



**2018/0143(COD)**

16.7.2018

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## **DRAFT REPORT**

on the proposal for a regulation of the European Parliament and of the Council setting CO<sub>2</sub> emission performance standards for new heavy-duty vehicles (COM(2018)0284 – C8-0197/2018 – 2018/0143(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Bas Eickhout

### ***Symbols for procedures***

- \* Consultation procedure
- \*\*\* Consent procedure
- \*\*\*I Ordinary legislative procedure (first reading)
- \*\*\*II Ordinary legislative procedure (second reading)
- \*\*\*III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

### ***Amendments to a draft act***

#### **Amendments by Parliament set out in two columns**

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

#### **Amendments by Parliament in the form of a consolidated text**

New text is highlighted in ***bold italics***. Deletions are indicated using either the **■** symbol or ~~strikeout~~. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a regulation of the European Parliament and of the Council setting CO<sub>2</sub> emission performance standards for new heavy-duty vehicles (COM2018)0284 – C8-0197/2018 – 2018/0143(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM2018)0284),
  - having regard to Article 294(2) and Article 192(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0197/2018),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the opinion of the European Economic and Social Committee of ...<sup>1</sup>,
  - having regard to the opinion of the Committee of the Regions of ...<sup>2</sup>,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the report of the Committee on the Environment, Public Health and Food Safety (A8-0000/2018),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

### **Amendment 1**

#### **Proposal for a regulation**

##### **Recital 1**

*Text proposed by the Commission*

*Amendment*

(1) ***The European Strategy for Low-Emission Mobility sets a clear ambition: by mid-century, greenhouse gas emissions from transport will need to be at least 60% lower than in 1990 and be*** firmly on the

(1) ***In order to meet the Union's commitments taken at the 21st Conference of the Parties to the United Nations Framework Convention on Climate Change ('UNFCCC') held in***

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<sup>1</sup> Not yet published in the Official Journal.

<sup>2</sup> Not yet published in the Official Journal.

path towards zero. Emissions of air pollutants from transport that harm our health need also to be drastically reduced without delay.

***Paris in 2015, the decarbonisation of the transport sector needs to be accelerated and*** greenhouse gas emissions from transport will need to be firmly on the path towards zero ***emission by mid-century***. Emissions of air pollutants from transport that harm our health ***and the environment*** need also to be drastically reduced without delay. ***CO<sub>2</sub> emissions from conventional combustion engines will need to be further reduced after 2020. Zero- and low-emission heavy-duty vehicles will need to be deployed and gain significant market share by 2030.***

Or. en

## Amendment 2

### Proposal for a regulation

#### Recital 2

*Text proposed by the Commission*

(2) Following the Low-Emission Mobility Strategy, the Commission adopted two mobility packages in May<sup>19</sup> and November 2017<sup>20</sup>. These packages set out a positive agenda delivering on the Low-Emission Mobility Strategy and ensuring a smooth transition towards ***clean***, competitive and connected mobility for all.

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<sup>19</sup> Europe on the Move: An agenda for a socially fair transition towards clean, competitive and connected mobility for all, COM(2017) 283 final

<sup>20</sup> Delivering on low-emission mobility A European Union that protects the planet, empowers its consumers and defends its industry and workers, COM(2017) 675 final

*Amendment*

(2) Following the Low-Emission Mobility Strategy, the Commission adopted two mobility packages in May<sup>19</sup> and November 2017<sup>20</sup>. These packages set out a positive agenda delivering on the Low-Emission Mobility Strategy and ensuring a smooth transition towards ***zero-emission***, competitive and connected mobility for all.

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<sup>19</sup> Europe on the Move: An agenda for a socially fair transition towards clean, competitive and connected mobility for all, COM(2017) 283 final

<sup>20</sup> Delivering on low-emission mobility A European Union that protects the planet, empowers its consumers and defends its industry and workers, COM(2017) 675 final

Or. en

### Amendment 3

#### Proposal for a regulation

##### Recital 3

*Text proposed by the Commission*

(3) This Regulation is part of the third "Europe on the Move" Package, which delivers on the new industrial policy strategy of September 2017<sup>21</sup>, and is designed to complete the process of enabling the Union to reap the full benefits of the modernisation and decarbonisation of mobility. The aim of the Package is to make European mobility safer and more accessible, European industry more competitive, European jobs more secure, and the *mobility system* to be *cleaner and better adapted to the imperative of tackling climate change*. This will require the full commitment of the Union, Member States and stakeholders, not least in strengthening efforts to reduce CO<sub>2</sub> emissions and air pollution.

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<sup>21</sup> Investing in a smart, innovative and sustainable Industry A renewed EU Industrial Policy Strategy, COM(2017) 0479 final

*Amendment*

(3) This Regulation is part of the third "Europe on the Move" Package, which delivers on the new industrial policy strategy of September 2017<sup>21</sup>, and is designed to complete the process of enabling the Union to reap the full benefits of the modernisation and decarbonisation of mobility. The aim of the Package is to make European mobility safer and more accessible, European industry more competitive, European jobs more secure, and the *sector* to be *firmly on the path towards zero emission by mid-century and fully in line with the Paris Agreement*. This will require the full commitment of the Union, Member States and stakeholders, not least in strengthening efforts to reduce CO<sub>2</sub> emissions and air pollution.

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<sup>21</sup> Investing in a smart, innovative and sustainable Industry A renewed EU Industrial Policy Strategy, COM(2017) 0479 final

Or. en

### Amendment 4

#### Proposal for a regulation

##### Recital 4

*Text proposed by the Commission*

(4) This Regulation provides, together with the CO<sub>2</sub> emission standards for passenger cars and light commercial vehicles<sup>22</sup>, a clear pathway for CO<sub>2</sub>

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*Amendment*

(4) This Regulation provides, together with *Regulation (EU) .../... of the European Parliament and of the Council* /the CO<sub>2</sub> emission standards for passenger

emissions reductions from the road transport sector and contributes to the binding target of at least a **40%** domestic reduction in economy-wide greenhouse gas emissions by 2030 compared to 1990, *as was endorsed in the Conclusions of the European Council of 23-24 October 2014, and approved as the Union Intended Nationally Determined Contribution under the Paris Agreement at the Environment Council meeting on 6 March 2015.*

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<sup>22</sup> Regulation (EU) No .../... of the European Parliament and of the Council setting emission performance standards for new passenger cars and for light commercial vehicles as part of the Union's integrated approach to reduce CO<sub>2</sub> emission from light duty vehicles and amending Regulation (EC) No 715/2007, (OJ L, ..., p. ).

cars and light commercial vehicles <sup>J</sup><sup>22</sup>, a clear pathway for CO<sub>2</sub> emissions reductions from the road transport sector and contributes to the binding target of at least a **55%** domestic reduction in economy-wide greenhouse gas emissions by 2030 compared to 1990, *required to be in line with* the Paris Agreement.

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<sup>22</sup> Regulation (EU) No .../... of the European Parliament and of the Council setting emission performance standards for new passenger cars and for light commercial vehicles as part of the Union's integrated approach to reduce CO<sub>2</sub> emission from light duty vehicles and amending Regulation (EC) No 715/2007, (OJ L, ..., p. ).

Or. en

## Amendment 5

### Proposal for a regulation Recital 4 a (new)

*Text proposed by the Commission*

*Amendment*

***(4a) CO<sub>2</sub> emissions reduction targets for the Union-wide fleets of new heavy-duty vehicles should therefore be set for 2025 and for 2030, taking into account the vehicle fleet renewal time and the need for the road transport sector to contribute to the Union climate and energy targets for 2030 and beyond. This stepwise approach also provides a clear and early signal for the industry not to delay the market introduction of energy efficient technologies and zero- and low-emission vehicles***

**Amendment 6****Proposal for a regulation****Recital 5**

*Text proposed by the Commission*

(5) The European Council Conclusions of October 2014 endorsed a greenhouse gas emissions reduction of 30% by 2030 compared to 2005 for the sectors that are not part of the Union's emissions trading system. Road transport ***provides a major contribution to the*** emissions of those sectors and its emissions remain significantly above 1990 levels. If road transport emissions would increase further, it will off-set reductions made by other sectors to combat climate change.

