



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR INTERNAL MARKET, INDUSTRY, ENTREPRENEURSHIP
AND SMES

Ecosystems IV: Mobility & energy intensive industries

12. Mobility



SUMMARY RECORD
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101ST TCMV MEETING

Brussels, 07 June 2024

MN/ep

SUMMARY RECORD
of the 101st meeting of the ‘Technical Committee - Motor vehicles’ (TCMV)
19.03.2024

1. Approval of the draft agenda

The agenda was adopted.

2. Approval of the draft minutes from the 100th meeting held on 05 December 2023

The minutes were adopted.

3. Examination and vote on three draft Commission Implementing Decisions authorising Germany to grant an EU type-approval for steering systems in accordance with Article 39 of Regulation (EU) 858/2018

The EC representative shared a presentation summarizing the characteristics and tested safety performance of the three systems under consideration. Preliminary tests by JRC demonstrated that during open road driving the vehicles could manage critical situations (such as cut-outs and cut-ins and braking) and could also react to unexpected behaviours from other road users. The systems requested the hands back on the steering wheel when they evaluated less controllable traffic situation (e.g., road works, curvature, direct sun etc.). According to the test performers the vehicles were robust on open roads, and the driver could learn the limitation of the system i.e., when it needed intervention. The presentation further highlighted that the same systems are already available on the market in US, China and UK since few years, and no worrying feedback was shared on the use of such systems and on their level of safety on-road. Similar eyes-on systems capable of handling hands-off driving are also allowed in JP in the last years, and no major issue was encountered until now.

A MS representative thanked the COM for including their comments on information to the users in the draft decision and asked how police should react to those systems on road (e.g., should be trained on the system capabilities) and if the activation of the system is recorded by the manufacturers, and the responsible authority answered affirmatively: manufacturers save data, that can be used for regular reporting (e.g. in case of accidents) but police will not have direct access to such information. Another MS representative also

thanked the COM and the responsible authority for clarifications and expressed support to the inclusion of users' information into the decisions.

A MS representative referred to the submitted statement, clarifying that they are positive about the developments in automation and encourage it, but are not ready to take a decision on the draft decisions due the need for more time for discussion, in particular on the user phase (e.g., reparation after accidents). She also suggested that Article 39 derogations would not be the ideal tool for such cases and that DG MOVE should be involved closely. Further discussion followed on distinction between automated and assisted driving for what concerns system-initiated manoeuvres.

A MS representative mentioned that they received satisfactory answers to their questions and support the decisions to be voted.

An EFTA delegate reminded the concerns they shared about such systems, requiring a holistic discussion about road-safety beyond technical requirements (e.g., human factors).

A MS representative expressed support to the draft decisions.

Another MS delegate informed that the MS has recognised the responsible authority approval and considered these decisions an important step in the right direction. She agreed that road safety must be taken into account; these systems are used in other parts of the world without major concerns, so we also need to trust our drivers in EU to do the same.

A MS representative thanked EC and the responsible authority and agreed with previous delegations that these systems are going to bring more benefits than issues and the time has come to approve such solutions.

The EC representative addressed the comments along the line of the presentation shared, reminding that this can also be a good opportunity to gradually and safely introduce a new technology on road, and collect feedback data from real-world operation and learn more. GROW representatives also confirmed the close collaboration with MOVE colleagues and mentioned the ongoing discussion under the MVWG-ACV umbrella to exchange on major concerns related to system-initiated manoeuvres and human factors.

Following further clarification by the responsible authority on a question from a MS representative, the Chair started the voting procedure, that resulted in 89.79% positive votes, no negative votes, one abstained.

4. Exchange of views on the organisation of Euro 7 implementing acts

The EC representative presented the organisation of the work on Euro 7 implementing acts, with a focus on the acts that need to be delivered within 12 months after entry into force of the Euro 7 Regulation. Following the positive vote at the Parliament and pending a vote by Council, entry into force is expected in May 2024. According to Article 14(7) of the political agreement, the measurement methods for exhaust and evaporative emissions must reflect those of Commission Regulation (EU) 2017/1151. UN Regulations cited in the main act need to be followed in the structure of the implementing acts. The work on implementing acts is limited to the development of methods and tests that will allow uniform implementation across Member States.

