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Harmonisation of technical inspections for vehicles are needed to keep the EU's roads safe

The American Chamber of Commerce to the European Union (AmCham EU) welcomes the European Commission's proposal for a revision of the vehicle testing rules as a step towards harmonisation and further enhancing the safety of European roads.

The new draft **Roadworthiness Package**,¹ released in July 2012, consists of three parts: a revision of Directive 2009/40/EC on the regular vehicle checks (or periodic roadworthiness tests); a revision of Directive 2000/30/EC on roadside inspections of commercial vehicles in-between periodic controls; and a proposal to amend Directive 1999/37/EC on registration certificates for vehicles.

Over the last decades, the European Union (EU) has taken various initiatives, both regulatory and non-binding, to considerably improve traffic safety. Some relevant examples of these are the latest Road Safety Policy Orientations,² which aim to halve traffic fatalities over the 2010 – 2020 period; and the 2011 White Paper on the Future of Transport³ with the objective of 'zero fatalities' by 2050.

Despite these policy ambitions, and actual improvements so far – 102,000 lives saved between 2001 and 2010 (an improvement of more than 40%⁴) – more could be done to enhance safety. In 2011, approximately 30,100 people lost their lives and more than 300,000 were seriously injured due to road accidents in the EU's 27 Member States.⁵ Two years earlier, at least 1.5 million European citizens were injured in road collisions, and there were more than 35,000 fatalities.⁶

¹ http://ec.europa.eu/transport/road_safety/events-archive/2012_07_13_press_release_en.htm

² http://ec.europa.eu/transport/road_safety/pdf/com_20072010_en.pdf

³ http://ec.europa.eu/transport/themes/strategies/2011_white_paper_en.htm

⁴ European Transport Safety Council, 5th Road Safety PIN Report, http://www.etsc.eu/documents/ETSC_2011_PIN_Report.PDF

⁵ European Transport Safety Council, 5th Road Safety PIN Report, http://www.etsc.eu/documents/PIN_Report_6_web.pdf

⁶ http://ec.europa.eu/transport/road_safety/pdf/com_20072010_en.pdf

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POSITION STATEMENT

Against this background, the European Commission is looking at better maintenance of the technical conditions of vehicles as a step toward its 2050 objectives. User behaviour, including vehicle maintenance, is one of the key road safety pillars along with automotive technologies and infrastructure conditions. But while the EU legislator has been harmonising and tightening rules on vehicle safety performance, infrastructure quality remains largely within the competence of national/local authorities, and there is room for improvement at the EU level on vehicle inspections standards.

According to European Commission data, 'more than 5 people die on Europe's roads every day in accidents linked to technical failure'. The revised rules on vehicle technical inspections therefore aim to save more than 1,200 lives per year and to avoid more than 36,000 accidents related to vehicles with unsatisfactory technical standards being on the roads.⁷

Automotive safety technology has a long history and is constantly evolving to always better active and passive safety systems. The driver however remains ultimately responsible for keeping the vehicle in a roadworthy state with proper and pro-active maintenance. Studies on tyre conditions alone demonstrate that self-discipline is not sufficient to ensure roadworthiness. To give just one example, a recent survey of the Belgian tyre industry⁸ found out that as many as 46% of motorists use tyres with one or more defects. Technical inspections should therefore rectify the lack of pro-active checks and bring vehicles in conformity with the requirements for use.

We are therefore supportive of the Commission's proposal to ensure that roadworthiness rules are enhanced, better harmonised across the EU, and applied to a larger scope of more motor vehicles.

A regulation is the most appropriate legal instrument

AmCham EU endorses the Commission's intention to upgrade the rules on periodic technical inspections of motor vehicles, and on roadside inspections of heavy duty vehicles, from Directives to Regulations. The current Directives (2009/40/EC and 2000/30/EC) set minimum standards which the Member States have to abide to, but this has resulted in a mixed picture across the EU.

For example, none of the tyre checks set out in the Periodic Roadworthiness Test Directive are consistently observed across all EU Member States. While the majority of them look at tyre deformation, Italy, Hungary and Austria do not. The presence of marking for type approval, in accordance with EU technical legislation, which is of high importance for safety, consumer protection and fair competition, is not verified in big vehicle markets such as France, the UK and Poland. Even observing compliance with the minimum allowed tread depth, which is essential for tyre's safety performance (especially

⁷ 'Road safety: Tougher vehicle testing rules to save lives', EC press release 13 July 2012, http://europa.eu/rapid/press-release_IP-12-780_en.htm?locale=en

⁸ Pneuband.be, Rolling Wheel 2012, May 2012

on wet roads), is common practice in only a few Member States! We believe therefore that a Directive with minimum standards has not delivered sufficient results on robust inspections.

