UITP EUROPE

→ Position

Industrial Accelerator Act

The view of the public transport sector for the European Parliament's negotiations



© Copyright

November 2026

© UITP - All rights reserved - Responsible Publisher: Mohamed Mezghani, Rue Sainte Marie 6, B-1080 Brussels, Belgium — Legal deposit: XXX

Rue Sainte-Marie 6, B-1080 Brussels, Belgium | Tel +32 (0)2 673 61 00 | info@uitp.org | www.uitp.org

UITP position

UITP fully shares the IAA's objective to "*support the development, competitiveness and resilience of the Union's manufacturing sector*" and supports the principle of European preference, which helps bolster the European industry while strengthening the Union's competitiveness and security.

To ensure its effectiveness, **UITP calls for a pragmatic implementation of the IAA** based on the following main points:

- **The EU preference should be gradually implemented, and its elements require some clarification;**
- **Decarbonisation should remain the priority and should not be hindered by more complex procurement rules;**
- **Exemptions set out in Article 11 must be preserved, clarified and extended;**
- **The IAA should not generate extra administrative or financial burden for contracting entities and authorities**.

Contents

UITP position 2

Executive Summary 3

1. Implement Annex III progressively and protect existing investments 4

2. Preserve, clarify and extend procurement exemptions (Article 11) 5

3. Do not weaken protection against disproportionate costs 7

4. Align public support safeguards with operational needs (Article 12) 8

5. Reduce administrative burden and clarify responsibility for compliance 9

6. Ensure evidence-based review, keep rail off the review's priority list and apply proportionate enforcement 11

Executive Summary

UITP reaffirms the priorities established in its initial position: gradual implementation of European preference, decarbonisation as a priority, effective procurement exemptions, limited administrative burden and a level playing field between public and private buyers. The European Parliament amendments should be assessed against these principles. Strengthening European industrial capacity must not come at the expense of affordable vehicles, timely investment, decarbonisation or the continuity of public transport services.

UITP calls for the retention of amendments that make origin requirements proportionate to market capacity, protect existing investments and clarify compliance responsibilities. Conversely, amendments that weaken cost safeguards, transfer complex verification tasks to transport buyers or extend requirements without sector-specific evidence raise serious concerns. UITP wishes to signalize the following main points to Members of the European Parliament:

- **Implement vehicle requirements progressively and protect existing investments.** Origin requirements should reflect actual industrial capacity and market readiness. Transition arrangements must safeguard existing vehicles and contractual commitments.
- **Preserve, clarify and extend procurement exemptions.** Public transport buyers need workable flexibility where supply is insufficient, competition is limited or sourcing requirements would delay investment, compromise safety or disrupt essential services.
- **Do not weaken protection against disproportionate costs.** European preference must remain financially sustainable. Effective cost safeguards should protect public transport budgets without imposing restrictive conditions or excessive justification requirements.
- **Align public support safeguards with operational needs.** Public support and procurement rules should provide coherent protection for affordable investment, technical compatibility, innovation and service delivery, while ensuring fair competition between operators.
- **Reduce administrative burden and clarify compliance responsibilities.** Public buyers should be able to rely on clear, harmonised documentation and authoritative guidance. Specialised verification should rest with competent bodies, with proportionate liability rules protecting buyers acting in good faith.

- **Ensure evidence-based review, keep rail off the review's priority list and apply proportionate enforcement.** Implementation should be monitored against its effects on costs, competition, supply and investment delivery. UITP supports removing the presumption that railway rolling stock is prioritised for future additional post-review requirements. Future changes should be informed by evidence and stakeholder consultation, and enforcement should target those responsible for non-compliance.