*Amendment*

(5) The European Council Conclusions of October 2014 endorsed a greenhouse gas emissions reduction of 30% by 2030 compared to 2005 for the sectors that are not part of the Union's emissions trading system. Road transport ***was responsible for 25 % of the Union's greenhouse gas emissions in 2016, and*** its emissions ***increased for the third year in a row and*** remain significantly above 1990 levels. If road transport emissions would increase further, it will off-set reductions made by other sectors to combat climate change.

Or. en

**Amendment 7****Proposal for a regulation****Recital 11**

*Text proposed by the Commission*

(11) In defining the reduction levels that should be achieved by the Union's fleet of heavy-duty vehicles, account should be taken of the effectiveness of those reduction levels in delivering a cost-effective contribution to reducing emissions of the sectors covered by the Regulation ***[Effort Sharing (EU) No .../2018]*** by 2030, of the resulting costs and savings for society, manufacturers, transport operators, consumers, as well as of their direct and indirect implications for employment, innovation and co-benefits generated in terms of reduced air pollution

*Amendment*

(11) In defining the reduction levels that should be achieved by the Union's fleet of heavy-duty vehicles, account should be taken of the effectiveness of those reduction levels in delivering a cost-effective contribution to reducing emissions of the sectors covered by the Regulation ***(EU) 2018/842<sup>1a</sup> of the European Parliament and of the Council*** by 2030, of the resulting costs and savings for society, manufacturers, transport operators, consumers, as well as of their direct and indirect implications for employment, innovation and co-benefits

and improved energy security.

generated in terms of reduced air pollution and improved energy security.

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*1<sup>a</sup> Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement and amending Regulation (EU) No 525/2013 (OJ L 156, 19.6.2018, p. 26).*

Or. en

## Amendment 8

### Proposal for a regulation Recital 13

#### *Text proposed by the Commission*

(13) In the light of innovation and to take account of the implementation of new technologies improving the fuel efficiency of heavy-duty vehicles, the VECTO simulation tool as well as Regulation (EU) 2017/2400 will be continuously and timely updated.

#### *Amendment*

(13) In the light of innovation and to take account of the implementation of new technologies improving the fuel efficiency of heavy-duty vehicles, the VECTO simulation tool as well as Regulation (EU) 2017/2400 will be continuously and timely updated. ***This Regulation should therefore also be updated in a continuous and timely manner in order to take into account the evolution of the VECTO simulation tool.***

Or. en

## Amendment 9

### Proposal for a regulation Recital 14

#### *Text proposed by the Commission*

(14) The CO<sub>2</sub> emissions data determined

#### *Amendment*

(14) The CO<sub>2</sub> emissions data determined

pursuant to Regulation (EU) 2017/2400 are to be monitored under Regulation (EU) *No .../2018* of the European Parliament and of the Council<sup>25</sup>. Those data should form the basis for determining the reduction targets to be achieved by the four groups of the most emitting heavy-duty vehicles in the Union, as well as for determining a manufacturer's average specific emissions in a given calendar year.

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<sup>25</sup> Regulation (EU) *No .../2018* of the European Parliament and of the Council on the monitoring and reporting of CO<sub>2</sub> emissions from and fuel consumption of new heavy-duty vehicles, *OJ L...*,...

pursuant to Regulation (EU) 2017/2400 are to be monitored under Regulation (EU) **2018/956** of the European Parliament and of the Council<sup>25</sup>. Those data should form the basis for determining the reduction targets to be achieved by the four groups of the most emitting heavy-duty vehicles in the Union, as well as for determining a manufacturer's average specific emissions in a given calendar year.

***NB: horizontal amendment that applies throughout***

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<sup>25</sup> Regulation (EU) **2018/956** of the European Parliament and of the Council of 28 June 2018 on the monitoring and reporting of CO<sub>2</sub> emissions from and fuel consumption of new heavy-duty vehicles (*OJ L 173, 9.7.2018, p. 1*).

Or. en

## Amendment 10

### Proposal for a regulation Recital 15

#### *Text proposed by the Commission*

(15) A reduction target should be set for 2025 as a relative reduction based on the average CO<sub>2</sub> emissions of those heavy-duty vehicles in 2019, reflecting the deployment of readily available cost-effective technologies for conventional vehicles. ***The 2030 target should be considered aspirational and the final target should be determined*** pursuant to a review to be carried out in 2022 ***as*** there are more uncertainties on the uptake of more advanced technologies which are not yet readily available.

#### *Amendment*

(15) A reduction target should be set for 2025 as a relative reduction based on the average CO<sub>2</sub> emissions of those heavy-duty vehicles in 2019, reflecting the deployment of readily available cost-effective technologies for conventional vehicles. ***A reduction target should also be set for 2030, pursuant to a review to be carried out in 2022, that takes into account that*** there are more uncertainties on the uptake of more advanced technologies which are not yet readily available.

Or. en

## Amendment 11

### Proposal for a regulation

#### Recital 16

*Text proposed by the Commission*

(16) Liquefied natural gas (LNG) is an available alternative fuel *to diesel* for heavy duty vehicles. *The deployment of current and upcoming more innovative LNG-based technologies will contribute to meeting the CO<sub>2</sub> emission targets in the short and medium term as the use of LNG technologies leads to lower CO<sub>2</sub> emissions as compared to diesel vehicles. The CO<sub>2</sub> emission reduction potential of LNG vehicles is already fully reflected in VECTO. In addition, current LNG technologies ensure a low level of air pollutant emissions such as NO<sub>x</sub> and particulate matters. A sufficient minimum refuelling infrastructure is also in place and being further deployed as part of national policy frameworks for alternative fuel infrastructure.*

*Amendment*

(16) Liquefied natural gas (LNG) is an available alternative fuel for heavy duty vehicles *that can lead* to lower CO<sub>2</sub> emissions as compared to diesel vehicles. *However, in the medium to longer term, LNG will not be sufficient to put transport on the path towards zero-emission by mid-century, in line with the Paris Agreement.*

Or. en

## Amendment 12

### Proposal for a regulation

#### Recital 21

*Text proposed by the Commission*

(21) *Contrary to cars and vans, zero- and low-emission heavy-duty vehicles are not yet available on the market, except for buses. A dedicated mechanism, in the form of super credits, should therefore be introduced to facilitate a smooth transition towards zero-emission mobility. This will provide incentives for the development and deployment on the Union market of zero- and low-emission heavy-duty vehicles that would complement demand-side*

*Amendment*

(21) *In order to ensure the smooth transition towards zero-emission mobility, and to provide incentives for the development and deployment on the Union market of zero- and low-emission heavy-duty vehicles that would complement demand-side instruments, such as the Clean Vehicle Directive 2009/33/EC of the European Parliament and of the Council<sup>26</sup>, binding minimum shares of zero- and low-emission vehicles in a manufacturer's*

instruments, such as the Clean Vehicle Directive 2009/33/EC of the European Parliament and of the Council<sup>26</sup> .

***fleet of new heavy-duty vehicles should be set for 2025 and 2030.***

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<sup>26</sup> Directive 2009/33/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of clean and energy-efficient road transport vehicles as amended by Directive .../.../EU [COM(2017) 653 final] (OJ L 120, 15.5.2009, p. 5).

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<sup>26</sup> Directive 2009/33/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of clean and energy-efficient road transport vehicles as amended by Directive .../.../EU [COM(2017) 653 final] (OJ L 120, 15.5.2009, p. 5).

