



2017/0291(COD)

13.4.2018

*****I**

DRAFT REPORT

on the proposal for a directive of the European Parliament and of the Council amending Directive 2009/33/EU on the promotion of clean and energy-efficient road transport vehicles
(COM(2017)0653 – C8-0393/2017 – 2017/0291(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Andrzej Grzyb

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 directive of the European Parliament and of the Council amending Directive 2009/33/EU on the promotion of clean and energy-efficient road transport vehicles

(COM(2017)0653 – C8-0393/2017 – 2017/0291(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2017)0653),
 - having regard to Article 294(2) and Article 192 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0393/2017),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - 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 opinions of the Committee on Industry, Research and Energy and the Committee on Transport and Tourism (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 directive

Recital 10

Text proposed by the Commission

(10) *There is widespread support from key stakeholders for a definition of clean vehicles taking account of reduction requirements for greenhouse gases and air pollutant emissions* from light- and heavy-duty vehicles. To ensure that there are adequate incentives to supporting market-uptake of low- and zero-emission vehicles in the Union, provisions for their public procurement under this amendment should

Amendment

(10) *The amended Directive should contribute to a reduction of emissions of air pollutants and* greenhouse gases from light- and heavy-duty vehicles. To ensure that there are adequate incentives to supporting market-uptake of low- and zero-emission vehicles in the Union, provisions for their public procurement under this amendment should be aligned with provisions of Union legislation.

be aligned with provisions of Union legislation *on CO₂ emission performance of cars and vans for the post-2020 period*²⁶. Action carried out under the amended Directive will contribute to compliance with the requirements of *these* standards. A more ambitious approach for public procurement can provide an important additional market stimulus.

Furthermore, the amended Directive shares the aim of, inter alia, promotion of clean road transport with Directive 2014/94/EU^{26a}. Consequently, the definition of a clean vehicle needs to be aligned with provisions of Directive 2014/94/EU. That alignment will create long term predictability and stability in Union law. The amended Directive will also contribute to the deployment of alternative fuels infrastructure, as well as to compliance of vehicles with the requirements of the latest standards of emissions of air pollutants and greenhouse gases. A more ambitious approach for public procurement can provide an important additional market stimulus.

²⁶ COM(2017) 676 final

^{26a} Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure (OJ L 307, 28.10.2014, p. 1).

Or. en

Amendment 2

Proposal for a directive Recital 10 a (new)

Text proposed by the Commission

Amendment

(10 a) In order to achieve an improvement of air quality in municipalities, it is crucial to renew the transport fleet to clean vehicle standard. Furthermore, the principles of the circular economy require the extension of product life. Therefore, the retrofitting of vehicles to clean vehicle standard can also be counted towards achievement of the minimum procurement targets set out in

Tables 4 and 5 in the Annex.

Or. en

Amendment 3

Proposal for a directive Recital 10 b (new)

Text proposed by the Commission

Amendment

(10 b) Vehicles with zero emissions at the tail-pipe can also leave a significant environmental footprint due to the process of manufacture of the components and the level of recyclability. Therefore, technologies that address this challenge, such as sustainable and recyclable batteries, should receive a higher level of support in terms of achieving the minimum procurement targets set out in Tables 4 and 5 in the Annex. Research and development of those technologies should also be promoted in other policies of the Union.

Or. en

Amendment 4

Proposal for a directive Recital 11

Text proposed by the Commission

Amendment

(11) Light-duty and heavy-duty vehicles are used for different purposes and have different levels of market maturity, and it would be beneficial that public procurement provisions acknowledge these differences. The Impact Assessment illustrated the added value of adopting an approach based on alternative fuels until technology-neutral requirements for CO₂ emissions from heavy-duty vehicles have

deleted

been set at Union level, which the Commission intends to propose in the future. The Impact Assessment further recognised that markets for low- and zero-emission urban buses are characterised by increased market maturity, whereas markets for low- and zero-emission trucks are at an earlier stage of market development.