1. Implement Annex III progressively and protect existing investments

Support removing the 2035 grandfathering deadline and protecting vehicles throughout their operational lifetime. Protecting vehicles already registered or procured under earlier procedures, including public service contract procedures, would preserve legal certainty and contractual commitments. Maintaining eligibility throughout the normal operational lifetime of previously procured buses and coaches would avoid stranded assets and premature replacement of functioning vehicles. Extending grandfathering to 2037 or 2040 is supported only as a limited alternative: it would offer more adaptation time, but would not resolve the mismatch between a fixed deadline and individual vehicle lifetimes as effectively as removing the deadline. *(Support Amendments 5202 and 5203; Amendments 5201 and 5204 as a limited alternative).*

Support a differentiated timetable and a market-readiness assessment for buses and heavy-duty vehicles. This would translate UITP's call for progressive implementation into a practical safeguard. The assessment must reflect automotive-grade supply, suitable battery chemistries and formats, delivery conditions and price impacts. *(Support Amendment 5118)*

Support applying the six-month transition to procured services. This would give authorities and operators adaptation time regardless of whether vehicles are purchased directly or used under a service contract. *(Support Amendments 5015–5016)*

Support annual monitoring of European component capacity. It would identify supply gaps and inform postponements where necessary to avoid shortages, reduced competition, delays and excessive costs. *(Support Amendments 5200 and 5362)*

2. Preserve, clarify and extend procurement exemptions (Article 11)

Support lower cost thresholds, with a preference for 10%. Thresholds between 10% and 20% would provide better protection than the proposed 25% premium. Additional vehicle and equipment expenditure can displace fleet renewal and service provision. A threshold should not exclude other demonstrably disproportionate costs in light of the buyer's resources. *(Support Amendments 1980, 1992, 1996–1998 and 2000–2001; notably 1998 for the 10% approach)*

Support extending the supplier-availability exemption to insufficient Union production capacity, too few suppliers and cases where only one offer is received, and make exemptions responsive to availability, quantities and delivery times. Extending the exemption would protect effective competition. Buyers should not be required to procure from an unduly narrow market simply because one compliant product exists *(Amendment 1956).* An exemption where only one offer is received would also protect buyers against insufficient competition and the risk of restarting a procedure without a realistic prospect of attracting additional suppliers *(Amendments 2017–2018).* Taking availability, quantities and delivery times into account would make exemptions responsive to real supply conditions and reduce the risk of delayed fleet renewal or infrastructure delivery *(Support Amendment 2069).*

Support the project-delay safeguard. Recognising significant delays, generally above seven months in the preceding notes, would protect time-sensitive fleet and infrastructure projects when compliant components or products cannot be delivered. Lead times are an operational constraint, not merely an administrative inconvenience. *(Support Amendments 2006, 2008–2010 and 2023)*

Support giving precedence to the continuity of public services. Where origin requirements would prevent or significantly impede reliable provision, public transport

buyers need to maintain essential mobility while replacing or maintaining assets. *(Support Amendment 2024)*

Support extending the look-back period for unsuccessful procedures from two to five years. This directly reflects UITP's earlier request. It would allow market evidence to be reused and avoid repeating unsuccessful tenders solely to establish continuing unavailability. *(Support Amendments 1968–1972)*

Support keeping safety, security and cybersecurity obligations achievable. An exemption is necessary where sourcing requirements would prevent compliance with these obligations. *(Support Amendment 2028)*

Support an exemption for insufficient quantities or unreasonable delivery times. These can undermine security of supply and competition even when a compliant product is technically available. The exemption must reflect the scale and timing of the actual procurement. *(Support Amendment 2033)*

Support protecting contracts awarded under framework agreements concluded before application. This would safeguard contractual commitments and avoid disrupting procurement arrangements established under the previous rules. *(Support Amendment 2032)*

Support the principle of equal sourcing costs for public and private operators, subject to simpler drafting. Operators competing for the same contracts should not face unequal sourcing costs. The market-share and cost tests described in the amendment 2020 could make the safeguard difficult to use. Amendment 2092 provides a simpler approach, but should be slightly broadened by referring explicitly to "utilities" covered by Directive 2014/25/EU, thereby ensuring that transport operators are also included. *(Support Amendment 2020, subject to a simpler drafting, or alternatively Amendment 2092 subject to this adjustment).*

3. Do not weaken protection against disproportionate costs

Oppose raising cost thresholds or imposing additional substantive tests. Both approaches would make the exemption harder to access and expose public transport budgets to greater expenditure. The precise threshold and conditions of each amendment should be checked against its full text before a voting recommendation is finalised. *(Oppose Amendments 1974, 1976–1977, 1979, 1986, 1989, 1995, 1999 and 2002–2004)*