Or. en

### **Amendment 13**

#### **Proposal for a regulation Recital 21 a (new)**

*Text proposed by the Commission*

*Amendment*

***(21a) The minimum share of zero- and low-emission vehicles should be designed so as to ensure investment certainty for charging infrastructure providers and manufacturers in order to promote the rapid deployment on the Union market of zero- and low-emission vehicles, while allowing certain flexibility for the manufacturers to decide on their investment timeline. A mechanism should be introduced to incentivise manufacturers to put zero- and low-emission vehicles as soon as possible on the Union market.***

Or. en

### **Amendment 14**

#### **Proposal for a regulation Recital 22**

*Text proposed by the Commission*

*Amendment*

**(22) For the purpose of calculating the average specific emissions of a manufacturer, all zero- and low-emission heavy-duty vehicles should therefore be counted multiple times. The level of incentives should vary according to the actual CO<sub>2</sub> emissions of the vehicle. In order to avoid a weakening of the environmental objectives, the resulting savings should be subject to a cap.**

**deleted**

Or. en

## **Amendment 15**

### **Proposal for a regulation**

#### **Recital 23**

*Text proposed by the Commission*

*Amendment*

**(23) Low-emission heavy-duty vehicles should only be incentivised if their CO<sub>2</sub> emissions are less than about half of the CO<sub>2</sub> emissions of the Union fleet-wide average in 2025. This is consistent with the approach taken for light-duty vehicles and would incentivise innovation in this field**

**deleted**

Or. en

## **Amendment 16**

### **Proposal for a regulation**

#### **Recital 24**

*Text proposed by the Commission*

*Amendment*

**(24) In designing the incentive mechanism for the deployment of zero-emission heavy-duty vehicles, also smaller lorries, *buses and coaches* that are not**

**(24) In designing the incentive mechanism for the deployment of zero-emission heavy-duty vehicles, also smaller lorries *and other categories of heavy-duty***

subject to the CO<sub>2</sub> emission targets under this Regulation should be included. These vehicles also have significant benefits in terms of helping to address air pollution problems in cities. ***However, it should be noted that zero-emission buses are already on the market and are incentivised through demand-side measures such as public procurement. In order to ensure that the incentives are well balanced between the different types of vehicles, the savings resulting from the zero-emission smaller lorries, buses and coaches should therefore also be subject to a cap.***

***vehicles*** that are not ***yet*** subject to the CO<sub>2</sub> emission targets under this Regulation should be included. These vehicles also have significant benefits in terms of helping to address air pollution problems in cities.

Or. en

## Amendment 17

### Proposal for a regulation Recital 24 a (new)

*Text proposed by the Commission*

*Amendment*

***(24a) As zero-emission buses are already available on the market and are incentivised through demand-side measures such as public procurement, a mid-term binding target of 100 % of zero-emission buses in a manufacturer's fleet of new such vehicles by 2030 should be set to ensure the appropriate level of their supply on the Union market.***

Or. en

## Amendment 18

### Proposal for a regulation Recital 27

*Text proposed by the Commission*

*Amendment*

(27) In case of non-compliance with its specific emission target in any of the years

(27) In case of non-compliance with its specific emission target in any of the years

2025 to 2029, a manufacturer should also have the possibility to acquire a limited emission debt. However, **by 2029** manufacturers should clear any remaining emission debt.

2025 to 2029, a manufacturer should also have the possibility to acquire a limited emission debt. However, manufacturers should clear any remaining emission debt **by 2025 and again by 2029**.

Or. en

## Amendment 19

### Proposal for a regulation Recital 29

#### *Text proposed by the Commission*

(29) The Commission should impose a financial penalty, in the form of an excess emissions premium, where a manufacturer is found to have excess emissions, taking into account the emission credits and debts. In order to provide manufacturers with a sufficient incentive to take measures to reduce the specific CO<sub>2</sub> emissions from heavy-duty vehicles, the premium **should exceed** the average marginal costs of the technologies needed to meet the targets. The premium should be considered as revenue for the general budget of the Union. The methodology for collecting the premiums should be determined by means of an implementing act, taking into account the methodology adopted pursuant to Regulation (EC) No 443/2009.

#### *Amendment*

(29) The Commission should impose a financial penalty, in the form of an excess emissions premium, where a manufacturer is found to have excess emissions, taking into account the emission credits and debts. In order to provide manufacturers with a sufficient incentive to take measures to reduce the specific CO<sub>2</sub> emissions from heavy-duty vehicles, **it is important that** the premium **always exceeds** the average marginal costs of the technologies needed to meet the targets. The **amounts from the excess emissions** premium should be considered as revenue for the general budget of the Union. **Those amounts should be used to support, in close collaboration with social partners, the just transition of the automotive sector towards zero-emission mobility as well as innovative solutions that incentivise the rapid deployment of zero- and low-emission heavy-duty vehicles.** The methodology for collecting the premiums should be determined by means of an implementing act, taking into account the methodology adopted pursuant to Regulation (EC) No 443/2009.

Or. en

## Amendment 20

### Proposal for a regulation

#### Recital 31

*Text proposed by the Commission*

(31) It is essential for achieving the CO<sub>2</sub> reductions pursuant to this Regulation that the CO<sub>2</sub> emissions of heavy-duty vehicles in use are in conformity with the values determined pursuant to Regulation (EC) No 595/2009 and its implementing measures. It should therefore be possible for the Commission to take into account, in the calculation of the average specific emissions of a manufacturer, any systematic non-conformity found by type approval authorities with regard to the CO<sub>2</sub> emissions of heavy-duty vehicles in use.

*Amendment*

(31) It is essential for achieving the CO<sub>2</sub> reductions pursuant to this Regulation that the CO<sub>2</sub> emissions of heavy-duty vehicles in use ***and on road*** are in conformity with the values determined pursuant to Regulation (EC) No 595/2009 and its implementing measures. It should therefore be possible for the Commission to take into account, in the calculation of the average specific emissions of a manufacturer, any systematic non-conformity found by type approval authorities with regard to the CO<sub>2</sub> emissions of heavy-duty vehicles in use ***and on road. Third party independent testing of vehicles in use and on road should also be introduced.***

Or. en

## Amendment 21

### Proposal for a regulation

#### Recital 33

*Text proposed by the Commission*

(33) The effectiveness of the targets set out in this Regulation in reducing CO<sub>2</sub> emissions is strongly dependent on the representativeness of the methodology used for determining the CO<sub>2</sub> emissions. In line with the Opinion of the Scientific Advice Mechanism (SAM)<sup>27</sup> as regards light duty vehicles, it is appropriate also in the case of heavy-duty vehicles to put in place a mechanism to assess the real-world representativeness of the CO<sub>2</sub> emissions and energy consumption values determined pursuant to Regulation (EU) 2017/2400. The Commission should have the powers

*Amendment*

(33) The effectiveness of the targets set out in this Regulation in reducing CO<sub>2</sub> emissions is strongly dependent on the representativeness of the methodology used for determining the CO<sub>2</sub> emissions. In line with the Opinion of the Scientific Advice Mechanism (SAM)<sup>27</sup> as regards light duty vehicles, it is appropriate also in the case of heavy-duty vehicles to put in place a mechanism to assess the real-world representativeness of the CO<sub>2</sub> emissions and energy consumption values determined pursuant to Regulation (EU) 2017/2400. The Commission should have the powers

to ensure the public availability of such data and, where necessary, develop the procedures needed for identifying and collecting the data required for such assessments.

to ensure the public availability of such data and, where necessary, develop the procedures needed for identifying and collecting the data required for such assessments. *Where a significant gap is identified between real-world emissions values and those determined pursuant to Regulation (EU) 2017/2400, the Commission should have the powers to adapt accordingly the 2019 reference emissions as well as the specific emissions targets used for the purpose of compliance with this Regulation.*

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<sup>27</sup> High Level Group of Scientific Advisors, Scientific Opinion 1/2016 “Closing the gap between light-duty vehicle real-world CO<sub>2</sub> emissions and laboratory testing”

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<sup>27</sup> High Level Group of Scientific Advisors, Scientific Opinion 1/2016 “Closing the gap between light-duty vehicle real-world CO<sub>2</sub> emissions and laboratory testing”

Or. en

## Amendment 22

### Proposal for a regulation Recital 36

#### *Text proposed by the Commission*

(36) *The* implementing powers relating to Articles 8(3), **9(3)**, 11(3) and 12(2), should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>28</sup>.