Or. en

Amendment 5

Proposal for a directive

Recital 12

Text proposed by the Commission

(12) Setting minimum targets for clean vehicle procurement **by 2025 and by 2030** at Member State level should contribute to policy certainty for markets where investments in low- and zero-emission mobility are warranted. The minimum targets support market creation throughout the Union. They provide time for the adjustment of public procurement processes and give a clear market signal. The Impact Assessment notes that Member States increasingly set targets, depending on their economic capacity and how serious the problem is. Different targets should be set for different Member States in accordance with their economic capacity (Gross Domestic Product per capita) and exposure to pollution (urban population density). Minimum procurement targets should be complemented by the obligation of the contracting authorities, entities and operators to consider relevant energy and environmental aspects in all their procurement procedures. The Territorial Impact Assessment of this amended Directive illustrated that the impact will be evenly distributed among regions in the Union.

Amendment

(12) Setting minimum targets for clean vehicle procurement **starting in 2025 with progression in 2030** at Member State level should contribute to policy certainty for markets where investments in low- and zero-emission mobility are warranted. The minimum targets support market creation throughout the Union. They provide time for the adjustment of public procurement processes and give a clear market signal. The Impact Assessment notes that Member States increasingly set targets, depending on their economic capacity and how serious the problem is. Different targets should be set for different Member States in accordance with their economic capacity (Gross Domestic Product per capita) and exposure to pollution (urban population density). Minimum procurement targets should be complemented by the obligation of the contracting authorities, entities and operators to consider relevant energy and environmental aspects in all their procurement procedures. The Territorial Impact Assessment of this amended Directive illustrated that the impact will be evenly distributed among regions in the Union.

Amendment 6**Proposal for a directive****Recital 13 a (new)**

Text proposed by the Commission

Amendment

(13 a) This Directive should contribute to a reduction of air pollution and greenhouse gasses emissions, and to the promotion of clean public road transport. It should avoid discouraging the development of non-road clean transport. It should be possible therefore that publicly procured trams and metro trains that permanently increase the number of the fleet are counted towards achievement of minimum procurement targets set out in Table 5 in the Annex.

Or. en

Amendment 7**Proposal for a directive****Recital 15**

Text proposed by the Commission

Amendment

(15) Reporting on public procurement under this amended Directive should provide a clear market overview to enable effective monitoring of the implementation. It should start with an ***intermediate*** report in **2023** and continue with a first full report on the implementation of the minimum targets in **2026** and thereafter every three years. To minimise administrative burden on single public bodies and establish an effective market overview, simple reporting should be facilitated. The Commission will ensure full reporting for low- and zero-emission and other alternative-fuel vehicles within

(15) Reporting on public procurement under this amended Directive should provide a clear market overview to enable effective monitoring of the implementation. It should start with an ***initial*** report in **2024** and continue with a first full report on the implementation of the minimum targets in **2027** and thereafter every three years. To minimise administrative burden on single public bodies and establish an effective market overview, simple reporting should be facilitated. The Commission will ensure full reporting for low- and zero-emission and other alternative-fuel vehicles within

the context of the Common Procurement Vocabulary of the Union. Specific codes in the Common Procurement Vocabulary will help the registration and monitoring under the Tender Electronic Daily Database.

the context of the Common Procurement Vocabulary of the Union. Specific codes in the Common Procurement Vocabulary will help the registration and monitoring under the Tender Electronic Daily Database.

Or. en

Amendment 8

Proposal for a directive Recital 17

Text proposed by the Commission

Amendment

(17) In order to achieve the objectives of this Directive, 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 order to update provisions in respect of CO₂ emission standards of heavy duty vehicles for a period of five years starting from [Please insert the date of entry into force]. This period should be tacitly extended for periods of the same duration, unless the European Parliament or the Council oppose such an extension. It is of particular importance that the Commission carries 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.

deleted

Or. en

Amendment 9

Proposal for a directive Recital 18 a (new)

(18 a) In accordance with the Interinstitutional Agreement of 13 April 2016 on Better Law Making^{1a}, special focus should be given to the follow-up of the effects of Union legislation. The evaluation of Directive 2009/33/EC should provide the basis for impact assessment of options for further action. Therefore, the Commission, based on the best and latest available scientific evidence, should assess the need to review that Directive taking into account life cycle CO₂ emissions and well-to-wheel CO₂ emissions of vehicles in order to ensure the transparency and accountability regarding the fulfilment of policy objectives and should propose necessary improvement, if needed. If appropriate, the Commission should, in that regard, also review other relevant legislation related to alternative fuels.

