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Member of the European Commission

Brussels, 18.12.2018

Mr Erik CHRISTENSEN
Chairman of the European Affairs
Committee
of the Folketing
Christiansborg
DK-1240 Copenhagen

Subject: Inquiry regarding a possible ban on import and sale of new petrol and diesel cars in Denmark

Dear Chairman,

In the letter to my colleague Mr Karmenu Vella of 7 November 2018, the European Affairs Committee of *Folketinget* asks under what conditions a possible ban on import and marketing of new petrol and diesel cars in Denmark would be compatible under EU law. I will answer on his behalf.

Since more than three years, I am dealing with the *Dieseldate scandal* and in that context I repeatedly said the age of the diesel and petrol engine will end sooner than we all think for climate, environmental and competitiveness reasons.

On 29 November 2018, the Commission adopted a strategic long-term vision for a climate neutral economy. Responsible for around a quarter of greenhouse gas emissions in the EU, the transport sector needs to contribute to decarbonisation of our economy. While all sectors reduced their emissions, those from road transport continuously increased over the last decades. In order to reverse this trend, a rapid and comprehensive shift to zero-emission vehicles is indispensable.

The *Dieseldate scandal* brought urban air quality back on citizens' mind and high on the political agenda. While the EU has substantially revised the legal regime to avoid such scandals in the future, we are still facing its legacy. Millions of older diesel and - to a lesser extent - petrol cars are still significantly contributing to urban air pollution in the EU.



The Commission opened infringement procedures, and referred six Member States – France, Germany, the United Kingdom, Hungary, Italy and Romania – to the European Court of Justice in May 2018 for the breach of the significant and persistent exceedances of limit values of the key pollutants nitrogen dioxide and particulate matter. In all cases, road transport is a major polluter.

Our major trading partners, *inter alia* China and the US, face similar problems. They are also looking into ways of how to address climate change and local air pollution by rolling out zero-emission cars and are planning bans of combustion engine cars. Our European automotive industry is a world leader, but its success is based on the combustion engine technology. In future mobility technologies, such as hybrid, hydrogen and electric our European industry is currently lagging behind. Major efforts are necessary for European industries to catch up rapidly to remain globally competitive.

Since the beginning of the mandate, this Commission has taken action for a fundamental modernisation of European mobility and transport. In 2017, it adopted 'Europe on the Move', a wide-ranging set of initiatives (e.g. the clean vehicles directive or the strengthened alternative fuels infrastructure directive) that will reduce CO2 emissions, air pollution and congestion.

This week the co-legislator has reached a preliminary agreement on CO2 standards for light- and heavy-duty vehicles for 2030. They are a core part of the 'Europe on the Move'. The standards will provide for incentives to quickly develop and roll out zero-emission cars in Europe. We also set up the Battery Alliance to build up a battery production in Europe for electric cars. We provide funds under our research programme and we support alternative fuel infrastructure in Europe. Nevertheless, the reduction of greenhouse gas emissions and the improvement of urban air quality requires a comprehensive policy approach that is not limited to transport and it is for the Member States to define and implement the right mix of effective measures.

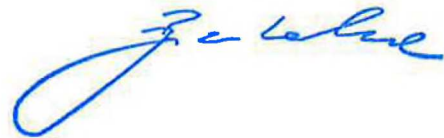
In the Communication "The Single Market in a changing world" of 22 November 2018, the Commission underlined the benefits of the Single Market for our industry. Thanks to the harmonisation of national rules and common standards across Member States, rather than 28 different sets of standards and rules, the automotive sector gains direct access to a market of more than 512 million consumers and that is one of the origins of the European automotive industry's global success. Therefore, (re-)fragmenting the Single Market by unilateral measures should be avoided.

More concretely, under current Union type-approval legislation, a complete ban of the marketing, import or registration of new petrol and diesel cars in a Member State is not compatible with EU law. This is why Member States are under an obligation to duly register the placing on the market or entry into service of vehicles, which are type-approved under Directive 2007/46/EC and the other relevant acts by the responsible authorities of Member States.

With a view to reducing urban air pollution, Member States have the possibility to restrict access of cars with combustion engines to urban centres based on EU emission legislation criteria, for instance the Directive on National Emission Ceilings or the Ambient Air Quality Directives. Nine Member States have done so.

France, Spain, the UK, the Netherlands and Ireland have announced similar plans to ban cars with combustion engines by 2030/2040. Therefore, I would personally welcome a discussion in Council in which I would gladly participate. Denmark could request the Presidency of the Council to put the issue on the agenda of the relevant Council formations (Competitiveness, Transport and/or Environment).

Yours sincerely,



Elżbieta Bieńkowska