

(English version)

**Question for written answer E-002273/24
to the Commission
Georg Mayer (PfE), Harald Vilimsky (PfE)
(28 October 2024)**

Subject: Penalties paid by German car makers

Every year, the European Union receives billions in penalty payments from German car makers. However, a recent expert opinion raises doubts as to whether that is even lawful. According to an expert opinion from a German lawyer, the EU levies penalties for vehicles with excessive carbon emissions despite the fact that it should not be doing so. It is not the Commission, but, rather, only Member States that can penalise car makers that do not comply with the EU's climate targets. The lawyer also emphasises that, because of the measurement methodology, the fleet limit values themselves are also contrary to European law.

1. How does the Commission view this allegation?
2. Will the Commission return the penalties paid to it to car makers?
3. Should the entire rulebook be revised and instead be implemented in accordance with European law?

Submitted: 28.10.2024

**Answer given by Mr Hoekstra on behalf of the European Commission
(18 December 2024)**

Contrary to what is claimed by the Honourable Members, the annual amount of penalties imposed by the Commission on car manufacturers is not in the billions of euros.

Since the EU CO₂ targets for cars started applying in 2012, only one German vehicle manufacturer had to pay a penalty for exceeding its target in one single calendar year.

The provisions on the excess emissions premiums for cars and vans manufacturers exceeding their CO₂ emission reduction targets are set out in Article 8 of Regulation (EU)2019/631 ⁽¹⁾.

The regulation requires the Commission, for each calendar year, to impose an excess emissions premium on a manufacturer where its average specific emissions of CO₂ exceed its specific emissions target.

The Commission calculates the excess emissions premiums for those manufacturers that exceeded their targets by applying the rules set out in Article 8(2) of Regulation (EU) 2019/631. According to Article 8(4) of the regulation, the amounts of the excess emissions premiums shall be considered as revenue for the general budget of the EU.

These provisions have been in place since 2009 for cars and 2011 for vans and have not been changed by the co-legislators in any of the amendments to the regulation adopted since.

The President of the Commission will convene a Strategic Dialogue on the Future of the Car Industry in Europe to design solutions as this industry goes through a deep and disruptive transition and to make sure that the future of cars will continue to be made in Europe.

⁽¹⁾ <http://data.europa.eu/eli/reg/2019/631/oj>