

ELŻBIETA BIEŃKOWSKA

MEMBER OF THE EUROPEAN COMMISSION

Mr Peter LIESE, MEP
Group of the European People's Party
European Parliament
Altiero Spinelli building 15E165
Rue Wiertz 60
1047 Brussels

Brussels, 15 JAN 2016

Dear Mr Liese,

Thank you for your letter of 11 January 2016, in which you expressed your strong interest in and support for our proposals for reviewing Directive 2007/46/EC establishing the type-approval framework for motor vehicles.

The Commission shares your analysis that the VW emission fraud has demonstrated the urgent need for making this type-approval framework more transparent, accountable and effective.

Almost all of the changes you are proposing in this respect have also been identified and are being considered in order to substantially reinforce our type-approval framework.

The Commission shares your view that there should be more and effective EU oversight of the type-approval activities by the national authorities and technical services. We will soon table proposals to submit technical services to regular audits as a condition to obtain and maintain their designation, and to submit national type-approval authorities to peer-reviews. We will also propose to reinforce the independence of technical services by changing their remuneration system, so that they will no longer be paid directly by the manufacturers. In our proposals we will also request a mandate from the co-legislators to obtain investigative powers and the right to suspend, restrict or withdraw the designation of and impose fines on underperforming technical services. That mandate would also include the right for the Commission to levy penalties on non-compliant car manufacturers.

The Commission will also propose to back-up the reinforced type-approval system with an effective market surveillance system, including the obligation for Member States and the possibility for the Commission to test cars driving on our streets. Also the rights and obligations for Member States to take safeguard measures and to order vehicle recalls

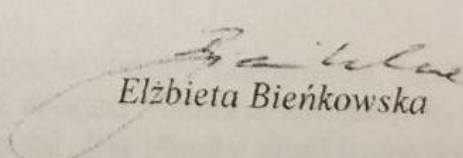
will be expanded, to ensure that all Member States, irrespective of whether they have issued the type-approval, can remove non-compliant cars from the market in case of a safety risk or environmental harm. These rights will also be extended to the Commission, and Member States will have the obligation to report on the results of their market surveillance actions and make these publicly available.

The implementation and enforcement of these strengthened type-approval measures and new market surveillance provisions will be monitored, co-ordinated and steered by the Commission. To that extent an enforcement forum will have to be established with mandatory participation and co-operation of all Member States. The Commission will use these instruments in a proportionate manner fully respecting subsidiarity.

The Commission agrees with you that the VW case underlines the need to introduce major improvements to the system with the objective to ensure that major non-compliance problems, such as caused by VW, cannot reoccur in the future.

The Commission is counting on your support in the inter-institutional discussions to obtain, as quickly as possible, a solid agreement amongst co-legislators on these necessary changes.

Yours sincerely,


Elżbieta Bienkowska