***I

DRAFT REPORT


Committee on the Environment, Public Health and Food Safety

Rapporteur: Elisabetta Gardini
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 on requirements relating to emission limits and type-approval for internal combustion engines for non-road mobile machinery

(Ordinary legislative procedure: first reading)

The European Parliament,

– having regard to the Commission proposal to Parliament and the Council (COM(2014)0581),

– having regard to Article 294(2) and Article 114 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0168/2014),

– 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 18 February 2015¹,

– 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 and the opinion of the Committee on the Internal Market and Consumer Protection (A8-0000/2015),

1. Adopts its position at first reading hereinafter set out;

2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;

3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ Not yet published in the Official Journal.
Amendment 1
Proposal for a regulation
Recital 21

Text proposed by the Commission

(21) A limited number of exemptions should be granted to address the specific needs related to armed forces, logistic supply constraints, field testing of prototypes and the use of machinery in explosive atmospheres.

Amendment

(21) A limited number of exemptions should be granted to address the specific needs related to armed forces, logistic supply constraints, field testing of prototypes, certain replacement engines, engines for certain types of projects in the railway sector and the use of machinery in explosive atmospheres.

Or. en

(See amendments on Article 32(4a) (new) and (4b) (new).)

Amendment 2
Proposal for a regulation
Recital 27

Text proposed by the Commission

(27) In order to supplement this Regulation with further technical details, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of engine families, tampering, monitoring of in-service emission performance, technical tests and measurement procedures, conformity of production, separate delivery of an engine’s exhaust after-treatment system, engines for field-testing, engines for use in hazardous atmospheres, equivalence of engine type-approvals, information for OEMs and end-users, self-testing, standards and assessment of technical services, fully and partially gaseous fuelled

Amendment

(27) In order to supplement this Regulation with further technical details, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of engine families, tampering, monitoring of in-service emission performance, technical tests and measurement procedures, conformity of production, separate delivery of an engine’s exhaust after-treatment system, engines for field-testing, engines for use in hazardous atmospheres, equivalence of engine type-approvals, information for Original Equipment Manufacturers (OEMs) and end-users, standards and assessment of technical services, fully and partially gaseous fuelled...
engines, measurement of the particulate number and test cycles. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

partially gaseous fuelled engines, measurement of the particulate number and test cycles and the assessment of the yearly production of OEMs. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

(See amendments on Article 3(1)(72), Article 46 and Article 57(8 a) (new).)

Or. en

Amendment 3
Proposal for a regulation
Recital 29 a (new)

Text proposed by the Commission

(29a) The requirements of this Regulation should also apply to agricultural vehicles covered by the provisions of Regulation (EU) No. 167/2013 of the European Parliament and of the Council\(^a\), replacing those of the repealed Directive 97/68/EC. The Commission, when adapting the environmental performance requirements of agricultural vehicles to those laid down in this Regulation, should consider the features of specific categories of agricultural vehicles and, in particular, the Stages timing as modified for those categories, and the relative transition clauses, and should adopt legislative instruments.

\(^a\) Regulation (EU) No 167/2013 of the European Parliament and the Council of 5 February 2013 on the approval and
Justification

Directive 2011/87/EU granted a delay of the Stage IIIB and IV compulsory dates to agricultural and forestry tractors belonging to categories T2, T4.1 and C2. The Stage V compulsory dates defined by this Regulation make Stage IV not sustainable economically for manufacturers, as two tractors redesigns in about two years represent an economic burden without environmental benefit. The Commission should therefore evaluate allowing a direct passage from Stage IIIB to Stage V in a single step.

Amendment 4

Proposal for a regulation
Article 3 – paragraph 1 – point 6

Text proposed by the Commission

(6) “engine” means an energy converter other than a gas turbine in which combustion of the fuel takes place in a confined space, producing expanding gases that are used directly to provide mechanical power, for which EU type-approval may be granted; it includes the emission control system and the communication interface (hardware and messages) between the engine system electronic control unit(s) (ECU) and any other powertrain or vehicle control unit necessary to comply with Chapters II and III;

Amendment

(6) “engine” means an energy converter designed to transform chemical energy (input) into mechanical energy (output) with an internal combustion process; including, where those are installed, the emission control system and the communication interface (hardware and messages) between the engine system electronic control unit(s) and any other powertrain or vehicle control unit necessary to comply with Chapters II and III;

Justification

It is necessary to clarify the definition in order to cover all engine technologies, in particular with a view to whether or not they use ECU’s or after-treatment systems.
Amendment 5
Proposal for a regulation
Article 3 – paragraph 1 – point 9 a (new)

*Text proposed by the Commission*

(9a) “replacement engine” means an engine which:

(a) is exclusively intended to replace an engine installed in a non-road mobile machine which is already in service; and

(b) complies with an emission stage which is lower than the one applicable on the date of replacement of the engine installed;

*Amendment*

(9a) “replacement engine” means an engine which:

(a) is exclusively intended to replace an engine installed in a non-road mobile machine which is already in service; and

(b) complies with an emission stage which is lower than the one applicable on the date of replacement of the engine installed;

*Or. en*

*(See amendment on Article 32(4a).)*

Amendment 6
Proposal for a regulation
Article 3 – paragraph 1 – point 29

*Text proposed by the Commission*

(29) “transition period” means the first eighteen months following the date of mandatory implementation of Stage V, as referred to in Article 17(2);

*Amendment*

(29) “transition period” means the first twenty-four months following the date of mandatory implementation of Stage V, as referred to in Article 17(2);

*Or. en*

*Justification*

Non-road mobile machinery needs to be redesigned in order to be able to accommodate the larger stage V engines. Therefore, a longer transition period is necessary.

