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from:	General Secretariat
to:	Permanent Representatives Committee/Council
Subject:	Proposal for a Regulation of the European Parliament and of the Council on the sound level of motor vehicles - Outcome of the European Parliament's first reading (Strasbourg, 4 to 7 February 2013)

I. INTRODUCTION

The Rapporteur, Mr Miroslav Ouzký (ECR, CZ), presented a report consisting of 60 amendments (amendments 1-60) to the Proposal for a Regulation of the European Parliament and of the Council on the sound level of motor vehicles, on behalf of the Committee on the Environment, Public Health and Food Safety.

In addition, the Greens/EFA and S&D political groups together tabled one amendment (amendment 67), the S&D and ALDE political groups together tabled two amendments (amendments 66 and 68), the EPP political group tabled two amendments (amendments 62 and 65), the ALDE political group tabled two amendments (amendments 63rev and 64), and the EPP, ECR and EFD political groups together tabled one amendment (amendment 61).

II. DEBATE

The Rapporteur, Mr Miroslav Ouzký (ECR, CZ), opened the debate and:

- stressed that the aim of the proposed legislative act was the protection of health, and in particular protecting the public from the negative impact of noise;
- insisted that whilst the Commission proposal aimed only at noise from engines of trucks and motor vehicles, the report took an overall approach and targeted also road surface, the quality of tyres, aerodynamic noise and traffic control;
- stressed that the critical points: the labelling, the obligatory statement of noise levels, a system aimed at measuring the noise level of electric vehicles and the safety of pedestrians;
- declared that whilst the first two points had found a solution across political groups, Annex III was a source of division, and regretted that S&D opinion prevailed;
- considered that an adverse campaign supported by some MEPs and suggesting the report was biased had been carried, but that the clear statement by the Chair of the Committee on the Environment, Public Health and Food Safety Chair had settled the issue;
- called for the adoption of amendment 61.

Antonio Tajani, Vice-president of the Commission:

- declared that the real challenge is striking a fair balance between three axes: environmental performances, costs and time for the industry, and international competitiveness;
- stressed that the proposed legislative text aims three objectives: a fully operational internal market, a high level of environmental protection for citizens, and the promotion of economical operator's competitiveness;
- recalled that 20 % of the EU population is exposed to unacceptable sound levels;
- considered that an integrated approach was needed, and that the problem had to be tackled at the roots *i.e.* that the relevant legislation goes back to the 1970's;
- declared that despite the reduction of sound levels in 1995, and lesser limit values, ambient noise hasn't been reduced as expected, and therefore the Commission has proposed a new method;

- explained that the proposal aims at reducing noise level by 4 decibels for light vehicles and 3 decibels for heavy vehicles, by reducing limit values in two stages, a first one 2 years following the adoption of the legislative act, and during which current levels would be adapted to the new approved measures; the second one, more binding, 5 to 7 years following adoption, and which would require more substantial adaptations on vehicles;
- concluded that should the proposal be adopted, the number of people severely disturbed by motor and vehicle noise would decrease by 25% and, according to the impact assessment, the benefits for society would be 20 times superior to the costs incurred by industry.

Speaking on behalf of the Committee on the Internal Market and Consumer Protection, Sabine Verheyen (EPP, DE):

- stressed that noise was a health issue, but also a question of vehicles safety as well as of clarity for consumers purchasing a vehicle;
- insisted that audible warning devices be designed for noises to be identified as vehicle noises.

Speaking on behalf of the Committee on Transport and Tourism, Gilles Pargneaux (S&D, FR):

- declared in Europe, according to the WHO, 2 % of heart attacks are due to a traffic noise level above 60 decibels;
- stressed that the Committee on Transport and Tourism has insisted for an integrated approach, for a minimum noise level regarding electric and hybrid vehicles, and for the promotion of sound emissions in retail places;
- declared that the opinion of the Committee on Transport and Tourism suggests setting new limit values but on a longer period, hence proposing that the sound level be reduced by 4 decibels on 8 years, *i.e.* 2 decibels 2 years after the entry into force of the Regulation, 2 decibels 6 years afterwards, so that this new level is applied to all vehicles placed on the market 8 years after the entry into force of the Regulation;
- called for the adoption of amendment 67, as it conforms to the content opinion of the Committee on Transport and Tourism;
- declared that any sustainable European strategy should envisage a mutual joint research on a low consumption vehicle.

Speaking on behalf of the EPP Group, Salvatore Tatarella:

- called on protecting car industry, and insisted that all the blame cannot be placed on vehicles;
- called to vote against amendment 51, as it has been adopted by a majority of only one vote, and instead to adopt amendment 61.

Speaking on behalf of the S&D Group, Judith A. Merkies:

- declared that every vote counts;
- explained that noise barriers have been set with the help of EU Structural Funds, but that the source of pollution is vehicles, for which only 60 EUR per car and 750 EUR per lorry would solve the problem;
- concluded that the impact assessment provided by the Commission indicates that the proposal wouldn't destroy jobs.

Speaking on behalf of the ALDE Group, Holger Krahmer:

- complained about the Commission proposal, which he considered as not even in line with the Commission standards regarding the quality of legislation as, for instance, Annex III contains technical obsolete data that the European Parliament which the European Parliament would be supposed to adapt;
- declared that sports cars are not an issue worth examining as they represent only 1% of the market;
- called for the adoption of amendment 62.

Speaking on behalf of the Greens/EFA, Satu Hassi:

- provided data regarding the effect of noise on health;
- complained that the Commission proposal was not very ambitious;
- considered that the compromise proposed by the Committee on the Environment, Public Health and Food Safety would help improve the Commission proposal;

- called for the adoption of the compromise proposed by the Committee on the Environment, Public Health and Food Safety (amendment 51);
- called for the adoption of amendment 67;
- declared herself surprised that the EPP political group could subscribe to 3 different amendments having the same purpose.

Speaking on behalf of the EFD Group, Gerard Batten declared that the proposed legislative act would entail more bureaucracy and more costs, and that national governments will be obliged to apply it since it is a Regulation.

Speaking on behalf of the EUL/NGL, Sabine Wils:

- recalled that according to WHO noise is the most serious cause of pollution after air pollution, and that noise thresholds are unchanged since 1995;
- stressed that some vehicles are already in compliance with the envisaged measures, and that such measures would produce effects only 7 years after the adoption of the legislative act.

The following intervened as individual speakers.

Francisco Sosa Wagner (NI, ES) complained about the motorcycle noise generated by free exhaust.

Richard Seeber (EPP, AT):

- called for an overall strategy (aerodynamics, road surface, tyres);
- considered that Annex III is outdated, which caused a delay in the legislative process;
- explained that amendment 61 is along the lines of the UN recommendations.

