

Sound level of motor vehicles and of replacement silencing systems

2011/0409(COD) - 21/02/2014 - Commission communication on Council's position

The Commission communication to the European Parliament concerns the position of the Council on the adoption of a Regulation of the European Parliament and of the Council on the sound level of motor vehicles.

The Commission **welcomes the political agreement on a compromise text**, which should now allow a final adoption of the text during the current legislative term. It stresses :

The importance of applying the new test method as soon as possible in line with the United Nations Economic Commission for Europe (UNECE), since the method is more representative of urban traffic and internationally recognized. The importance for industry to have a long term and stable objective regarding noise limits, in order to adapt their vehicles to the new legislation.

The Council's position in first reading **encompasses the vast majority of amendments introduced by the European Parliament**, in particular, most of the additional recitals proposed by the European Parliament, the alignment of the test procedure with the test procedure developed under the auspice of the United Nations Economic Commission for Europe (UNECE), the inclusion of a new test track and a new vehicle classification.

The Commission can accept amendments relating to the following points:

- **Limit values:** the Council position is very close to the initial Commission proposal with regard to final limits, but with a delayed application. It can also be seen for most of the vehicle categories as a subsequent step to the final step proposed by the European Parliament in its first reading position.
- **Labelling of the sound level of vehicles by dealerships:** the Commission notes, however, that the Council chose not to make this requirement mandatory before the Commission has completed an impact assessment.
- **Mandatory fitting of an acoustic vehicle alarm system ("AVAS") on electric and hybrid vehicles:** the initial Commission proposal only included an optional fitting. The Commission can, however, support the Council's amendment as it also introduces a lead time of 3/5 years which will allow the development of more detailed technical requirements on the approval of such systems.
- **Accreditation and market surveillance:** the Commission can accept the amendment from the European Parliament introducing a reference to Regulation (EC) No 765/2008 of the European Parliament and of the Council setting out the requirements for accreditation and market surveillance relating to the marketing of products.

Among the new provisions introduced by Council, the Commission accepts :

- the introduction of a number of technical amendments, in particular those clearly making the link between this new Regulation and the framework Directive 2007/46/EC establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles ;
- the introduction of additional requirements to allow easier road worthiness tests and easier road side checks of hybrid vehicles.

European Parliament amendments not included in Council position at first reading

Road classification system: the Council did not accept the Parliament amendment requiring the Commission to study the possibility to introduce a road classification system with regard to their rolling noise behaviour. However, the Council recognised that an integrated approach on noise should be followed and that road maps according to Directive 2002/49/EC relating to the assessment and management of environmental noise could form the basis of future research work on road surface classification.

Delegated acts: the Council could support **neither an unlimited empowerment of the Commission for the update of the non-essential elements of the Annexes** (Commission proposal) **nor a tacit renewal of the empowerment** (Parliament proposal). Compared to the Parliament proposal, the Council also restricted the number of Annexes which can be amended by the Commission. The Commission regrets from a practical point of view, the delegation of powers to the Commission for five years for even for small changes in the Annexes, but it can accept it as part of the final compromise between the co-legislators.