The structure of implementing acts for light-duty vehicles will follow the content of Article 14 and the corresponding empowerments of the Commission. There will also be a connection to the Type Approval Framework Regulation (EU) 2018/858 of 30 May 2028 (update of Annex II). New elements of Euro 7 include: the measurement of PN₁₀ emissions, anti-tampering provisions, on-board measurement of emissions, particle

emissions from brakes, tyre abrasion and battery durability requirements. DG GROW has identified six 'building blocks' for light-duty vehicles and seven for heavy-duty vehicles that correspond roughly to the implementing acts to be produced, with some bundling possible.

The timeline for implementation is very short. Implementing acts need to be ready by 12 months after entry into force for light-duty vehicles and 30 months for heavy-duty vehicles. It was clarified in particular that the deadline for implementing acts should not be confused with the application date as specified in the Euro 7 Regulation, and that additional lead time for industry is foreseen in the legal text. The implementing acts should refer to UN tests and methods as much as possible. On-board monitoring of emission (OBM), anti-tampering and forms, templates and procedures are the three key focus areas for AGVES work in the months to come. On these, Commission services will work with the AGVES expert group with a focused and targeted approach.

A MS representative stressed the importance of respecting the timeline and asked for a clarification of the interpretation of the deadlines. The importance to have as little room for interpretation as possible in the implementing acts was raised. DE welcomed the early involvement of Member States considering the ambitious timeline overall. Both the 12-month and the 30-month deadlines are very ambitious, meaning that some prioritisation will be needed, and particular attention was raised on heavy-duty vehicles in this respect. OBM details should be provided early (notably whether the data will be centrally collected by the Commission or by Member States). Any potential measurement equipment purchases need to be anticipated and also require lead time for authorities and technical services. Germany can be flexible on the structuring of the implementing acts. Information about participation of Member States in AGVES sub-groups was requested.

A MS representative remarked that the MS prioritises using on-board diagnostics (OBD) to support roadside inspections (referring here to previous MS presentations made in AGVES meetings) and would welcome continuing to have OBD thresholds under Euro 7.

Another MS representative asked for a clarification on how Global Technical Regulations would be included into implementing acts (whether via reference or by incorporating the text).

A MS representative asked about the way to recognise Euro 7 vehicles from the point of view of type approval and about the coordination between deadlines for implementation of implementing acts in Europe and corresponding deadlines for required UN work (adaptations of UN Regulations to Euro 7) in Geneva in the medium term.

A MS representative encouraged the Commission to go ahead in view of the tight deadline, integrating feedback from stakeholders with the technical expertise, in particular for OBM and the issue of sensor precision to avoid false positives increasing the risk of tampering by drivers. The above MS question on how to recognise Euro 7 vehicles was also posed by this MS representative.

A MS representative stressed the importance of extra-heavy combinations for heavy-duty vehicles for CO₂ determination. A written proposal concerning sub-groups for these vehicles has been sent to the Commission two weeks prior.

A MS representative expressed flexibility about the organisation of the implementing acts but stressed the importance to see differentiation between light-duty and heavy-duty implementing acts. The issue of extra-heavy combinations is also important for Sweden.

A MS representative expressed concerns that the implementing acts may not be adopted on time.

A MS representative asked about a more detailed timetable for the adoption of specific implementing acts.

EC representatives took note of the points made by the Member States representatives and clarified that this is not a PRAC procedure, but a 'post-Lisbon' procedure, which means that the adoption by the Commission comes immediately after the vote by the TCMV. EC confirmed the importance of prioritisation and will come back to TCMV on the timeline and organisation of sub-groups. For the drafting of implementing acts, it is important to work dynamically and flexibly, and to benefit from the input and advice of TCMV as the work progresses. A possible 'overarching' act to structure the implementing acts is being considered. For the integration of Global Technical Regulations, UN texts may have to be complemented (this is the case for brake particle emissions with regard to administrative provisions). In reply to the MS comment on OBM accuracy, the EC representative indicated that manufacturers will be given the flexibility to turn on the inducement when, based on their own calculations, they determine that the vehicle may not pass the regulated in-service conformity test for emissions (RDE) below a threshold of 2.5 times the relevant exhaust emissions limit. Manufacturers can apply good engineering judgment flexibly, and there will also be mitigating measures to minimise the risk of false activations. In response to the MS comment for OBD, a COM representative also confirmed that in the last AGVES, representatives from CLEPA and ACEA indicated a wish for OBD requirements to be carried over into Euro 7.