Matthias Groote (S&D, DE), Chair of the Committee on the Environment, Public Health and Food Safety:

- considered that this proposal submitted by the Commissioner for Industry is a sensible proposal on which an agreement can be found, but certainly not in first reading;

- considered that road surfaces in the Member States should be left out of this proposed legislative act;
- explicitly called for the agreement to be found at second reading only, as the issues at stake (health) require extensive consideration and public debate.

Toine Manders (ALDE, NL) declared that governments can't bear all the costs, and that industry needs to take its share in this reform.

Bas Eickhout (Verts/ALE, NL) called to vote against amendment 61 and instead support the Report by the Committee on the Environment, Public Health and Food Safety.

Françoise Grossetête (EPP, FR):

- considered that the thresholds suggested by the S&D political Group in Annex III do not correspond to a technological or scientific logic;
- declared that the noise generated by an engine should be considered as integrating the rolling noise, the contact with the road, the road surface and the state of the tyres, and considered that it was appropriate to propose a step by step process rather than a brutal change;
- called to vote against amendment 68;
- vigorously called to vote against amendment 51.

Mario Pirillo (S&D, IT) declared that the parameters of Annex III are not realistic.

Radvilė Morkūnaitė-Mikulėnienė (EPP, LT):

- declared that despite noise level testing being regulated at EU level, and a comprehensive type-approval database existing with prescribed levels of noise emissions, some competent authorities inadequately calculate levels of noise during M.O.T. tests on the basis of engine parameters;
- complained that the absence of noise by electric vehicles endangers life of people.

Andres Perello Rodriguez (S&D, ES):

- considered that Annex III, as appearing in the Report, is a good proposal;
- declared that the impact assessment provided by the Commission indicates that the proposal wouldn't destroy jobs, as the topic is acoustic contamination and not gas emissions.

Kathleen Van Brempt (S&D, BE) supported the Report proposed by the Committee on the Environment, Public Health and Food Safety.

Bogusław Liberadzki (S&D, PL):

- was pleased to see that the Commission included provisions concerning the railways and freight transport;
- considered that Annex III, as appearing in the Commission proposal, was better as it would make industry more competitive.

Speaking under the "Catch the eye" procedure, the following MEPs intervened.

Elena Băsescu (EPP, RO) considered that road surface should be taken into account

Jaroslav Paška (EFD, SK) insisted that electric vehicles are a danger for some people, that Acoustic Alert Systems be developed, and therefore called for the adoption of amendment 66.

Antonio Tajani, Vice-president of the Commission:

- stressed that the Commission, and himself as responsible for the industrial policy, aim at a modern and competitive reindustrialization of the European Union, based on an industrial policy around the green economy and an active role in the fight against climate change, ultimately benefiting EU citizens;
- considered that the second phase would be more complicated, but that due to its length it would enable the industry to adapt;

- concluded by saying that the Commission proposal was balanced and that he was ready to find a compromise during the negotiations with both the Council and the European Parliament.

The Rapporteur, Mr Miroslav Ouzký (ECR, CZ), concluded the debate by explaining that the debate reflected his experience during the Committee work, and that it was not true that conservative parties were threatening the industry with this proposed legislation.

The President then closed the debate. In addition, MEPs Ivo Belet (EPP) and Joanna Katarzyna Skrzydlewska (EPP) submitted a written statement in accordance with rule 149 of the European Parliament's Rules of Procedure.

III. VOTE

When it voted in plenary on 6 February 2013, the European Parliament adopted amendments 1-37, 39-50, 52-60, amendment 61¹, and amendment 66.

The text of the amendments adopted and the European Parliament's legislative resolution are annexed to this note.

¹ Amendment 61 was adopted by a very tight majority: 307 in favour, 292 against and only 25 abstentions.

Sound level of motor vehicles *I**

European Parliament legislative resolution of 6 February 2013 on the proposal for a regulation of the European Parliament and of the Council on the sound level of motor vehicles (COM(2011)0856 – C7-0487/2011 – 2011/0409(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2011)0856),
 - having regard to Article 294(2) and Article 114 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0487/2011),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 25 April 2012¹,
 - having regard to Rules 55 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety and the opinions of the Committee on Internal Market and Consumer Protection and the Committee on Transport and Tourism (A7-0435/2012),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ OJ C 191, 29.6.2012, p. 76.

Amendment 1

Proposal for a regulation Recital 1

Text proposed by the Commission

(1) The internal market comprises an area without internal frontiers in which the free movement of goods, persons, services and capital must be ensured. To that end a comprehensive Union type-approval system for motor vehicles is in place. The technical requirements for the type-approval of motor vehicles and their exhaust systems with regard to permissible sound levels should be harmonised to avoid the adoption of requirements that differ from one Member State to another and to ensure the proper functioning of the internal market while, at the same time, providing for a high level of environmental protection and public safety.

Amendment

(1) The internal market comprises an area without internal frontiers in which the free movement of goods, persons, services and capital must be ensured. To that end a comprehensive Union type-approval system for motor vehicles is in place, ***as road vehicles are the biggest source of noise within the transport sector.*** The technical requirements for the type-approval of motor vehicles and their exhaust systems with regard to permissible sound levels should be harmonised to avoid the adoption of requirements that differ from one Member State to another and to ensure the proper functioning of the internal market while, at the same time, providing for a high level of environmental protection and public safety ***and a better quality of life and health. The Commission should also undertake an impact assessment regarding the labelling conditions applicable to air and noise pollution levels. That impact assessment should take into consideration the different types of vehicles covered by this Regulation (including electric vehicles) as well as the effect that such labelling could have on the car industry. Such labelling could be considered a useful tool for raising awareness among consumers and protecting their rights as regards transparency prior to the purchase of a vehicle.***

Amendment 2

Proposal for a regulation Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) EU type approval requirements

already apply for the purposes of relevant Union legislation governing CO₂-emissions including Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information¹, Regulation (EC) No 443/2009 of the European Parliament and of the Council of 23 April 2009 setting emission performance standards for new passenger cars as part of the Community's integrated approach to reduce CO₂ emissions from light-duty vehicles², Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and on access to vehicle repair and maintenance information , and Regulation (EU) No 510/2011 of the European Parliament and of the Council of 11 May 2011 setting emission performance standards for new light commercial vehicles as part of the Union's integrated approach to reduce CO₂ emissions from light-duty vehicles⁴. The technical requirements which apply to Union legislation governing CO₂ emissions and pollutant emission limit values should be consistent with the requirements which apply to legislation governing the reduction of noise emissions. EU type-approval requirements should therefore be set in a way which ensures that these dual objectives are met.

¹ OJ L 171, 29.6.2007, p. 1.

² OJ L 140, 5.6.2009, p. 1.

³ OJ L 188, 18.7.2009, p. 1.

⁴ OJ L 145, 31.5.2011, p. 1.