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<sup>28</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission’s exercise of

#### *Amendment*

(36) *In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission [in respect* Articles 8(3), 11(3) and 12(2)]. *Those* implementing powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>28</sup>.

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<sup>28</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission’s exercise of

implementing powers (OJ L, 55, 28.2.2011, p. 13).

implementing powers (OJ L, 55, 28.2.2011, p. 13).

Or. en

## Amendment 23

### Proposal for a regulation Recital 37

#### *Text proposed by the Commission*

(37) In order to amend *or* supplement non-essential elements of the provisions of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty of the Functioning of the European Union should be delegated to the Commission in respect of adjusting the reference CO<sub>2</sub> emissions *pursuant to Article 12(2)* and in respect of amending Annexes I and II as regards certain technical parameters, including the weightings of the mission profiles, the payloads, and the annual mileages as well as the payload adjustment factors. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement *of 13 April 2016* on Better Law-Making<sup>29</sup>. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council *should* receive all documents at the same time as Member States' experts, and their experts *should* systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

#### *Amendment*

(37) In order to amend *and* supplement non-essential elements of the provisions of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty of the Functioning of the European Union should be delegated to the Commission in respect of *specifying the technical criteria for defining the vocational purpose of a vehicle and for the definition of buses [pursuant to Article 2(2a)], specifying detailed rules on the procedure for reporting deviations in CO<sub>2</sub> emissions of heavy-duty vehicles and taking them into account in the calculation [pursuant to Article 9(3)], adjusting the reference CO<sub>2</sub> emissions [pursuant to Article 10(2)], introducing an on-road in-service conformity test [pursuant to Article 11(2a)]* and in respect of amending Annexes I and II *[pursuant to Article 12 (1)]* as regards certain technical parameters, including the weightings of the mission profiles, the payloads, and the annual mileages as well as the payload adjustment factors. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making<sup>29</sup>. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council

receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

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<sup>29</sup> OJ L 123, 12.5.2016, p. 1.

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<sup>29</sup> OJ L 123, 12.5.2016, p. 1.

Or. en

## Amendment 24

### Proposal for a regulation

#### Article 1 – paragraph 1 – introductory part

##### *Text proposed by the Commission*

In order to contribute to fulfilling the Union's target of reducing its greenhouse gas emissions by 30% below 2005 levels in 2030 in the sectors covered by Article 2 of Regulation (EU) *No 2018/...***[Effort Sharing Regulation]**, and to achieving the objectives of the Paris Agreement and to ensure the proper functioning of the internal market, this Regulation sets CO<sub>2</sub> emission performance **standards** for new heavy-duty vehicles whereby the specific CO<sub>2</sub> emissions of the Union's fleet of new heavy-duty vehicles shall be reduced compared to the reference CO<sub>2</sub> emissions as follows:

##### *Amendment*

**1.** In order to contribute to fulfilling the Union's target of reducing its greenhouse gas emissions by 30% below 2005 levels in 2030 in the sectors covered by Article 2 of Regulation (EU) **2018/842**, and to achieving the objectives of the Paris Agreement and to ensure the proper functioning of the internal market, this Regulation sets CO<sub>2</sub> emission performance **requirements** for new heavy-duty vehicles whereby the specific CO<sub>2</sub> emissions of the Union's fleet of new heavy-duty vehicles shall be reduced compared to the reference CO<sub>2</sub> emissions as follows:

Or. en

## Amendment 25

### Proposal for a regulation

#### Article 1 – paragraph 1 – point a

##### *Text proposed by the Commission*

(a) From 1 January 2025 to 31 December 2029 by **15%**;

##### *Amendment*

(a) From 1 January 2025 to 31 December 2029 by **20 %**;

*Justification*

*Decreasing CO2 emissions from the transport sector is key to fulfil the Union's target of reducing its greenhouse gas emissions by at least 30% below 2005 levels in 2030 under Regulation (EU) 2018/842 [Effort Sharing Regulation] in the most cost-efficient way, and to be in line with the Paris Agreement. The Commission's own impact assessment shows that reduction targets of at least -20% in 2025 is not only technologically feasible but also result in greatest net economic and social benefits.*

**Amendment 26****Proposal for a regulation****Article 1 – paragraph 1 – point b***Text proposed by the Commission*

(b) From 1 January 2030 onwards by at least **30%** subject to the review pursuant to Article 13.

*Amendment*

(b) From 1 January 2030 onwards by at least **45 %** subject to the review pursuant to Article 13.

*Justification*

*Decreasing CO2 emissions from the transport sector is key to fulfil the Union's target of reducing its greenhouse gas emissions by at least 30% below 2005 levels in 2030 under Regulation (EU) 2018/842 [Effort Sharing Regulation] in the most cost-efficient way, and to be in line with the Paris Agreement. The Commission's own impact assessment shows that reduction targets of at least -20% in 2025 is not only technologically feasible but also result in greatest net economic and social benefits.*

**Amendment 27****Proposal for a regulation****Article 1 – paragraph 2 a (new)***Text proposed by the Commission**Amendment*

**2a** *In order to ensure the smooth transition towards zero-emission mobility and to provide incentives for the development and deployment of the Union market and infrastructure for zero- and low-emission heavy-duty vehicles, this Regulation sets binding minimum shares*

*of zero- and low-emission vehicles in all manufacturers' fleet of such new vehicles for 2025 and 2030, pursuant to Article 6 of this Regulation.*

Or. en

## **Amendment 28**

### **Proposal for a regulation Article 1 – paragraph 2 b (new)**

*Text proposed by the Commission*

*Amendment*

**2b** *In order to ensure the appropriate level of supply of zero-emission buses in relation to demand-side measures such as public procurement objectives set up at local, regional, national or Union level, this Regulation sets a binding minimum share of 100 % for zero-emission buses in a manufacturer's fleet of new such vehicles as of 1 January 2030.*

Or. en

*Justification*

*Fleet procurement pledges by EU cities and requirements provided in the Clean Vehicle Directive under revision are the main drivers of the development of the market for zero-emission buses and coaches. But to ensure European supply to meet the expected boost in demand, an EU binding minimum share of zero-emission buses and coaches in the Union's fleet of new buses and coaches needs to be introduced.*

## **Amendment 29**

### **Proposal for a regulation Article 2 – paragraph 1 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

This Regulation shall apply to new vehicles of the categories N2 and N3 that meet the following characteristics:

This Regulation shall apply **as a first step** to new vehicles of the categories N2 and N3 that meet the following characteristics:

Or. en

## Amendment 30

### Proposal for a regulation

#### Article 2 – paragraph 1 – subparagraph 2

*Text proposed by the Commission*

It shall also apply, for the purposes of **Article 5 and point 2.3 of Annex I, to vehicles of the categories M2 and M3, and** to vehicles of the category N that do not fall within the scope of Regulation (EU) No 510/2011 and do not meet the characteristics set out in points (a) to (d).