Amendment 7
Proposal for a regulation
Article 3 – paragraph 1 – point 43 a (new)

Text proposed by the Commission

(43a) “mobile crane” means a self-powered jib crane capable of travelling, loaded or unloaded, without the need for fixed runways and relying on gravity for stability, unless excluded from the scope of this Regulation pursuant to point (a) of Article 2(2). It operates on crawlers or with other mobile arrangements. In fixed positions it may be supported by outriggers or other accessories increasing its stability. The superstructure of a mobile crane may be of the type of full-circle slewing, of limited slewing or non-slewing. It is normally equipped with one or more hoists and/or hydraulic cylinders for lifting and lowering the jib and the load. Mobile cranes are equipped either with telescopic jibs, with articulated jibs, with lattice jibs, or a combination of these, of a design such that they may readily be lowered. The loads suspended from the jib may be handled by hook block assemblies or other load-lifting attachments for special services;

Or. en

Justification

This definition of "mobile crane" stems from Annex I, item 38, of Directive 2000/14/EC (Noise Directive). Mobile cranes on tyres fall under the scope of Directive 2007/46/EC and are therefore excluded from the scope of the NRMM Regulation.

Amendment 8

Proposal for a regulation
Article 3 – paragraph 1 – point 72

Text proposed by the Commission

(72) “self-testing” means the performance of tests in his or her own facilities, the deleted

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registration of the test results and the submission of a report, including conclusions, to the approval authority by a manufacturer who has been designated as technical service in order to assess the compliance with certain requirements;

Justification

Self-testing is not feasible with regard to the testing of engines. It is only feasible with regard to the testing of machinery or vehicles.

Amendment 9

Proposal for a regulation
Article 4 – paragraph 1 – point 8

Text proposed by the Commission

(8) ‘Category RLR’, comprising engines exclusively for use in railcars, for their propulsion or intended for their propulsion;

Amendment

(8) ‘Category RLR’, comprising:

(a) engines exclusively for use in railcars, for their propulsion or intended for their propulsion;

(b) engines used in place of engines of category RLL;

Justification

Engines of the type used in railcars may also be used in locomotives and should not be subject to unnecessary double approval.

Amendment 10

Proposal for a regulation
Article 5 – paragraph 4 – subparagraph 1 a (new)

*Text proposed by the Commission*

Member States shall not prohibit, impede or restrict the placing on the market, or refuse approvals required for the entry into service, of non-road mobile machinery on grounds related to aspects of their exhaust emission performance if the engine installed in the machinery satisfies the requirements of this Regulation.

*Amendment*

Or. en

*Justification*

It needs to be clarified that, where an engine satisfies the requirements of this Regulation, Member States shall neither prohibit, restrict or impede the placing on the market of the engine itself, nor the placing on the market or the entering into service of the non-road mobile machinery where the engine is installed, on grounds covered by this Regulation.

Amendment 11

Proposal for a regulation
Article 18 – paragraph 1 – subparagraph 1

*Text proposed by the Commission*

The gaseous pollutant and particulate emissions of engine types or engine families in service shall be monitored by testing engines installed in non-road mobile machinery operated over their normal operating duty cycles. Such testing shall be conducted on engines that have been correctly maintained and shall comply with the provisions on the selection of engines, testing procedures and reporting of results for the different engine categories.

*Amendment*

For engine types or engine families type-approved in accordance with this Regulation, the gaseous pollutant emissions and, where appropriate, particulate emissions shall be monitored by in-service testing of engines installed in non-road mobile machinery operated over their normal operating duty cycles. Such testing shall be conducted, under the responsibility of the manufacturer, on engines that have been correctly maintained and shall comply with the provisions on the selection of engines, testing procedures and reporting of results for the different engine categories.

Or. en
Justification

The Commission proposal could be understood as if in-service monitoring applies to all engines independent of emissions stage and time of placing on the market. However, only engines type-approved in accordance with the proposed Regulation should be covered by Article 18. In-service testing of PM emissions will still need to be developed by delegated acts, as PEMS PM measurement instrumentation is at an advanced stage of development for HD vehicles, but not yet available for NRMM.

Amendment 12

Proposal for a regulation
Article 20 – paragraph 2 – introductory part

Text proposed by the Commission

2. The contents of information folder shall be defined in an implementing act and shall include the following:

Amendment

2. The contents of the information folder shall include the following:

Or. en

Justification

The contents of the information folder are already defined directly in Article 20(2), and Article 20(4) provides for implementing acts to lay down templates for the information folder. There is hence no need for further implementing acts to define the contents of the information folder.

