



15.7.2024

NOTICE TO MEMBERS

Subject: Petition No 0446/2022 by Manuel Alvarez Buylla (Spanish) on vehicular traffic noise levels in Madrid

1. Summary of petition

The petitioner complains about traffic noise levels, as he lives on one of Madrid's major thoroughfares, the Av. de América where, according to Madrid City Council's noise map noise levels exceed 70 decibels. The petitioner asks for immediate and mandatory measures to be taken to combat this noise pollution such as limiting the speed of vehicles to 40 km/hr in cities, covering the road surface with silent asphalt and introducing controls on high-powered motorcycles with open exhausts.

2. Admissibility

Declared admissible on 22 July 2024. Information requested from Commission under Rule 227(6).

3. Commission reply, received on 15 July 2024

The petitioner is concerned over the excessive noise level in Madrid and demands that the EU adopt immediately noise pollution mitigating measures that are binding for the Member States.

The Commission's observations

In 2018, the World Health Organisation¹ recommended that average noise levels along the day, evening and night due to roads are kept below 53 decibels to protect human health. Aware of

¹ Environmental Noise Guidelines for the European Region, WHO Regional Office for Europe, 2018

this, the Commission's Zero Pollution Action Plan² included a commitment to reduce by 30% the share of people chronically disturbed by transport noise.

Under the Environmental Noise Directive³, Member States are required to prepare and publish, every 5 years, noise maps showing noise exposure within, inter alia, agglomerations with more than 100 000 inhabitants. Based on these maps, the Member States have to define measures to reduce noise pollution. However, the Directive does not set limit or target values, nor does it prescribe any specific measure to be included in the action plans, thus leaving those issues at the discretion of the competent Member State authorities.

Member States' noise maps and action plans can be consulted in the European Environment Agency's ReportNet system⁴.

As Spain had yet to deliver, review or revise the strategic noise maps and action plans for several agglomerations, major roads and major railways within its territory, the Commission decided to issue a reasoned opinion on 19 July 2018. The Spanish authorities have submitted several progress reports updating on the state of affairs in this case. The Commission and the Spanish authorities have also recently discussed this case at a bilateral meeting held in June 2024. The Commission is currently assessing the replies submitted by Spain to this reasoned opinion in view of deciding on the most suitable avenue for this case, which might include a referral to the Court of Justice of the EU.

Conclusion

The Commission will take the necessary action to ensure that the Environmental Noise Directive is correctly implemented by Spain, within the remits of the scope of that Directive.

² Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Pathway to a Healthy Planet for All EU Action Plan: 'Towards Zero Pollution for Air, Water and Soil'; COM/2021/400 final

³ Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise - Declaration by the Commission in the Conciliation Committee on the Directive relating to the assessment and management of environmental noise - OJ L 189, 18.7.2002, p. 12–25

⁴ Available under <https://cdr.eionet.europa.eu/es/eu/noise/>