



**Group of the Progressive Alliance of
Socialists & Democrats
in the European Parliament**

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The President

Brussels, 26 November 2015

Subject : Real Driving emission test - automotive sector

Dear Minister,

The so called "Volkswagen scandal" and emerging evidence in the aftermath has had a profound negative impact on each of our citizens. It demonstrated that while the European Union praises itself as a leader on environmental issues, systematic manipulation of legislation by European manufacturers themselves seriously undermines our common political endeavor to address the alarming situation of air pollution and its impact on human health.

In that context, we would like to share with you our strongest political concerns in respect of the decision taken on 28th October 2015 by the Technical Committee for Motor Vehicles (TCMV) regarding the second package of implementing measures to introduce Real Driving Emissions (RDE) tests for air pollutant emissions in diesel cars. This decision has now been translated into a Commission Regulation (RPS -D042120) amending Regulation 692/2008.

While we consider the principle to introduce RDE test (as officially agreed by the Council of Ministers on 10 November 2015) as a first positive and long awaited step in the implementation of the EU Regulation on type approval of motor vehicles with respect to emissions (Regulation 715/2007), we all know that the mere introduction of RDE test will not in itself be enough to address in an effective and efficient way the issue of air pollution by the automotive sector.

Regrettably, the Commission Regulation on the second package of implementing measures - adopted by the Commission following the deliberations of the TCMV on 28th October - proposes to introduce a conformity factor of RDE test of 2.1. In our view, this considerably weakens the Euro 6 emission standards agreed by both the Council of Ministers and the European Parliament almost 10 years ago (Regulation 715/2007). It undermines the reliability and effectivity of compliance tests in real world conditions by

allowing manufacturers to bring to the market vehicles emitting more than double the amount of nitrogen oxides (NOx) set by the Euro 6 emission standards.

Moreover, by agreeing on a final conformity factor of 1.5 from 2020 onwards - which is higher than the technical/statistical uncertainties of the measurement procedure - the Commission Regulation RPS D-042120 endorses the TCMV deliberations and modifies permanently and substantially, through the backdoor, the emission limit values enshrined in the basic EU Regulation 715/2007. In this respect, this Commission Regulation clearly exceeds implementing powers provided for in the basic act, and represents a clear violation of the balance of powers between the European institutions as provided for in the basic act.

We very much fear that the Commission Regulation RPS D-042120 - if it were to be endorsed by the Council of Ministers as such - will be perceived by European citizens as what it really is: yet another sign of the capability of the automotive industry to successfully delay and weaken implementation of EU environmental laws.

We strongly believe that this Commission Regulation would run counter to the European Union strategy against air pollution. It will not help any of our Member State in safeguarding the health of its citizens. It will not help any of our Member State in complying with European standards on air quality which are becoming, and rightly so, more stringent.

Even worse, we are convinced that this Commission Regulation would send a very inappropriate political message, allowing the automotive sector not to participate in the collective effort to improve air quality while pushing other sectors of the industry and society to be forced to do more to comply with mutually agreed air quality standards. This uneven level playing field between different sectors of our economy would certainly prompt very painful political debates within each of our member states.

We are convinced that EU Member States could and should reach a better agreement than the one currently on the table, an agreement which must be consistent with the legislative framework and the political will to address air pollution in all its forms.

Therefore, we solemnly call on you to put on the agenda on the next Environment Council of Ministers a discussion on this Commission Regulation (RPS -D042120) in order to be able to hold a transparent and political debate on the issue, with the ultimate aim to substantially modify it.

Finally, allow us to kindly remind you that under the so called comitology procedure with scrutiny, both Council and the European Parliament hold the right to veto a Commission Regulation: if the Commission Regulation RPS -D042120 would remain unchanged and would not be substantially improved, we, Socialists and Democrats Members of the European Parliament would not hesitate to use this veto power.

Knowing your commitment to public health and environmental protection, we trust you will take full account of our proposals.

We remain actively engaged on this topic, and are available to further talks with you about this very important issue.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Gianni Pittella". The signature is fluid and cursive, with the first name "Gianni" written in a larger, more prominent script than the last name "Pittella".

Gianni Pittella
President S&D Group

A handwritten signature in black ink, appearing to read "Kathleen Van Brempt". The signature is highly stylized and cursive, with a large, sweeping initial "K" and "V" that dominates the left side of the signature.

Kathleen Van Brempt
Vice - President of the S&D Group in charge of sustainable development