

## **EU LEGISLATION UPDATE**

**APRIL-MAY 2008**



### **OPPORTUNITIES FOR DIALOGUE**

#### **EU Commission exempts older vehicles from new tyre regulation**

At the end of May, the Commission published a proposal for a Regulation which amongst other matters - aims to amend existing tyre design rules in order to reduce road noise.

The existing tyre legislation does not apply to vehicles made before 1980. However, when FIVA examined the new proposals which will amend the existing legislation, it was clear that the proposed changes would impact negatively on some historic vehicles made during the early 1980s. Accordingly, FIVA discussed the matter with the European Commission and the new proposal is not intended to affect tyres designed only to be fitted to vehicles registered for the first time before 1 October 1990. The Commission has taken this decision because it recognised that in some cases the new conditions would be incompatible with the use of the tyres and that as they are produced in such small numbers, an exemption is appropriate.

The proposed regulation also aims to introduce mandatory fitting of electronic stability control systems on all vehicles; tyre pressure monitoring systems on passenger cars; and advanced emergency braking systems and lane departure warning systems on heavy-duty vehicles – but each of these will only apply to new vehicles.

#### **European Commission looks at CO2 labelling for cars**

On 2 June, the European Commission announced a consultation to help it decide whether to amend an existing Directive which provides conditions for consumer labelling of CO2 emissions and fuel consumption of vehicles. The Commission's consultation is focusing on advertising – but, as a result of pressure from the European Parliament at the time of the adoption of the existing Directive, the Commission is also now obliged to consider whether to also extend the scope of the existing Directive to used cars. However, FIVA understands that the European Commission is not immediately favourable to extending the scope of the directive to used cars as it does not fit with the logic of the Directive which is to try to positively influence the introduction and purchase of vehicles coming into circulation.

FIVA will respond to the consultation and aim to ensure that historic vehicles are not negatively impacted by this initiative.

### **INFORMATION**

#### **EU air quality directive is revised**

The European Council of Ministers formally approved the revised air quality Directive in April after lengthy negotiations with the Commission and the European Parliament. The new Directive introduces limits on ambient concentrations of fine particulate matter (PM2.5) which will have to

be met by the Member States by 2015 – the imposed limit is to be 25 ug/m<sup>3</sup> at national level and an average exposure level of 20 ug/m<sup>3</sup> for urban areas – additionally, exposure levels will have to be reduced by 20 per cent between 2010 and 2020.

The Directive also allows Member States greater flexibility in complying with some existing air quality standards – with the effect that Member States are now allowed to postpone implementation of large particulate matter (PM<sub>10</sub>) limits until mid-2011 and until 2015 for nitrogen dioxide and benzene. It is under the Air Quality Directive that Member States impose measures – such as vehicle bans – designed to help the country meet the air quality targets.

### **MEPs and Member States discuss Commission proposal to reduce CO<sub>2</sub> emission from new cars**

The European Parliament's rapporteur responsible for the European Commission proposal to reduce CO<sub>2</sub> emissions from new cars (Guido Sacconi, Italian socialist) has supported the 2012 deadline proposed by the European Commission for carmakers to cut average CO<sub>2</sub> emissions to 130 grams per kilometre. Additionally, he supports the introduction of a long-term target for new cars of 95 g/km by 2020. However, the rapporteur of the centre-right EPP group favours the principle of a phase-in system – with short-term reduction goals from 2012 to 2015 – so that the 130g/km target would apply to a proportion of the fleet - possibly 25 per cent in 2012, growing to 100 per cent in 2015; while the Liberal Democrats want a target of 125g/km to be met by 2015 as they believe it would give the industry more time to the new rules. One Liberal Democrat MEP has also suggested that the proposal should be complimented by incentives to take older cars off the road. FIVA will monitor this suggestion and aim to enter into dialogue to explain and negate any negative impact on the historic vehicle movement. The main political parties also all support the European Commission's proposed “curve” that will assign concrete emission targets to different car models which will determine how much of the emission-cutting burden falls on makers of smaller and larger cars.

In parallel, the Member States have been developing their views on the proposal in preparation for a Council meeting in early June. The Slovenian presidency has reported that there is increasing support for delaying the deadline to reduce average new vehicle CO<sub>2</sub> emissions to 130 g/km through vehicle and engine improvements from 2012 to 2015. However, the Member States are divided over the elements of a mechanism for breaking the 130g/km target up between different car industry sectors: some support the European Commission's proposal to use vehicle mass as the starting point for the mechanism, while others prefer to use the "footprint" of a vehicle's physical dimensions.

### **MEP demands tougher Euro VI limits and deadlines**

Matthias Groote – a German socialist MEP who is leading the European Parliament discussions on the proposed EURO VI pollutant emission limits from heavy duty vehicles - believes that the proposed limits should be tightened (which would require fitting of closed particle filters) and should be brought forward by 18 months. He also wants the mandatory use of portable emissions measurement systems in vehicles as he believes that emissions in real driving conditions are often substantially different from those recorded in test-cycles. He has also called on the Commission to propose EU rules harmonising national laws on retrofitting existing vehicles with diesel particle filters with the specific objective to ensure that retrofitting does not result in higher emissions of NO<sub>2</sub>. FIVA will monitor any developments related to this comment to avoid any negative impact on historic vehicles.

### **EU to propose greener EU road tolling rules**

The European Commission intends to revise the "Eurovignette" Directive - which determines the charges paid by lorries for using the European road network - so that they take greater account of the environmental cost of the transport. Under the existing Directive, Member States can already "internalise" these costs but there is no uniform approach by the Member States. The new proposal would be designed to cover pollution and congestion costs and would vary by road type, vehicle emission class and driving time; and counted in the cost of the charges would be the health, lost productivity and welfare costs of air and noise pollution as well as crop losses and damage to ecosystems. In parallel, the proposal would encourage Member States to hypothecate the revenues from the charges for projects designed to reduce the external costs of transport – such as traffic management systems, measures to reduce pollution at sources, and the development of alternative infrastructure. The proposed Directive would also cover the use of all European roads, not just motorways.

### **Czech Republic considers restrictions on government is considering imposing new restrictions on**

The Czech government is considering imposing new restrictions on imports of second-hand cars into Czech Republic. The European Commission previously forced the Government to end earlier restrictions on the grounds that they breached EU rules on the free movement of goods. However, the Czech Government is determined to address the issue as new figures have showed more than 200,000 old cars were imported from other European countries in 2007. Apparently the options under consideration include new environmental duties and strengthening periodic motor vehicle inspections.

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The FIVA Legislation Commission members are: Winfried Kallinger (Chairman), Tidlo Bresters (Vice Chairman), Lars Genild (Vice Chairman), Patrick Rollet (Member/Secretary), Andrew Burt (Member), David Hurley (Member), Carla Fiocchi (Member), Zoltán Gárdos (Member), Adalberto Gueli (Member), Johann König (Member), Horst Brüning (Member coopted), Peeter Henning (Member coopted), and Andrew Turner of EPPA works with the Committee.