Amendment 13

Proposal for a regulation
Article 20 – paragraph 2 – point b a (new)

Text proposed by the Commission

(ba) the initial plan for in-service testing in accordance with Article 18(1);

Amendment

Or. en

Justification

Provisions from the Euro VI Regulation oblige the manufacturer to present a plan for in-service testing to the type-approval authority. A similar provision is suggested for the NRMM
Regulation. Following this suggestion, the plans will already be validated at the moment of type-approval.

Amendment 14
Proposal for a regulation
Article 30 – paragraph 6 a (new)

Text proposed by the Commission

6a. Instead of delivering a certificate of conformity, the manufacturer may apply a conformity marking to the engine. That conformity marking shall include an electronic code which is readable with widely available information technology (IT) tools and allows the retrieval of information on the engine from the manufacturer's website. The retrievable information shall be equivalent to the information contained in a certificate of conformity.

Or. en

Justification

The requirement to hold a certificate of conformity in paper form for each engine represents an unnecessary administrative burden and seems outdated in today's digital world. The possibility to replace the certificate of conformity with a conformity marking giving access to electronically stored information alleviates this burden, while equally allowing for the reliable tracking of engines.

Amendment 15
Proposal for a regulation
Article 30 – paragraph 7

Text proposed by the Commission

7. The Commission shall be empowered to adopt by means of implementing acts the template for the certificate of conformity, including the technical features designed to prevent forgery. To that end, the implementing acts shall provide the

Amendment

7. The Commission shall be empowered to adopt implementing acts concerning the template for the certificate of conformity, including the technical features designed to prevent forgery and the security printing features protecting the paper used in the
security printing features protecting the paper used in the certificate. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 54(2) by [31 December 2016].

certificate, and a template for the conformity marking and the retrievable information, including the acceptable types of electronic codes used to access the information on the engine, referred to in paragraph 6a of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 54(2) by [31 December 2016].

Or. en

Justification

The Commission should be empowered to adopt a template for the conformity marking and the retrievable information and to establish the acceptable types of electronic codes used to access the information on the engine.

Amendment 16

Proposal for a regulation

Article 32 – paragraph 4 a (new)

Text proposed by the Commission

4a. Notwithstanding the requirements of Article 5(3) and Article 17(2), Member States shall authorise, for a period of 16 years starting from the date of entry into force of this Regulation, the placing on the market of replacement engines which are not covered by a valid EU type-approval, in cases where the engine to be replaced was subject to type-approval at Union level on...* ; provided that the engines:

(a) belong to category NRE or category NRS, do not have a reference power greater than 560 kW and comply with an emission stage that expired not earlier than 10 years before their placing on the market,

(b) belong to category RLL or category RLR and comply with an emission stage
that expired not earlier than 15 years before their placing on the market; or
(c) have a reference power greater than 560 kW and comply with an emission stage that expired not earlier than 16 years before their placing on the market.

Any Member State authorising the placing on the market of a replacement engine which is not covered by a valid EU type-approval shall make sure that the engine which was replaced is removed from the market.

* Date of repeal of Directive 97/68/EC.

**Justification**

Often, in many cases, stage V engines are too large to fit into current non-road mobile machinery. Moreover the standstill of new machine would be a major economic disruption for the end users and it should be prevented by making replacement engines available. The need for newly built replacement engines will decrease as stages grow older and manufacturers would be able to supply the market with exchange engines resulting from remanufacturing or refurbishing operations on failed engines Thus, a limitation in time of the availability of replacement engines is justified.

**Amendment 17**

Proposal for a regulation
Article 32 – paragraph 4 b (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
</tr>
</thead>
</table>
| 4b. Notwithstanding the requirements of Article 5(3) and Article 17(2), Member States shall authorise the placing on the market of engines which are not covered by a valid EU type-approval, provided such engines:
| (a) belong to category RLL or category RLR;
| (b) are to be fitted to locomotives or railcars in the framework of a project that |
constitutes, at the moment of entry into force of this Regulation, a project at an advanced stage of development within the meaning of point (t) of Article 2 of Directive 2008/57/EC of the European Parliament and of the Council; and (c) comply with emission Stage III B.


Or. en

Justification

Projects in the railway sector have a long timeline between the definition of technical specifications and the delivery. For projects which are already at an advanced stage of development within the meaning of the Interoperability Directive 2008/57/EC, changing the technical specifications in order to accommodate a stage V engine is not feasible.

Amendment 18

Proposal for a regulation

Article 32 – paragraph 5 – subparagraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) the placing on the market of replacement engines, as referred to in paragraph 4a.

Or. en

Justification

The Commission should be empowered to adopt delegated acts concerning the technical specifications and conditions for the placing on the market of replacement engines.
Amendment 19
Proposal for a regulation
Article 36 – paragraph 4

Text proposed by the Commission

4. If, at the request of the approval authority, the manufacturer is not able to verify the engine marking requirements specified in Article 31, the approval granted in respect of the corresponding engine type or family pursuant to this Regulation may be withdrawn. The information procedure shall be carried out as set out in Article 36(4).

Amendment

4. If, at the request of the approval authority, the manufacturer is not able to verify the engine marking requirements specified in Article 31, the approval granted in respect of the corresponding engine type or family pursuant to this Regulation may be withdrawn. The information procedure shall be carried out as set out in Article 37(4).

Or. en

Justification

This amendment merely corrects an editing error in the Commission proposal. The information procedure to be followed is set out in Article 37(4).

