



30.3.2016

## NOTICE TO MEMBERS

**Subject: Petition No 2576/2014 by S. G. (German) on the proposed application in the EU of Directive 2002/49/EU relating to the assessment and management of environmental noise**

### 1. Summary of petition

The petitioner complains about noise due to heavier traffic, which has increased to the point at which reduced speed limits and noise barriers are futile. She calls for the introduction of maximum noise limits for privately-owned motor vehicles, which should be stopped and tested, a ban on sales of tyres that cause noise in excess of 70 dB, the introduction of tax incentives for tyres that cause noise of less than 60 dB and, finally, the application of low-noise asphalt overlays in residential areas from 2016 onwards.

### 2. Admissibility

Declared admissible on 2 September 2015. Information requested from Commission under Rule 216(6).

### 3. Commission reply, received on 30 March 2016

The Regulation (EU) No 540/2014 of the European Parliament and of the Council<sup>1</sup> on the sound level of motor vehicles shall apply from 1 July 2016 to new passenger vehicles (M-category vehicles) and commercial vehicles (N-category vehicles) as well as their replacement silencing systems, for their type-approval with regard to their sound level. The new, stricter noise limits introduced by the same Regulation concern new vehicles and their replacement silencing systems.

In the same way, the new Regulation (EU) No 168/2013 of the European Parliament and of

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<sup>1</sup> Regulation (EU) No 540/2014 of the European Parliament and of the Council of 16 April 2014 on the sound level of motor vehicles and of replacement silencing systems, and amending Directive 2007/46/EC and repealing Directive 70/157/EEC (OJ L 158, 27.5.2014, p. 131)

the Council<sup>1</sup> and Commission Delegated Regulation (EU) No 134/2014<sup>2</sup>, set-out, inter alia, the sound test requirements for new L category<sup>3</sup> vehicles and anti-tampering measures of the exhaust and silencing systems for those vehicles only. Such requirements and measures are applicable as from 1 January 2016.

Consequently, the current sound level values of new vehicles, measured in accordance with the requirements of the above mentioned Regulations for their type-approval, will be gradually reduced from 2016.

The driver behaviour may be also a frequent cause for excessive vehicle sound emission. Such issues are related to the enforcement of traffic rules (fines, road side checks, traffic restrictions etc.), which are matters under the responsibility of EU Member States. Therefore, these should be addressed to the competent national authorities for such cases.

Concerning their roadworthiness, vehicles are subjected to tests in accordance with the Directive 2014/45/EU<sup>4</sup>.

For the rolling sound emission limits of vehicles' tyres, the EU legislation follows the ones of UN Regulation No 117<sup>5</sup>. The requirements of the latter are discussed in the framework of the UNECE Working Party on Brakes and Running Gear

(GRRF: [http://www.unece.org/trans/main/wp29/meeting\\_docs\\_grrf.html](http://www.unece.org/trans/main/wp29/meeting_docs_grrf.html))

as well as of the UNECE Working Party on Noise

(GRB: <http://www.unece.org/trans/main/wp29/wp29wgs/wp29grb/grbage.html>).

The discussion on sound emissions of tyres is on-going in GRB and the Commission services follow it closely, providing for the input as laid down in the Regulation (EC) No 661/2009 of the European Parliament and of the Council<sup>6</sup>.

Directive 2002/49/EC addressing environmental noise is requiring the Member States to adopt action plans to reduce noise on roads in agglomeration along major roads, and measures can be not limited to noise barriers and reduction of speed but can as well include low noise road pavements. The choice, adoption and implementation of any measures taken to that effect falls into each Member State's competence, and is so far not prescribed by Union law. Public shall be consulted when developing and before adopting noise reduction action plans.

## Conclusion

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<sup>1</sup> Regulation (EU) No 168/2013 of the European Parliament and of the Council of 15 January 2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles (OJ L60, 02.03.2013, p. 52)

<sup>2</sup> Commission Delegated Regulation (EU) No 134/2014 of 16 December 2013 supplementing Regulation (EU) No 168/2013 of the European Parliament and of the Council with regard to environmental and propulsion unit performance requirements and amending Annex V thereof (OJ L53, 21.2.2014, p. 1)

<sup>3</sup> L-category is the vehicle family name of powered cycles, motorcycles, tricycles and quadricycles.

<sup>4</sup> Directive 2014/45/EU of the European Parliament and of the Council of 3 April 2014 on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC (OJ L127, 29.4.2014, p. 51)

<sup>5</sup> Regulation No 117 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of tyres with regard to rolling sound emissions and to adhesion on wet surfaces and/or to rolling resistance (OJ L307, 23.11.2011, p. 3)

<sup>6</sup> Regulation (EC) No 661/2009 of the European Parliament and of the Council of 13 July 2009 concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor (OJ L200, 31.7.2009, p.1)

Further actions by the European Commission:

- As already mentioned, in Regulation (EU) No 540/2014, new stricter noise limits have been specified in the latter and several revisions of it are foreseen in particular by its Articles 7, 8 and 11. Accordingly, the Commission shall, by 1 July 2018 carry out a comprehensive impact assessment on labelling conditions applicable to air and noise pollution levels and shall, if appropriate, submit a legislative proposal. Moreover, the Commission shall carry out a detailed study on sound level limits by 1 July 2021 and shall, where appropriate, submit a legislative proposal.

- The sound test procedures laid down in Commission Delegated Regulation (EU) No 134/2014 will be further improved by introducing the test procedures and equivalent limits from UN Regulations, applicable at international level, e.g. UN Regulation No 41<sup>1</sup>.

Furthermore, a proposal by the Commission for new sound level limit values of L-category vehicles is anticipated for 2020. It will complete Annex VI (D) to Regulation EU 168/2013.

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<sup>1</sup> Regulation No 41 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of motor cycles with regard to noise (OJ L371, 14.11.2012, p. 1)