Amendment 3

Proposal for a regulation
Recital 1 b (new)

Text proposed by the Commission

Amendment

(1b) Traffic noise harms health in numerous ways. Protracted noise-related stress may exhaust physical reserves, disrupt the regulatory capacity of organ functions and hence limit their effectiveness. Traffic noise is a potential risk factor for the development of medical conditions and incidents such as high blood pressure and heart attacks. The effects should be further researched in the same spirit as provided for in Directive 2002/49/EC.

Amendment 4

Proposal for a regulation
Recital 6

Text proposed by the Commission

Amendment

(6) This Regulation should therefore introduce a different method in relation to the compulsory one of Directive 70/157/EEC. That method should be based on the method published by the UNECE Working Party on Noise (GRB) in 2007 which incorporated a 2007 version of the standard ISO 362. The results of monitoring of both the old and the new test methods were submitted to the Commission.

(6) This Regulation should therefore introduce a different method in relation to the compulsory one of Directive 70/157/EEC. That method should be based on the method published by the UNECE Working Party on Noise (GRB) in 2007 which incorporated a 2007 version of the standard ISO 362. The results of monitoring of both the old and the new test methods were submitted to the Commission. ***Furthermore, in order to overcome the shortcomings inherent in the previous test method, the Commission should, within 24 months of the entry into force of this Regulation, submit an impact assessment to the European Parliament and to the Council on the effective contribution of tyre rolling equipment in reducing the noise level of vehicles, focussing on the road surface impact, and the research needs in this specific field, in view of adopting a new European test method which also takes into account road surface behaviour.***

Amendment 5

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) This Regulation should also further reduce noise limits. It should take account of 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 therefore, which introduced new stricter noise requirements for motor vehicle tyres. *Studies* highlighting the annoyance and health effects from road traffic noise, and the associated costs and benefits *should also be heeded*.

Amendment

(8) This Regulation should also further reduce noise limits. It should take account of 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 therefore, which introduced new stricter noise requirements for motor vehicle tyres *and which underlined the need for a coherent and comprehensive approach to address the problem of road noise, including taking into account the significant contribution of road surfaces to road noise. That horizontal approach will more efficiently reduce the overall road traffic noise compared to a sectoral and vertical approach. The reduction of road traffic noise should also be understood as a public health objective, considering studies* highlighting the annoyance and health effects from road traffic noise, and the associated costs and benefits. *This Regulation should also take account of Regulation (EC) No 1222/2009 of the European Parliament and of the Council of 25 November 2009 on the labelling of tyres with respect to fuel efficiency and other essential parameters¹. The Commission should ensure that tyres are labelled with respect to their noise performance. In addition, the comparability of modes of transport from the point of view of environmental noise should be taken into account.*

¹ OJ L 342, 22.12.2009, p. 46.

Amendment 6

**Proposal for a regulation
Recital 8 a (new)**

Text proposed by the Commission

Amendment

(8a) The Commission should publish "silent road" guidelines, addressed to road authorities in order to provide them with a useful tool to comply with requirements for more sustainable road infrastructure.

Amendment 7

**Proposal for a regulation
Recital 8 b (new)**

Text proposed by the Commission

Amendment

(8b) The Sixth Environment Action Programme set out the framework for environmental policy-making in the Union for the period 2002-2012. The programme called for actions in the field of noise pollution to substantially reduce the number of people regularly affected by long-term average levels of noise, particularly from traffic.

Amendment 8

**Proposal for a regulation
Recital 8 c (new)**

Text proposed by the Commission

Amendment

(8c) Technical measures to reduce the sound level of motor vehicles have to meet a set of competing requirements, such as those of reducing noise and pollutant emissions and improving safety whilst keeping the vehicle in question as cheap and effective as possible. In attempting to meet all these requirements equally and strike a balance between them, the automobile industry all too often runs up against the limits of what is currently physically feasible. Automobile designers have repeatedly managed to push those

limits back by using new, innovative materials and methods. Legislation must set a clear framework for innovation in a realistic time frame. This Regulation establishes just such a framework and thus provides an immediate incentive for innovation in keeping with the needs of society, whilst in no way restricting the economic freedom so vital to the industry.

Amendment 9

Proposal for a regulation

Recital 8 d (new)

Text proposed by the Commission

Amendment

(8d) Noise pollution is primarily a local problem, but one which calls for a Union-wide solution. After all, the first step in any sustainable noise emissions policy must be to devise measures to reduce sound levels at source. The noise source, that is the motor vehicle, which is the target of this Regulation, is by definition a mobile one, so that purely national measures would not be sufficient.

Amendment 10

Proposal for a regulation

Recital 8 e (new)

Text proposed by the Commission

Amendment

(8e) Major steps can be taken to develop and enhance infrastructure in a manner that maximises vehicle noise reduction, such as through the large-scale use of noise barriers.

Amendment 11

Proposal for a regulation

Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) The provision of information on

sound emissions to consumers, fleet managers and public authorities may influence purchasing decisions and accelerate the transition to a quieter vehicle fleet. In order to provide the necessary information to consumers the manufacturer should provide information on noise levels of vehicles in accordance with harmonised testing methods at the point of sale and in technical promotional material. A label, comparable to the labels used for information on CO₂ emissions, fuel-consumption and tyre-noise, should inform consumers of the sound emissions of a vehicle.

Amendment 12

Proposal for a regulation Recital 9 b (new)

Text proposed by the Commission

Amendment

(9b) In order to reduce road traffic noise, public authorities may put in place measures and incentives to accelerate the purchase and use of quieter vehicles.

Amendment 13

Proposal for a regulation Recital 9 c (new)

Text proposed by the Commission

Amendment

(9c) Vehicle noise levels are partially dependent on the environment in which the vehicles are travelling, in particular the quality of the road infrastructure and how smart traffic management systems are. Thought should therefore be given to adopting an integrated approach, in particular in the noisiest urban areas and in cases where swift action is required.

Amendment 14

Proposal for a regulation Recital 9 d (new)

(9d) When cars are driven at average speeds below 45 km/h the loudest noises are those generated by the engine and exhaust, and when they are driven at higher speeds tyre and wind noise are the loudest. These noises are generated regardless of engine type and power. Developments in vehicle design since the 1970s have made engines much quieter, but on average more powerful and heavier. Heavier engines and more elaborate safety features have served to increase the overall weight of vehicles, creating a need to increase the area of tyre which comes into contact with the road surface, in order to improve vehicle stability. Every increase in the width of that contact area leads to an increase in tyre noise.

Amendment 15

**Proposal for a regulation
Recital 9 e (new)**

(9e) Noise is a multifaceted issue with multiple sources and factors that affect the sound received by people and the impact upon them. Legislation to reduce traffic noise needs to reflect these aspects by taking account of engine, vehicle and tyre noise, road surface, driving behaviour and traffic management and must be addressed in legislation such as the Regulation 1222/2009/EC of the European Parliament and of the Council of 25 November 2009 on the labelling of tyres with respect to fuel efficiency and other essential parameters¹ and Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise².

