



EUROLAB Special Briefing

The Council of the European Union agreed its position on the approval and market surveillance of motor vehicles

After the approval by the European Parliament on 4 April 2017, the Council also agreed on a general approach to reform the system of type-approval and market surveillance for motor vehicles. This agreement will enable the trilogue negotiations to start as both the European Parliament and the Council now have their positions.

The changes will be introduced in three areas by strengthening:

- The quality of testing that allows a car to be placed on the market through improved technical services;
- Market surveillance to control the conformity of cars already available on the market, with the possibility for member states and the European Commission to carry out spot-checks on vehicles in order to detect failures at an early stage;
- The oversight of the type-approval process, in particular through the establishment of a Forum for the exchange of information on enforcement, made up of representatives of national approval and market surveillance authorities.

The Council stated their priorities on the file in their press release which you can find below:

Car emission controls: Council agrees to reform type-approval and market surveillance system:

The Council agreed on a general approach to reform the system of type-approval and market surveillance for motor vehicles.

This major reform will modernise the current system, adapt it to new technologies available on the market and improve control tests on car emissions data.

"Public health, air quality and innovation are at the core of this agreement. The only way to restore and increase trust in the European automobile industry is to help to develop clean and safety technologies. Reliable control tests for cars will be established so that emission irregularities that happened in the past cannot reappear in the future", said Chris Cardona, Chair of the Council and Minister for the Economy, Investment and Small Business of Malta.

The aim of the reform is to achieve a high level of safety and environmental performance of motor vehicles and to address the main shortcomings identified in the existing type-approval system.

All member states agreed to improve the harmonised implementation of the rules across the EU so as to reduce the possible differences in interpretation and application by national type-approval authorities and technical services. They also agreed that more effective market surveillance rules should apply to better detect non-compliance at an early stage.

A minimum number of cars to be checked

The new market surveillance obligations agreed by the Council would require every country to conduct a minimum number of checks on cars each year. This minimum number of checks will be 1 in every 50,000 new vehicles registered in that country the previous year.

The checks will include verification of emissions under real driving conditions.

The general approach foresees an obligation for member states to finance market surveillance activities. The fees for type-approval activities would be levied on manufacturers who have applied for type-approval.

Those countries with fewer resources to carry out the required tests will be able to ask other countries to carry out the tests on their behalf.

More robust oversight to detect failures

The European Commission will be empowered to carry out tests and inspections of vehicles to verify compliance and react to irregularities immediately. This will increase the independence and quality of the EU type-approval system.

The European Commission could also impose fines for infringements on manufacturers and importers of up to €30 000 per non-compliant vehicle.

An audit system based on peer reviews will be established. The type-approval authorities would be peer-reviewed by two type-approval authorities of other member states at least once every five years. The European Commission will be able to participate in peer evaluation teams and should draw up a summary of the outcomes of peer evaluations and make them public.

Type-approval authorities however would not be subject to peer evaluation when they designate all their technical services on the basis of accreditation of internationally recognised standards.

Furthermore, an advisory Forum for exchange of information on enforcement measures would be established with the purpose to harmonise different interpretations and practises among the member states. This Forum should also examine the outcomes of peer evaluations.

In addition, the national authorities will have to submit each year to the Forum a comprehensive overview of their planned market surveillance checks.

As far as technical services are concerned, the Council text proposes the involvement of the national accreditation bodies in the assessment of the technical services and the establishment of joint assessment teams.

The position of technical services vis-à-vis manufacturers will be strengthened, and will include the right and duty to carry out unannounced factory inspections and to conduct physical or laboratory tests.

The technical services will carry out the tests for type-approval under the responsibility of type-approval authorities. The proper functioning of technical services is crucial for ensuring a high level of safety and environmental protection and so maintain consumer confidence in the system.

Source : <http://www.consilium.europa.eu/en/press/press-releases/2017/05/29-car-emission-controls-reform-type-approval-and-market-surveillance-system/>

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