



EUROPEAN COMMISSION

*Brussels, 28.06.2016
C(2016) 3811 final*

*Mr Pietro Grasso
President of the
Senato della Repubblica
Piazza Madama, 1
I-00186 Roma*

Dear President,

The Commission would like to thank the Senato della Repubblica for its Opinion on the proposal for a Regulation on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles {COM(2016) 31 final}.

The Commission welcomes the Senato della Repubblica's support for the proposal which has three main objectives. Firstly, the proposal would strengthen the independence and quality of testing that allows a car to be placed on the market by ensuring that technical services are truly independent of manufacturers. Secondly, the proposal aims to introduce an effective EU market surveillance system to control the conformity of cars already on the market. Finally, it also reinforces the type approval system with more European oversight.

The Commission notes the Senato della Repubblica's recommendation as regards the adoption of any beneficial initiatives regarding emission reduction and the use of cleaner sources of fuel. The recent integration of the Real Driving Emission (RDE) test procedure into European type-approval legislation¹ and the current work on introducing the Worldwide Harmonised Light Duty Test Procedure (WLTP) into that legislation should contribute towards achieving such objectives.

The Senato della Repubblica also draws attention to the specific situation in Italy with regard to the organisation of technical service where the vehicle test centres functioning as technical services belong to the Ministry of Infrastructure and Transport and are State bodies.

¹ [Commission Regulations \(EU\) 2016/427](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ%3AL%3A2016%3A082%3ATOC) of 10 March 2016 and [2016/646](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L:2016:109:TOC) of 20 April 2016, both amending Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 6), cf. <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ%3AL%3A2016%3A082%3ATOC> and <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L:2016:109:TOC>.

The Commission would like to recall that its proposal intends to provide a higher quality of testing by ensuring the independence of the technical services. The proposal provides for more stringent performance criteria, more detailed rules on assessment and designation of technical services, and performance checks of technical services, including peer reviews. It also introduces Commission oversight by allocating a role to the Commission in the assessment, designation and monitoring of technical services. This set of new rules should lead to a coherent regulatory system in all Member States. If a Member State were to designate an approval authority as a technical service, this authority would in principle fall under the same rules as other technical services, as clarified in Article 72(2) of the proposal which does not refer to Article 71².

The proposal aims to ensure that technical services are independent actors subjected to the unbiased application of type approval legislation. Should Member States revert to Article 72(2), such independence would have to be ensured through an appropriate organisational structure creating two independent entities within the same administrative authority.

The points made above are based on the initial proposal presented by the Commission which is currently in the legislative process involving both the European Parliament and the Council in which your government is represented.

The Commission hopes that these clarifications address the issues raised by the Senato della Repubblica and looks forward to continuing our political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Elżbieta Bieńkowska
Member of the Commission*

² Article 72(2) of the proposal declares that *inter-alia* Articles 72 to 85 are applicable where an approval authority is designated as a technical service. It does not, however, include Article 71(4).