¹ OJ L 342, 22.12.2009, p. 46.

² OJ L 189, 18.7.2002, p. 12.

Amendment 16

Proposal for a regulation Recital 10 a (new)

Text proposed by the Commission

Amendment

(10a) The Commission should examine the potential of active safety systems in more silent vehicles such as hybrid and electric vehicles to better serve the objective of improving the safety of vulnerable road users in urban areas, such as blind, visually and auditorily challenged pedestrians, cyclists and children.

Amendment 17

Proposal for a regulation Recital 10 b (new)

Text proposed by the Commission

Amendment

(10b) Vehicle noise levels have a direct impact on the quality of life of Union citizens, in particular in urban areas in which there is little or no electric and/or underground public transport provision, cycling or walking. The target of doubling the number of public transport users that the European Parliament set in its resolution of 15 December 2011 on the Roadmap to a Single European Transport Area¹ should also be taken into account. The Commission and the Member States should, in accordance with the subsidiarity principle, promote public transport, walking and cycling, with a view to reducing noise pollution in urban areas.

¹ Texts adopted, P7_TA(2011)0584.

Amendment 18

Proposal for a regulation
Recital 10 c (new)

Text proposed by the Commission

Amendment

(10c) Information relating to noise, including test data, should be made available and clearly displayed at points of sale and in promotional materials for vehicles.

Amendment 19

Proposal for a regulation
Recital 10 d (new)

Text proposed by the Commission

Amendment

(10d) A vehicle's noise level is partially dependent on how it is used and how well it is maintained following its purchase. In this connection, steps should be taken to raise public awareness in the Union of the importance of adopting a smooth driving style and keeping within the speed limits in force in each Member State.

Amendment 20

Proposal for a regulation
Recital 12

Text proposed by the Commission

Amendment

(12) In order to enable the Commission to ***replace*** the technical requirements of this Regulation ***with a direct reference to UNECE Regulations No 51 and No 59 once the limit values relating to the new test method are laid down in those Regulations, or to adapt those requirements*** to technical and scientific developments, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission ***in respect of the amendment of the provisions in Annexes to this Regulation related to the test methods and sound***

(12) In order to enable the Commission to ***adapt*** the technical requirements of this Regulation to technical and scientific developments, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission ***to amend*** the Annexes to this Regulation related to ***EU type-approval procedures in respect of sound level of vehicle types and of exhaust systems, methods and instruments for measuring the noise made by motor vehicles, silencing systems, compressed air noise, checks on conformity of production, specifications***

levels. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

for test sites, measuring methods for additional sound emission provisions, and measures ensuring the audibility of hybrid and electric vehicles. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work **including at expert level.** The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

Amendment 21

Proposal for a regulation Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) Addressing the problem of noise at source, the aim of this Regulation, offers less potential for noise reduction than measures to change the composition of road surfaces, which is what vehicle tyres come into contact with. The latter form of noise reduction would be technically much more straightforward. Existing types of asphalt, such as whisper asphalt, asphalt with noise-reducing properties or noise-optimised asphalt, employed as part of a holistic approach combining a series of simple construction measures, can already be used to reduce noise levels by 10db on a local basis. This Regulation does not employ this effective approach to the problem of local sources of noise, since it would impose a severe burden on public budgets, in particular those of local authorities. This would be difficult to justify at a time of fiscal crisis and would also encroach on regional and structural policy.

Amendment 22

Proposal for a regulation Article 3 – point 2

Text proposed by the Commission

(2) 'vehicle type' means a set of vehicles as defined in Annex II Part B to Directive 2007/46/EC.

Amendment

(2) 'vehicle type' means:

(a) for vehicles tested according to Annex II, paragraph 4.1.2.1. a set of vehicles as defined in Annex II Part B to Directive 2007/46/EC;

(b) for vehicles tested according to Annex II, paragraph 4.1.2.2. a set of vehicles which do not essentially differ in such respects as:

(i) the shape or materials of the bodywork (particularly the engine compartment and its soundproofing);

(ii) the type of engine (e.g. positive or compression ignition, two- or four-stroke, reciprocating or rotary piston), number and capacity of cylinders, type of injection system, arrangement of valves, rated engine speed (S), or the type of electric motor;

(iii) vehicles having the same type of engine and/or different overall gear ratios, may be regarded as vehicles of the same type.

However, if the above differences provide for a different test method, these differences are to be considered as a change of type.

Amendment 23

**Proposal for a regulation
Article 3 – point 21 a (new)**

Text proposed by the Commission

Amendment

(21a) "point of sale" means a location where vehicles are stored and offered for sale to consumers;

Amendment 24

Proposal for a regulation
Article 3 – point 21 b (new)

Text proposed by the Commission

Amendment

(21b) "technical promotional material" means technical manuals, brochures, leaflets and catalogues (whether these appear in printed, electronic or online form), as well as websites, the purpose of which is to promote vehicles to the general public.

Amendment 25

Proposal for a regulation
Article 4 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. When performing technical checks on vehicles, Member States shall measure the noise level on the basis of data in the EU type approval for each type of vehicle.

Amendment 26

Proposal for a regulation
Article 4 a (new)

Text proposed by the Commission

Amendment

Article 4a

Monitoring

Member States shall, in accordance with Regulation EC (No) 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products¹, guarantee effective monitoring of their markets. They shall carry out appropriate checks on the characteristics of products on an adequate scale, in accordance with the principles set out in Article 19(1) of that Regulation.

Amendment 27

Proposal for a regulation Article 5 – paragraph 2

Text proposed by the Commission

2. Manufacturers shall ensure that the noise reduction system is designed, constructed and assembled so as to be able to reasonably resist the corrosive phenomena to which it is exposed having regard to the conditions of use of the vehicle.

Amendment

2. Manufacturers shall ensure that the noise reduction system is designed, constructed and assembled so as to be able to reasonably resist the corrosive phenomena to which it is exposed having regard to the conditions of use of the vehicle **and to regional climate differences.**

Amendment 28

Proposal for a regulation Article 6

Text proposed by the Commission

The sound level measured in accordance with the provisions of Annex II shall not exceed the limits set out in Annex III.

Amendment

The testing conditions laid down in Annex II shall take into account typical on-road driving conditions and the testing requirements of other essential components of the vehicle, which have been already covered by Regulation (EC) No 661/2009. The sound level measured in accordance with the provisions of Annex II **and rounded to the nearest integer** shall not exceed the limits set out in Annex III.

