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*Plenary sitting*

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**B8-1076/2015**

21.10.2015

## **MOTION FOR A RESOLUTION**

further to Question for Oral Answer B8-0764/2015

pursuant to Rule 128(5) of the Rules of Procedure

on emission measurements in the automotive sector  
(2015/2865(RSP))

**Françoise Grossetête, Andreas Schwab, Peter Liese, Krišjānis Kariņš,  
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on behalf of the PPE Group

**European Parliament resolution on emission measurements in the automotive sector (2015/2865(RSP))**

*The European Parliament,*

- having regard to having regard to the question to the Commission on emission measurements in the automotive sector (O-000xxx/2015 – B8 0764/2015),
  - having regard to Rules 128(5) and 123(2) of its Rules of Procedure,
- A. whereas Euro 5 and 6 Regulation (Regulation (EC) No 715/2007) requires manufacturers to ensure that vehicles ‘in normal use’ (Article 5(1)) meet the emission requirements and explicitly prohibits the use of defeat devices (Article 5(2)), defined as ‘any element of design which senses temperature, vehicle speed, engine speed (RPM), transmission gear, manifold vacuum or any other parameter for the purpose of activating, modulating, delaying or deactivating the operation of any part of the emission control system, that reduces the effectiveness of the emission control system under conditions which may reasonably be expected to be encountered in normal vehicle operation and use’; whereas Regulation (EC) No 715/2007 also explicitly invites the Commission to introduce tests and to adopt measures concerning the use of defeat mechanisms; whereas fraud in this respect has to be dealt with by law enforcement and surveillance authorities, with the full transparency of the investigative processes being ensured;
- B. whereas fair competition, including, among car manufacturers implies that the customer is able chose the product basing his choice on the comprehensive and unbiased technical characteristics provided;
- C. whereas the automotive sector is at the forefront of innovation, representing the largest share of investment in research and development when compared to other sectors of the economy; whereas the automotive sector is one of the prime employers in the Union, providing relatively secure, highly skilled and paid, productive jobs; whereas the automotive sector is contributing significantly to the European economic recovery;
- D. whereas small and medium-sized enterprises dominate the automotive supply industry and contribute 50% to sector specific research and development; whereas the economic strength of many regions in Southern, Central and Eastern Europe derives from the automotive industry and the automotive supply industry;
- E. whereas the current incident has to be investigated and clarified, and it has to be clear that only those individuals responsible have to be held accountable; it needs to be avoided that thousands of employees and their families are regarded with suspicion and held accountable for the faults of a select few;
- F. whereas the Euro 5 limit value for NO<sub>x</sub> emissions from diesel vehicles is 180 mg/km, applicable to vehicles type-approved between 1 September 2009 and 1 September 2014 and to all vehicles sold between 1 January 2011 and 1 September 2015, and whereas the

corresponding Euro 6 value is 80 mg/km, applicable to new types since 1 September 2014 and to all vehicles sold since 1 September 2015;

- G. whereas the Commission Joint Research Centre analysis of 2011 came to the conclusion that NO<sub>x</sub> emissions from diesel vehicles measured by a portable emission measurement system (PEMS) substantially exceed the respective Euro 3-5 emission limits, ranging from a factor of 2 to 4 for average NO<sub>x</sub> emissions over entire test routes to a factor of 14 in individual test windows; whereas ICCT analysis of October 2014 documents on-road NO<sub>x</sub> emissions from tested diesel vehicles as being, on average, about seven times higher than the limits set by the Euro 6 standard;
- H. whereas the conformity-of-production tests and in-service conformity tests have not been subject to common standards at EU level; whereas there is no requirement for disclosure of information to the Commission, other Member State type approval authorities (TAA) or other interested parties regarding any tests applied by the competent TAA and results thereof;
- I. whereas the current EU type approval regime does not allow the Commission or other Member States' authorities to reassess vehicles' type approvals or certificates of conformity, to recall vehicles or to suspend their placement on the market if they are type approved by another Member State; whereas vehicle manufacturers are able to choose any testing authority in the EU; whereas there is no oversight of the testing work performed by TAAs;
- J. whereas the Commission is in the process of reviewing the type approval framework; whereas this review is of utmost importance in order to restore consumer trust in emissions and fuel consumption tests;
- K. whereas, under the Directive on certain aspects of the sale of consumer goods and associated guarantees (1999/44/EC), consumers have the right to a minimum two-year guarantee after purchasing a product, and whereas the seller is required to deliver goods to the consumer which are in conformity with the contract of sale; whereas, if there is no such conformity, the consumer is entitled to a free-of-charge repair or replacement, or to a price reduction;
- L. whereas the Consumer Rights Directive (2011/83/EU) requires information on the main characteristics of a product to be provided prior to the conclusion of on- or off-premises or distance contracts, and requires the Member States to have rules on effective, proportionate and dissuasive penalties if the provisions of the directive are not fulfilled;
- M. whereas the Unfair Commercial Practices Directive (2005/29/EC) prohibits, in particular, any practice that 'materially distorts or is likely to materially distort the economic behaviour with regard to the product of the average consumer whom it reaches or to whom it is addressed', provides that commercial practices which are in all circumstances considered to be unfair include 'claiming that a trader (including his commercial practices) or a product has been approved, endorsed or authorised by a public or private body when he/it has not or making such a claim without complying with the terms of the approval, endorsement or authorisation', and requires the Member States to adopt effective, proportionate and dissuasive penalties;

