Analyses OSW

CENTRE FOR EASTERN STUDIES 28.02.2018 www.osw.waw.pl

Germany: diesel on the black-list

Rafał Bajczuk

On 27 February, the Federal Administrative Court (FSA) in Leipzig delivered a judgement that allows German cities and municipalities to introduce bans on the movement of cars with diesel engines on their territories. The FSA was considering complaints from the North Rhine-Westphalia and Baden-Württemberg federal *Länder* concerning the judgments made by local courts regarding compliance with air quality standards. The FSA pointed out that transitional periods must be maintained during the introduction of these bans, and that some users must be given exemptions. The bans will not cover various groups of residents and service providers. Initially the bans may only affect older diesel vehicles, and those made later (with the Euro 5 standard) may be covered after 1 September 2019. Currently 45.8 million passenger cars are registered in Germany, of which 15 million (around 30%) are diesel vehicles. Of these, 6.4 million cars meet the Euro 4 standard or older, which may be covered by the ban without any transitional period. This ban does not apply, however, to the latest generation of diesels which meet the Euro 6 standard; around 2.7 million of these cars have been registered.

Commentary

- The FSA's decision means that local authorities will be able to impose ban in cities in which the levels of nitrogen oxide emissions have been exceeded (this may include up to seventy cities, including Berlin, Hamburg, Cologne, Munich and Stuttgart). Bans on the oldest diesels have already been announced in Hamburg (starting as of April 2018) and Stuttgart (the last quarter of 2018). Serious violations of nitrogen-oxide standards have also occurred in Munich (78 μg/m³, compared to the EU standard of 40 μg/m³), Cologne (μ 62 g/m³) and Düsseldorf (56 μg/m³) and bans in those cities can be expected next. Violations of emission standards have also been noted in small and medium-sized towns, mostly located in the west and south of Germany.
- Reactions in Germany to the court's decision have been divided. The Green Party and supporters of the development of green technologies and environmental protection have received the judgement enthusiastically, seeing in it an instrument to achieve the objectives of the energy transition in the field of transport. Consumer organisations are demanding that the car companies pay compensation to owners of cars with diesel engines. In turn, the economic environment, in particular the automotive industry, has criticised the sentence. The official positions adopted by the offices of the Chancellor and the ministers of environment and transport have tried to calm the mood. The

government's aim is to avoid bans on cars with diesel engines entering cities, and the air quality should gradually improve thanks to environmentally friendly action in all sectors, to be carried out within the framework of the federal clean air programme.

- The problem of air pollution caused by nitrogen oxides is directly linked to the increase in the number of passenger cars using diesel engines. From 2008 to 2017 the number of registered passenger cars with diesel engines rose from 10 to 15.1 million, and the number of cars with gasoline engines decreased slightly from 30.9 to 29.9 million. At the same time, the share of passenger cars with diesel engines in emissions of nitrogen oxides from the transport sector rose, from c. 25% to 50%. In cities, transport is responsible for 60% of nitrogen oxide emissions, of which diesel passenger cars have a 72.5% share.
- Exceeding the standards of nitrogen oxide emissions in January this year caused the European Commission to threaten Berlin with a prosecution in the EU's Court of Justice. As part of the government's clean air agenda (German: *Sofortprogramm saubere Luft*), the German government has announced that it will support municipalities in improving their air quality. The programme includes such instruments as providing funding to purchase electric buses (80% of the investment costs), improving the quality and attractiveness of public transport, and supporting bicycle traffic.
- Passenger cars with diesel engines are clearly losing their popularity. In January this year cars with such engines accounted for only 33% of newly registered vehicles, while two years ago this figure stood at 50%. This is due to the announcement of the ban on these cars entering cities, but is also connected with the so-called Volkswagen scandal, in which it was proven that certain German car companies had intentionally reduced the real emissions from their engines and conducted fraud during the tests. Until recently, the federal government had promoted diesel-engined cars, mainly through tax breaks for their purchase and use. The aim of this policy was to reduce CO_2 emissions in the transport sector, and also to support local car manufacturers.
- The introduction of bans on diesels will most likely lead to a decline in demand for this type of cars on the second-hand market as well. In this scenario, diesel engines which do not meet the new standards are likely to reach the markets in the countries of Central and Eastern Europe, including Poland. In the long run, German manufacturers will be forced to reduce their production of diesel cars. This may negatively affect the entire German automotive industry, which has specialised in the production of diesel cars, and employs around 800,000 people in Germany.

Map. Germany: Exceeded norms of nitrogen oxide emissions



Source: https://www.umweltbundesamt.de/, http://www.spreeradio.de/