Amendment 29

Proposal for a regulation Article 7

Text proposed by the Commission

Within three years following the date referred to in Annex III, third column, phase 1, to this Regulation, the Commission shall ***carry out a detailed study to ascertain whether*** the noise limits ***prove to be appropriate.*** ***On*** the ***basis*** of the ***conclusions*** of the ***study***, the

Amendment

Following the date referred to in Annex III, third column, phase 1, to this Regulation, the Commission shall ***complete a review of*** the noise limits ***in Annex III.*** ***That review shall include an impact assessment which includes an overall assessment of the impact on the car***

Commission *may, where appropriate, present proposals for amendment* to this Regulation.

industry and in particular its dependent industries, taking into account the influence of other Regulations - such as those in the field of CO₂ emissions reductions and safety - on the sound level of motor vehicles. On the basis of such a review and its impact assessment, the Commission shall, if appropriate, make a proposal to amend this Regulation in a way that is as neutral as possible from the point of view of competition. The limit values referred to in Annex III, fourth column, phase 2, shall enter into force six years after confirmation of the impact assessment and completion of the review process of the Commission.

Amendment 30

Proposal for a regulation Article 7 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Proposals for amendments to this Regulation submitted pursuant to paragraph 1 shall take account of new standards established by the International Organisation for Standardisation, in particular standard ISO 10844:2011.

Amendment 31

Proposal for a regulation Article 8 – paragraph 1 – subparagraphs 1 a and 1 b (new)

Text proposed by the Commission

Amendment

Vehicles shall automatically meet the requirements of Annex X if the vehicle manufacturer submits to the type-approval authority technical documents showing the difference between the maximum and minimum engine speed of the vehicles at $BB'17 \leq 0,15 \times S$, for any test condition inside the ASEP control range defined in point 3.3. of Annex VIII with respect to the conditions set out in Annex II.

Vehicles of category N1 are exempted from ASEP if one of the following conditions is met:

(a) Engine capacity \leq 660 ccm and power-to-mass ratio PMR calculated by using the maximum authorised vehicle mass \leq 35;

(b) Payload \geq 850 kg and power-to-mass ratio PMR calculated by using the maximum authorised vehicle mass \leq 40.

Amendment 32

Proposal for a regulation

Article 8 – paragraph 1 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

Vehicles of category N1 are exempted from ASEP if one of the following conditions is fulfilled:

(a) The engine capacity is not exceeding 660 ccm and the power-to-mass ratio PMR calculated by using the maximum authorised vehicle mass is not exceeding 35;

(b) The payload is at least 850 kg and the power-to-mass ratio PMR calculated by using the maximum authorised vehicle mass is not exceeding 40.

Amendment 33

Proposal for a regulation

Article 8 – paragraph 2

Text proposed by the Commission

Amendment

2. The sound emission of the vehicle under typical on-road driving conditions, which are different from those under which the type-approval test set out in Annex II was carried out, shall not deviate from the test result ***in an unreasonable manner.***

2. The sound emission of the vehicle under typical on-road driving conditions, which are different from those under which the type-approval test set out in Annex II was carried out, shall not deviate from the test result.

Amendment 34

Proposal for a regulation
Article 8 – paragraph 3

Text proposed by the Commission

3. The vehicle manufacturer shall not intentionally alter, adjust, or introduce any mechanical, electrical, thermal, or other device or procedure solely for the purpose of fulfilling the noise emission requirements under this Regulation which is not operational during typical on-road operation under conditions applicable to ASEP.

Amendment

3. The vehicle manufacturer shall not intentionally alter, adjust, or introduce any mechanical, electrical, thermal, or other device or procedure solely for the purpose of fulfilling the noise emission requirements under this Regulation which is not operational during typical on-road operation under conditions applicable to ASEP. ***These measures are typically referred to as 'cycle beating'.***

Amendment 35

Proposal for a regulation
Article 8 – paragraph 5

Text proposed by the Commission

5. In the application for type-approval, the manufacturer shall provide a statement, established in accordance with the model set out in Appendix 1 of Annex VIII, that the vehicle type to be approved complies with the requirements of Article **8(1) and 8(2)**.

Amendment

5. In the application for type-approval, the manufacturer shall provide a statement, ***supported by the outcome of appropriate test results***, established in accordance with the model set out in Appendix 1 of Annex VIII, that the vehicle type to be approved complies with the requirements of Article 8.

Amendment 36

Proposal for a regulation
Article 8 a (new)

Text proposed by the Commission

Amendment

Article 8a

Consumer information

Vehicle manufacturers and distributors shall ensure that the noise level in decibels (dB(A)) in accordance with harmonised type-approval testing methods for each vehicle is displayed in a prominent position at the point of sale and in technical promotional material.

Following a comprehensive impact assessment, the Commission shall, within two years of the entry into force of this Regulation, and in accordance with the ordinary legislative procedure, submit to the European Parliament and the Council a proposal on consumer information. Such a proposal may be integrated into Directive 1999/94/EC of the European Parliament and of the Council of 13 December 1999 relating to the availability of consumer information on fuel economy and CO₂ emissions in respect of the marketing of new passenger cars¹.

OJ L 12, 18.1.2000, p. 16.

Amendment 37

Proposal for a regulation Article 8 b (new)

Text proposed by the Commission

Amendment

Article 8b

Road surface classification and quality

The Commission shall in line with the timescales for review laid down in Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise¹, assess the possibility of introducing a road classification system which characterises the typical rolling sound on every road in the European Union, and if appropriate submit to the European Parliament and the Council a proposal in accordance with the ordinary legislative procedure.

The Commission shall consider incorporating a requirement on Member States to provide information about road surface qualities in the strategic noise maps provided for in Directive 2002/49/EC.

¹ *OJ L 189, 18.7.2002, p. 12.*

Amendment 66

Proposal for a regulation

Article 9

Text proposed by the Commission

Where manufacturers **choose to** install **an** AVAS in vehicles, the requirements of **Annex X** shall be fulfilled.

Amendment

Manufacturers **shall** install AVAS in vehicles. **The sound to be generated by the AVAS shall be a continuous sound that provides information to pedestrians and vulnerable road users of a vehicle in operation. The sound shall be easily indicative of vehicle behaviour and could sound similar to the sound of a vehicle of the same category equipped with an internal combustion engine, and operating under the same conditions,** and the requirements of **Annex IX** shall be fulfilled.

The Commission shall, within one year of the entry into force of this Regulation, assess the need to review this Regulation, taking into account, inter alia, whether active safety systems can better serve the objective of improving the safety of vulnerable road users in urban areas, in addition to, or as compared to acoustic vehicle alerting systems and shall, where appropriate, and in accordance with the ordinary legislative procedure, submit to the European Parliament and Council a proposal which makes provision for a maximum sound level for AVAS installed in vehicles.

Amendment 39

Proposal for a regulation

Article 10 – paragraph 1

Text proposed by the Commission

1. The Commission shall be empowered to adopt delegated acts to amend Annexes **I to XI**.

Amendment

1. The Commission shall, **in order to adapt the technical requirements of this Regulation to technical and scientific developments,** be empowered to adopt delegated acts **in accordance with Article 11** to amend Annexes **I, II and IV to XII**.

