



Some reflections from the Spanish Confederation of Transport of Goods (CETM) within the framework of the call for contributions on public consultations, from the DG of Competition, about State aid – exemptions for small amounts of aid (de minimis aid) (update).

The European Green Deal aims to transform the EU into a just and prosperous society, with a modern, resource-efficient and competitive economy, making Europe the first climate-neutral continent by 2050. The coronavirus pandemic makes those EU ambitions even more relevant, so the European Commission has unveiled a major recovery plan for Europe to help repair the economic and social damage caused by the pandemic and to kick-start the European recovery in line with the twin objectives of green and digital transition, which should reach all sectors. Within the framework of the EU and under the principle of necessity, it is necessary to highlight the commitments set collectively from the European Union for 2030 regarding the improvement of energy efficiency, the penetration of renewable energies and the reductions of greenhouse gases. At the EU level, the transport sector is currently responsible for a high percentage of final energy consumption, and of total CO₂ emissions. The aid policies for the renewal of the fleet by replacing old vehicles with new models will represent a huge advance in this regard. Within this context, in the current process of economic and social reconstruction that it is necessary to undertake to face the negative effects derived from the pandemic and framing it within the policy of environmental improvement, a Plan to Promote the Chain of Energy is necessary. Value of the Automotive Industry with measures for the renewal of the fleet of vehicles towards a more modern and efficient one (RENOVE Plan). The objective of this program is to replace older vehicles with cleaner and safer models, incorporating environmental criteria, and adopting a technological neutrality approach, which encourages the replacement of polluting vehicles in circulation with new vehicles with lower emissions and of all the technologies currently available: electric, hybrid, hydrogen, combustion, LPG and natural gas vehicles. With a broad approach, the program should support the purchase of vehicles belonging to the most relevant categories, from passenger cars and light commercial vehicles, to heavy commercial vehicles and buses.

Paradoxically, and in contrast to any support measure such as the one described above, and as is already known, the transport sector has been penalized by the EU for quite some time with respect to the possibility of accessing, like the rest of the sectors, to any type of State Aid under "de minimis" conditions. Commission Regulation (EC) No. 69/2001, of January 12, 2001, on the application of Articles 87 and 88 of the EC Treaty to "de minimis aid" established in Article 1. a), that

the Regulation will apply to aid granted to companies in all sectors, with the exception of the transport sector. With the publication of Regulation (EC) No. 1998/2006, of December 15, 2006, the Commission allowed its application to the transport sector by limiting and qualifying the degree of application to companies operating in the road transport sector.

If, in general, the de minimis aid granted to a specific company will not exceed € 200,000 during any period of three fiscal years, the total de minimis aid granted to a company operating in the road transport sector will not exceed 100,000 € and **in no case may assistance be contemplated for the acquisition of vehicles for the transport of goods by road to companies that carry out operations for the transport of goods by road.** In relation to the current contribution framework opened by the Commission, it should be said that the discriminatory treatment given in minimis Regulation to the road freight transport sector must be addressed, avoiding achieving the objectives desired by the Green Deal. Currently, it is a huge contradiction that a sector such as road freight transport, essential for the European economic recovery, which is suffering the same problems as other sectors in accessing working capital and financing investment operations in the renewal of its assets productive sectors, continue to be marginalized in the application of this Regulation with respect to the treatment of de minimis aid, in clear discrimination with that given to complementary private transport, other modes of transport and the rest of the productive sectors. The argument used in its day and expired, about the existence of an excess of fleet capacity, clashes squarely with the reality about a mobile fleet condemned to aging due to the lack of resources and aid to maintain the fleet with last generation vehicles EURO or other technologies, on the other hand also considered as an environmental objective of the Commission itself. For all the above and taking into account that: - We are facing a critical sector, which is going through difficult times due, among other things, to the current situation after starting to raise its head, after an economic crisis, and the hard blow currently received in a new scenario of economic recession caused by the pandemic of the Covid-19 and that, despite this, continues to provide an invaluable service to the development of the EU, as an “essential sector”. - As a driver of the economy, it is an investing and innovative sector, with the capacity for sacrifice, and essential for its efficiency and proven effectiveness when bringing products closer to markets and ensuring the mobility of goods. - From the social point of view, it is a sector that directly and indirectly employs a high share of the European workforce. - It is one of the most regulated sectors and one of the few that requires qualitative and quantitative requirements to access the market, which redounds to its level of professionalism and competence. - Statistical data prior to the current crisis indicate a sector immersed in an internal concentration process, with an increase in the average number of vehicles per company, in order to strengthen the business structure and improve marketing and service capacity. - It is worth highlighting the significant number of transport companies with investments made in certifications of operational and environmental quality systems and implementation of advanced communication technologies, in line with the objectives pursued by the Commission. - Sector in favor of sustainability, in

constant processes of fleet renewal, with investment in vehicles of the most advanced Euro category, and in cases where technology makes operations viable, through vehicles with alternative energies. -. Freight transport companies are vital to trade, industry and society, so once this pandemic is over, economies across Europe will need these companies to resume operations immediately to support the recovery. economical. That is why we must give them institutional support as a priority, because only with the help of efficient, solvent and sustainable freight transport, which guarantees the functioning of the economy, will we be able to overcome this crisis. **We consider it necessary to address the revision of the “de minimis Regulation”, with the adaptation of the content of its regulation, making the conditions of treatment for the public transport of goods by road equal to the general conditions applied to other sectors included.**

Madrid, December 1, 2022