Amendment 20
Proposal for a regulation
Article 42 – title

Text proposed by the Commission

Union central administrative platform and database

Amendment

Exchange of data and information via the Internal Market Information System

Or. en

Justification

Using the well-established Internal Market Information System saves costs and unnecessary administrative efforts as compared to the set-up of a new digital platform.

Amendment 21
Proposal for a regulation
Article 42 – paragraph 1

Text proposed by the Commission

1. The Commission shall set up a Union central administrative digital platform for the exchange of data and information related to EU type-approvals in electronic format. The platform shall be used for the exchange of data and information between the approval authorities, or between the approval authorities and the Commission, which takes place in the framework of this Regulation.

Amendment

1. The exchange of data and information between the approval authorities, or between the approval authorities and the Commission, in the framework of this Regulation shall take place via the Internal Market Information System ('IMI') established pursuant to Regulation (EU) No 1024/2012 of the European Parliament and of the Council\(^a\).


(This amendment applies throughout the text. Adopting it will necessitate changing any reference to the "Union central administrative platform" or "platform" into "Internal Market Information System" or "IMI" throughout the text.)

Or. en

Justification

Using the well-established Internal Market Information System saves costs and unnecessary administrative efforts as compared to the set-up of a new digital platform.

Amendment 22

Proposal for a regulation

Article 42 – paragraph 2

Text proposed by the Commission

2. The Union central administrative

Amendment

2. Any information of relevance in respect
digital platform shall also comprise a database where any information of relevance in respect of EU type-approvals granted in accordance with this Regulation shall be centrally gathered and made accessible to the approval authorities and to the Commission. The database shall connect national databases to the Union central database, where agreed with the Member States concerned.

Or. en

Justification

Using the well-established Internal Market Information System saves costs and unnecessary administrative efforts as compared to the set-up of a new digital platform.

Amendment 23

Proposal for a regulation
Article 42 – paragraph 3 – introductory part

Text proposed by the Commission Amendment

3. Subsequent to the implementation of paragraphs 1 and 2, the Commission shall extend the Union central administrative digital platform with modules which shall allow for:

3. The Commission shall make sure that IMI allows for:

Or. en

Justification

Using the well-established Internal Market Information System saves costs and unnecessary administrative efforts as compared to the set-up of a new digital platform.

Amendment 24

Proposal for a regulation
Article 42 – paragraph 4

Text proposed by the Commission Amendment

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4. The Commission shall be empowered to adopt by means of implementing acts the detailed technical requirements and procedures necessary for setting up the Union central administrative platform and database referred to in this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 54(2) by [31 December 2016].

Justification

IMI is already well-established and there is no need for further specifications by implementing acts.

Amendment 25
Proposal for a regulation
Article 46

Text proposed by the Commission

[...]

Amendment

[...] deleted

Or. en

Justification

Self-testing is not feasible with regard to the testing of engines. It is only feasible with regard to the testing of machinery or vehicles.

Amendment 26
Proposal for a regulation
Article 57 – paragraph 1

Text proposed by the Commission

1. Without prejudice to the provisions in Chapters II and III, this Regulation shall not invalidate, before the dates for placing on the market of engines referred to in

Amendment

1. Without prejudice to the provisions in Chapters II and III, this Regulation shall not invalidate, before the dates for placing on the market of engines referred to in

Justification

Not only the EU type-approvals granted under Directive 97/68/EC, but also the exemptions granted under that Directive should remain valid.

Amendment 27
Proposal for a regulation
Article 57 – paragraph 2

Text proposed by the Commission
2. Approval authorities may continue to grant type-approvals in accordance with the relevant legislation applicable on the date of entry into force of this Regulation until the mandatory dates for the EU type-approval of engines referred to in Annex III.

Amendment
2. Approval authorities may continue to grant type-approvals and exemptions in accordance with the relevant legislation applicable on the date of entry into force of this Regulation until the mandatory dates for the EU type-approval of engines referred to in Annex III.

Justification

During the period between the repeal of Directive 97/68/EC and the mandatory dates for stage V, it should not only still be possible to grant EU type-approvals under Directive 97/68/EC, but also the applicable exemptions.

Amendment 28
Proposal for a regulation
Article 57 – paragraph 5 – subparagraph 2

Text proposed by the Commission
For engines of the category NRE, Member States shall authorise an extension of the transition period and the 12-months period referred to in the first sub-paragraph by an additional 12 months for OEMs with a

Amendment
For engines of the category NRE, Member States shall authorise an extension of the transition period and the 12-months period referred to in the first sub-paragraph by an additional 18 months for OEMs with a
total yearly production of fewer than 50 units of non-road mobile machinery equipped with combustion engines. For the purposes of the calculation of the total yearly production referred to in this paragraph, all OEM's under the control of the same natural or legal person shall be considered to be a single OEM.

Total yearly production of fewer than 80 units of non-road mobile machinery equipped with combustion engines. For the purposes of the calculation of the total yearly production referred to in this paragraph, all OEMs under the control of the same natural or legal person shall be considered to be a single OEM.

Or. en

Justification

The transition period should be extended by six months, taking into account the complex redesign of non-road mobile machinery required to accommodate stage V engines and the central importance of SME’s for the EU economy. OEMs with a total yearly production of fewer than 80 units are still small manufacturers and should therefore also be granted a longer transition period.

