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Brussels, 27 March 2017

RE: Plenary votes on the IMCO and EMIS reports concerning vehicle testing and emissions measurements – Parliament must grab this opportunity to tackle the serious irregularities in the automotive sector.

Dear Member of the European Parliament,

I am writing on behalf of BEUC, The European Consumer Organisation, with regard to the two votes in plenary expected to take place during the week of April 3 on the IMCO and EMIS Committee reports concerning type approval, market surveillance and emissions testing. It is essential that the reports and recommendations are strengthened in order to grab this once-in-a-generation opportunity to fix vehicle testing and give the automotive sector a chance to restore consumer trust.

IMCO report on type approval and market surveillance

The report of the IMCO Committee includes a number of positive recommendations that if ultimately adopted will go a long way to improving the [current system of testing vehicles](#) before they go on sale and once on the road. However, there are two key areas where the report must be strengthened:

- **More effective oversight of vehicle testing and market surveillance across the EU** – The obvious conflicts of interest that exist between Member States, car makers and private testing services have been made clear by the EMIS investigation. And as adopted by the ENVI Committee in its [opinion](#) and in the EMIS Committee's [draft recommendations](#), a dedicated European body is essential to ensure a more harmonised approach is taken to vehicle testing and market surveillance. **The body should be established in such a way that avoids political and industry interference.** Establishing a European authority in this area would ensure equivalence with other major transport modes, including aviation, rail and shipping which have dedicated bodies overseeing them. The costs of running such a body should be kept to a minimum and allow for the use of existing EU apparatus for vehicle testing including the Joint Research Centre. **Therefore, we call on the Parliament to amend the report and include a proposal to establish a European Vehicle Surveillance Agency.**

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- **Protecting consumers when they have been harmed as a result of non conformity**– The effect of the VW and wider emissions scandal has been that **consumers are ultimately the ones most harmed**. Affected VW consumers in particular have been sold a car that: does not comply with the type approval certificate nor with the contractual obligations nor with the advertising claims made by VW; does not perform in the real world like it does in the laboratory; will potentially lose more value than otherwise expected. The 'fix' offered by VW has been shown to negatively impact on the performance of some cars (See [here](#)). Furthermore, it is clear that the VW and wider emissions scandal has put added pressure on local level decision makers to tackle air pollution. In turn, this has raised fears among owners of diesel cars (who purchased them in good faith) about facing local level penalties. **Therefore, we call on the Parliament to amend the report and include a proposal that would ensure, where non conformity or misleading commercial practices are discovered, that car makers would be liable for any damage caused to the owners of affected vehicles.**

Recommendations following the enquiry into emissions measurements

The draft recommendations made by the EMIS Committee include some positive proposals about the emissions scandal but fail to adequately consider the needs of consumers. Here there are several changes that must be made to the recommendations:

- **VW affected owners must be compensated** – Based on the previously mentioned issues facing VW affected owners, and considering that owners in the US stand to receive at least €5,000 in compensation, we think it is essential that the Parliament amends the recommendations. BEUC and its members are demanding [compensation](#) for consumers and several consumer organisations are in court against VW to obtain compensation. **The recommendations should explicitly state that the 8.5 million European owners of vehicles that were equipped with a defeat device should be compensated by Volkswagen as the European Commission has done.**
- **All EU consumers should have access to collective redress** – The VW scandal has revealed very clearly that in most EU countries, owners of affected vehicles are unable to seek compensation because their countries do not have a [collective redress scheme](#) in place. Despite numerous prior consultations and studies identifying a lack of possibility for consumers to obtain redress in mass claim situations, no binding measures have yet been taken at the European level. Now is the opportunity for **the Parliament to call on the Commission to establish an EU wide collective redress scheme.**
- **Labelling about the environmental performance of cars** – BEUC has been calling for a reform to the [EU car labelling Directive](#) for many years and yet the Commission has failed to act. Prospective car owners in most EU countries are not being presented with reliable, relevant nor clear information on the environmental performance of their cars. In line with the European Parliament's [2015 Resolution](#) on the Energy Union, and ahead of the expected 2017 Commission legislative proposals on low emissions mobility, **the Parliament must again call for a reform to the car labelling Directive.**

This really is a once-in-a-generation opportunity to fix vehicle testing and in turn give consumers the confidence to purchase a vehicle based on the information given to them. We urge you to support the measures we have proposed above and do what is right, not just for consumers and the environment but ultimately for the health of the automotive sector and for the greater good of Europe.

Yours sincerely,

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Director General



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