



EUROLAB Special Briefing

The European Parliament Committee on Internal Market and Consumer Protection votes on the approval and market surveillance of motor vehicles

In January 2016, the European Commission presented a proposal for a future legislation on the approval and market surveillance of motor vehicles. The European Parliament is currently formulating its position regarding this legislative proposal with the Committee on Internal Market and Consumer Protection (IMCO) as the lead committee. Daniel Dalton's (ECR, UK) was in charge of preparing the IMCO Committee draft report which was presented in September 2016.

On 9 February 2017, the members of the IMCO Committee adopted the amendments to the rapporteur's draft report by 33 votes in favour. Following the vote, a press release was published on the IMCO Committee website which you will find hereafter:

MEPs overhaul EU rules on car approvals to prevent further emissions scandals

In a drive to prevent a recurrence of the VW emissions scandal, Internal Market Committee MEPs amended EU car "type approval" rules on Thursday, 9 February 2019, to make environmental and safety testing more independent and strengthen national and EU oversight of cars already on the road.

Daniel Dalton (ECR, UK), who is steering this legislation through Parliament, said "With today's vote the Internal Market Committee has sent a clear signal to national governments and consumers that it is about time we addressed the weaknesses that allowed the emissions scandal to take place. We agreed that the key to rebuilding consumer trust in the motor vehicle approval system is more rigorous and systematic oversight at every stage".

"That means greater auditing of the work of testing centres and national authorities who approve vehicles for sale, clear obligations on market surveillance of vehicles on the road and independent oversight powers for the Commission to test cars themselves and check that national authorities are doing their job. Whilst we can never guarantee another VW scandal will not happen, this triple-lock system, combined with the new RDE [Real Driving Emissions] tests approved last year, make it very unlikely that any manufacturer would take such a risk in future", he added.

Independent testing and approval of cars

"Type approval" is the process whereby national authorities certify that a vehicle model meets all EU safety, environmental and production requirements before it can be placed on the market. The approved text clarifies the responsibilities of national type approval authorities, testing centres and market surveillance bodies, in order to reinforce their independence and prevent conflicts of interest.

MEPs agreed, *inter alia*:

- that the costs of type-approval and market surveillance work must be covered by the member states in order to ensure independence, either through their national budgets, fees to be levied on the carmakers who have applied for type-approval in that country or a combination of both methods (testing centres are currently paid directly by carmakers),
- that results of national periodic reviews of type-approval and surveillance activities will have to be made public, and
- to increase the powers of the "Forum on Enforcement", e.g. in the areas of coordinating and assessing member states' activities, exchanging information and considering complaints about possible non-compliance cases.

Stepping up market surveillance across the EU

MEPs' amendments would require "national market surveillance programmes" to be approved by the Commission. "This commits member states to carrying out adequate market surveillance and allows for a degree of coordination, so that different member

states are not doing the same tests on the same cars”, said Mr Dalton. ½ The committee proposes a “two-step approach” whereby the Commission could oblige a member state to do a test it deems necessary or do the tests itself under certain conditions.

Fines should benefit consumers affected by breaches

Car manufacturers who are in breach of the rules, e.g. for falsifying test results, risk administrative fines of up to €30,000 per vehicle, which can be levied by the Commission if no fine is imposed at national level. The penalties should be used to support market surveillance, benefit affected consumers and, if appropriate, for environmental protection, MEPs say.

Next steps

The amended text was approved in the committee by 33 votes in favour and four against. It will be put to a vote by the full House in one of the upcoming plenary sessions. The Council needs to agree a general approach on this file before Parliament’s negotiators can begin talks with it to agree on the final shape of this legislation.

You can also access the press release at: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+IM-PRESS+20170207IPR61564+0+DOC+PDF+V0//EN&language=EN>

Further information:

- Procedure file - Approval and market surveillance of motor vehicles and their trailers: [http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?lang=&reference=2016/0014\(COD\)](http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?lang=&reference=2016/0014(COD))
- Profile of rapporteur Daniel Dalton (ECR, UK): http://www.europarl.europa.eu/meps/en/35135/DANIEL_DALTON_home.html
- EP Research briefing - Motor vehicles: New approval and market surveillance rules: [http://www.europarl.europa.eu/RegData/etudes/BRIE/2016/593512/EPRS_BRI\(2016\)593512_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2016/593512/EPRS_BRI(2016)593512_EN.pdf)
- Commission’s press release on the proposal for a regulation on the approval and market surveillance of motor vehicles (27 January 2016): http://europa.eu/rapid/press-release_IP-16-167_en.htm
- Commission’s fact sheet - EU legislation on passenger car type approval and emissions standards: [http://europa.eu/rapid/press-release MEMO-16-4269_en.htm](http://europa.eu/rapid/press-release_MEMO-16-4269_en.htm)

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