Express concern about replacing a straightforward cost test with life-cycle, resilience and capacity conditions. This would substantially narrow the derogation. Recognition of delivery periods and insufficient Union capacity is useful, but limiting relief to the share that Union manufacturing cannot supply would leave buyers exposed to excessive costs for the remainder. *(Oppose Amendment 1975)*

Express concern about replacing a fixed threshold with sectoral thresholds set through delegated acts. This creates uncertainty over the cost test buyers must apply. Any sector-specific approach must provide predictable, timely and proportionate protection rather than defer essential safeguards. *(Oppose Amendments 1978 and 1984)*

Oppose a 40% threshold for Annex III vehicles and the deletion of the cost exemption. Under a 40% threshold, buyers would face substantially higher premiums before benefiting from the presumed disproportionate-cost safeguard. This conflicts with UITP's position that even 25% is too high for public transport budgets *(Oppose Amendments 1990–1991).* Deleting the cost exemption entirely would remove a fundamental protection for public budgets and could force authorities to reduce investment or divert resources from service provision *(Oppose Amendments 1982–1983).*

Oppose burdensome written-evidence and ex-post verification requirements unless revised. They could deter legitimate use of exemptions and increase administrative and litigation risks. Any documentation duty must be proportionate, standardised and limited to information reasonably available to the buyer. *(Oppose Amendment 2031)*

4. Align public support safeguards with operational needs (Article 12)

Support exemptions for single-supplier situations and for insufficient quantities. An exemption for single-supplier situations would protect competition and reduce exposure to monopoly pricing and supply risks. As this concerns public support, equivalent procurement protection remains necessary under Article 11 *(Support Amendment 2146).* An insufficient-quantities exemption would recognise that small-scale availability does not demonstrate the capacity to supply an entire fleet or network-wide investment *(Support Amendment 2179).*

Support protection for unsuccessful tenders with a five-year look-back. This would reduce repeated procedures and align with the reference period UITP seeks for procurement. *(Support Amendment 2147)*

Support reducing the disproportionate-cost threshold from 30% to 10%. This would protect investment affordability and reduce the risk that supported purchases deliver fewer vehicles or leave fewer resources for operations. *(Support Amendment 2165)*

Support incompatibility, maintenance and safety safeguards. They are essential where vehicles, charging infrastructure, signalling, spare parts and existing systems must operate together. Technical availability alone does not establish suitability. *(Support Amendment 2174)*

Support protection against technological immaturity. It would partly address UITP's innovation concerns where no sufficiently mature European equivalent can meet a specialised need. *(Support Amendment 2178)*

Support exemptions covering delays, security of supply and critical infrastructure. They would protect investment programmes whose disruption could compromise network operations. *(Support Amendment 2180)*

Support addressing distortions of competition. This would help protect operators facing unequal sourcing constraints. However, a public-support safeguard does not by itself resolve competitive neutrality in public service contract procurement. *(Support Amendment 2181)*

Support vehicle affordability and decarbonisation safeguards. They would help prevent industrial-policy requirements from delaying cleaner fleets through higher prices or limited model availability. *(Support Amendment 2186)*

Ensure that the exemptions under Articles 11 and 12 match for coherence. Public transport buyers often combine public procurement and public support within the same investment, for instance when a fleet purchase is co-financed. If the grounds for exemption differ between the two articles (supplier availability, insufficient quantities, look-back periods for unsuccessful tenders, cost thresholds, delays, security of supply, technical compatibility or technological immaturity), the same purchase could qualify under one article but not under the other. This would create legal uncertainty, divergent interpretation and extra administrative work, and could discourage buyers from using public support. UITP therefore calls on the co-legislators to align the scope, conditions and thresholds of the exemptions in Articles 11 and 12, so that any safeguard accepted under one article is mirrored in the other.

