

## EU ISSUES UPDATE

FEBRUARY 2016



### OPPORTUNITIES FOR DIALOGUE

#### **European Parliament Historic vehicle Group meeting discusses REACH**

The European Parliament Historic vehicle Group met on 24 February. The main agenda item was a discussion with Klaus Berend, Head of unit for REACH in DG Growth, who attended to update the Group on the Commission's discussions on the REACH process and its application for spare parts. Mr Berend explained that the European Commission has acknowledged the need for a different application procedure for the use of Annex XIV substances used for the manufacture and repair of spare parts. He went on to say that:

- The European Commission's preferred option was an extension of the sunset dates for these uses, but this approach was rejected by Member States. Instead, the Commission is developing a simplified application procedure which will allow downstream users of substances to make joint or single applications.
- The simplified procedure is likely to entail the completion of a standardised form. The Commission is sympathetic to the notion that the form allows an option "substance to be used for historic vehicle part/repair of part"; additionally, the form may include an option to explain that the application is being made as use of an alternative substance is not possible/not economical/not appropriate. The simplified application form will be devised by the European Chemicals Agency in conjunction with the Commission. The Commission will recommend that FIVA be consulted for the preparation of the form.
- The sunset dates of all Annex X IV substances will be extended for 3 years to allow the development and approval of the simplified procedure which will also apply to substances of low use.
- In response to comments from Group members, Mr Berend noted that there is a concern to ensure that health and safety standards are maintained for use of Annex XIV substances. In this regard, the Commission is concerned that the application for the use of Chromium Trioxide (CT) by the consortium of upstream formulators and importers of CT does not provide sufficient reassurance that safe use of CT by downstream users can be guaranteed if the application is approved. Accordingly, if it is approved, it is likely to include a short review timeframe.

Mr Berend also explained that discussions about the use of lead in car batteries (see January 2016 EU issue update) are at an early stage and the Commission is minded to offer an exemption for the use of lead in batteries under REACH article 58.2. A decision is not likely before the summer.

During the meeting FIVA also explained the 50th anniversary activities and noted concerns about the impact of the proposed amendment to the Firearms Directive.

### **European Parliament Committee discusses the proposal to amend the Firearms Directive**

The European Parliament Internal Market Committee held an opening exchange of views on the proposal to amend the Firearms Directive on 22 February (please see November 2015 EU Issues Update). If adopted, the proposal would prohibit private ownership of all military weapons even when deactivated and so would impact owners of historic military vehicles with integrated deactivated weapons. During the Committee discussion, many MEPs noted concern about the wording and the impact of the proposal on museums, collectors of weapons and cultural heritage, and will draft amendments to the proposal resolve the concerns.

*FIVA Action: FIVA will present potential amendments to the Rapporteur for consideration in advance of a Committee Hearing on the matter on 15 March.*

### **INFORMATION**

#### **European Parliament opposes strict rules for new diesel cars**

In February, the European Parliament Environment committee adopted a motion calling on the European Commission to propose new stricter compliance margin conditions for nitrogen oxide (NOx) emissions test rules for new diesel cars. The motion followed the decision by the Member States in October of last year to allow wide margins of compliance for the new on-road emissions tests, known as real driving emissions (RDE), which are due to replace laboratory testing from 2017. These will allow official NOx limits to be exceeded until the early 2020s. However, following the Committee decision, the European Parliament as a whole rejected the motion by a narrow majority of votes.

#### **Vehicle emission testing**

During a European Parliament Environment Committee Hearing on vehicle emission some MEPs called for more testing of cars already on the road similar to the in-service testing carried out in the US where cars are selected at random from the road to assess whether their emissions are in line with regulation. In response, a representative from the EU Joint Research Centre said that the recently agreed changes to EU testing rules already bring the situation closer to that of the US. Additionally, a representative of the catalytic converter industry said that technology is available which could lower NOx emissions even below the official 80mg/km Euro 6 limit for NOx, but the difficulty lies in the proper combination with wider engine management; while a representative of the car industry said emissions testing can never completely reflect real world conditions because external factors such as driver behaviour are impossible to replicate.

- 00 -

The FIVA Legislation Commission members are: Tiddo Bresters (Chairman), Claude Delagneau, Wolfgang Eckel, Peter Edqvist, Carla Fiocchi, Lars Genild, Adalberto Gueli, Peeter Henning, Johann König, Stanislav Minářík, Bob Owen, Christos Petridis and Andrew Turner of EPPA works with the Committee.