*Amendment*

It shall also apply, for the purposes of **Article 1(2a) and Article 6a** to vehicles of the category N that do not fall within the scope of Regulation (EU) No 510/2011 and do not meet the characteristics set out in points (a) to (d). **Furthermore, it shall apply, for the purpose of Article 1(2b) to vehicles of the categories M2 and M3 that meet the technical criteria referred to in paragraph 2a of this Article.**

Or. en

## Amendment 31

### Proposal for a regulation

#### Article 2 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

**2a. The Commission shall adopt, no later than 1 July 2019, delegated acts in accordance with Article 15 in order to supplement this Regulation by specifying the technical criteria for the definition of the vocational purpose of a vehicle and for the definition of buses covered by the Regulation.**

Or. en

## Amendment 32

### Proposal for a regulation

#### Article 3 – paragraph 1 – point h

*Text proposed by the Commission*

(h) ‘vocational vehicle’ means a heavy-duty vehicle not intended for the delivery of goods and for which the CO<sub>2</sub> emissions and fuel consumption have been determined, in accordance with Regulation (EC) No 595/2009 and its implementing measures, only for other mission profiles than those defined in point 2.1 of Annex I to this Regulation;

*Amendment*

(h) ‘vocational vehicle’ means a heavy-duty vehicle not intended for the delivery of goods, ***whose vocational purpose has been defined based on the technical criteria specified in accordance with Article 2(2a)***, and for which the CO<sub>2</sub> emissions and fuel consumption have been determined, in accordance with Regulation (EC) No 595/2009 and its implementing measures, only for other mission profiles than those defined in point 2.1 of Annex I to this Regulation;

Or. en

**Amendment 33**

**Proposal for a regulation  
Article 3 – paragraph 1 – point n a (new)**

*Text proposed by the Commission*

*Amendment*

***(na) ‘bus’ means a vehicle of the categories M2 and M3 intended for the carriage of passengers, whose technical criteria has been specified in accordance with Article 2(2a).***

Or. en

**Amendment 34**

**Proposal for a regulation  
Article 4 – paragraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

***(b) the zero- and low-emission factor determined in accordance with Article 5.***

***deleted***

**Amendment 35****Proposal for a regulation****Article 5***Text proposed by the Commission**Amendment**Article 5**deleted**Zero- and low-emission heavy-duty vehicles*

**1. Starting from 2020 and for each subsequent calendar year, the Commission shall, by means of implementing acts referred to in Article 10(1), determine for each manufacturer the zero- and low-emission factor referred to in Article 4(b) for the preceding calendar year.**

**The zero- and low-emission factor shall take into account the number and the CO<sub>2</sub> emissions of zero- and low-emission heavy-duty vehicles in the manufacturer's fleet in a calendar year, including zero-emission vehicles of the categories referred to in the second sub-paragraph of Article 2(1), as well as zero- and low-emission vocational vehicles.**

**The zero- and low-emission factor shall be calculated in accordance with point 2.3 of Annex I.**

**2. For the purpose of paragraph 1, the zero- and low-emission heavy-duty vehicles shall be counted as follows:**

**(a) a zero-emission heavy-duty vehicle shall be counted as 2 vehicles;**

**(b) a low-emission heavy-duty vehicle shall be counted as up to 2 vehicles according to a function of its specific CO<sub>2</sub> emissions and the threshold emission level of 350 g CO<sub>2</sub>/km.**

**3. The zero- and low-emission factor shall reduce the average specific**

*emissions of a manufacturer by a maximum of 3% . The contribution of zero-emission heavy-duty vehicles of the categories referred to in the second subparagraph of Article 2(1) to that factor shall reduce the average specific emissions of a manufacturer by a maximum of 1.5%.*

Or. en

### **Amendment 36**

#### **Proposal for a regulation Article 6 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) the CO<sub>2</sub> reduction target referred to in Article 1 *(a) or (b)*, as applicable;

*Amendment*

(a) the CO<sub>2</sub> reduction target referred to in *point (a) or (b) of Article 1(1)*, as applicable;

Or. en

### **Amendment 37**

#### **Proposal for a regulation Article 6 a (new)**

*Text proposed by the Commission*

*Amendment*

#### *Article 6 a*

***Binding minimum share of zero- and low-emission vehicles on manufacturers***

***1. In order to ensure the smooth transition towards zero-emission mobility in this sector, and to provide incentives for the development and deployment of the Union market and infrastructure for zero- and low-emission heavy-duty vehicles, this Regulation sets a binding minimum share of zero- and low-emission vehicles in a manufacturer's fleet of new heavy-duty vehicles as follows:***

*(a) 10 % as of 1 January 2025;*

*(b) 35 % as of 1 January 2030.*

*2. For the purpose of meeting those targets, the Regulation shall also apply to vehicles of category N that do not fall within the scope of Regulation (EU) No 510/2011 and do not meet the characteristics set out in points (a) to (d) of Article 2(1), including vocational vehicles.*

*3. For the purpose of meeting the 2030 target referred to in point (b) of paragraph 1, and in order to provide manufacturers with sufficient flexibility without jeopardising the objective of this Regulation, a reward shall be given to early innovators according to the following formula:*

$$ZLEV2030 = 0.35 - [(ZLEV2025 - 0.10) * 0.5]$$

*where: - ZLEV2030 is the binding 2030 target of a manufacturer;*

*-ZLEV2025 is the share of ZLEV in this manufacturer's fleet in 2025.*

Or. en

### *Justification*

*To be fully in line with the Paris Agreement, at least 35% of all new heavy-duty vehicles placed on the Union's market would need to be zero-emission by 2030. To ensure manufacturers meet this objective, investment security is needed, which can be provided with by introducing a flexible but binding 2030 target for zero- and low-emission heavy-duty vehicles.*

## **Amendment 38**

### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – subparagraph 2**

##### *Text proposed by the Commission*

Emission credits shall be acquired over the period 2019 to 2029. However, the credits acquired over the period 2019 to 2024 shall be taken into account for the purpose of

##### *Amendment*

Emission credits **and debts** shall be acquired over the period 2019 to 2029 **in accordance with point 5.2 of Annex I**. However, the credits **and debts** acquired

determining the manufacturer's compliance with the 2025 specific emission target only.

over the period 2019 to 2024 shall be taken into account for the purpose of determining the manufacturer's compliance with the 2025 specific emission target only.

Or. en

#### *Justification*

*It is important to account also for potential emission debts acquired by manufacturers over the period 2019 to 2024.*

### **Amendment 39**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – subparagraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***Credits may be acquired without limitation, but a limit to the total debt that a manufacturer may acquire for the periods 2019 to 2024 and 2025 to 2029 shall be set in accordance with point 5.3 of Annex I.***

Or. en

### **Amendment 40**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – subparagraph 3**

*Text proposed by the Commission*

*Amendment*

***Emission debts shall be acquired over the period 2025 to 2029, but the total debt shall not exceed 5% of the manufacturer's specific emission target in 2025 multiplied by the number of heavy-duty vehicles of the manufacturer in that year ('emission debt limit').***

***deleted***

Or. en

## Amendment 41

### Proposal for a regulation

#### Article 7 – paragraph 1 – subparagraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

***Emission credits and debts acquired in 2019 and any of the subsequent calendar years until 2024 shall, where available, be carried over from one calendar year to another until 2025 when any remaining emission debts shall be cleared.***

Or. en

## Amendment 42

### Proposal for a regulation

#### Article 7 – paragraph 2

*Text proposed by the Commission*

*Amendment*

2. The CO<sub>2</sub> reduction trajectory referred to in paragraph 1(a) shall be set for each manufacturer in accordance with point 5.1 of Annex I, based on a linear trajectory between the reference CO<sub>2</sub> emissions referred to in the second subparagraph of Article 1 and the 2025 target specified in point (a) of that Article, and between the 2025 target and the 2030 target specified in point (b) of that Article.

2. The CO<sub>2</sub> reduction trajectory referred to in **point (a) of** paragraph 1 shall be set for each manufacturer in accordance with point 5.1 of Annex I, based on a linear trajectory between the reference CO<sub>2</sub> emissions referred to in the second subparagraph of Article **1(1)** and the 2025 target specified in point (a) of that Article, and between the 2025 target and the 2030 target specified in point (b) of that Article.