5. Reduce administrative burden and clarify responsibility for compliance

Support a public, authoritative and regularly updated partner-country list. Buyers should not have to determine independently whether content qualifies as equivalent to Union origin. This approach matches UITP's position in favour of less administrative burden, as well as the current position of the Council. *(Support Amendment 2093)*

Support verification of origin by competent bodies, namely the Commission and market-surveillance authorities, rather than by transport buyers. Commission verification would avoid transferring specialised origin investigations to transport buyers. Protection for third-party inaccuracies is welcome, but due-diligence conditions must remain proportionate and must not recreate an obligation to audit complex supply chains *(Support Amendment 2042).* Verification by market-surveillance authorities would likewise place checks with competent regulatory bodies and avoid repeated examination of the same manufacturer claims across separate tenders *(Support Amendment 2078).*

Support recognising self-declarations as sufficient evidence and limiting further checks to cases of reasonable doubt. Limiting checks beyond self-declarations to cases of reasonable doubt would reduce routine upstream evidence requests. Standard templates and reliance on manufacturer documentation would also promote consistent implementation *(Support Amendment 2040).* Recognising self-declarations or equivalent documents as sufficient evidence would give buyers legal certainty and limit duplicated compliance work. This should coexist with independent enforcement rather than make each buyer responsible for verifying the underlying claims *(Support Amendments 2058–2059).*

Support a proportionality, competition and administrative-burden safeguard. It would help prevent origin requirements from unnecessarily narrowing the supplier market or imposing obligations buyers cannot reasonably fulfil. *(Support Amendment 2080)*

Support Commission guidance on Article 11. It would reduce interpretative uncertainty and divergent implementation, particularly for authorities with limited specialist resources. *(Support Amendment 2090)*

Express reservations about extensive supporting documents and mandatory risk-based checks. These requirements could place a disproportionate verification burden on contracting authorities and entities, which may lack the expertise and data needed to carry them out. UITP would welcome a clearer limit on their role and an independent verification route, with enforcement organised through competent authorities rather than duplicated by transport buyers. *(Reservations on Amendments 2037 and 2039)*

Support a single reusable vehicle compliance document and a harmonised methodology for vehicle-content valuation. A single reusable vehicle compliance document would reduce parallel evidence systems and provide consistent information across the Regulation *(Support Amendment 2261).* Common vehicle-content valuation rules would likewise improve comparability between bids and reduce disputes arising from inconsistent calculations *(Support Amendment 2270).*

6. Ensure evidence-based review, keep rail off the review's priority list and apply proportionate enforcement

Support monitoring of procurement times, supplier availability, derogations and price impacts. Monitoring procurement times and supplier availability would help detect whether industrial-policy requirements unintentionally delay public transport investment or weaken competition *(Support Amendment 3602).* Monitoring derogations and price impacts would provide evidence on the proportionality of requirements and whether exemptions work in practice *(Support Amendments 3605 and 3608).*

Support removing the presumption that railway rolling stock is prioritised for future requirements. This responds to UITP's earlier rail concerns, and its opposition to premature rail inclusion remains valid. Review must cover capacity, availability, costs, delivery times, public budgets and downstream effects before any extension (*Support Amendments 3638, 3632 and 3648*). Extending requirements to railway rolling stock or locomotives would otherwise raise risks for long procurement and maintenance cycles, specialised supply chains and interoperability. *(Oppose Amendments 4996 and 5414)*

Support evidence and stakeholder consultation before delegated acts. This would help ensure that changes reflect actual supply, procurement costs, delays, security of supply and system integration rather than assumptions about market readiness. *(Support Amendments 3663, 3664, 3698 and 3699)*

Support targeting those directly responsible for false or misleading compliance information, while protecting buyers acting in good faith. Sanctions should primarily target the party responsible for non-compliance and remain proportionate, without imposing disproportionate consequences on public transport authorities and operators or disrupting public transport services. In this regard, contract termination should remain optional to be adapted to the circumstances of each situation, allowing public buyers to take account of the specific circumstances of each case. This would align enforcement with responsibility and avoid imposing supply-chain investigative duties on transport authorities and operators. *(Support Amendments 3716 and 3719)*

UITP call to the Members of the European Parliament

UITP calls on legislators to retain the supported safeguards and revise the amendments of concern. The final IAA should strengthen European industry while enabling affordable, reliable and decarbonised public transport. Progressive implementation, usable exemptions, independent enforcement and competitive neutrality must remain integral to that balance.