Amendment 40

Proposal for a regulation

Article 10 – paragraph 2

Text proposed by the Commission

2. When the limit values relating to the test method are laid down in UNECE Regulation No 51, the Commission shall **consider** replacing the technical requirements laid down in Annex III with a direct reference to the corresponding requirements of UNECE Regulations No 51 and No 59.

Amendment

2. When the limit values relating to the test method are laid down in UNECE Regulation No 51, the Commission shall **assess the possibility of** replacing the technical requirements laid down in Annex III with a direct reference to the corresponding requirements of UNECE Regulations No 51 and No 59, **on the condition that these do not result in a weakening of the Union’s environmental and health standards, and with due regard for the opinions of the European Parliament and the Council and, if appropriate, submit a proposal to the European Parliament and to the Council to amend Annex III in accordance with the ordinary legislative procedure..**

Amendment 41

Proposal for a regulation

Article 11 – paragraph 1

Text proposed by the Commission

1. The **powers** to adopt delegated acts **are** conferred on the Commission subject to the conditions laid down in this Article.

Amendment

1. The **power** to adopt delegated acts **is** conferred on the Commission subject to the conditions laid down in this Article.

Amendment 42

Proposal for a regulation

Article 11 – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 10(1) shall be conferred on the Commission for **an indeterminate** period of **time** from the date of **adoption** of this Regulation.

Amendment

2. The power to adopt delegated acts referred to in Article 10(1) shall be conferred on the Commission for **a** period of **five years** from the date of **entry into force** of this Regulation. **The Commission shall draw up a report in respect of the**

delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Amendment 43

Proposal for a regulation Article 11 – paragraph 3

Text proposed by the Commission

3. The delegation of power referred to in Article 10(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment

3. The delegation of power referred to in Article 10(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal *of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment 44

Proposal for a regulation Article 11 – paragraph 5

Text proposed by the Commission

5. A delegated act adopted pursuant to Article 10(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by *one month* at the initiative of the European Parliament or of the Council.

Amendment

5. A delegated act adopted pursuant to Article 10(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by *two months* at the initiative of the European Parliament or of the Council.

Amendment 45

Proposal for a regulation

Article 12

Text proposed by the Commission

Amendment

Article 12

deleted

Objections to delegated acts

1. The European Parliament and the Council may object to the delegated act within a period of two months from the date of notification. At the initiative of the European Parliament or the Council this period shall be extended by one month.

2. If, on expiry of that period, neither the European Parliament nor the Council has objected to the delegated act, or if, before that date, the European Parliament and the Council have both informed the European Commission that they have decided not to raise objections, the delegated act shall enter into force at the date stated in its provisions.

3. If the European Parliament or the Council objects to the adopted delegated act, it shall not enter into force. The institution which objects shall state the reasons for objecting to the delegated act.

Amendment 46

Proposal for a regulation

Article 13

Text proposed by the Commission

Amendment

Article 13

deleted

Urgency procedure

1. Delegated acts adopted under Article 10(1) shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2.

2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.

2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 11(5). In such a case, the Commission shall repeal the act without delay following the notification of the decision to object by the European Parliament or the Council.

Amendment 47

**Proposal for a regulation
Annex I – point 5.2.2. a (new)**

Text proposed by the Commission

Amendment

5.2.2.a The limit values set out in the table in Annex III apply with a reasonable tolerance margin during measurement.

Amendment 48

**Proposal for a regulation
Annex II – point 3.2.1. – first sentence**

Text proposed by the Commission

Amendment

3.2.1. The vehicle tested shall be **selected in a way so that all vehicles of the same type which are put on the market fulfil the requirements of this Regulation.**

3.2.1. The vehicle tested shall be **representative of vehicles to be put on the market as specified by the manufacturer.**

Amendment 49

**Proposal for a regulation
Annex II – point 3.2.2.**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
3.2.2. Tyre rolling sound emissions are laid down in Regulation (EC) No 661/2009 on the general safety of motor vehicles. The tyres to be used for the test shall be representative for the vehicle and shall be selected by the vehicle manufacturer and recorded in Appendix 3 to Annex I of this Regulation. They shall correspond to one of the tyre sizes designated for the vehicle as original	3.2.2. Tyre rolling sound emissions are laid down in Regulation (EC) No 661/2009 on the general safety of motor vehicles. The tyres to be used for the test shall be representative for the vehicle and shall be selected by the vehicle manufacturer and recorded in Appendix 3 to Annex I of this Regulation. They shall correspond to one of the tyre sizes designated for the vehicle as original

equipment. The tyre is or will be commercially available on the market at the same time as the vehicle. ^{2/} The tyres shall be inflated to the pressure recommended by the vehicle manufacturer for the test mass of the vehicle. The tyres shall have at least legal tread depth.	equipment. The tyre is or will be commercially available on the market at the same time as the vehicle. ^{2/} The tyres shall be inflated to the pressure recommended by the vehicle manufacturer for the test mass of the vehicle. The tyres shall have legal tread depth.
^{2/} Given that the tyre contribution for overall sound emission is significant, regard must be had for existing regulatory provisions concerning tyre/road sound emissions. Traction tyres, snow tyres and special-use tyres shall be excluded during type-approval and conformity of production measurements at the request of the manufacturer in accordance with UNECE Regulation No. 117 (OJ L 231, 29.8.2008, p. 19) .	^{2/} Given that the tyre contribution for overall sound emission is significant, regard must be had for existing regulatory provisions concerning tyre/road sound emissions. Traction tyres, snow tyres and special-use tyres shall be excluded during type-approval and conformity of production measurements at the request of the manufacturer in accordance with the latest amendments to ECE R117 .

Amendment 50

Proposal for a regulation

Annex II – point 4.1.2.1.4.1. – points a, b and c

Text proposed by the Commission

(a) If one specific gear ratio gives an acceleration in a tolerance band of $\square \pm 5\%$ of the reference acceleration $a_{\text{wot ref}}$, not exceeding **3,0 m/s²**, test with that gear ratio.

(b) If none of the gear ratios give the required acceleration, then choose a gear ratio i , with an acceleration higher and a gear ratio $i + 1$, with an acceleration lower than the reference acceleration. If the acceleration value in gear ratio i does not exceed **3,0 m/s²**, use both gear ratios for the test. The weighting ratio in relation to the reference acceleration $a_{\text{wot ref}}$ is calculated by:

$$k = (a_{\text{wot ref}} - a_{\text{wot (i+1)}}) / (a_{\text{wot (i)}} - a_{\text{wot (i+1)}})$$

(c) if the acceleration value of gear ratio i exceeds **3.0 m/s²**, the first gear ratio shall be used that gives an acceleration below **3.0 m/s²** unless gear ratio $i + 1$ provides acceleration less than a_{urban} . In this case, two gears, i and $i + 1$ shall be used, including the gear i with acceleration

Amendment

(a) If one specific gear ratio gives an acceleration in a tolerance band of $\square \pm 5\%$ of the reference acceleration $a_{\text{wot ref}}$, not exceeding **2,0 m/s²**, test with that gear ratio.