The EC representative presented OBM as one of the new elements of Euro 7, and therefore one that requires special attention. The co-decision process brought some modifications to OBM with regard to the original Commission proposal: ammonia is no longer in scope for light-duty vehicles, there is now an OBM (also OBFCM) exemption for light-duty vehicle small volume manufacturers, and the 2.5x threshold for exceedances is set in the legal text as a key reference for OBM. During the co-decision, and resulting from Article 14(7), the measurement methods for exhaust emissions were 'frozen' at the Euro 6e state of development, and this has some consequences for OBM. According to the 'OBM concept' which has been developed and presented to AGVES in parallel to the co-decision process, Euro 7 vehicles with OBM should estimate an 'RDE-processed' emissions result at the end of each trip. Under the 'OBM concept' as originally proposed, a randomly selected sample of such results would be transmitted to authorities, and the emissions compliance of vehicle families would be assessed by comparing the average of all OBM data transmitted by vehicles in a family to the emission limit. Since the Euro 6e RDE testing space (set of all possible valid RDE trips) is much more restricted than that of the original Euro 7 proposal (especially with regard to urban/rural/motorway composition of trips, or minimum distance), and although Euro 6e RDE driving reflects real-world driving, it is very unlikely that real-world driving outside of RDE testing will result in many valid RDE trips. Therefore, the RDE-processed calculation would result mostly in invalid trips and lead to a very small number of trips on which the authorities would have to assess compliance. To overcome this shortcoming, a possible variant of the OBM concept would use 'unprocessed' trips instead of 'RDE-processed' trips. Under this variant, vehicles would calculate an estimate of the actual emissions (mass emissions

divided by driven distance) over each trip. A sample of these results would still be randomly selected and transmitted to authorities, along with meta-data allowing authorities to characterise the real-world emissions of vehicle families. Since it would not be possible to relate these results to the regulated RDE test, OBM data would no longer have a compliance condition attached to it. Instead, OBM data would be used by authorities to inform market surveillance and in-service conformity testing. This approach was initially proposed by ACEA in the previous AGVES meeting of February 2024, and is now the preferred option for implementation of OBM.

A MS representative asked on a clarification on whether the 2.5x threshold for the detection of individual high emitters applies to RDE trips. The EC representative clarified that the monitoring of high emitters is left to the individual vehicles (and tied to the activation of the inducement through a link to the vehicle not being able to pass the RDE test below a threshold of 2.5x the limit). OBM data for the family would include instances of very high emissions (to be expected during real-world driving), but the anonymity of vehicles would be preserved, and these results would have no consequences for individual vehicles.

The EC representative presented the organisation of AGVES work for the months to come. Prior to each AGVES meeting, preparatory meetings will be held addressing stakeholders in two separate sub-groups of clusters (Member State authorities and Technical Services, and Industry and Civil Society). Monthly progress calls will also be organised. These will be one-hour targeted calls focusing on process, not content.

5. Discussion on draft Implementing Regulation for the type-approval of vehicles running exclusively on CO₂ neutral fuels.

The EC chair indicated that, based on earlier discussions in TCMV, there is no clear perspective for a majority support of the Commission's proposal, and that it is now too late to send a proposal to this Parliament for scrutiny (as required by the PRAC procedure). Several Member States have questioned the urgency of addressing this implementing act under Euro 6, and the so-called Stuttgart working group of industrial stakeholders have requested the TCMV to wait until they could finalise a report proposing technical solutions to support vehicles running exclusively on CO₂ neutral fuels. There have also been two recent significant developments: Euro 7 will soon be formally adopted and enter into force, meaning that any Euro 6 act would have limited duration of validity, and in the provisional agreement on the CO₂ standards for heavy-duty vehicles there is now a recital on the possibility to register heavy-duty vehicles running exclusively on CO₂ neutral fuels. While Euro 6 applies only to light-duty vehicles, an implementing act under Euro 7 could apply to both light- and heavy-duty vehicles. In this context, the EC chair asked for the views of Member States on these developments and on the way forward.

A MS representative regretted that there was not enough support for the Commission's proposal under Euro 6 and stressed the political importance of technological openness and planning certainty. The MS representative acknowledged it makes no sense to continue the Euro 6 process and welcomed a discussion under Euro 7, including new input from stakeholders on technical matters.

A MS representative expressed willingness to contribute to the work under Euro 7. However, they expressed a preference for a full co-decision process given the political importance of the subject, and whether it is appropriate for TCMV to discuss fuels

(beyond the remit of motor vehicles). The MS's position is to broaden the scope of CO₂ neutral fuels to biofuels.

A MS representative expressed support to continue the work in the Euro 7 context.

A MS representative proposed that the Commission should maintain the political mandate from the Commission statement given in March 2023 which is limited to renewable fuels of non-biological origin. The MS sees need for further discussions on tampering, fuel pump and vehicle labelling, treatment at PTI, etc.

