **(3) Exemptions from driving bans Art. 9a**

The exemption from driving bans for vehicles carrying out road legs in combined transport from weekend, night or holiday driving bans is a very positive measure that contributes greatly to operational efficiency and to the harmonisation of framework conditions throughout Europe.

#### **(4) Cost reduction for combined transport**

Objective that Member States shall achieve an overall reduction of at least 10% of total costs of combined transport operations in their territory in 7 ½ years.

However, we believe, this would for border-crossing combined transport links required some coordination of the countries involved along a certain Intermodal Corridor.

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## Concerns with the proposal

### **Inappropriate definition of combined transport (Article 1c)**

We believe that the definition of combined transport in the PROPOSAL – based on at least 40% less external costs than the alternative unimodal road transport operation – is not appropriate and will not systematically lead to a positive support of modal shift to combined transport.

With the expected decarbonization of road transport in the coming years, this will become even more evident for certain long distance road transports, which are shifted to intermodal rail over only a certain part of the distances e.g. to cross ecologically sensible geographies like the Alps.

In addition, we believe that the decision process on the eligibility as a combined transport in the PROPOSAL is not appropriate to the complexity of intermodal markets. The transport company executing a combined transport would have to enter the data to check eligibility for combined transport into a so called eFTI (Electronic Freight Transport Information) platform before every intermodal trip is started.

Depending on the outcome of this data entry, the intermodal transport would qualify or not qualify as a combined transport. This data entry would have to be made today for every one of the above 8 Mio Intermodal units per year in the EU – (number only for combined transport road/rail). Transport markets are not spot markets. Major shippers have contracts of typically one to 3 years, and there is a need for structural stability for customer contracts over the contract years.

Combined transport works essentially only through aggregation of individual road transport demand on a certain lane and bundling it to either a train or a vessel over a longer distance. We believe it is not appropriate to define combined transport just based on an individual transport journey. The complexity is in aggregation.

Combined transport is a complex system. Its definition cannot be reduced to an external cost saving target on each individual journey. As the example above shows, such a definition could even undermine the essence of combined transport.

We believe this definition has evolved because there seemed to be a need to have a single definition for all types of combined transport, either by rail, by waterways or by short sea. However, we do not see this requirement. It is preferable that each **type** of combined transport is defined based on its **specific** characteristics.

### **Combined land transport: the “nearest suitable intermodal terminal” is an appropriate definition.**

The current definition for combined transport rail/road, which is based on pre-carriage road haulage to the nearest intermodal terminal with a regular intermodal connection to the destination area of the cargo, is much more appropriate.

Shift from road to intermodal rail is – in view of the Green Deal – the prevalent part of modal shift. For short-sea and coastal shipping, comparable definitions may be found, with an eventual limitation of the overall road transport stretch compared to the modal shift water transport stretch.



### **Calculation of total external costs subject to many assumptions**

Furthermore, the methodology for calculating such external costs is not yet a standard as of today, but still evolving. The cited document in the PROPOSAL, CE Delft (2019), calculated both average external costs as well as marginal external costs. Whilst in this document, the marginal external costs per km are published for both road and rail, the average external costs are only published for road transport.

The PROPOSAL does not say if the average costs or the marginal shall be used in the definition of combined transport. In addition, the guidance for calculations would be established in a later implementing act and the data made available later in the eFTI platforms according to Regulation (EU) 2020/1056.

We believe that the nature, the elements, and the guidance for calculations have to be developed and proposed, before finalizing a definition of combined transport as made in the PROPOSAL, with a minimum 40% saving of total external costs compared to direct road transport.