(b) If none of the gear ratios give the required acceleration, then choose a gear ratio i , with an acceleration higher and a gear ratio $i + 1$, with an acceleration lower than the reference acceleration. If the acceleration value in gear ratio i does not exceed **2,0 m/s²**, use both gear ratios for the test. The weighting ratio in relation to the reference acceleration $a_{\text{wot ref}}$ is calculated by:

$$k = (a_{\text{wot ref}} - a_{\text{wot (i+1)}}) / (a_{\text{wot (i)}} - a_{\text{wot (i+1)}})$$

(c) if the acceleration value of gear ratio i exceeds **2.0 m/s²**, the first gear ratio shall be used that gives an acceleration below **2.0 m/s²** unless gear ratio $i + 1$ provides **an** acceleration less than a_{urban} . In this case, two gears, i and $i + 1$ shall be used, including the gear i with **the** acceleration

exceeding 3.0 m/s^2 . In other cases, no other gear shall be used. The achieved acceleration $a_{\text{wot test}}$ during the test shall be used for the calculation of the part power factor k_p instead of $a_{\text{wot ref}}$.

exceeding 2.0 m/s^2 . In other cases, no other gear shall be used. The achieved acceleration $a_{\text{wot test}}$ during the test shall be used for the calculation of the part power factor k_p instead of $a_{\text{wot ref}}$.

Amendment 61

Proposal for a regulation Annex III

Text proposed by the Commission

Annex III

Limit values

The sound level measured in accordance with the provisions of Annex II shall not exceed the following limits:

Vehicle category	Description of vehicle category	Limit values expressed in dB(A) [decibels(A)]					
		Limit values for Type-approval of new vehicle types		Limit values for Type-approval of new vehicle types		Limit values for registration, sale and entry into service of new vehicles	
		Phase 1 valid from [2 years after publication]		Phase 2 valid from [5 years after publication]		Phase 3 valid from [7 years after publication]	
		General	Off-road *	General	Off-road *	General	Off-road *
<i>M</i>	<i>Vehicles used for the carriage of passengers</i>						
<i>M₁</i>	<i>no of seats ≤ 9</i>	70	71**	68	69**	68	69**
<i>M₁</i>	<i>no of seats ≤ 9; power to mass ratio > 150 kW/ton</i>	71	71	69	69	69	69
<i>M₂</i>	<i>no of seats > 9; mass ≤ 2 tons</i>	72	72	70	70	70	70
<i>M₂</i>	<i>no of seats > 9; 2 tons < mass ≤ 3.5 tons</i>	73	74	71	72	71	72
<i>M₂</i>	<i>no of seats > 9; 3.5 tons < mass ≤ 5 tons; rated engine power < 150 kW</i>	74	75	72	73	72	73
<i>M₂</i>	<i>no of seats > 9; 3.5</i>	76	78	74	76	74	76

	<i>tons < mass ≤ 5 tons; rated engine power ≥ 150 kW</i>						
<i>M₃</i>	<i>no of seats > 9; mass > 5 tons; rated engine power < 150 kW</i>	<i>75</i>	<i>76</i>	<i>73</i>	<i>74</i>	<i>73</i>	<i>74</i>
<i>M₃</i>	<i>no of seats > 9; mass > 5 tons; rated engine power ≥ 150 kW</i>	<i>77</i>	<i>79</i>	<i>75</i>	<i>77</i>	<i>75</i>	<i>77</i>
<i>N</i>	<i>Vehicles used for the carriage of goods</i>						
<i>N₁</i>	<i>mass ≤ 2 tons</i>	<i>71</i>	<i>71</i>	<i>69</i>	<i>69</i>	<i>69</i>	<i>69</i>
<i>N₁</i>	<i>2 tons < mass ≤ 3.5 tons</i>	<i>72</i>	<i>73</i>	<i>70</i>	<i>71</i>	<i>70</i>	<i>71</i>
<i>N₂</i>	<i>3.5 tons < mass ≤ 12 tons; rated engine power < 75 kW</i>	<i>74</i>	<i>75</i>	<i>72</i>	<i>73</i>	<i>72</i>	<i>73</i>
<i>N₂</i>	<i>3.5 tons < mass ≤ 12 tons; 75 ≤ rated engine power < 150 kW</i>	<i>75</i>	<i>76</i>	<i>73</i>	<i>74</i>	<i>73</i>	<i>74</i>
<i>N₂</i>	<i>3.5 tons < mass ≤ 12 tons; rated engine power ≥ 150 kW</i>	<i>77</i>	<i>79</i>	<i>75</i>	<i>77</i>	<i>75</i>	<i>77</i>
<i>N₃</i>	<i>mass > 12 tons; 75 ≤ rated engine power < 150 kW</i>	<i>77</i>	<i>78</i>	<i>75</i>	<i>76</i>	<i>75</i>	<i>76</i>
<i>N₃</i>	<i>mass > 12 tons; rated engine power ≥ 150 kW</i>	<i>80</i>	<i>82</i>	<i>78</i>	<i>80</i>	<i>78</i>	<i>80</i>
<i>*</i>	Increased limit values shall <i>only</i> be valid if the vehicle complies with the relevant definition for off-road vehicles set out in point 4 of Section A of Annex II to EU Directive 2007/46/EC.						
<i>**</i>	For <i>M₁</i> vehicles the increased limit values for off-road vehicles are only valid if the maximum authorised mass > 2 tonnes.						

