



European
Automobile
Manufacturers
Association

THE SECRETARY GENERAL

Mrs Silvia Bartolini

Cabinet Commissioner Canete

Brussels, 27 April 2017

Subject: CO2 regulations – principle of comparable stringency

Dear Mrs Bartolini,

On 27 April the Climate Change Committee (CCC) of DG CLIMA will decide on two regulations:

- An amendment to the passenger cars Implementing Regulation (NEDC-WLTP correlation procedure) that was already agreed by CCC in June 2016 but is waiting for the WLTP Regulation to catch-up.
- The vans Implementing Regulation (NEDC-WLTP correlation procedure)

We understand that in May, the Commission College will be asked to adopt a mega-package covering the WLTP Regulation and the CO2 correlation Regulations for cars and vans. Industry has made preparations to start measuring and approving new vehicles using the WLTP and then apply the measured WLTP CO2 values in the correlation procedure for monitoring progress against 2021 targets. All those Regulations are therefore urgently needed since the WLTP is mandatory from September 2017 and industry is under severe pressure with such a tight timeframe.

In addition, Delegated Regulations concerning the CO2 target transition will be adopted by the Commission College but subject to the scrutiny of the European Parliament and the Council before entering into force.

However, while we welcome those Regulations at last being adopted, we do have concerns, principally the requirement that “comparable stringency” must be achieved in this process of moving from NEDC to WLTP.

The work on correlation (CO2MPAS) was a good example of collaboration and both the Commission and industry learnt a lot from that work. But we know that correlation is not accurate for many vehicles with internal combustion engines and pretty much all hybrid vehicles, so additional physical testing will be required to determine CO2 values (to be used for monitoring) from measured WLTP CO2 values. We do not question the capability of CO2MPAS but if correlation by additional physical testing would be done using today's NEDC there would be no need for a further discussion. However, correlation by additional physical testing will be done using a more severe version of NEDC.

The issue was raised in our meeting with Commissioner Canete last October and we decided to commission an independent legal study to consider what "comparable stringency" means and whether the regulations to be adopted will deliver the requirement for "comparable stringency".

This is an extremely important issue for all manufacturers if the use of a more severe version of NEDC will lead to higher CO2 values for monitoring that might put in question compliance with their specific CO2 targets and compliance with the EU fleet average target by 2021. That will also have an impact on the baseline for establishing the next CO2 target.

We will also now have a major EU market for cars and vans leaving the EU sometime in 2019 and we do not know how that may affect compliance with EU CO2 targets if UK sales would no longer be monitored and counted.

I therefore enclose, for your review, a copy of the independent legal study into "comparable stringency".

May I suggest that DG CLIMA would internally review that study and how the EU market will now change before 2021, to help determine how the requirement for comparable stringency will be met by the Commission. We can then come back to these issues at our next meeting with Commissioner Canete on July 6.

We remain available to talk this further ahead of the meeting on July 6.

Sincerely Yours,



Erik Jonnaert