Or. en

## Amendment 43

### Proposal for a regulation

#### Article 8 – paragraph 1 – introductory part

*Text proposed by the Commission*

*Amendment*

1. Where a manufacturer is found to have excess emissions pursuant to paragraph 2 in a given calendar year from

1. Where a manufacturer is found to have excess emissions pursuant to paragraph 2 in a given calendar year from

2025 onwards, the Commission shall impose an excess emission premium calculated in accordance with the following formula:

2025 onwards, the Commission shall impose **on the manufacturer** an excess emission premium calculated in accordance with the following formula:

Or. en

#### Amendment 44

##### Proposal for a regulation

##### Article 8 – paragraph 1 – subparagraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***The Commission shall ensure that the level of the excess emission premium always exceeds the average marginal costs of the technologies needed to meet the targets referred to in Article 1(1).***

Or. en

#### Amendment 45

##### Proposal for a regulation

##### Article 8 – paragraph 4

*Text proposed by the Commission*

*Amendment*

4. The amounts of the excess emissions premium shall be considered as revenue for the general budget of the Union.

4. The amounts of the excess emissions premium shall be considered as revenue for the general budget of the Union. ***Those amounts shall be used only for the purpose of supporting programmes conducted in close cooperation with social partners, promoting the just transition of the automotive sector towards low-emission mobility, and promoting innovative solutions that incentivise the rapid deployment of zero- and low-emission heavy-duty vehicles.***

Or. en

## Amendment 46

### Proposal for a regulation Article 9 – paragraph 2

*Text proposed by the Commission*

2. The Commission shall take those deviations into account for the purpose of calculating the average specific emissions of a manufacturer.

*Amendment*

2. The Commission shall take those deviations into account for the purpose of calculating the average specific emissions of a manufacturer, **and adapting, where appropriate, the 2019 reference CO<sub>2</sub> emissions.**

Or. en

## Amendment 47

### Proposal for a regulation Article 9 – paragraph 3

*Text proposed by the Commission*

3. The Commission shall adopt detailed rules on the procedures for reporting such deviations and for taking them into account in the calculation of the average specific emissions. **Those procedures shall be adopted by way of implementing acts in accordance with the examination procedure referred to in Article 14(2).**

*Amendment*

3. The Commission shall adopt **delegated acts in accordance with Article 15 in order to supplement this Regulation by specifying** detailed rules on the procedures for reporting such deviations and for taking them into account in the calculation of the average specific emissions **and the 2019 reference CO<sub>2</sub> emissions.**

Or. en

## Amendment 48

### Proposal for a regulation Article 10 – paragraph 1 – subparagraph 1 – point a (new)

*Text proposed by the Commission*

*Amendment*

**(aa) from 2020, for each manufacturer, its average specific emission of CO<sub>2</sub> in the preceding calendar year for each vehicle sub-group as defined in Point 1 of Annex**

I;

Or. en

## Amendment 49

### Proposal for a regulation

#### Article 10 – paragraph 1 – subparagraph 1 – point b

*Text proposed by the Commission*

(b) from 2020, **the** zero- and low-emission **factor**, referred to in Article 5;

*Amendment*

(b) from 2020, **for each manufacturer its specific minimum share of** zero- and low-emission **vehicles in the preceding calendar year**, referred to in Article 6;

Or. en

## Amendment 50

### Proposal for a regulation

#### Article 10 – paragraph 1 – subparagraph 1 – point d

*Text proposed by the Commission*

(d) from 2020 until 2030, for each manufacturer its CO<sub>2</sub> reduction trajectory, its emission credits and, **from 2026**, its emission debts in the preceding year, referred to in Article 7;

*Amendment*

(d) from 2020 until 2030, for each manufacturer its CO<sub>2</sub> reduction trajectory, its emission credits and, its emission debts in the preceding year, referred to in Article 7;

Or. en

## Amendment 51

### Proposal for a regulation

#### Article 10 – paragraph 1 – subparagraph 1 – point f a (new)

*Text proposed by the Commission*

*Amendment*

**(fa) from 2020, the average of the specific emissions of CO<sub>2</sub> of all new heavy-duty vehicles registered in the Union for each vehicle sub-group as defined in Point 1 of Annex I in the**

*preceding calendar year.*

Or. en

## **Amendment 52**

### **Proposal for a regulation**

#### **Article 10 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

The list shall, for the publication by 31 October 2020, include the reference CO<sub>2</sub> emissions referred to in Article 1.

*Amendment*

The list shall, for the publication by 31 October 2020, include the reference CO<sub>2</sub> emissions referred to in Article 1 **and the reference CO<sub>2</sub> emissions for each vehicle sub-group as defined in Point 1 of Annex I.**

Or. en

## **Amendment 53**

### **Proposal for a regulation**

#### **Article 11 – paragraph 2**

*Text proposed by the Commission*

2. For that purpose, the Commission shall ensure the availability, from manufacturers or national authorities, as the case may be, of robust **non-personal** data on real-world CO<sub>2</sub> emissions and energy consumption of heavy-duty vehicles.

*Amendment*

2. For that purpose, the Commission shall ensure the availability, **including to third parties for the purpose of independent testing**, from manufacturers or national authorities, as the case may be, of robust data on real-world CO<sub>2</sub> emissions and energy consumption of heavy-duty vehicles.

Or. en

## **Amendment 54**

### **Proposal for a regulation**

#### **Article 11 – paragraph 2 a (new)**

**2a. The Commission shall adopt, no later than 31 December 2019, delegated acts in accordance with Article 15 to introduce an on-road in-service conformity test for ensuring that on-road CO<sub>2</sub> emissions and fuel consumption of heavy-duty vehicles do not exceed the monitoring data reported pursuant to Regulation (EU) 2018/956 by more than maximum 10 %. The Commission shall take any deviation exceeding that threshold into account for the purpose of calculating the average specific CO<sub>2</sub> emissions of a manufacturer, and adapting, where appropriate, the 2019 reference CO<sub>2</sub> emissions.**

Or. en

## Amendment 55

### Proposal for a regulation Article 11 – paragraph 3

*Text proposed by the Commission*

3. The Commission may adopt, by means of implementing acts, **the measures** referred to in paragraphs 1 and 2 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2).

*Amendment*

3. The Commission may adopt, by means of implementing acts, **rules on the procedures for reporting data on real-world CO<sub>2</sub> emissions and energy consumption of heavy-duty vehicles** referred to in paragraphs 1 and 2 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2).

Or. en

## Amendment 56

### Proposal for a regulation

#### Article 12 – paragraph 2 – subparagraph 1

##### *Text proposed by the Commission*

Where the type-approval procedures laid down in Regulation (EC) No 595/2009 and its implementing measures are modified so that the level of the CO<sub>2</sub> emissions of the representative vehicles defined pursuant to this paragraph **increase or decrease** by more than 5 g CO<sub>2</sub>/km, the Commission shall, in accordance with Article 10(2)(b), apply an adjustment to the reference CO<sub>2</sub> emissions referred to in Article **11(1)** that shall be calculated in accordance with the formula set out in Point 2 of Annex II.

##### *Amendment*

Where the type-approval procedures laid down in Regulation (EC)No 595/2009 and its implementing measures are modified so that the ***cumulative effect would be an increase or decrease of the*** level of the CO<sub>2</sub>emissions of the representative vehicles defined pursuant to this paragraph by more than 5 g CO<sub>2</sub>/km, the Commission shall, in accordance with Article 10(2)(b), apply an adjustment to the reference CO<sub>2</sub> emissions referred to in Article **10(1)** that shall be calculated in accordance with the formula set out in Point 2 of Annex II **and adjust the specific emission targets applicable in the calendar years following the entry into force of the delegated acts adjusting the values.**

Or. en

## Amendment 57

### Proposal for a regulation

#### Article 13 – paragraph 1

##### *Text proposed by the Commission*

By 31 December 2022, the Commission shall submit a report to the European Parliament and the Council on the effectiveness of this Regulation, the CO<sub>2</sub> reduction target to be determined for 2030 pursuant to Article 1 **and** the setting of CO<sub>2</sub> reduction targets to other types of heavy-duty vehicles including trailers. That report shall also include an assessment of the effectiveness of the modalities addressing, in particular, zero- and low-emission vehicles, notably buses taking into account the targets set out in Directive

##### *Amendment*

By 31 December 2022, the Commission shall submit a report to the European Parliament and the Council on the effectiveness of this Regulation, the CO<sub>2</sub> reduction target to be determined for 2030 pursuant to Article 1, the setting of CO<sub>2</sub> reduction targets to other types of heavy-duty vehicles including trailers, **as well as the possibility to introduce engine CO<sub>2</sub> standards as a complement to the CO<sub>2</sub> reduction targets applied to the vehicle as a whole.** That report shall also include an assessment of the effectiveness of the

2009/33/EC<sup>30</sup>, and the CO<sub>2</sub> credit system and the appropriateness of prolonging the application of those modalities in 2030 and beyond and, where appropriate, be accompanied by a proposal for amending this Regulation.