Amendment 29

Proposal for a regulation
Article 57 – paragraph 5 – subparagraph 2 a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>For engines of the category NRE used in mobile cranes, Member States shall authorise an extension of the transition period by an additional 12 months.</td>
<td></td>
</tr>
</tbody>
</table>

Or. en

Justification

Mobile cranes are subject to tight dimensional limitations when transported on the road and are produced in relatively small quantities of different models, each of them sold in tiny quantities.

Amendment 30

Proposal for a regulation
Article 57 – paragraph 8 a (new)

8a. The Commission shall be empowered to adopt delegated acts in accordance with Article 55 concerning the methods for assessing the yearly production of OEMs claiming the extension provided for by the second subparagraph of paragraph 5 of this Article. Those delegated acts shall be adopted by [31 December 2016].

Or. en

Justification

Abuse of the extension provided for by the second subparagraph of Article 57(5) needs to be avoided. Type approval authorities should therefore have adequate and uniform methods to assess the yearly production of OEM's.

Amendment 31

Proposal for a regulation

Article 59 – paragraph 1 – point a

(a) the assessment of further pollutant emission reduction potential, on the basis of available technologies and cost/benefit analysis;

(a) the assessment, on the basis of available technologies and a cost/benefit analysis, of further pollutant emission reductions for:

- engines having a reference power that is greater than 560 kW;
- SI engines having a reference power that is less than 19 kW;
- engines used for the propulsion of locomotives and railcars;
- engines used for snowmobiles; and
- engines used for ATV and SbS vehicles;

Or. en
**Amendment 32**

Proposal for a regulation
Article 59 – paragraph 1 – point a a (new)

*Text proposed by the Commission*

(aa) an analysis, on the basis of an assessment of the state of technology, of the potential for further pollutant emission reductions;

*Amendment*

Or. en

**Amendment 33**

Proposal for a regulation
Article 59 – paragraph 1 – point a b (new)

*Text proposed by the Commission*

(ab) the inclusion, in the scope of this Regulation, of emissions from permeation of volatile fuels used in engines of categories NRSh, NRS, SMB and ATS;

*Amendment*

Or. en

*Justification*

The Commission should specifically consider extending the scope of the Regulation to emissions from permeation of volatile fuels in engine categories with similar features.

**Amendment 34**

Proposal for a regulation
Article 59 – paragraph 1 – point b a (new)

*Text proposed by the Commission*

(ba) the re-assessment of the non-road emission inventory in the Union.

*Amendment*

Or. en
Amendment 35
Proposal for a regulation
Article 59 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. By 31 December 2024, the Member States shall report to the Commission on:
   (a) the number of individual approvals granted to engine types and engine families covered by this Regulation per year by the national authorities of the Member State in question since 1 January 2017;
   (b) the use of the exemption clauses provided for in Article 32(3), (4) and (4a).

Or. en

Amendment 36
Proposal for a regulation
Article 59 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) the use of the exemption clauses provided for in Article 32(3) and (4);

(a) the subjects referred to in paragraph 1a;

Or. en

Amendment 37
Proposal for a regulation
Article 59 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The reporting requirements referred to in paragraph 1a may be fulfilled by uploading the relevant information and
data to IMI. The reporting may also be done in the form of a secure electronic file.

Amendment 38
Proposal for a regulation
Article 59 – paragraph 3 b (new)

Text proposed by the Commission

3b. When adapting Commission Delegated Regulation (EU) 2015/961 as regards environmental and propulsion unit performance requirements of agricultural and forestry vehicles to those of this Regulation, the Commission shall consider the specific features of T2, T4.1 and C2 agricultural vehicles, and in particular the Stages timing as modified for those types and the relative transition clauses, and shall adapt the applicable requirements.


Justification

Directive 2011/87/EU granted a delay of the Stage IIIB and IV compulsory dates to agricultural and forestry tractors belonging to categories T2, T4.1 and C2. The Stage V compulsory dates defined by this Regulation make Stage IV not sustainable economically for manufacturers, as two tractors redesigns in about two years represent an economic burden without environmental benefit. The Commission should therefore evaluate allowing a direct
passage from Stage IIIB to Stage V in a single step.

Amendment 39
Proposal for a regulation
Annex I – table I-5

Table I-5: Sub-categories of engine category IWP defined in Article 4 point (5)

<table>
<thead>
<tr>
<th>Category</th>
<th>Ignition type</th>
<th>Speed mode</th>
<th>Power range (kW)</th>
<th>Sub-category</th>
<th>Reference power</th>
</tr>
</thead>
<tbody>
<tr>
<td>IWP</td>
<td>all</td>
<td>variable</td>
<td>37≤P&lt;75</td>
<td>IWP-v-1</td>
<td>Maximum net power</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>75≤P&lt;130</td>
<td>IWP-v-2</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>130≤P&lt;300</td>
<td>IWP-v-3</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>300≤P&lt;1000</td>
<td>IWP-v-4</td>
<td>Rated net power</td>
</tr>
<tr>
<td></td>
<td></td>
<td>constant</td>
<td>P≥1000</td>
<td>IWP-v-5</td>
<td></td>
</tr>
</tbody>
</table>

