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# European Communities

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## EUROPEAN PARLIAMENT

# Working Documents

1980 - 1981

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31 July 1980

DOCUMENT 1-340/80

## Report

drawn up on behalf of the Committee on Economic and Monetary Affairs

**on the proposals from the Commission of the European Community to the Council (Doc. 1-710/79) for**

- I. a directive on the approximation on the laws of the Member States relating to the fuel consumption of motor vehicles**
- II. a directive on the approximation of the laws of the Member States relating to the engine power of motor vehicles**

**Rapporteur: Mr K. von WOGAU**

11/13/79



By letter of 29 January 1980, the President of the Council of the European Communities requested the European Parliament, pursuant to Article 100 of the EEC Treaty, to deliver an opinion on the proposals from the Commission of the European Communities to the Council for two directives on the approximation of the laws of the Member States relating to the fuel-consumption and the engine power of motor vehicles.

The President of the European Parliament referred these proposals to the Committee on Economic and Monetary Affairs.

On 21 February 1980, the Committee on Economic and Monetary Affairs appointed Mr von Wogau rapporteur.

It considered these proposals at its meetings of 24 April and 16 July 1980 and approved the report unanimously at its meeting of 16 July.

Present: Mr Deleau, acting chairman; Mr Macario, vice-chairman; Mr von Wogau, rapporteur; Mr Balfour, Mr Beazley, Mr Beumer, Mr von Bismarck, Mr Bonaccini, Mr Brok (deputizing for Mr Sayn-Wittgenstein), Miss Forster, Mr Herman, Mr Hopper, Mr Moreau, Mr Nyborg, Mr Schnitker and Mr Turner (deputizing for Sir Brandon Rhys-Williams).

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The Committee on Economic and Monetary Affairs hereby submits to the European Parliament the following motion for a resolution together with explanatory statement:

MOTION FOR A RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for

- I. a directive on the approximation of the laws of the Member States relating to the fuel consumption of motor vehicles
- II. a directive on the approximation of the laws of the Member States relating to the engine power of motor vehicles

The European Parliament,

- having regard to the proposals from the Commission of the European Communities to the Council<sup>1</sup>,
  - having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 1-710/79),
  - having regard to the report of the Committee on Economic and Monetary Affairs (Doc. 1-340/80),
1. Notes that the different methods of measurement in the Member States cause obstacles to intra-Community trade; endorses the aim of the proposals for the approximation of legislation, i.e. the removal of these obstacles;
  2. Points out that the proposed directives set out not only to remove obstacles to trade but also, indirectly, to prevent maximum fuel consumption figures being fixed at national level;
  3. Approves this objective, since such energy conservation measures will serve a purpose only if they are taken at Community level and since the introduction of maximum figures at national level would again prevent the achievement of a common market in this area; considers, however, that if this objective is pursued, it should be made explicit in the proposal for a directive, rather than simply implied, as it is in the present text;
  4. Calls on the Commission, therefore, pursuant to the second paragraph of Article 149 of the EEC Treaty, to incorporate the following amendment in its proposal;
  5. Approves the proposals subject to the above remarks and the proposed amendment.

<sup>1</sup> OJ C 104 28.4.1980, pp. 1 and 9

Directive on the approximation of the laws of  
the Member States relating to the fuel  
consumption of motor vehicles

Directive on the approximation of the laws of  
the Member States relating to the engine power  
of motor vehicles

Preamble and first three  
recitals unchanged

Fourth recital (new):

Whereas, the fixing of maximum  
fuel consumption figures at national  
level would bring a halt to the  
achievement of the common market in  
this area, and in order to prevent  
this, maximum fuel consumption  
figures may be fixed only at  
Community level.

The following recitals unchanged

Articles 1 to 5 unchanged

EXPLANATORY STATEMENT

1. These proposals concern the establishment of Community methods of measuring the fuel consumption and engine power of motor vehicles and have been prompted by the obstacles to intra-Community trade caused by the rules applying in certain Member States.