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<sup>30</sup> Clean Vehicle Directive 2009/33/EC as amended by Directive .../.../EU

modalities addressing, in particular, zero- and low-emission vehicles, notably buses taking into account the targets set out in Directive 2009/33/EC<sup>30</sup>, and the CO<sub>2</sub> credit system and the appropriateness of prolonging the application of those modalities in 2030 and beyond and, where appropriate, be accompanied by a proposal for amending this Regulation.

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<sup>30</sup> Clean Vehicle Directive 2009/33/EC as amended by Directive .../.../EU

Or. en

## Amendment 58

### Proposal for a regulation Article 14 – paragraph 1

#### *Text proposed by the Commission*

1. The Commission shall be assisted by the ~~xxx~~ Committee established by Regulation (EU) No ~~.../2018~~ **[Governance]**. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

#### *Amendment*

1. The Commission shall be assisted by the **Climate Change** Committee established by **Article 26 of** Regulation (EU) No 525/2013 of the European Parliament and of the Council<sup>1a</sup>. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

<sup>1a</sup> **Regulation (EU) No 525/2013 of the European Parliament and of the Council of 21 May 2013 on a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other information at national and Union level relevant to climate change and repealing Decision No 280/2004/EC (OJ L 165, 18.6.2013, p. 13).**

Or. en

#### *Justification*

*The proposal maintains the existing committee structure and is in line with the new Regulation on the Governance of the Energy Union, which is to maintain the Climate Change Committee for the separate pieces of climate legislation.*

## **Amendment 59**

### **Proposal for a regulation Article 15 – paragraph 2**

*Text proposed by the Commission*

2. The power to adopt delegated acts referred to Articles 10(2) and 12(1) shall be conferred on the Commission for an indeterminate period of time from [the date of entry into force of this Regulation].

*Amendment*

2. The power to adopt delegated acts referred to Articles **2(2a), 9(3)**, 10(2), **11(2a)** and 12(1) shall be conferred on the Commission for an indeterminate period of time from [the date of entry into force of this Regulation].

Or. en

## **Amendment 60**

### **Proposal for a regulation Article 15 – paragraph 3**

*Text proposed by the Commission*

3. The delegation of power referred to in Articles 10(2) and 12(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated act already in force.

*Amendment*

3. The delegation of power referred to in Articles **2(2a), 9(3)**, 10(2), **11(2a)** and 12(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated act already in force.

Or. en

## **Amendment 61**

### **Proposal for a regulation Article 15 – paragraph 6**

*Text proposed by the Commission*

6. A delegated act adopted pursuant to Articles 10(2) and 12(1) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended to two months at the initiative of the European Parliament or of the Council.

*Amendment*

6. A delegated act adopted pursuant to Articles **2(2a), 9(3), 10(2), 11(2a)** and 12(1) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended to two months at the initiative of the European Parliament or of the Council.

Or. en

**Amendment 62**

**Proposal for a regulation**  
**Annex I – point 2 – point 2.3**

*Text proposed by the Commission*

**2.3. Calculation of the zero- and low-emission factor as referred to in Article 5**

*For each manufacturer and calendar year, the zero- and low-emission factor (ZLEV) referred to in Article 5 shall be calculated as follows:*

***ZLEV =  $V / (V_{conv} + V_{zlev})$  with a minimum of 0,97***

***Where:***

***V is the number of new heavy-duty vehicles of the manufacturer excluding all vocational vehicles in accordance with Article 4(a).***

***V<sub>conv</sub> is the number of new heavy-duty vehicles of the manufacturer excluding all vocational vehicles in accordance with Article 4(a) and excluding zero- and low-emission heavy-duty vehicles;***

*Amendment*

***deleted***

*V<sub>zlev</sub> is the sum of V<sub>in</sub> and V<sub>out</sub>,*

*Where,*

*null*

*withbeing the sum over all new zero- and low-emission heavy-duty vehicles with the characteristics set out in Article 2(1)(a) to (d);*

*null*

*CO<sub>2,v</sub> is the specific CO<sub>2</sub> emissions in g/km of a zero- and low-emission heavy-duty vehicle v determined in accordance with point 2.1.*

*V<sub>out</sub> is the total number of zero-emission heavy-duty vehicles of the categories referred to in in the second subparagraph of Article 2(1), multiplied by 2 , and with a maximum of 1,5% of V<sub>conv</sub>.*

Or. en

#### Amendment 63

##### Proposal for a regulation

##### Annex I – point 2 – point 2.6 –

*Text proposed by the Commission*

$$MPW_{sg} = \frac{(AM_{sg} \times PL_{sg})}{AM_{5-LH} \times PL_{5-LH}}$$

*Amendment*

$$MPW_{sg} = \frac{(AM_{sg} \times PL_{sg} \times share_{,sg})}{\sum_{sg} AM_{sg} \times PL_{sg} \times share_{,sg}}$$

Or. en

#### Amendment 64

##### Proposal for a regulation

##### Annex I – point 2 – point 2.6 – paragraph 1 – subparagraph 2 – subparagraph 2

*Text proposed by the Commission*

*Amendment*

***AM<sub>5-LH</sub> is the annual mileage specified for the sub-group 5-LH in Table 4***      ***deleted***

Or. en

## **Amendment 65**

### **Proposal for a regulation**

**Annex I – point 2 – point 2.6 – paragraph 1 – subparagraph 2 – subparagraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***share<sub>sg</sub> is as determined in point 2.4***

Or. en

## **Amendment 66**

### **Proposal for a regulation**

**Annex I – point 2 – point 2.6 – paragraph 1 – subparagraph 2 – subparagraph 3 b (new)**

*Text proposed by the Commission*

*Amendment*

***$\sum_{sg}$  is the sum over all sub-groups;***

Or. en

## **Amendment 67**

### **Proposal for a regulation**

**Annex I – point 2 – point 2.6 – paragraph 1 – subparagraph 2 – subparagraph 4**

*Text proposed by the Commission*

*Amendment*

***PL<sub>5-LH</sub> is the average payload value for the sub-group 5-LH as determined in point 2.5.***      ***deleted***

Or. en

## Amendment 68

### Proposal for a regulation

#### Annex I – point 2 – point 2.7 – paragraph 1 – subparagraph 1

*Text proposed by the Commission*

$CO_2 = ZLEV \times \sum_{sg} share_{,sg} \times MPW_{sg} \times avgCO_{2,sg}$

*Amendment*

$CO_2 = \sum_{sg} MPW_{sg} \times avgCO_{2,sg}$

Or. en

## Amendment 69

### Proposal for a regulation

#### Annex I – point 2 – point 2.7 – paragraph 1 – subparagraph 2 – subparagraph 2

*Text proposed by the Commission*

*ZLEV is as determined in point 2.3*

*Amendment*

*deleted*

Or. en

## Amendment 70

### Proposal for a regulation

#### Annex I – point 2 – point 2.7 – paragraph 1 – subparagraph 2 – subparagraph 3

*Text proposed by the Commission*

*share<sub>,sg</sub> is as determined in point 2.4*

*Amendment*

*deleted*

Or. en

## Amendment 71

### Proposal for a regulation

#### Annex I – point 5 – point 5.1 – introductory part

*Text proposed by the Commission*

5.1. Calculation of the CO<sub>2</sub> reduction

*Amendment*

5.1. Calculation of the CO<sub>2</sub> reduction

trajectory for emission credits

trajectory for emission credits *and debts*

Or. en

## Amendment 72

### Proposal for a regulation

#### Annex I – point 5 – point 5.3 – paragraph 1

*Text proposed by the Commission*

For each manufacturer the emission debt limit (limCO2) is defined as follows:

$$\text{limCO2} = T_{2025} \times 0,05 \times V_{2025}$$

Where

T2025 is the manufacturer specific emission target for 2025 determined in accordance with Section 4;

V2025 is the number of new heavy-duty vehicles of the manufacturer in 2025 excluding all vocational vehicles in accordance with Article 4(a).

