



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

Administrator

**400 Seventh Street, S.W.
Washington, D.C. 20590**

EXCHANGE OF LETTERS

Between the United States of America and the European Commission relating to the Regulatory Cooperation in the Field of Motor Vehicle Safety

Dear Mr. Weissenberg,

I have the honor to acknowledge receipt of your letter of June 13, 2003, worded as follows:

I have the honor to confirm the following understandings reached between the National Highway Traffic Safety Administration for the U.S. Department of Transportation (U.S. DOT NHTSA) and the European Commission (Director-General for Enterprise, Directorate for Single Market: Management and Legislation for Consumer Goods (DG Enterprise/F)):

The United States (U.S.) and the European Union (EU) have recognized, in the Transatlantic Economic Partnership (TEP) Guidelines on Regulatory Cooperation and Transparency between the U.S. Government and the European Commission, as well as in the TEP Action Plan, the need for enhancing the discourse/dialogue between regulators to promote increased regulatory cooperation. In particular, these Guidelines encourage the identification of areas where regulatory cooperation could be established, e.g., as a means to improve regulatory planning and development and address technical barriers to trade in goods. By sharing our regulatory experience and leveraging our efforts, we will be better prepared to contribute effectively to international cooperative efforts for improving motor vehicle safety.

The National Highway Traffic Safety Administration for the U.S. Department of Transportation (U.S. DOT NHTSA) and the European Commission (Director-General for Enterprise, Directorate for Single Market: Management and Legislation for Consumer Goods (DG Enterprise/F)), recognize the importance of achieving high levels of vehicle safety.

In this context, the U.S. DOT NHTSA and the European Commission DG Enterprise/F acknowledge the importance of enhancing cooperation and increasing the efficient use of resources in matters relating to motor vehicle safety technical regulations, without compromising each side's ability to carry out its responsibilities and without creating any kind of international legal obligations on the part of the U.S., the European Commission or the European Community (EC).

Both sides accept the desirability of strengthening mutual cooperation and communication concerning improvements and developments in motor vehicle safety and enhancing, expanding, and developing joint efforts to facilitate the exchange of information in the regulatory area of motor vehicle safety. In particular, cooperation in the following areas may be undertaken, without prejudice to the identification of additional areas in the future:

- 1) Development and establishment of technical regulations
- 2) Post-implementation reviews of technical regulations

In order to develop cooperation in these areas, both sides intend to undertake to maintain an open and continuing dialogue relative to motor vehicle safety technical regulations, by:

- 1) Holding annual meetings, alternatively in the U.S. and the EU;
- 2) Sharing information on a voluntary basis regarding domestic and international programs and agendas, subject to the applicable regulatory processes, laws and regulations, as well as policies of both sides;
- 3) Jointly contributing to the promotion of greater international harmonization of technical requirements, consistent with the respective motor vehicle safety needs of the U.S. and the EU, through multilateral forums such as the World Forum for the Harmonization of Vehicle Regulations (WP. 29);
- 4) Sharing and discussing research and development plans relative to motor vehicle safety technical regulations;
- 5) Conducting joint analyses, as mutually practical and convenient, to promote the development of motor vehicle safety technical regulations;

- 6) Developing additional provisions for cooperation, i.e., identifying areas in which regulatory cooperation could be further expanded or established *ex novo*.

Both sides acknowledge that the pace of cooperative efforts on motor vehicle safety technical regulations may depend on the respective internal circumstances in the U.S. and the EC and may be affected by factors such as differences or divergences of regulatory priorities or needs, availability of funds, and unforeseen difficulties which could arise during the course of this cooperation.

Finally, and with the purpose of further delineating both sides' shared desire for regulatory cooperation, both sides agree to move toward superseding this exchange of letters with a Memorandum of Cooperation (MOC).

The proposed cooperation will commence upon receipt of your confirmatory reply and continue until explicitly terminated in writing by either or both sides.

The Government of the United States of America has the honor of confirming its agreement with the contents of this letter.

Please accept, dear Mr. Weissenberg, the assurances of my highest consideration.

On behalf of the Government of the United States of America



Jeffrey W. Runge, M.D.
NHTSA Administrator
Washington, D.C., June 16, 2003