Amendment

Annex III

Limit values

The sound level measured in accordance with the provisions of Annex II, *and rounded down to the nearest integer when the fractional part is less than 0.5 and rounded up to the nearest integer if the fractional part is equal or greater than 0.5*, shall not exceed the following limits:

<i>Vehicle category</i>	<i>Description of vehicle category</i>	<i>Limit values for Type-approval of new vehicle types expressed in dB(A) [decibels(A)]*</i>	<i>Limit values for type-approval of both new vehicle types and for registration, sale and entry into service of new vehicles expressed in dB(A) [decibels(A)]*</i>
		<i>Phase 1 valid from [6 years after publication]</i>	<i>Phase 2 valid from [8 years after publication]</i>
<i>M</i>	<i>Vehicles used for the carriage of passengers</i>		
<i>M₁</i>	<i>no of seats ≤ 9; ≤ 125 kW/ton</i>	68	68
	<i>no of seats ≤ 9; 125kW/ton < power to mass ratio ≤ 150kW/ton</i>	70	70
	<i>no of seats ≤ 9; power to mass ratio > 150kW/ton</i>	73	73
<i>M₁</i>	<i>no of seats ≤ 4 including driver; power to mass ratio > 200 kw/ ton; R point of the driver seat < 450mm from ground</i>	74	74
<i>M₂</i>	<i>no of seats > 9; mass ≤ 2.5 tons</i>	69	69
	<i>no of seats > 9; 2, 5 tons < mass < 3.5 tons</i>	72	72
	<i>no of seats > 9; 3.5 tons < mass < 5 tons;</i>	75	75
<i>M₃</i>	<i>no of seats > 9; mass > 5 tons; rated engine power ≤ 180kW</i>	74	74
	<i>no of seats > 9; mass > 5 tons; 180 kW < rated engine power ≤ 250kW</i>	77	77
	<i>no of seats > 9; mass > 5 tons; rated engine power > 250kW</i>	78	78
<i>N</i>	<i>Vehicles used for the carriage of goods</i>		
<i>N₁</i>	<i>mass < 2.5 tons</i>	69	69
	<i>2.5 tons < mass < 3.5 tons</i>	71	71
	<i>3.5 tons < mass < 12 tons; rated engine power < 150 kW</i>	75	75

N ₂	3,5 tons < mass ≤ 12 tons ;rated engine power > 150kW	76	76
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N ₃	mass > 12 tons; rated engine power ≤ 180kW	77	77
	mass > 12 tons; 180 < rated engine power ≤ 250kW	79	79
	mass > 12 tons; rated engine power > 250 kW	81	81
*		Limit values shall be increased by 1dB for vehicles that meet the relevant definition for off-road vehicles set out in point 4 of Section A of Annex II to EU Directive 2007/46/EC.	

Amendment
Proposal for a regulation

52

ulation

Annex VI – point 3 – paragraph 1

Text proposed by the Commission

One vehicle has to be chosen and subjected to the tests set out in point 2. If the test results fulfil the COP requirements of Annex X of Directive 2007/46/EC, the vehicle shall be considered to be in compliance with the COP provisions.

Amendment

One vehicle has to be chosen and subjected to the tests set out in point 2. If the test results fulfil the COP requirements of Annex X of Directive 2007/46/EC, the vehicle shall be considered to be in compliance with the COP provisions. ***The applicable COP requirements are the limit values laid down in Annex III with an additional margin of 1 dB(A).***

Amendment 53

Proposal for a regulation

Annex VII – point 1 – footnote 1

Text proposed by the Commission

¹/ISO10844:1994.

Amendment

¹/For the first five years after the entry into force of this Regulation, manufacturers may either use test tracks certified according to ISO 10844:1994 or ISO 10844:2011. After that date manufacturers shall use test tracks complying with ISO 10844:2011 only.

Amendment 54

Proposal for a regulation

Annex VII – point 3.2.2. – paragraph 2 – introductory part

Text proposed by the Commission

In addition to the requirements set out under points 1 to 3.2.2, the following requirements shall be fulfilled:

Amendment

In addition to the requirements set out under points 1 to 3.2.2, the following requirements *of ISO 10844:2011* shall be fulfilled *or a reference should be made to ISO 10844:1994 for a transitional period of 5 years:*

Amendment 55

**Proposal for a regulation
Annex VII – point 4.3. – paragraph 1**

Text proposed by the Commission

For the purpose of this standard, texture depth measurements shall be made on at least 10 positions evenly spaced along the wheel tracks of the test strip and the average value taken to compare with the specified minimum texture depth. See *ISO 10844:1994* for the description of the procedure.

Amendment

For the purpose of this standard, texture depth measurements shall be made on at least 10 positions evenly spaced along the wheel tracks of the test strip and the average value taken to compare with the specified minimum texture depth. See *ISO10844:2011* for the description of the procedure.

Amendment 56

**Proposal for a regulation
Annex VIII – point 2.3. – line 4 'Vehicle acceleration'**

Text proposed by the Commission

Vehicle acceleration a_{wot} ASEP: $a_{wot} \leq 5,0$
m/s²

Amendment

Vehicle acceleration a_{wot} ASEP: $a_{wot} \leq 4,0$
m/s²

Amendment 57

**Proposal for a regulation
Annex VIII – point 2.4. –paragraph 2a (new)**

Text proposed by the Commission

Amendment

In order for the ASEP test to be representative and repeatable (to the Type Approval Authority), the vehicles shall be tested using production gearbox calibration.

Amendment 58

Proposal for a regulation

Annex IX – part A – point 1 – paragraph 1

Text proposed by the Commission

Acoustic Vehicle Alerting System (AVAS) is a **sound generating device designed to inform** pedestrians and vulnerable road users.

Amendment

Acoustic Vehicle Alerting System (AVAS) is a **system for hybrid electric and electric road transport vehicles, which provides vehicle operation information to** pedestrians and vulnerable road users.

Amendment 59

Proposal for a regulation

Annex IX – part A – point 4 – point a

Text proposed by the Commission

(a) The sound to be generated by the AVAS should be a continuous sound that provides information to the pedestrians and vulnerable road users of a vehicle in operation.

Amendment

(a) The sound to be generated by the AVAS should be a continuous sound that provides information to the pedestrians and vulnerable road users of a vehicle in operation. ***The sound should be easily indicative of vehicle behaviour and should sound similar to the sound of a vehicle of the same category equipped with an internal combustion engine.***

However, the following and similar types of sounds are not acceptable:

(i) Siren, horn, chime, bell and emergency vehicle sounds

(ii) Alarm sounds e.g. fire, theft, smoke alarms

(iii) Intermittent sound

The following and similar types of sounds should be avoided:

(iv) Melodious sounds, animal and insect sounds

(v) Sounds that confuse the identification of a vehicle and/or its operation (e.g. acceleration, deceleration etc.)

Amendment 60

Proposal for a regulation
Annex IX – part A – point 4 – points b and c

Text proposed by the Commission

(b) The sound to be generated by the AVAS **should** be easily indicative of vehicle behaviour, for example, through the automatic variation of sound level or characteristics in synchronization with vehicle speed.

(c) The sound level to be generated by the AVAS **should** not exceed the approximate sound level of a similar vehicle of the same category equipped with an internal combustion engine and operating under the same conditions.

Environmental consideration:

The development of the AVAS shall give consideration to the overall community noise impact.

Amendment

(b) The sound to be generated by the AVAS **must** be easily indicative of vehicle behaviour **and direction of travel**, for example, through the automatic variation of sound level or characteristics in synchronization with vehicle speed.

(c) The sound level to be generated by the AVAS **may** not exceed the approximate sound level of a similar vehicle of the same category equipped with an internal combustion engine and operating under the same conditions.

Environmental consideration:

The development of the AVAS shall give consideration to the overall community noise impact.