2. The indication of fuel consumption which has been required for several years at national level, has recently come to play an important role as a result of the increase in energy prices. To prevent manufacturers from using the method of measurement which produces the most attractive fuel consumption figure, certain Member States have specified which methods are to be used. The methods of testing the indicated fuel consumption vary from one Member State to another, and the results may differ by as much as 15%. In certain Member States, manufacturers are required by law to have the fuel consumption figures confirmed by a State-approved laboratory.

These differing regulations have given rise to obstacles to intra-Community trade: to the Commission's knowledge, motor vehicles intended for sale have been held up at the border in two Member States, delivery periods have been excessively extended, new tests have been required, etc. It was these obstacles to trade which prompted the Commission to submit its proposal on the basis of Article 100 of the Treaty.

3. In recent years the importance of establishing an accurate method of measuring fuel consumption, in order to provide the purchaser with more objective information, has undeniably increased. Since the energy crisis began, with the resulting rise in energy prices, fuel consumption has become an increasingly important factor in the choice of a motor vehicle. In view of the problems of energy supply, the Commission's proposal to the Council of 15 June 1979 concerning a Community energy conservation programme referred to the fixing of voluntary indicative targets at Community level for the fuel consumption of passenger cars and light goods vehicles in cooperation with the automotive industry. In the same proposal, it was stated that the Commission must 'accelerate the completion of the remaining technical work to develop a standard method of measuring fuel consumption by vehicles'.

In addition to the removal of technical barriers to trade, a further objective of the proposal for the approximation of measuring methods is to provide purchasers and consumers with objective information. Where maximum fuel consumption figures are fixed, the directive provides for their verification.

4. The proposed directive clearly concerns only the establishment of a Community method of measurement and not the fixing of a maximum fuel consumption figure. However, the title 'Proposals for a Council directive ... relating to the fuel consumption of motor vehicles ...' implies broader scope. On closer study, in fact, there is more behind the proposal than the mere establishment of a Community method of measurement. Article 2 of the proposal reads as follows:

'No Member State may refuse to grant EEC type-approval or national type-approval in respect of a vehicle, nor refuse or prohibit the sale, registration, entry into service or use of a vehicle on any grounds relating to the fuel consumption if the data that appear in the Information Document (Annex I to Directive 70/156/EEC) have been determined by the method described in the annex hereto'.

This means that a Member State may only refuse the entry into service or sale of a vehicle on grounds related to the fuel consumption if it does not comply with the provisions on methods for the measurement of fuel consumption contained in the directive. Under the terms of this article, a Member State may not therefore introduce other rules on fuel consumption or, consequently, specify maximum figures for fuel consumption at national level.

5. The wording of Article 2 considerably broadens the scope of the proposal, since it prevents Member States from independently specifying maximum fuel consumption levels. However, this indirect objective is nowhere explicitly mentioned. The committee endorses this objective, since the fixing of maximum fuel consumption figures by one Member State would constitute an unacceptable obstacle to trade.

6. While the committee is in no way opposed to this indirect objective, it cannot agree to its being set in the vague terms of Article 2 without any further reference to it. The committee therefore urges that this objective be clearly stated in the directive and, to this end, proposes the addition of the following recital:

'Whereas the fixing of maximum fuel consumption figures at national level would bring a halt to the achievement of the common market in this area, and in order to prevent this, maximum fuel consumption figures may be fixed only at Community level.'



7. The committee does not wish to express an opinion on the desirability of stipulating maximum fuel consumption figures since the proposal for a directive is not concerned with this.

8. The opinion of the Economic and Social Committee states that car manufacturers have accurate information on fuel consumption only after tests have been carried out on different vehicles assembled before mass production begins. The Economic and Social Committee therefore feels that the manufacturer must be able to alter information concerning consumption without this obstructing the EEC type-approval procedure. The Committee on Economic and Monetary Affairs requests the Commission to make the necessary amendments to the proposal with a view to speeding up the EEC type-approval procedure as far as possible.

