



24.7.2020

NOTICE TO MEMBERS

Subject: Petition No 1104/2019 by K.-U.O. (German) on noise pollution from motorcycles and other motorised devices

1. Summary of petition

The petitioner states that motorcycles and other motorised devices such as power saws and leaf blowers cause considerable noise pollution for the environment. The noise level might be considerably reduced by means of appropriate technical modifications. The petitioner asks the Committee on Petitions to take the necessary action.

2. Admissibility

Declared admissible on 6 March 2020. Information requested from Commission under Rule 227 (6).

3. Commission reply, received on 24 July 2020

The Commission's observations

Directive 2002/49/EC relating to the assessment and management of environmental noise¹ requires noise mapping and preparation of action plans for agglomerations and major roads, railways and airports. Directive 2002/49/EC does not set any requirements for the noise limits of L category vehicles (motorcycles). Such limits are set out in Regulation (EU) No 168/2013²,

¹ Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise - Declaration by the Commission in the Conciliation Committee on the Directive relating to the assessment and management of environmental noise, *OJ L 189*, 18.7.2002, p. 12–25.

² 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.

as referred to below. Directive 2002/49/EC does require for all roads in agglomerations of more than 100,000 inhabitants and for all roads of more than 3 million vehicles per year to adopt action plans, for the first time to be drawn up by 18 July 2013 and thereafter at least every 5 years. Nevertheless, measures are at the discretion of Member States, including measures specifically addressing motorbikes.

Regulation (EU) No 168/2013 and Commission Delegated Regulation (EU) No 134/2014³ on type-approval and market surveillance of L-category vehicles⁴ (i.e.: motorbikes, scooters, etc.) set out, inter alia, the sound emission level limits, the sound test requirements and anti-tampering measures of the exhaust and silencing systems for new L-category vehicles. Such requirements and measures are gradually and currently fully applicable as from 1 January 2016 for new types of vehicles. The sound emission level limits, set out in Annex VI(D) to Regulation EU (No) 168/2013, are in the range 63 – 80 dB(A), depending on the specific L-category. The Commission is now going to carry out a study in order to assess whether those sound level limit values should be further amended. The Commission might consider a proposal for such new limits on the basis of the study results.

In addition, the Commission has already integrated into EU legislation the requirements of the internationally applicable UN Regulation No 41⁵ for two-wheeled motorcycles. Furthermore, the United Nations Economic Commission for Europe (UNECE) has adopted proposals by the EU for improvements of UN Regulation Nos 9 and 63 on the testing and sound emission levels of mopeds, tricycles and quadricycles and of UN Regulation No 92 on replacement exhaust silencing systems of all L-category vehicles. These UN Regulations integrate the up-to-date technical requirements recognised and applicable at international level and their integration into EU law is under preparation.

It should also be pointed out that, in many cases, excessive noise comes from the modification(s) of the vehicle in use. Driver behaviour may be also a frequent cause of it. Such situations are related to the enforcement of traffic rules (fines, road side checks, traffic restrictions etc.), which are matters under the responsibility of Member States. Additionally, as of 1 January 2022, motorcycles and quadricycles with an engine displacement of more than 125 cm³ are to become subject to roadworthiness tests in accordance with Directive 2014/45/EU⁶.

Some of the equipment mentioned in the petition are within the scope of [Directive 2000/14/EC on the approximation of the laws of Member States relating to noise emissions in the environment by equipment for use outdoors](#)⁷.

This is the case for lawnmowers and lawn trimmers/lawn-edge trimmers, listed in Article 12 among the equipment subject to noise limits and defined in Annex I, for which measurement

³ 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.

⁴ L-category is the vehicle family name of powered cycles, motorcycles, tricycles and quadricycles.

⁵ OJ L371, 14.11.2012, p.1.

⁶ 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.

⁷ OJ L 162 3.7.2000, p. 1

methods are indicated in Annex III, Part B, items 32 and 33 respectively; and of grass trimmers/grass-edge trimmers, leaf blowers and leaf collectors listed in Article 13 among equipment subject to noise marking only and defined in Annex I, for which measurement methods are indicated in Annex III, Part B, items 22, 34 and 35 respectively.

For equipment in Article 12, the Directive prescribes specific noise emission limits in terms of permissible sound power level in decibel (dB), while for equipment in Article 13, no specific noise emission limits are established, and the manufacturer has just to declare the guaranteed sound power level in dB in the appropriate indication (“noise marking” as per Annex IV) beside the CE marking⁸ on the equipment. This latter Directive is currently subject to an evaluation exercise.

Conclusion

The Commission has launched an infringement procedure against Germany for non-compliance with the Environmental Noise Directive (2002/49/EC), which addresses, *inter alia*, missing action plans in several German communes and agglomerations. On the specific issue of local motorbike noise, the petitioner might wish to address their concern to the competent national authorities, as the issue does not come under EU competence.

⁸ CE marking is a certification mark that indicates conformity with health, safety, and environmental protection standards for products sold within the European Economic Area.