A MS representative noted that TCMV develops type-approval regulations and the definition of carbon-neutral fuels is in the MS's view about climate, industrial and competitiveness policy, which is far broader than the remit of TCMV and requires a holistic approach (including other modes of transport beyond road).

A MS representative expressed support continuation in the Euro 7 context and for the points raised by the another MS representative.

A MS representative expressed supported to continue the work in the Euro 7 context.

A MS representative expressed the view that the issue exceeds the competences of TCMV.

The EC representative noted that the definition found in the Renewable Energy Directive (RED) is not a definition of CO₂ neutral fuels and the definition in the draft implementing act has been elaborated in consultation with other Commission services and based on the existing definition in the RED. The EC chair concluded that there is consensus that this issue will need to be addressed under Euro 7 rules.

6. AOB

- **eCall**

A MS representative asked for clarification on the interpretation of Article 2(2) of the recently adopted delegated act on the eCall standards update as regards the possibility to extend an existing EU Whole Vehicle Type Approval (WVTA) after 1 January 2026. Another MS representative also stressed the need for clarity on this matter.

The MS representative clarified that this provision aims at limiting the possibility for new extensions of existing approvals with regard to the eCall in-vehicle system, which validity will anyway expire on 1 January 2027. It was underlined that this provision does not have an impact on the possibility to extend the WVTA after 1 January 2026 due to modification of vehicle systems and equipment other than eCall. Modification of components of approved eCall in-vehicle systems that are not subject to retesting can be covered under revisions of the exiting approvals.

- **End-of-series procedure**

A MS representative raised an issue concerning delays and shortages in the supply of automotive components by the Italian automotive industry which makes it difficult to meet the new requirements under the General Vehicle Safety Regulation for all newly

produced vehicles from 7 July 2024. Mostly trucks and buses are impacted but also some light commercial vehicles. He asked for possible flexibilities under the EU type-approval legislation, in particular as regards the application of the end-of-series procedure under Article 49 of Regulation (EU) 2018/858.

The EC Chair confirmed that DG GROW had not been approached by the industry on this issue. He noted that the legislation does not foresee specific flexibilities for force majeure circumstances. In addition, it is not clear if the problem concerns one MS or other countries are also affected. For this reason, feedback was requested from TCMV participants.

Two MS representatives stated that they are not aware of potential difficulties in the supply chain of manufacturers but will inform the Commission in case this issue is raised in the coming weeks. It was also stressed that the deadline of 7 July 2024 already poses huge challenges to the automotive industry, which is investing big efforts to comply with this deadline.

- **Advanced driver distraction warning (ADDW)**

A MS representative drew the attention of TCMV members to media activities related to the ADDW implementation date approaching and the raising fear in society from monitoring and recording drivers against personal data protection rules. A Q&A document is being prepared to explain to the general public how the system works and its benefits. It is suggested to coordinate on this matter with the Commission and other Member States.

Next meeting is scheduled for 23 April 2024.

ANNEX I
ATTENDANCE LIST
101ST TECHNICAL COMMITTEE – MOTOR VEHICLES (TCMV)
HELD IN BRUSSELS ON 19.03.2024.

MEMBER STATES

AT	Federal Ministry for Climate Action, Environment, Energy, Mobility, Innovation and Technology
BE	Departement Mobiliteit & Openbare werken SPF Mobilité et Transports
BG	Road Transport Administration Permanent Representation
CZ	Ministry of Transport
DK	Ministry of Environment Road Safety Agency
DE	Federal Ministry for Digital Affairs and Transport (BMDV) KBA
EE	Transport Administration
IE	Road Safety Authority
EL	Absent
ES	Ministry of Industry, Trade and Tourism
FR	UTAC Ministère de la Transition écologique et de la Cohésion des Territoires
HR	Absent
IT	Ministry of Sustainable Infrastructure and Mobility
CY	Absent
LV	Absent
LT	Absent
LU	Société Nationale de Certification et d'Homologation (SNCH)
HU	Institute for Transport Science (KTI)
MT	Absent (Represented by Italy)
NL	RDW Ministry of Infrastructure
PL	Transportation Technical Supervision (TDT)
PT	Absent
RO	Permanent Representation
SI	Absent
SK	Ministry of Transport
FI	Transport and Communications Agency
SE	Transport Agency
EFTA	
NO	Public Road Administration

COMMISSION

DG GROW.I2; JRC