Amendment

Table I-5: Sub-categories of engine category IWP defined in Article 4 point (5)

<table>
<thead>
<tr>
<th>Category</th>
<th>Ignition type</th>
<th>Speed mode</th>
<th>Power range (kW)</th>
<th>Sub-category</th>
<th>Reference power</th>
</tr>
</thead>
<tbody>
<tr>
<td>IWP</td>
<td>all</td>
<td>variable</td>
<td>37≤P&lt;75</td>
<td>IWP-v-1</td>
<td>Maximum net power</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>75≤P&lt;130</td>
<td>IWP-v-2</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>130≤P&lt;300</td>
<td>IWP-v-3</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>300≤P&lt;1000</td>
<td>IWP-v-4</td>
<td>Rated net power</td>
</tr>
<tr>
<td></td>
<td></td>
<td>constant</td>
<td>P≥1000</td>
<td>IWP-c-5</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>75≤P&lt;130</td>
<td>IWP-c-2</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>130≤P&lt;300</td>
<td>IWP-c-3</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>300≤P</td>
<td>IWP-c-4</td>
<td></td>
</tr>
</tbody>
</table>
Justification

For both speed modes the highest subcategories IWP v 5 and IWP c 5 have been taken out and in Table II-5 one new set of more realistic and achievable emission standards are proposed for the IWP –v-4 and IWP-c-4, in particular for NO\textsubscript{x} and PM mass values.

Amendment 40

Proposal for a regulation
Annex I – table I-6

Text proposed by the Commission

<table>
<thead>
<tr>
<th>Category</th>
<th>Ignition type</th>
<th>Speed mode</th>
<th>Power range (kW)</th>
<th>Sub-category</th>
<th>Reference power</th>
</tr>
</thead>
<tbody>
<tr>
<td>IWA</td>
<td>all</td>
<td>variable</td>
<td>560\leq P &lt; 1000</td>
<td>IWA-v-1</td>
<td>Maximum net power</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>\textit{P} \geq 1000</td>
<td>IWA-v-2</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>constant</td>
<td>560\leq P &lt; 1000</td>
<td>IWA-c-1</td>
<td>Rated net power</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>\textit{P} \geq 1000</td>
<td>IWA-c-2</td>
<td></td>
</tr>
</tbody>
</table>

Amendment

<table>
<thead>
<tr>
<th>Category</th>
<th>Ignition type</th>
<th>Speed mode</th>
<th>Power range (kW)</th>
<th>Sub-category</th>
<th>Reference power</th>
</tr>
</thead>
<tbody>
<tr>
<td>IWA</td>
<td>all</td>
<td>variable</td>
<td>560\leq P</td>
<td>IWA-v-1</td>
<td>Maximum net power</td>
</tr>
<tr>
<td></td>
<td></td>
<td>constant</td>
<td>560\leq P</td>
<td>IWA-c-1</td>
<td>Rated net power</td>
</tr>
</tbody>
</table>

Justification

For both variable and constant speed modes the power range of over 1000 kW has been eliminated in order to allow in Table II – 6 to propose one and the same set of emission standards with new, more realistic and achievable emission standards, in particular for NO\textsubscript{x} and PM mass values.
## Amendment 41

**Proposal for a regulation**  
**Annex II – table II-5**

**Text proposed by the Commission**

<table>
<thead>
<tr>
<th>Emission stage</th>
<th>Engine sub-category</th>
<th>Engine power range</th>
<th>Engine ignition type</th>
<th>CO</th>
<th>HC</th>
<th>NOx</th>
<th>PM mass</th>
<th>PN</th>
<th>A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stage V</td>
<td>IWP-v-1</td>
<td>37≤P&lt;75</td>
<td>all</td>
<td>5,00</td>
<td>(HC+NOx≤4,70)</td>
<td>0,30</td>
<td>-</td>
<td>6,00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>IWP-c-1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stage V</td>
<td>IWP-v-2</td>
<td>75≤P&lt;130</td>
<td>all</td>
<td>5,00</td>
<td>(HC+NOx≤5,40)</td>
<td>0,14</td>
<td>-</td>
<td>6,00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>IWP-c-2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stage V</td>
<td>IWP-v-3</td>
<td>130≤P&lt;300</td>
<td>all</td>
<td>3,50</td>
<td>1,00</td>
<td>2,10</td>
<td>0,11</td>
<td>-</td>
<td>6,00</td>
</tr>
<tr>
<td></td>
<td>IWP-c-3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stage V</td>
<td>IWP-v-4</td>
<td>300≤P&lt;1000</td>
<td>all</td>
<td>3,50</td>
<td>0,19</td>
<td>1,20</td>
<td>0,02</td>
<td>1x10^{12}</td>
<td>6,00</td>
</tr>
<tr>
<td></td>
<td>IWP-c-4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Stage V</strong></td>
<td><strong>IWP-v-5</strong></td>
<td><strong>P&gt;1000</strong></td>
<td><strong>all</strong></td>
<td><strong>3,50</strong></td>
<td><strong>0,19</strong></td>
<td><strong>0,40</strong></td>
<td><strong>0,01</strong></td>
<td><strong>1x10^{12}</strong></td>
<td><strong>6,00</strong></td>
</tr>
<tr>
<td></td>
<td><strong>IWP-c-5</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Amendment**

