



Romanian Parliament
Senate

Bucharest, March 29, 2016

OPINION

Regarding the Proposal for a 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

COM (2016) 31 final

The Romanian Senate examined the Proposal for a 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 – **COM (2016) 31 final** – according to the provisions of the Treaty of Lisbon (Protocol no. 2).

Taking into account the report of March 16, 2016 of our permanent Committee on European Affairs, **the Plenum of the Senate**, during its session of March 29, 2016, decided as follows:

- 1. This Regulation does not violate principles of subsidiarity and proportionality.**
- 2. Within the approval and market surveillance of motor vehicles and their trailers, note:, the following are noted:**

Improve the type-approval and market surveillance of motor vehicles and their trailers will improve the road safety and environmental protection;
- 3. The following are considered necessary and mandatory:**
 - a) Review of requirements relating to evaluation of type-approval authorities, so as to take account of the fact that they work in a competitive market;
 - b) Review of requirements concerning the evaluation and appointment of technical services, so as to avoid significant increase in administrative costs for economic operators;
 - c) Reevaluation imposition of national direct taxes to type-approval applicants and approval activities for market surveillance, including the activities carried out directly by the European Commission so as to avoid significant increase in administrative costs for economic operators;
 - d) Review of practical applicability of certain provisions, so as to avoid hampering or blocking certain activities related to the Regulation;

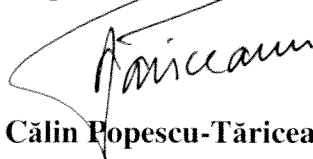
4. Reluctance is expressed as regards the following aspects:

Implementation dates of the new Regulation must take into account not overlap with those of the new regulatory developments already foreseen in the next 4-5 years and attending to volume of activities and investments generated for industry, type-approval authorities, such as and technical services.

5. It is strongly recommended to pursue:

- a) The funding for market surveillance must be fair. Market surveillance activity costs should be paid by the Member States and not by the manufacturers;
- b) The validity limited to 5 years for type-approval certificates is reasonable for complete vehicle, but will be further stipulated type-approval expansions to be considered as extensions of validity. Limited validity for components and systems is inconsistent with the 1958 Agreement (Agreement under which UNECE Regulations are issued) and therefore may not apply. Clarification of non-conformities management, the major risk differentiation, the minor non-conformities and the adaptation of applicable measures must be added in the text. Involving manufacturers in this complex issue is a must, as importers and distributors have not the necessary expertise to manage such issues;
- c) The multiplicity of controls and audits of the technical services provided by the project should not affect their overall effectiveness and must not create overloads for laboratories which are already very busy at the moment. In case of withdrawal of accreditation of a type-approved laboratory, the certificates issued by the laboratory must remain valid unless covered by reason of withdrawal.

Speaker of the Senate



Călin Popescu-Tăriceanu