



**COUNCIL OF
THE EUROPEAN UNION**

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DRAFT STATEMENT OF THE COUNCIL'S REASONS

Subject: Position of the Council at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council on the sound level of motor vehicles
– Draft Statement of the Council's reasons

I. INTRODUCTION

1. On 9 December 2011, the Commission submitted the above-mentioned proposal to the European Parliament and the Council.
2. The European Parliament adopted its first-reading position on 6 February 2013.
3. The Council and the Parliament entered into negotiations with a view to reaching an agreement in second reading. These negotiations were concluded on 5 November 2013 with an agreement.
4. On 28 November 2013 the Chair of the Committee on the Environment, Public Health and Food Safety addressed a letter to the Presidency indicating that, should the Council transmit formally to the Parliament its position in the form that it was presented in the Annex to that letter, he would recommend to the Parliament's plenary to approve the Council's position without amendment, subject to subsequent legal-linguistic review.
5. On 9 December 2013 the Council confirmed its political agreement on the text of this Regulation, as it had been agreed by the two Institutions.

II. OBJECTIVE

The Regulation seeks to improve the functioning of the internal market by establishing the administrative and technical requirements for the EU type-approval of certain new vehicles with regard to their sound level and their exhaust systems, and for the sale and entry into service of parts and equipment intended for those vehicles. It takes also into account the objectives of protection of public health and protection of the environment.

The Regulation introduces a new testing method for measuring the sound emissions of motor vehicles as well as lower noise limit values for different categories of light, medium-sized and heavy vehicles. It also provides for a minimum sound level in the case of electric and hybrid-electric vehicles.

III. ANALYSIS OF THE COUNCIL'S POSITION AT FIRST READING

A. General

Following the vote in the plenary, the Parliament and the Council conducted negotiations with the aim of concluding a second-reading agreement on the basis of a Council first-reading position that the Parliament could approve as such. The text of the Council's first-reading position fully reflects the compromise reached between the two co-legislators.

B. Key issues

The compromise reflected in the Council position repeals Directive 70/157/EEC and amends Directive 2007/46/EC establishing a framework for the approval of motor vehicles and their trailers, introducing additional sound emission provisions. The main points of the compromise reached with the Parliament include :

- limit values for sound emissions and phases for their implementation in the various categories of vehicles (Annex III);
- Acoustic Vehicle Alert Systems to be installed in electric and hybrid-electric vehicles;
- new test parameters for testing the sound emissions of vehicles;
- consumer information on the sound emission of vehicles;
- new definitions;
- the obligations of Member States are clarified;
- the Annexes to Directive 2007/46/EC are adapted.

IV. CONCLUSION

The Council's position fully reflects the compromise reached in the negotiations between the European Parliament and the Council, facilitated by the Commission. This compromise is confirmed by the letter that the Chair of the ENVI Committee addressed to the Chairman of the Permanent Representatives Committee on 28 November 2013. In this letter the ENVI Chair indicates that he will recommend to the members of the ENVI Committee, and subsequently to the plenary, that they approve the Council's position at first reading without amendments at the European Parliament's second reading, subject to verification by the lawyer-linguists of both Institutions.
