



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Industrial Transformation and Advanced Value Chains
Advanced Engineering and Manufacturing Systems

SUPPORTING STUDY FOR AN EVALUATION AND IMPACT ASSESSMENT OF DIRECTIVE 2000/14/EC ON NOISE EMISSION BY OUTDOOR EQUIPMENT

CONSULTATION STRATEGY

1. CONTEXT

Directive 2000/14/EC of the European Parliament and of the Council of 8 May 2000 on the approximation of the law of the Member States relating to the noise emission in the environment by equipment for use outdoors (the "Outdoor Noise Directive", OND) is applicable since 3 January 2002. It is part of the EU strategy to reduce noise at source, based on the principles and concepts of the "New Approach" and "Global Approach", covering 57 types of equipment used outdoors, providing detailed noise test codes, harmonised noise limits and conformity assessment procedures which enable the free movement within the EU internal market, whilst reducing permissible noise levels for such equipment in order to protect the health and well-being of citizens.

After several years of operation of the Directive, the initiative for an **evaluation and impact assessment study**, in view of a **possible revision of the EU legislation on outdoor noise emissions**, aims to achieve the following **overall objectives**:

- 1) to modernise the EU regulatory environment for economic operators in the field of noise emission in the environment by equipment for use outdoors;
- 2) to better protect members of the public who may occupy the same environment as these machines when in use, or who may be exposed to them;
- 3) to improve a fair and level playing field in this area of economic activity, on the basis of the operational experiences obtained during the years of implementation of the Directive, and to overcome the specific problems that arise in the period.

This should be achieved by tackling a number of **problems** as follows:

- a) concerning **scope and noise limit values**: these aspects have now been in force for over 10 years (since Stage II as from 3 January 2006) but they are directly related to technological development ("state of the art"). There is a compelling need to review the list of equipment and the related limit values (Articles 12 and 13, Annexes I and III). In this sense, the main issue in the revision of the Directive is to develop new updated, fair, credible and technologically feasible noise limit values for existing or new equipment;
- b) concerning **measurement methods and related standards**: the OND stipulates precise measurements methods as "basic noise emission standards" and "general

supplements to these basic noise emission standards" (Annex III), aiming to guarantee fair comparability of results, but at the same time being potentially too rigid, also with respect to the evolution of available technical solutions. Then, it is necessary to explore other possibilities outside the immediate confines of the Directive, similar to the model of "harmonised standards" as in other EU legislation;

c) concerning **conformity assessment procedures**: the OND provisions reflect the division between equipment in Article 12 (mandatory third party verification) and Article 13 (self-certification). Possible changes in scope would lead to adapt the related conformity assessment procedures, to remove unnecessary burdens for economic operators, while ensuring the highest level of performance of equipment in terms of noise emission;

d) concerning **noise labelling**: alongside the "CE marking", the "Indication of the guaranteed sound power level" (Annex IV) appears to be rather unclear, especially to inform the users, due to the amount of information on this format and its highly technical nature. Innovative forms of labelling should be investigated, in a similar way as in the environmental sphere;

e) concerning **collection of noise data and noise database**: the obligation for manufacturers to provide copy of the EC declaration of conformity for each type of equipment and for the Commission to publish the relevant information periodically, in practice imposed significant burdens on the requested actors, but with end results that are of not really significant value. The revision proposal should analyse the effective feasibility and usefulness of such provisions;

f) concerning the alignment to the New Legislative Framework (Decision 768/2008/EC): as for the rest of EU harmonisation legislation on products in the internal market, the OND would include the specific terminology and structure related to obligations of economic operators, market surveillance, notified bodies, conformity assessment, etc.;

g) concerning the **transformation of the Directive into a Regulation**: in line with the most recent orientation for the format of EU harmonisation legislation for products in the internal market, a Regulation on Noise Emission would be directly applicable in the Member States (after an adequate transitional time) preventing the problems related to the different procedures and timelines for the transposition of the legal act into the legal systems, and also ensuring coherence and homogeneity of the legal provisions.

2. OBJECTIVES AND SCOPE OF THE CONSULTATION STRATEGY

Within the development of the supporting study for an evaluation and impact assessment of the Outdoor Noise Directive, the **consultation strategy** aims at capturing the views of all relevant sectorial stakeholders, allowing them to provide significant and robust information for identification and evaluation of the most demanding issues in the field.

Feedback provided by stakeholders via the consultation tools mentioned below will be used for the scope of this analysis in addition to evidence acquired through other research sources (e.g. desk-research).

The information gathered will provide input to the assessment of the impacts of **different policy options for the possible revision of the EU legislation on outdoor noise emissions**.

3. STAKEHOLDERS MAPPING

The relevant stakeholders in the OND field are:

1. **Public administrations and authorities**, in charge of the implementation, enforcement and market surveillance, from EU Member States and EEA/EFTA/MRA/CU Countries.
2. **Industry associations, manufacturers/producers, importers and distributors** of equipment in the scope of the OND or suitable to be included, in particular small and medium enterprises (SMEs).
3. **European standardisation associations, notified bodies, test houses** and other technical experts.
3. **Workers and users** of equipment in the scope of the OND or suitable to be included.
4. **Consumers and consumer organisations**.
5. **Other stakeholders** e.g. academia, think-thanks, consultants, etc.

4. CONSULTATION METHODS AND TOOLS

The evaluation and impact assessment will include various consultation methods and tools, notably an **open public consultation**, a **complementary online survey targeted to stakeholders** more directly involved in the application of the Directive, and **interviews** with selected stakeholders.

An internet based **open public consultation of 12 weeks**, in the 6 most widely spoken EU languages (EN, FR, DE, IT, ES, PL), will allow collecting information from any interested stakeholder or organisation, including public authorities, industry, workers/users, consumers, technical experts, universities, as well as from citizens in general. The questionnaire will be developed through the "EUSurvey" platform and the consultation will be published on the new **Commission web presence for public consultations** (the former "Your Voice in Europe" website): http://ec.europa.eu/info/consultations_en.

As a complementary tool, the **targeted questionnaire**, in principle in English, will contribute to the collection of evidence and qualitative and quantitative information from public authorities and stakeholders, in particular from industry associations, workers/users associations and technical experts.

Face to face and phone interviews, with selected stakeholders among those consulted through the targeted questionnaire, most affected by the current OND legislation and the possible revision.

In addition, regulation consultations with stakeholders, experts and any other interested party will be held through the **OND working parties**: the Committee Working Group, the Administrative Co-operation Group and the Notified Body Group (each of them, holding 1 or 2 meetings per year).

Other additional consultation methods and tools may be proposed in the course of the evaluation and impact assessment study if deemed appropriate and depending on the level and quality of information required.

5. WEBSITE

The Commission's webpages dedicated to **Noise Emission by Outdoor Equipment** will be used to provide information on the status of the initiative. It will also serve as the major information tool concerning the open public consultation: <http://ec.europa.eu/growth/sectors/mechanical-engineering/noise-emissions/>.