^{1a} OJ L 123, 12.5.2016, p. 1.

Or. en

Amendment 10

Proposal for a directive Recital 18 b (new)

(18 b) The imposition of minimum procurement targets for light- and heavy-duty vehicles by this Directive will require additional financial resources for contracting authorities and contracting entities. Therefore, Union budgetary and financial policy after 2020 should take it into consideration to provide sufficient financial support for contracting authorities and contracting entities. That

*should be reflected in the future
Multiannual Financial Framework and
in the rules regarding sustainable finance
and Union financial institutions.*

Or. en

Amendment 11

Proposal for a directive Recital 18 c (new)

Text proposed by the Commission

Amendment

(18 c) This Directive uses public procurement to stimulate demand for clean road transport vehicles. EU manufacturers, however, also need to be protected from unfair competition. Therefore road transport vehicles which are produced by manufacturers based in third countries where EU manufacturers do not have the access to tenders by way of public procurement for the purchase, lease, rent or hire-purchase of road transport vehicles, should not be counted towards the achievement of the minimum procurement targets set out in Tables 4 and 5 in the Annex.

Or. en

Amendment 12

Proposal for a directive Article 1 – paragraph 1 – point 3 Directive 2009/33/EC Article 4 – paragraph 1 – point 4 – introductory part

Text proposed by the Commission

Amendment

4. ‘clean vehicle’ means

4. ‘clean vehicle’ means *a vehicle of category M1, M2, M3, N1, N2 or N3 using one of the alternative fuels as defined in point (1) of the first paragraph*

Amendment 13

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 2009/33/EC

Article 4 – paragraph 1 – point 4 – point a

Text proposed by the Commission

Amendment

(a) a vehicle of category M1 or M2 with a maximum tail-pipe emission expressed in CO₂g/km and real driving pollutant emissions below a percentage of the applicable emission limits as referred to in Table 2 in the Annex , or; **deleted**

Amendment 14

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 2009/33/EC

Article 4 – paragraph 1 – point 4 – point b

Text proposed by the Commission

Amendment

(b) a vehicle of category N1 with a maximum tail-pipe emission expressed in CO₂g/km and real driving pollutant emissions below a percentage of the applicable emission limits as referred to in Table 2 in the Annex, or; **deleted**

Amendment 15

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 2009/33/EC

Article 4 – paragraph 1 – point 4 – point c

Text proposed by the Commission

Amendment

(c) a vehicle of category M3, N2 or N3 as defined in Table 3 in the Annex . *deleted*

Or. en

Amendment 16

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 2009/33/EC

Article 4 – paragraph 1 – point 4 a (new)

Text proposed by the Commission

Amendment

4 a. 'zero-emission vehicle' means a vehicle with zero CO₂, NO_x and fine particles tail-pipe emissions.

Or. en

Amendment 17

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 2009/33/EC

Article 4 – paragraph 1 – point 4 b (new)

Text proposed by the Commission

Amendment

4 b. 'vehicle retrofitted to clean vehicle standard' means a vehicle with an engine retrofitted to the standard of a clean vehicle as defined in point 4 of the first paragraph of this Article. In the case of a retrofitted engine using biofuels as defined in point (i) of Article 2 of the second paragraph of Directive

2009/28/EC, synthetic fuels or paraffinic fuels, the vehicle has to fulfil the Euro VI standards or successor standards.

Or. en

Amendment 18

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 2009/33/EC

Article 4 – paragraph 1 – point 4 c (new)

Text proposed by the Commission

Amendment

4 c. 'vehicle retrofitted to zero-emission standard' means a vehicle that has zero emissions of CO₂, NO_x and fine particles at the tail-pipe after retrofitting.