- N. whereas according to the Commission particulate matter and ozone concentrations are responsible for over 400 000 premature deaths annually in the EU, and the total health-related costs of air pollution in the EU are in the range of EUR 330–940 billion per year;
- O. whereas air pollution continues to contribute to much of the burden of lung cancer, and respiratory and cardiovascular diseases in Europe, as well as damaging ecosystems through excess nitrogen pollution (eutrophication) and acid rain;
- P. whereas up to a third of the EU's urban population continues to be exposed to levels above the limits or target values set by the EU; whereas transport continues to be a main contributor to poor air quality levels in cities, and to the related health impacts;
- Q. whereas nitrogen oxide (NO<sub>x</sub>) concentrations in Europe regularly exceed air quality standards, and whereas the 2010 national emission ceiling targets for NO<sub>x</sub> have not been met in six Member States;
- R. whereas current systems for controlling NO<sub>x</sub> emissions from diesel passenger cars rely on three main technologies: inner-engine modifications coupled with exhaust gas recirculation (EGR), lean-burn NO<sub>x</sub> absorbers (lean NO<sub>x</sub> traps, or LNTs), and selective catalytic reduction (SCR);
- S. whereas discrepancies between test results and vehicle performance in normal use are not limited to NO<sub>x</sub>, but also exist for other pollutants and for CO<sub>2</sub>; whereas according to the ICCT (September 2015) the gap between official and real-world CO<sub>2</sub> emissions from passenger cars in Europe stood at 40 % in 2014;
- T. whereas the change to the Worldwide Harmonised Light Vehicles Test Procedure (WLTP) in the EU requires the existing fleet average CO<sub>2</sub> emission targets for manufacturers to be adapted to the new test;
1. Welcomes the fact that several European countries as well as other countries have opened investigations regarding vehicle emissions test results manipulation; supports furthermore the Commission's call for national surveillance authorities to proceed with extensive checks on a wide variety of makes and models of vehicles; considers that such an investigation should be overseen by the Commission and conducted on the basis of data collected and submitted by Member State TAAs for vehicles on the market, using real-world driving tests; insists that such an investigation be conducted in full transparency and with full public access to data;
  2. Recalls that diesel cars have lower CO<sub>2</sub> emissions per kilometre than equivalent petrol-powered vehicles and that they are an important means of enabling manufacturers to reach the EU's 2021 fleet average CO<sub>2</sub> emission targets; recalls that they will also continue to be an essential contributor to meeting post-2021 targets but stresses that manufacturers need to use available clean technology to reduce NO<sub>x</sub>, PM and other pollutants;
  3. Recalls that the European automotive suppliers are leading globally in diesel technology development, combining fuel efficiency with low CO<sub>2</sub> emissions and stresses that this technology leadership should be supported for the future;

