



ERS  
EUROPEAN  
RESPIRATORY  
SOCIETY  
every breath counts

9 December 2015

Dear MEP

On behalf of the above organisations, we are writing to call on you to reject the implementing measure on the Real-world Driving Emissions (RDE) test agreed in the Technical Committee on Motor Vehicles (TCMV) on 28 October 2015 and currently in the European Parliament for scrutiny. The measure exceeds the implementing powers of the Commission and the member state experts as it represents a political decision to increase the agreed Euro 6 limits for diesel NOx.

In spite of the recent #dieselgate scandal and the widespread exceedances of nitrogen dioxide (NO<sub>2</sub>) limits across Europe responsible for 75,000 premature deaths each year<sup>1</sup>, the TCMV voted to allow Euro 6 diesel cars to emit over double the Euro 6 limit from 2017 to 2020 (through the so-called conformity factor (CF) of 2.1), and 50% more after 2020 (CF of 1.5), de facto increasing the standard to 120 mg/km open-endedly. This will lead to much slower improvements in air quality than the EU law mandates, having serious repercussions for public health, our environment and economy.

Comitology procedure can only take technical decisions that supplement primary EU legislation. In the case of RDE, the Joint Research Centre (JRC) has evaluated the maximum measurement error of the testing equipment to be 30%, with the Commission subsequently proposing the flexibility of 20% in line with an average realistic margin of error necessary. It is unclear why this changed to 50% without any robust assessment, other than to provide greater flexibility to motor manufacturers. The law previously agreed between the three institutions in 2007 has thus been circumvented through the backdoor of comitology and MEPs' decision ignored.

**WE ARE CALLING ON MEPS TO REJECT THE RDE IMPLEMENTING MEASURE AND REQUEST THAT MEMBER STATES AND THE COMMISSION REVERT TO A MORE ACCEPTABLE DEAL IN THE FOLLOWING MONTHS. AS A MAXIMUM, THE RDE CONFORMITY FACTOR SHOULD BE SET AT 1.2, REPRESENTING ONLY THE GENUINE MEASUREMENT UNCERTAINTY OF TESTING EQUIPMENT (PEMS). THIS SHOULD EVENTUALLY COME DOWN TO 1.**

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<sup>1</sup> Latest EEA 2015 Air Quality report, <http://www.eea.europa.eu/media/newsreleases/many-europeans-still-exposed-to-air-pollution-2015/premature-deaths-attributable-to-air-pollution>

Air pollution is responsible for over 400,000 premature deaths in the European Union each year, causing health-related economic costs estimated between €330 and €940 billion annually<sup>2</sup>. There already exists a large body of evidence documenting health effects of air pollution, including cardiovascular and respiratory diseases such as asthma, allergies, chronic obstructive pulmonary disease (COPD), and increasingly effects on prenatal and early childhood development, even diabetes.

RDE is a key component of the package of solutions to reduce the shocking costs and impacts of air pollution. In particular, cities and urban areas rely heavily on Euro standards to deliver the air quality improvements required by EU legislation, notably the Ambient Air Quality Directive (2008/50/EC). It is unacceptable that seven years after the adoption of Regulation 715/2007 establishing the Euro 6 standards, the RDE test procedure has weakened those limits by half and delayed them until 2020.

We call on you to reject this change of Euro 6 diesel NOx limits in the committee vote on 14 December 2015, and to send a clear message to the Commission and the Member States to come back with a better agreement by spring 2016 at the latest, so that diesel cars on EU roads can finally be as clean as intended in the Euro 6 legislation.

Yours Sincerely,

Anna Lisa Boni, EUROCITIES Secretary General

Prof. Bert Brunekreef, ERS Environment and Health Committee Chair

Génon K. Jensen, HEAL Executive Director

Jeremy Wates, EEB Secretary General

Jos Dings, Transport & Environment Executive Director

Karen Vancluysen, Polis Secretary General

Matthew Farrow, EIC Executive Director

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<sup>2</sup> European Commission Impact Assessment, Clean Air Package  
[http://ec.europa.eu/environment/air/clean\\_air\\_policy.htm](http://ec.europa.eu/environment/air/clean_air_policy.htm)