A Single Market with free mobility of people and goods implies, amongst other things, a level playing field in transport safety. In the same way that automotive standards and vehicle type approval requirements are consistent in all EU countries, so should the rules on vehicle maintenance.

It should also be stressed that in the current Roadworthiness Package, the European Commission proposes Regulations with a minimum harmonised level, meaning that Member States would still be able to go beyond those rules if they wish to. Furthermore, the current proposal gives no mandate to accept certifications from other Member States.

L-category vehicles should also be included in the inspections' scope

The members of AmCham EU are supportive of another key aspect of the proposal for new roadworthiness rules – the inclusion of the L-category of vehicles, i.e. powered two wheelers (PTW). There should be consistency with the legislation for other vehicles. Moreover, PTW are amongst the most vulnerable road users, and their safety demands should be just as demanding as for other motor vehicles undergoing regular assessments of their technical conditions.

More vehicle components in the perimeter of checks

With the evolution of automotive technology, there are now more on-board electronic systems to assist drivers for greater safety, better fuel efficiency and lower CO₂ emissions. Industry would welcome the harmonisation of practices across Europe as well as the recognition of on-board diagnostic system results during inspections rather than carrying additional tests. However, to use the full potential of these devices, they too need to be subject to mandatory checks.

For example, tyre pressure monitoring systems (TPMS) are amongst the devices required to be fitted on new types of vehicles in the EU. TPMS has proven its added value for both safety and for reduced CO₂ emissions, for it warns the driver when one or more tyres deviate from the optimal level of air pressure. However, a non-functioning component combined with a lax attitude from the driver in checking tyre conditions could possibly have an adverse effect on safety.

AmCham EU therefore also welcomes the part of the Commission proposal aiming to make it compulsory to test electronic safety components in vehicles.

Other amendments to strengthen roadworthiness

AmCham EU takes note of, and agrees with, the proposal for setting minimum obligatory standards of knowledge and skills of inspectors performing roadworthiness tests.

Regarding the frequency of the technical inspections, the Commission has suggested shorter time between the vehicle's registration and its first and consequent checks. For cars this would mean moving to the model 4-2-1, where four years after registration the first roadworthiness check is performed, then after two years and later annually. In the current legislation the prescription is for 4-2-2, but statistics across the EU27 show a very mixed picture, ranging from 4-3-2-2 in Hungary to 1-1-1 in Latvia.⁹ Again, AmCham EU agrees that there should be a single standard for all EU Member States.

Conclusion

Overall, AmCham EU is highly supportive of the proposal for revised Roadworthiness Package. Better harmonisation of the rules at the EU level, combined with their strengthening and application to a new category of motor vehicles, are in our view improvements and milestones on the path to reaching the goal for zero fatalities on European roads. Technical inspections are meant to assist drivers in maintaining vehicles in the best safety conditions, and using the full potential of automotive technology. Therefore, and especially given the Single Market with its freedoms in mobility, it is of paramount importance to establish one standard for PTIs in Europe and thus creating a level playing field amongst the EU Member States with strong and enforceable inspection standards.

At the time when this position paper is being drafted, AmCham EU follows with concern the debates in the Council of Ministers. Most of the EU countries, while agreeing in principle with the objectives for higher traffic safety, de facto oppose many of the novelties tabled by the Commission for stronger harmonisation of the roadworthiness legislation. AmCham EU is hopeful that as the decision-making on the new Roadworthiness Package advances, the Council and the European Parliament will adopt those proposals which are bound to make mobility safer across the entire EU.

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AmCham EU speaks for American companies committed to Europe on trade, investment and competitiveness issues. It aims to ensure a growth-orientated business and investment climate in Europe. AmCham EU facilitates the resolution of transatlantic issues that impact business and plays a role in creating better understanding of EU and US positions on business matters. Aggregate U.S. investment in Europe totaled €1.7 trillion in 2010 and directly supports more than 4.2 million jobs in Europe.

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⁹ [http://europa.eu/rapid/press-release MEMO-12-555_en.htm?locale=en](http://europa.eu/rapid/press-release_MEMO-12-555_en.htm?locale=en)