Or. en

Amendment 19

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 2009/33/EC

Article 4 – paragraph 1 – point 4 d (new)

Text proposed by the Commission

Amendment

4 d. 'sustainable and recyclable battery' means a battery for which the manufacturing process and the acquisition of materials leave a negligible environmental footprint and which can be extensively recycled.

Or. en

Amendment 20

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 2009/33/EC

Article 4a

Text proposed by the Commission

Amendment

(4) *The following Article 4a is inserted:*

deleted

'Article 4a

Delegation of powers

The Commission shall be empowered to adopt delegated acts in accordance with Article 8a in order to update Table 3 in the Annex with CO₂ tail-pipe emission and air pollutants thresholds for heavy duty vehicles once the related heavy-duty CO₂ emission performance standards are in force at Union level.'

Or. en

Amendment 21

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive 2009/33/EC

Article 5 – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall ensure that purchase, lease, rent *or* hire-purchase of road transport vehicles, and public service contracts on public passenger transport by road and rail and public service contracts as referred to in Article 3 of this Directive comply with the minimum procurement targets for light-duty vehicles referred to in table 4 of the Annex and for heavy-duty vehicles referred to in Table 5 in the Annex.

1. Member States shall ensure that purchase, lease, rent, hire-purchase *or retrofitting to clean or zero-emission vehicle standard* of road transport vehicles, and public service contracts on public passenger transport by road and rail and public service contracts as referred to in Article 3 of this Directive comply with the minimum procurement targets for *clean and zero-emission* light-duty vehicles referred to in table 4 of the Annex and for heavy-duty vehicles referred to in Table 5 in the Annex. *A permanent increase in the*

number of trams and/or metro trains in public networks may also be counted towards the achievement of the minimum procurement targets for buses set out in Table 5 in the Annex.

Or. en

Amendment 22

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive 2009/33/EC

Article 5 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. The minimum procurement targets set out in Tables 4 and 5 in the Annex start on the dates listed in those tables, and shall be achieved within five-year periods.

The date of completion of the public procurement procedure, by way of signature of the contract, shall be considered to be the date of the public procurement contributing to the mandate.

Or. en

Amendment 23

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive 2009/33/EC

Article 5 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1 b. Vehicles produced by manufacturers based in third countries where EU manufacturers do not have access to tenders by way of public procurement for the purchase, rent or hire-purchase of road transport vehicles,

shall not be counted towards the achievement of the minimum procurement targets set out in Tables 4 and 5 in the Annex.

Or. en

Amendment 24

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2009/33/EC

Article 8a

Text proposed by the Commission

Amendment

(7) A new article 8a is inserted:

deleted

‘Article 8a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 4a shall be conferred on the Commission for a period of five years from [Please insert the date of entry into force]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3. The delegation of power referred to in Article 4a 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 on 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 acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 4a 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 by two months at the initiative of the European Parliament or of the Council.'

Or. en

Amendment 25

Proposal for a directive

Article 1 – paragraph 1 – point 9 – point b

Directive 2009/33/EC

Article 10 – paragraph 4

Text proposed by the Commission

4. Member States shall submit to the Commission a report on the implementation of this Directive by 1 January **2026**, and every three years thereafter. Member States shall submit to the Commission an *intermediate* report by 1 January **2023**. *That* report shall contain information on the steps undertaken to

Amendment

4. Member States shall submit to the Commission a report on the implementation of this Directive by 1 January **2027**, and every three years thereafter. Member States shall submit to the Commission an *initial* report by 1 January **2024**. *The initial* report shall contain information on the steps

implement this Directive, ***including on the number and the categories of vehicles procured by authorities and entities***, on the dialogue carried out between the different levels of governance, information on Member States' intentions regarding the above reporting activities, as well as any other valuable information. Information's should follow the categories contained in Regulation No 2195/2002 on the Common Procurement Vocabulary (CPV)³¹ as noted in the Annex.

