

Dear

As an American car owner and enthusiast, I am writing to ask for your urgent support to request that the European Commission withdraws a new draft Harmonised Individual Vehicle Approval (IVA) proposal. Aimed only at new vehicles, these unjustified and protectionist regulations will undermine consumer choice and decimate a longstanding micro industry across Europe.

With this draft Harmonised IVA, the Commission seems to have grossly over-reacted to a case from a few years ago where 300 allegedly unsafe identical Chinese Landwind vehicles were unwisely approved by a rubber-stamp method in Germany. This has led to an intensive lobbying campaign by the FIA to restrict any vehicles that did not have European type approval, a process only available to manufacturers. (See attachment - [Statement from the FIA-Loophole in the European Type-Approval](#)).

Even though American vehicles are built to slightly different standards to those in Europe, there has never been a fundamental safety problem with American vehicles on European roads. The FIA and the European Commission have not documented any issues with American vehicles. Indeed the FIA in another press release recently admitted that Europe is falling behind the USA in the use of life saving 'esafety' technology.

The new National IVA regulations, in force now, only became mandatory in April 2009. Why has the European Commission decided to regulate even further, when there is no new vital safety or environmental problem? See a second press release from the FIA exerting further lobbying pressure on Brussels. [Statement from the FIA-"Sub-standard cars loophole in EU legislation still wide open 31st March 2008](#)

This is a case of where the imposition of administrative procedures and technical regulations designed for major vehicle manufacturers, are being applied inappropriately to individual citizens and small businesses, in the full knowledge by the Commission that they are impossible to comply with. Only very low numbers of American cars are imported into Europe each year, compared to over 16 million vehicles sold by the car manufacturers! The European Commission is effectively telling consumers that they have no right to drive a new car in Europe, unless it has been bought from a European car manufacturer.

In other words, one cannot import a new car that is not marketed officially in Europe!

Furthermore, in the development of the Draft Proposal for Harmonised IVA, no account has been taken of the Better Regulation Guidelines and there has been no Stakeholder Involvement, Consultation or Regulatory Impact Assessment.

I have the following specific questions that I would like answers to.

1) Why has the Commission failed to follow the principle of proportionality in these Draft regulations? Why should I be asked to comply with type approval standards that are impossible to achieve, just because my car is less than 6 months old?

2) On what basis has my Government lost its authority to regulate the individual vehicle approval of new vehicles?

3) Why has the Commission not realised that there could be a serious risk to road safety and the environment when American car drivers are unable to have access to specialist American vehicle maintenance facilities and parts supply after the businesses in this sector fail. There are probably more than 250,000 American vehicles in Europe

4) Why has the Commission discriminated against private individuals and small businesses, by introducing excessive standards

and administrative arrangements for new vehicles that it knows can only be conformed to by vehicle manufacturers? This is anti-competitive behavior.

5) Why has the Commission been unduly influenced by the FIA's lobbying, just after the Commission introduced the new National IVA regulations, which were widely consulted on?

6) Why has the Commission not undertaken any consultation with European consumers or stakeholders representing small businesses in the American car scene across Europe? Surely, the Commission is doesn't gain an exemption from following the principles of Better Regulation.

7) Why has the Commission failed to undertake any Regulatory Impact Assessment in the draft regulations?

8) Why has the Commission ignored the effects of its Harmonised IVA scheme on small businesses when it has just launched its own Small Business Act for Europe entitled "Think Small First". The current economic recession further substantiates this criticism. If these regulations come into effect, the reality is that dozens of small businesses may fail and thousands of jobs may be lost across Europe.

9) Why has the Commission targeted the American owner, after problems with sub -standard cars from China? The Commission should be aware that American cars built to the latest Federal standards are amongst the safest and environmentally friendly vehicles in the world - these vehicles have had emission controls since 1966, unleaded fuel since the 1950's and drivers air bags were first fitted in 1973. The technical standards proposed in the Harmonised IVA clearly have nothing to do with safety. Indeed many people choose American cars due to the very fact that they are generally regarded as being safer than their European counterparts!

10) Why is the right to own, use and enjoy these vehicles being taken away? American cars are and have been an integral part of European culture for decades, and are enjoyed by thousands of tax-paying Europeans - it is essential that this freedom of choice remains intact. The proposed HIVA is totally unworkable for an individual or small business.

11) Why has the Commission created new protectionist regulations, which discriminate against newer safer products?

As my MEP, I am appealing to you for help. American car owners come from all walks of life and as a scene it is fragmented across Europe, As there isn't a central point of contact, the European Commission is abusing its authority to control hundreds of thousands of like minded, tax paying individuals who do not have the same influence and resources as the FIA in lobbying the Commission. These individual consumers are being discriminated against and many hundreds of automotive jobs in Europe will be lost. Most of the businesses concerned are small family businesses. Our voice must be listened to.

Unless these Draft Harmonised IVA regulations are withdrawn, the Commission will have acted in a disproportionate way that is anti-consumer, anti-small business, and failing to comply with so many of the legal principles and regulatory good practices that it is obliged to follow. Why are American car enthusiasts being treated as 2nd class Europeans and not afforded full rights under European law?

The policies of the European Commission should not undermine transatlantic cooperation or bring Europe into disrepute with its citizens. There is no need for new regulations at all. The new existing National IVA schemes which require equivalence to the "greatest extent practicable" with the many European Type Approval directives, are a thoroughly proportionate way for Member States to administer a tiny fraction of a percent of vehicles that European consumers want to buy, and the manufacturers do not sell.

In the name of fair competition and Free Trade, I urge you to contact the European Commission and request that this proposal is withdrawn. Otherwise the Civil Servants and technical experts will have imposed a huge injustice on their own citizens.

Yours sincerely