4. Highlights the importance of the ongoing Deß report on the reduction of pollutant emissions from road vehicles adopted by Parliament's Committee on the Environment on 23 September 2015 by 66 votes to 2 and in particular the request addressed to the Commission to 'introduce a real driving emissions test for all vehicles type-approved or registered from 2015 to ensure the effectiveness of emission control systems and enable the vehicle to comply with this Regulation and its implementing measures, with a conformity factor reflecting only the possible tolerances of the emissions measurement procedure in place by 2017'; urges the Council and the Commission to come to an early agreement on a framework for a real driving emissions (RDE) test on that basis, and calls for the swift adoption of the procedure in comitology following agreement on the legislative proposal;
5. Stresses the need for significant strengthening of the current EU type-approval regime, including greater EU oversight, in particular as regards the market surveillance, coordination and follow-up regime for vehicles sold in the Union; calls on the Commission to redesign the current type-approval regime in order to ensure an EU-wide level playing field and to guarantee that type approvals and certificates by national competent authorities can be checked independently and possibly reassessed by the Commission, and that the implementation of EU regulations can be effectively enforced and shortcomings of implementing measures be corrected, without increasing the administrative burden;
6. Welcomes the efforts of the Commission to develop real driving emissions tests and calls for work in this regard to be accelerated and an ambitious flexibility factor to be agreed on so as to make possible the deployment of the aforementioned testing; recalls, however, that this flexibility will not be used to modify the substance of the existing regulation; calls for the quick revision of the homologation procedure in order to make it representative and to reduce unjustified flexibilities, such as testing at maximum temperatures or testing tyres at high pressure levels; calls for the swift phasing-in of the Worldwide Harmonised Light Vehicles Test Procedure (WLTP) developed under the aegis of the UN Economic Commission for Europe (UNECE);
7. Finds it of utmost importance that the Commission and all competent Member State authorities have the right to reassess type approval and certificates of conformity, to require recalls and stop the placing on the market of vehicles when they have evidence of non-compliance with the EU emissions limit values under the Euro 5 and 6 Regulation or any other requirement provided for by the type-approval regime;
8. Considers that the upcoming review of the Type Approval Framework Directive must expand and specify the conformity-of-production requirements in order to ensure that a sufficient and representative sample of new models taken off production lines at random are tested on an annual basis, using RDE tests to check their compliance with EU pollutant limit values; calls, furthermore, for improved in-service testing of vehicles already used on the road, also on the basis of the RDE procedure, in order to verify the in-service conformity of vehicles at different mileages as required under the regulation; calls for the improvement of on-road surveillance through periodic technical inspections to identify and repair vehicles not in compliance with EU law;
9. Stresses that consumers must be able to exercise their rights easily, as provided for in

Directives 1999/44/EC, 2005/29/EC and 2011/83/EU; asks that Member States and their competent authorities to give clear advice to consumers who ask about such rights; asks the Commission and the Member States, furthermore, to ensure that such rights are upheld;

10. Calls for the EU Car Labelling Directive 1999/94/EC to be reviewed in order to improve the accuracy of information provided to consumers; considers that the labels should be based on the emission values obtained in RDE tests; stresses the need to safeguard public health and ensure the respect for consumers' rights;
11. Calls on the Commission, being responsible for competition in the EU internal market, in cooperation with national surveillance authorities, to ensure a level playing field among competitors serving the market; stresses that up to a third of the urban population in the EU is still being exposed to levels above the limit or target values set by the EU; recalls that transport remains a main contributor to poor air quality levels in cities and related health problems; stresses that future legislation on emission targets must remove the remaining air quality problems in the EU and that the real driving emissions legislation must contribute to this air quality objective thereby allowing municipalities that are already facing challenges in this respect to fulfil the obligations as stipulated in the Air Quality Directive; stresses the need to restore the confidence of European citizens in the EU automotive industry; emphasises its solidarity not only with the employees of the manufacturers but also with suppliers and the automotive industry along the supply chain, who currently are innocently facing huge challenges caused by the fraud of some manufacturers' managers; recalls the need to fully and thoroughly transpose and implement European rules concerning the functioning of the internal market in all Member States and furthermore calls on European and national market surveillance authorities to investigate all claims of fraud vigorously;
12. Calls for a swift agreement on the WLTP correlation for the fleet average CO<sub>2</sub> emission targets with respect to the principle of comparable stringency but without crediting the unfair flexibilities of the current test procedure in order not to weaken the 2021 target;
13. Instructs its President to forward this resolution to the Council, the Commission and the governments and parliaments of the Member States;