

EU LEGISLATION UPDATE

AUGUST-SEPTEMBER 2008



INFORMATION

EU to require Daytime Running Lights for all new vehicles

Following the public consultations which have taken place over recent years, the European Commission has decided to introduce dedicated Daytime Running Light (DRL) on all new types of motor vehicles from the year 2011. The measure will be introduced with all new vehicles from that date having dedicated LED low-energy lights which will be automatically switched on when the engine is started - when it is dark the driver will have to switch on the driving lights manually and the DRL will turn off automatically. The Commission has taken this decision following analysis of research and input from interested parties which have led it to conclude that the use of DRL is important for improving road safety. The Directive foresees that from 7 February 2011 all new types of passenger cars and small delivery vans will have to be equipped with DRL. Trucks and buses will follow 18 months later in August 2012. The measure therefore does not impact historic vehicles.

Action Plan on Urban Mobility

The European Commission's anticipated Action Plan on Urban Mobility (see EU updates of February-March 2008) - which was due this autumn - has been postponed probably until the beginning of next year.

Car CO2 emissions proposal slowly moves toward agreement

The European Parliament's Environment Committee has rejected an attempt by some of its members (and also the desire of members of the EP's Industry Committee) to weaken the Commission's proposed CO2 emissions Directive. The Committee has agreed that the average CO2 emissions from new vehicles sold in the EU should be 130 grams per kilometre (g/km) by 2012, and that this limit will be a part of an overall EU limit of 120g/km by the same date. However, the Committee did agree to amend the Commission's proposal to include a longer term emission limit of at least 95g/km in 2020 – which will be subject to a review in 2014. Earlier compromise amendments designed to bring together divergent views of the Christian Democrats and Socialists which would have delayed the full introduction of the emission limit until 2015 and nearly halved the maximum fine payable by carmakers for non-compliance were not approved – having been successfully challenged by the Liberals, Green and other committee members and with support from some Socialist Members. The Committee also voted to change the legal basis of the draft legislation from article 95 of the EU treaty, (functioning of the internal market), to article 175 which deals with environmental protection. If this amendment remains in the eventual Directive, it will be easier for individual member states to set tougher national CO2 emission limits.

The consequence of this vote is that it will be much harder now for an agreement to be reached with the Member States in Council which means that the process may have to undergo prolonged

discussions through the Second Reading procedure. This is also now more likely as the French Presidency of the EU has tabled amendments in recent Council discussions on the proposal that would significantly weaken European Commission proposal: these would have the effect of delaying the full introduction of the legislation until 2015, reducing the fines payable by carmakers that narrowly miss their targets, and postponing until 2012 the adoption of a binding emission limit for 2020.

Carmakers' progress on CO2 remains slow

In parallel to these developments, recent analysis of EU data by the Environmental lobby group Transport and the Environment has shown that the average CO2 emissions from new cars sold in the EU fell by 1.7 per cent in 2007 - to give average vehicle emissions of 157 grams of CO2 per kilometre (g/km). This means that the car industry is not on track to meet proposed near and longer-term emission reduction targets for new cars.

Tighter EU car pollution standards published

New EU rules on stricter emission limits for particulate matter from cars and light commercial vehicles have now entered force. From 2011, particulate emissions from petrol and diesel cars under Euro 5 standards must not exceed 4.5 milligrams per kilometre (mg/km) - down from 5mg/km under current standards. The new limit on the number of particles emitted will begin to be enforced at the same time but will only apply to diesel cars.

Eastern states fret over EU road charging plans

Eastern European EU member states have raised concerns that the European Commission proposals amending EU infrastructure charging rules for heavy goods vehicles will damage their economies. They have claimed that they will suffer from higher charges expected to be imposed by neighbouring Western countries for the cost of air pollution, noise and congestion as they rely on road transport to export their goods to the rest of the EU. These claims have already been discounted by a Swiss intervention into the debate which noted that a similar scheme introduced in Switzerland had not negatively impacted the Eastern countries.

EU type approval rules for hydrogen cars agreed

The European Parliament recently backed the European Commission proposal for type-approval for hydrogen cars. This agreement will now be formalised by the Member States and it is expected to result in a greater efforts toward the development of hydrogen cars in Europe.

Denmark to apply for EU air quality derogation

EU Member States currently have the right to request a derogation from EU air quality rules - under which member states may impose specific measures such as urban vehicle bans to meet air quality targets. The law allows a derogation of a maximum of five years from the target to curb nitrogen dioxide (NO2) emissions by 2010 and delaying compliance with a limit on particulate matter (PM10) from 2005 until mid-2011. The European Commission recently asked Member States to notify any derogations - to date only the Netherlands has done so, but it has been reported that Denmark will now do so as well.

The FIVA Legislation Commission members are: Winfried Kallinger (Chairman), Tiddo 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.