³¹ OJ L 340, 16.12.2002, p. 1,

undertaken to implement this Directive, on the dialogue carried out between the different levels of governance, information on Member States' intentions regarding the above reporting activities, as well as any other valuable information. ***Further reports shall also contain information on the number and the categories of clean road transport vehicles procured by contracting authorities and contracting entities***. Information's should follow the categories contained in Regulation No 2195/2002 on the Common Procurement Vocabulary (CPV)³¹ as noted in the Annex.

³¹ OJ L 340, 16.12.2002, p. 1,

Or. en

Amendment 26

Proposal for a directive Article 1 a (new)

Text proposed by the Commission

Amendment

Article 1 a

Review

1. By [four years after the date of entry into force of this Directive] the Commission shall propose a methodology of counting life-cycle CO₂ emissions and of well-to-wheel CO₂ emissions of vehicles.

2. By [eight years after the date of entry into force of this Directive] the Commission shall assess the need to review Directive 2009/33/EC and any other relevant legislation related to alternative fuel, taking into consideration life cycle CO₂ emissions and of well-to-wheel CO₂ emissions of vehicles.

Or. en

Amendment 27

Proposal for a directive

ANNEX 1

Directive 2009/33/EC

Annex – table 2

Text proposed by the Commission

Amendment

[...]

deleted

Or. en

Amendment 28

Proposal for a directive

ANNEX 1

Directive 2009/33/EC

Annex – table 3

Text proposed by the Commission

Amendment

[...]

deleted

Or. en

Amendment 29

Proposal for a directive

ANNEX 1

Directive 2009/33/EC

Annex – table 4

Text proposed by the Commission

Table 4: Minimum target for the share of light-duty vehicles *in accordance with Table 2* in the total public procurement of light-duty vehicles at Member State level*

Member State	2025	2030
Luxembourg	35%	35%
Sweden	35%	35%
Denmark	34%	34%

Finland	35%	35%
Germany	35%	35%
France	34%	34%
United Kingdom	35%	35%
Netherlands	35%	35%
Austria	35%	35%
Belgium	35%	35%
Italy	35%	35%
Ireland	35%	35%
Spain	33%	33%
Cyprus	29%	29%
Malta	35%	35%
Portugal	27%	27%
Greece	23%	23%
Slovenia	20%	20%
Czech Republic	27%	27%
Estonia	21%	21%
Slovakia	20%	20%
Lithuania	19%	19%
Poland	20%	20%
Croatia	17%	17%
Hungary	21%	21%
Latvia	20%	20%
Romania	17%	17%
Bulgaria	16%	16%

*Vehicles **with** zero-emissions **at tailpipe** shall be counted as 1 vehicle contributing to the mandate. All other vehicles **that meet the requirements of Table 2 in this annex** shall be counted as 0.5 vehicle contributing to the mandate.

Amendment

Table 4: Minimum target for the share of light-duty **clean and zero-emission** vehicles in the total public procurement of light-duty vehicles at Member State level*

Share of clean vehicles

Share of zero-emission vehicles within the target set for clean vehicles

Member State	<i>From</i> 2025	<i>From</i> 2025	<i>From</i> 2030
Luxembourg	35%	30%	75%
Sweden	35%	30%	75%
Denmark	34%	30%	75%
Finland	35%	30%	75%
Germany	35%	30%	75%
France	34%	30%	75%
United Kingdom	35%	30%	75%
Netherlands	35%	30%	75%
Austria	35%	30%	75%
Belgium	35%	30%	75%
Italy	35%	30%	75%
Ireland	35%	30%	75%
Spain	33%	30%	75%
Cyprus	29%	30%	75%
Malta	35%	30%	75%
Portugal	27%	30%	75%
Greece	23%	30%	75%
Slovenia	20%	30%	75%
Czech Republic	27%	30%	75%
Estonia	21%	30%	75%
Slovakia	20%	30%	75%
Lithuania	19%	30%	75%
Poland	20%	30%	75%
Croatia	17%	30%	75%
Hungary	21%	30%	75%
Latvia	20%	30%	75%
Romania	17%	30%	75%
Bulgaria	16%	30%	75%

**Zero-emission vehicles and vehicles retrofitted to zero-emission standard shall be counted as 1 vehicle contributing to the mandate. Zero-emission battery powered vehicles and vehicles retrofitted to zero-emission standard using sustainable and recyclable batteries shall be counted as 2 vehicles contributing to the mandate.* All other vehicles shall be counted as 0.5 vehicle contributing to the mandate.