<table>
<thead>
<tr>
<th>Emission stage</th>
<th>Engine sub-category</th>
<th>Engine power range</th>
<th>Engine ignition type</th>
<th>CO</th>
<th>HC</th>
<th>NOx</th>
<th>PM mass</th>
<th>PN</th>
<th>A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stage V</td>
<td>IWP-v-1</td>
<td>37≤P&lt;75</td>
<td>all</td>
<td>5,00</td>
<td>(HC+NOx≤4,70)</td>
<td>0,30</td>
<td>-</td>
<td>6,00</td>
<td></td>
</tr>
</tbody>
</table>
Stage V

<table>
<thead>
<tr>
<th>Emission stage</th>
<th>Engine sub-category</th>
<th>Power range</th>
<th>Engine ignition type</th>
<th>CO</th>
<th>HC</th>
<th>NO\textsubscript{x}</th>
<th>PM mass</th>
<th>PN</th>
<th>A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stage V</td>
<td>IWP-v-2</td>
<td>75\leq P &lt; 130</td>
<td>all</td>
<td>5,00</td>
<td>(HC+NO\textsubscript{x} \leq 5,40)</td>
<td>0,10</td>
<td>-</td>
<td>6,00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>IWP-v-3</td>
<td>130 \leq P &lt; 300</td>
<td>all</td>
<td>3,50</td>
<td>1,00</td>
<td>2,10</td>
<td>0,10</td>
<td>-</td>
<td>6,00</td>
</tr>
<tr>
<td></td>
<td>IWP-v-4</td>
<td>P \geq 300</td>
<td>all</td>
<td>3,50</td>
<td>0,19</td>
<td>1,80</td>
<td>0,045</td>
<td>1x10\textsuperscript{12}</td>
<td>6,00</td>
</tr>
</tbody>
</table>

**Justification**

One single set of more realistic and achievable emission standards is proposed for the IWP – v-4 and IWP-c-4 subcategories, in particular for NO\textsubscript{x} and PM mass values.

**Amendment 42**

Proposal for a regulation
Annex II – table II-6

**Text proposed by the Commission**

Table II-6: Stage V emission limits for engine category IWA defined in Article 4 point (6)
Amendment

Table II-6: Stage V emission limits for engine category IWA defined in Article 4 point (6)

<table>
<thead>
<tr>
<th>Emission stage</th>
<th>Engine sub-category</th>
<th>Power range</th>
<th>Engine ignition type</th>
<th>CO (g/kW h)</th>
<th>HC (g/kW h)</th>
<th>NOx (g/kW h)</th>
<th>PM mass (g/kW h)</th>
<th>PN (#/kW h)</th>
<th>A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stage V</td>
<td>IWA-v-1</td>
<td>560≤P</td>
<td>all</td>
<td>3,50</td>
<td>0,19</td>
<td>1,80</td>
<td>0,045</td>
<td>1x10^{12}</td>
<td>6,00</td>
</tr>
</tbody>
</table>

One single set of more realistic and achievable emission standards is proposed, for the IWA-v-1 and IWA-c-1 engine subcategories in particular for NOx and PM mass values.

Amendment 43

Proposal for a regulation

Annex III – Table III-7

Text proposed by the Commission

Table III-7: Dates of application of this Regulation for engine category RLL

<table>
<thead>
<tr>
<th>Category</th>
<th>Ignition type</th>
<th>Power range (kW)</th>
<th>Sub-category</th>
<th>Mandatory date of application of this Regulation for EU type- approval of engines</th>
<th>Placing on the market of engines</th>
</tr>
</thead>
<tbody>
<tr>
<td>RLL</td>
<td>all</td>
<td>P&gt;0</td>
<td>RLL-v-1</td>
<td>1 January 2020</td>
<td>1 January 2021</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>RLL-c-1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
The specificities of the railway sector require later compulsory dates.

**Amendment 44**

Proposal for a regulation

Annex III – Table III-8

*Text proposed by the Commission*

<table>
<thead>
<tr>
<th>Category</th>
<th>Ignition type</th>
<th>Power range (kW)</th>
<th>Sub-category</th>
<th>Mandatory date of application of this Regulation for EU type-approval of engines</th>
<th>Placing on the market of engines</th>
</tr>
</thead>
<tbody>
<tr>
<td>RLL</td>
<td>all</td>
<td>P&gt;0</td>
<td>RLL-v-1</td>
<td>1 January 2023</td>
<td>1 January 2024</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>RLL-c-1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Amendment**

<table>
<thead>
<tr>
<th>Category</th>
<th>Ignition type</th>
<th>Power range (kW)</th>
<th>Sub-category</th>
<th>Mandatory date of application of this Regulation for EU type-approval of engines</th>
<th>Placing on the market of engines</th>
</tr>
</thead>
<tbody>
<tr>
<td>RLR</td>
<td>all</td>
<td>P&gt;0</td>
<td>RLR-v-1</td>
<td>1 January 2020</td>
<td>1 January 2021</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>RLR-c-1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Justification

The specificities of the railway sector require later compulsory dates.
Justification

The specificities of the railway sector require later compulsory dates.
EXPLANATORY STATEMENT

Introduction

The Rapporteur in principle welcomes the Commission proposal for a regulation aiming, in the first place, at contributing to address the public health concern created by studies indicating ultra-fine particles as a carcinogenic substance, to generally improve the air quality and to create a market without barriers not only within the EU but also with our main trade partners around the world. The staggered approach, differentiated by engine sizes and machinery types, allows for a smooth introduction for the industries concerned with the new requirements taking into account the wide variety of machines and engines.