*Amendment*

For each manufacturer the emission debt limit (limCO2) is defined as follows:

*For the calendar years from 2019 to 2025:*

$$\text{limCO2} = r\text{CO2}_{sg} \times 0,05 \times V_{2019}$$

*Where*

*rCO2<sub>sg</sub> is as determined in Section 3;*

*V2019 is the number of new heavy-duty vehicles of the manufacturer in 2019 excluding all vocational vehicles in accordance with point (a) of Article 4.*

*For the calendar years from 2026 to 2030:*

$$\text{limCO2} = T_{2025} \times 0,03 \times V_{2025}$$

Where

T2025 is the manufacturer specific emission target for 2025 determined in accordance with Section 4;

V2025 is the number of new heavy-duty vehicles of the manufacturer in 2025 excluding all vocational vehicles in accordance with *point (a) of Article 4.*

Or. en

## Amendment 73

### Proposal for a regulation

#### Annex I – point 5 – point 5.4

**5.4. Emission credits acquired before the year 2025** *deleted*

*Emission debts acquired in the year 2025 shall be reduced by an amount (redCO<sub>2</sub>) corresponding to the emission credits acquired prior to 2025, which is determined for each manufacturer as follows:*

*null*

*Where,*

*min is the minimum of the two values mentioned between the brackets;*

*null*

*is the sum over the calendar years 2019 to 2024;*

*dCO<sub>2</sub>2025 is the emission debts for 2025 as determined in accordance with point 5.2;*

*cCO<sub>2</sub>y is the emission credits for the calendar year Y as determined in accordance with point 5.2.*

Or. en

## EXPLANATORY STATEMENT

The Union and its Member States committed to the Paris Agreement, which aims at keeping the increase of global temperature to well below 2°C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1.5°C above pre-industrial levels. The transport sector, whose emissions are increasing and were responsible for 25% of total GHG emissions in the EU in 2016, has to do a substantial part of the EU climate effort. The decarbonisation of the transport sector must be accelerated, and GHG and air pollutant emissions from transport should be net zero by mid-century at the latest.

Setting emission performance requirements for new HDVs has the potential to reduce CO<sub>2</sub> emissions, thus contributing towards the reduction of greenhouse gas emissions and the mitigation of climate change, while at the same time delivering significant fuel savings to transport operators, maintaining a high level of innovation and technological leadership for EU HDV manufacturers, and bringing about substantial air quality improvements.

The rapporteur considers that decreasing CO<sub>2</sub> emissions from the transport sector is key to fulfil the Union's target of reducing its greenhouse gas emissions by at least 30% below 2005 levels in 2030 under Regulation (EU) 2018/842 [Effort Sharing Regulation] in the most cost-efficient way. Any delay in this sector would require substantial efforts from other sectors in order to respect our commitments under the Paris Agreement, including agriculture.

HDV CO<sub>2</sub> emissions represented about 6% of total EU GHG emissions in 2015. Without EU action, this share is estimated to increase further by up to 6% between 2015 and 2030. In its 2014 Strategy for reducing Heavy-Duty Vehicles' fuel consumption and CO<sub>2</sub> emissions, the European Commission already acknowledged HDV CO<sub>2</sub> emissions trends are unsustainable on the mid and longer term, and thus advocated for a 'stepwise approach' for regulating CO<sub>2</sub> emissions in this sector. Following Regulation (EU) 2017/2400 [Certification] and Regulation (EU) 2018/956 [Monitoring & Reporting], this Regulation is the last and most important legislative piece for setting CO<sub>2</sub> emission performance requirements for new HDVs. The rapporteur supports the approach favoured by the Commission to introduce CO<sub>2</sub> emission performance requirements to the most polluting vehicles as a first step, before widening the scope to all HDV categories in the near future.

Significant HDV markets such as the United States, Canada, Japan or China have recently introduced fuel consumption and/or emission reduction requirements for HDVs in order to stimulate innovation and to ensure the rapid development and deployment of zero- and low-emission technologies in this sector. In order to respond to this increasing global competitive pressure, EU HDV manufacturers need to invest rapidly in zero- and low-emission technologies. To prevent such investments to target only non-EU markets where regulations have been put in place to curb emissions, EU emission reduction requirements must follow suit.

The rapporteur believes that setting the right ambition for HDV CO<sub>2</sub> emissions is instrumental in giving a clear signal to manufacturers for investing in emission-reduction technologies in a timely manner. According to the Impact Assessment of the European Commission, a 20% reduction target for 2025 (compared to the 2019 baseline) is not only technologically feasible, but also results in the greatest net economic and social benefits. This would allow transport operators to benefit from between 33 002 and 37 589 of net savings in the first 5 years of use of a lorry, while considerably reducing CO<sub>2</sub> and air pollutant

emissions. Yet for EU transport operators to fully reap those benefits, loopholes such as ‘super credits’ must be avoided. Such measures would indeed risk jeopardising the effective emission reduction effect of the targets, and even allow more emitting and consuming vehicles on the market after 2025.

The rapporteur considers it essential that the CO<sub>2</sub> emissions and fuel consumption values determined pursuant to Regulation (EU) 2017/2400 [Certification] correctly reflect the real-world performance of HDVs. Any discrepancy would have significant implications for transport operators, air quality and climate change. The rapporteur’s view is that the introduction of on-road in-service conformity testing is necessary to ensure the real-world representativeness of the certified CO<sub>2</sub> emissions and fuel consumption of HDVs.

The rapporteur acknowledges the specificities of the market for heavy-duty vehicles. In particular, the development of zero-emission technologies is not as advanced as for passenger cars, especially when it comes to long-haul trucks. On the other hand, the market for zero-emission regional and urban delivery trucks is changing fast, as those vehicles are expected to reach cost parity with diesel in Europe within the next five years. The rapporteur sees a clear environmental and economic interest in marketing such vehicles as soon as they are available. Therefore, he believes that this Regulation should introduce a binding minimum share of zero- and low-emission vehicles for each manufacturer both in 2025 and in 2030. This minimum share should be designed to ensure investment certainty for the rapid up-take of such vehicles on the Union market and for the development of adequate charging infrastructure, while rewarding early innovators for their effort to place zero- and low-emission vehicles as soon as possible on the Union market. This binding minimum share should cover as well other vehicles of the category N than the four sub-groups identified in the proposed Regulation. This stepwise approach would have the benefit of providing strong investment certainty as well as a clear signal not to delay the market introduction of such vehicles in the absence of CO<sub>2</sub> emission reduction requirements.

Preoccupied by the deterioration of air quality in many European cities, an increasing number of public authorities and public transport operators are turning to zero-emission buses. In this context, and taking into account demand side measures such as public procurement requirements, the share of electric buses in the EU fleet of urban buses is supposed to reach about 60% in 2030. In order to ensure the appropriate level of supply on the Union market, the rapporteur considers appropriate to set 2030 as the date for which all new buses placed on the EU market should be zero-emission.