



Council of the
European Union

020490/EU XXVI. GP
Eingelangt am 07/05/18

Brussels, 7 May 2018
(OR. en)

Interinstitutional File:
2016/0014 (COD)

8499/18
ADD 1

CODEC 665
ENT 81
MI 304

'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Draft Regulation of the European Parliament and of the Council on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC (**first reading**)

- Adoption of the legislative act
- Statement

STATEMENT OF THE CZECH REPUBLIC AND LATVIA

The Czech Republic and Latvia fully agree with the need for revision of the type-approval framework for motor vehicles, systems, components and separate technical units intended for such vehicles, with the view to ensure high level of safety and protection of health and the environment.

The Czech Republic and Latvia support the aims and principles of the new Regulation such as efficient market surveillance, clear and harmonised recall and safeguard procedures, proper functioning of technical services, closer coordination between national authorities and uniform application of type-approval rules. Efficient market surveillance system should be, first of all, based on a principle of risk assessment.

The Czech Republic and Latvia remain critical towards claimed added value of the additional oversight of the Commission over national type-approval authorities as agreed in the text of Article 9a resulting from the trialogues with the European Parliament. The assessment of type-approval authorities by the Commission cannot be considered as necessary and proportionate for achieving the aims of the Regulation. On the contrary, besides adding unnecessary bureaucracy into the system, such a mechanism undermines the very principles of EU type-approval system. The Article 9a interferes with the activities of national authorities that are in competence of Member States. By not respecting the competencies of national type-approval authorities confidence and respect of the EU type-approval system as such is being undermined. In addition such assessment will duplicate the peer-evaluation system and increase the already significant administrative burden for authorities.

Furthermore, the Czech Republic and Latvia are of the opinion that the text of Article 90 is of utmost importance as it sets EU fines mechanism that results in direct impact on manufacturers. Therefore, procedure, methods for the calculation and collection of administrative fines should be adopted by means of an implementing act.