Today several EU urban areas do not fully meet the air quality standards. This issue is growing as more people are attracted to live in urban conglomerations. The NRMM sector is one of the several sectors contributing to noxious emissions in the form of gases or particulate matter. For cars, light duty and heavy duty vehicles ambitious programmes are underway to reduce both CO₂ and pollutant emissions as well as for combustion plants and industrial emissions. Although the NRMM sector is much smaller than the other sources mentioned above and the successive stages up to Stage IV allowed to reduce emissions dramatically, its contribution risks to be out weighted unless a comparable step forward is made to contribute to improving air quality. Non-road mobile machinery emit, according to the Commission data, 15% of all NOₓ and 5% of all particulate matter in the EU. In order to address this problem the Commission proposes to set stricter standards for most of the engines already in the scope and of the current Directive 97/68/EC and to extend its scope to new engine power ranges, combustion types and fuels used as well as a number of new categories of machines, to eliminate loopholes in the legislation. This, apart from the obvious and desirable environmental and health benefits for our citizens, has the advantage of creating for industry and users of the machinery a harmonised internal market and facilitating trade and competitiveness, eventually making environmental legislation also a business opportunity.

The Commission by going for policy Option 4 aims at combining the best of all options: alignment with US standards when these are stricter than the EU standards and with road sector ambitions where the current NRMM ambitions are lagging behind; moreover, in combination with enhanced monitoring provisions, where appropriate.

Technological progress can justify stricter regulation without putting undue pressure on the manufacturing industry. Indeed, to a large extent, the technology necessary to comply with the new proposed standards has matured in other sectors and can be drawn from and adapt to the specificities of the NRMM-sectors concerned. This adaptation path has not been completed yet and this justifies why some engines are not subject to the most ambitious goals set for the vast majority of cases.

The effect of creating an internal market will also have an advantage in a much larger context. It will greatly facilitate and enhance external trade with other developed industrial economies, particularly with the US but probably also with regions and cities where air pollution is a problem.

Remarks
With this report the primary goal is to strike a reasonable balance between the health and environmental concerns, as proposed by the Commission, and the competitiveness of the EU manufacturing industry, the jobs and the know-how it entails. Health and safety of our citizens is a key element in this proposal and especially of those who work every day with the machines which are within the scope of this proposal because they are particularly exposed to pollutant emissions. Considering the competition aspects, the Rapporteur deems that SME's, generators of many jobs, might be vulnerable and should be granted some advantages.

Another important goal should be to offer the industry a long-term planning certainty and a stable regulatory environment. In this respect, the choice of this new legislative instrument, in the form of a regulation, offers a clear advantage over a directive which needs time to be transposed into national legislation with the inherent risk of differing interpretations. With these goals in mind the Rapporteur has proposed a number of amendments:

- It is advisable to reduce administrative obligations to a minimum. Legislation and formalities have to evolve with the digital age and advantage should be taken to reduce red tapes and the costs related to it. Therefore the format and form of the certificate of conformity could be simplified and be easily retrievable in an appropriate database.

- In the same logic of efficiency and cost savings, the Rapporteur prefers to make use of the already existing Internal Market Information System, which has an obvious advantage over creating a new administrative system.

- The possibility to replace engines with other engines of at least the same emission stage contained in the current Directive 97/68/EC should be preserved. However, the Rapporteur would prefer to limit this possibility to certain categories of machines in a differentiated way according to several factors, such as longer average life time, investment capitalisation and technology developments. Moreover, this possibility should also be limited in time, depending on the categories and power classes.

The Rapporteur is also somewhat concerned regarding the potential clashes in the railway sector. In fact, the one year period foreseen in Article 57 (5) of the proposal could be in contrast with the obligations and procedures to be followed for the authorisation procedures laid down in Directive 2008/57/EC (Interoperability Directive) and Regulation No 1302/2014. Therefore, the Rapporteur invites the Commission and Member States to avoid creating a conflict stemming from potentially contradictory provisions. Considering these specific requirements in terms of obligations, replacement engines and introduction timing should be granted.

A general increase of the transition period by six months has been conceded, as stated before, and in some specific cases even longer.

The Commission is asked when considering further reviewing the scope of this Regulation to consider including several categories of narrow tractors in the scope of this regulation, since this seems to the Rapporteur to be more appropriate, in particular in the view of the economically unsustainable timing of the stages IV and V for those tractors.

For inland waterways vessels, the Commission proposal is very ambitious and might create an excessive burden on the industry which has to recover its development costs on only a few
hundred machines or less produced per year. The Rapporteur advocates a somewhat softer approach for the heavier categories – but at the same time by far the most numerous - of inland waterway engines that combine the reinstatement of this transport mode as an energy-efficient and environment friendly one with the indispensable economic sustainability.