Amendment 30**Proposal for a directive****ANNEX 1**

Directive 2009/33/EC

Annex – table 5 – footnote 1

Text proposed by the Commission

* Vehicles *with zero-emissions at tailpipe* or vehicles using natural gas provided they are fully operated on bio-methane, which should be demonstrated by a contract to procure bio-methane or other means of accessing bio-methane, shall be counted as 1 vehicle contributing to the mandate. ***This counting is abandoned in case of those Member States where the minimum procurement mandate exceeds 50% of the overall volume of public procurement, with a cut-off at the 50% mark.*** All other vehicles *that meet the requirements of Table 2 in this annex* shall be counted as 0.5 vehicle contributing.

Amendment

* ***Zero-emission vehicles and vehicles retrofitted to zero-emission standard*** or vehicles ***and vehicles retrofitted to clean vehicle standard*** using natural gas provided they are fully operated on bio-methane, which should be demonstrated by a contract to procure bio-methane or other means of accessing bio-methane, shall be counted as 1 vehicle contributing to the mandate. ***Zero-emission battery powered vehicles and vehicles retrofitted to zero-emission standard, where in either case they use sustainable and recyclable batteries, shall be counted as 2 vehicles contributing to the mandate.*** All other ***clean vehicles and clean vehicles retrofitted to clean vehicle standard*** shall be counted as 0.5 vehicle contributing ***to the mandate.***

Or. en

Amendment 31**Proposal for a directive****ANNEX 1**

Directive 2009/33/EC

Annex – table 5 – heading – third column – buses – footnote 1 a (new)

*Text proposed by the Commission**Amendment*

***** Trams and metro trains permanently increasing the number of fleet may be counted as 0.5 vehicle contributing to the***

mandate for buses.

Or. en

EXPLANATORY STATEMENT

The proposal for a directive amending Directive 2009/33/EU on the promotion of clean and energy-efficient road transport, by setting minimum targets in public procurement for clean vehicles, aims at the promotion of the clean transport, fostering new and clean technologies and in the long-term reduction of emissions of air pollutants and CO₂.

In his draft report, the Rapporteur links the definition of clean vehicle for light and heavy-duty vehicles, to Directive 2014/94/EU on the deployment of alternative fuels infrastructure. That alignment should create long-term predictability and stability in the Union law. The amended Directive should also contribute to the deployment of alternative fuels infrastructure, as well as to compliance of vehicles with the requirements of the latest standards of emissions of air pollutants and greenhouse gases.

The draft report also clarifies the provisions on the minimum procurement targets: the dates of entry into force, the duration of periods for the targets, and the relevant moment of the public procurement cycle which is to be taken into account for the calculation of the targets.

As certain sectors of public transport in municipalities cannot be treated separately from each other, the Rapporteur proposes to allow in certain situations the counting of procured trams and metro trains towards the achievement of minimum procurement target for the buses.

By imposing minimum procurement targets for light- and heavy-duty vehicles, this Directive will require additional financial resources for contracting authorities and contracting entities. Therefore, the draft report underlines that the Union budgetary and financial policy after 2020 should take it into consideration and provide sufficient financial support for contracting authorities and contracting entities. This should be reflected in the future Multiannual Financial Framework and in the rules regarding sustainable finance and Union financial institutions.

The proposed Directive uses public procurement to stimulate demand for clean road transport vehicles. EU manufacturers, however, also need to be protected from unfair competition. Therefore in his draft report, the Rapporteur proposes that road transport vehicles which are produced by manufacturers based in third countries where EU manufacturers do not have the access to tenders by way of public procurement for the purchase, lease, rent or hire-purchase of road transport vehicles, should not be counted towards the achievement of minimum procurement targets.