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**A5-0406/2001**

21 November 2001

**\*\*\*II**

## **RECOMMENDATION FOR SECOND READING**

on the Council common position with a view to the adoption of a Directive of the European Parliament and of the Council on the reduction of the level of pollutant emissions from two and three-wheel motor vehicles and amending Directive 97/24/EC  
(7598/1/01 – C5-0386/2001 – 2000/0136(COD))

Committee on the Environment, Public Health and Consumer Policy

Rapporteur: Bernd Lange

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

- \* Consultation procedure  
*majority of the votes cast*
- \*\*I Cooperation procedure (first reading)  
*majority of the votes cast*
- \*\*II Cooperation procedure (second reading)  
*majority of the votes cast, to approve the common position  
majority of Parliament's component Members, to reject or amend  
the common position*
- \*\*\* Assent procedure  
*majority of Parliament's component Members except in cases  
covered by Articles 105, 107, 161 and 300 of the EC Treaty and  
Article 7 of the EU Treaty*
- \*\*\*I Codecision procedure (first reading)  
*majority of the votes cast*
- \*\*\*II Codecision procedure (second reading)  
*majority of the votes cast, to approve the common position  
majority of Parliament's component Members, to reject or amend  
the common position*
- \*\*\*III Codecision procedure (third reading)  
*majority of the votes cast, to approve the joint text*

(The type of procedure depends on the legal basis proposed by the Commission)

### ***Amendments to a legislative text***

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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## PROCEDURAL PAGE

At the sitting of 14 February 2001 Parliament adopted its position at first reading on the proposal for a European Parliament and Council directive amending Directive 97/24/EC on certain components and characteristics of two or three-wheel motor vehicles (COM(2000) 314 - 2000/0136 (COD)).

At the sitting of 5 September 2001 the President of Parliament announced that the common position had been received and referred to the Committee on the Environment, Public Health and Consumer Policy (7598/1/01 - C5-0386/2001).

The committee had appointed Bernd Lange rapporteur at its meeting of 12 July 2000.

It considered the common position and draft recommendation for second reading at its meetings of 5 and 20 November 2001.

At the last meeting it adopted the draft legislative resolution unanimously.

The following were present for the vote: Caroline F. Jackson, chairman; Guido Sacconi and Alexander de Roo, vice-chairmen; Bernd Lange, rapporteur; María del Pilar Ayuso González, John Bowis, Hiltrud Breyer, Martin Callanan, Dorette Corbey, Anne Ferreira, Jim Fitzsimons, Marialiese Flemming, Karl-Heinz Florenz, Cristina García-Orcóyen Tormo, Robert Goodwill, Françoise Grossetête, Christa Klauf, Giorgio Lisi (for Per-Arne Arvidsson), Minerva Melpomeni Malliori, Patricia McKenna, Jorge Moreira da Silva, Giuseppe Nisticò, Marit Paulsen, Frédérique Ries, Dagmar Roth-Behrendt, Karin Scheele, Ursula Schleicher (for Avril Doyle), Inger Schörling, Jonas Sjöstedt, María Sornosa Martínez, Nicole Thomas-Mauro, Antonios Trakatellis, Kathleen Van Brempt (for David Robert Bowe).

The recommendation for second reading was tabled on 21 November 2001.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

## DRAFT LEGISLATIVE RESOLUTION

**European Parliament legislative resolution on the Council common position with a view to the adoption of a Directive of the European Parliament and of the Council on the reduction of the level of pollutant emissions from two and three-wheel motor vehicles and amending Directive 97/24/EC (7598/1/01 – C5-0386/2001 – 2000/0136(COD))**

**(Codecision procedure: second reading)**

*The European Parliament,*

- having regard to the Council common position (7598/1/01 – C5-0386/2001),
  - having regard to its position at first reading<sup>1</sup> on the Commission proposal to Parliament and the Council (COM(2000) 314<sup>2</sup>),
  - having regard to the Commission's amended proposal (COM(2001) 145<sup>3</sup>),
  - having regard to Article 251(2) of the EC Treaty,
  - having regard to Rule 80 of its Rules of Procedure,
  - having regard to the recommendation for second reading of the Committee on the Environment, Public Health and Consumer Policy (A5-0406/2001),
1. Amends the common position as follows;
  2. Instructs its President to forward its position to the Council and Commission.

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<sup>1</sup> OJ C 276, 1.10.2001, p.53

<sup>2</sup> OJ C 337, 28.11.2000, p.140.

<sup>3</sup> OJ C 240, 28.8.2001, p.146.

## (Amendment 1)

## Recital 7

(7) Tricycles and quadricycles are equipped either with spark ignition or compression ignition engines; in line with emission limits for passenger cars, each category requires a separate set of limit values.

(6) Tricycles and quadricycles are equipped either with spark ignition or compression ignition (**diesel**) engines; in line with emission limits for passenger cars, each category requires a separate set of limit values. **Particulate emission limit values must be laid down for vehicles with compression ignition engines.**

*Justification*

*Particulate emissions are a risk to human health. The EU has emphasised particulate emission limit values for all other types of diesel vehicle (passenger cars, LDVs, HDVs, and off-road vehicles).*

*Reinstatement from first reading (Amendment 2).*

## (Amendment 2)

## Recital 9

(9) Member States should be allowed, by way of tax incentives, to expedite the placing on the market of vehicles which satisfy the requirements adopted at Community level and to promote more environmentally advanced technologies on the basis of **permissive** emission values; such incentives should satisfy certain conditions intended to avoid distortions of the internal market; this Directive does not affect the Member States' right to include emissions of pollutants and other substances in the basis for calculating road traffic taxes on two and three-wheel vehicles.

(9) Member States should be allowed, by way of tax incentives, to expedite the placing on the market of vehicles which satisfy the requirements adopted at Community level and to promote more environmentally advanced technologies on the basis of **mandatory** emission values; such incentives should satisfy certain conditions intended to avoid distortions of the internal market; this Directive does not affect the Member States' right to include emissions of pollutants and other substances in the basis for calculating road traffic taxes on two and three-wheel vehicles.

*Justification*

*Mandatory limit values are required to provide a clear and unambiguous datum, to provide security for the product development of new engines and techniques and to avoid*

*developments in the wrong direction. On the basis of mandatory limit values tax incentives may be introduced to get low-emission vehicles on the roads as soon as possible. Permissive values alone would be too uncertain for the initiation of new development, there would only be induced effects rather than new developments. Changing permissive values would produce a hotchpotch of approval requirements in the internal market. Clarity is needed, and manufacturers have to be given clear signals with tax incentives on the basis of mandatory values. Reinstatement from first reading (Amendment 3).*

(Amendment 3)  
Recital 9a (new)

***(9a) Member States may take measures to encourage the retrofitting of older two or three-wheel motor vehicles with emission-control devices and components. These measures must not result in discrimination against owners of older vehicles.***

*Justification*

*Owners of older vehicles in particular are often not in a position to buy a new cleaner vehicle or to afford a refit. They must not, however, suffer discrimination on that account but should instead be given financial incentives to protect the environment. In the case of older two or three-wheeled vehicles, therefore, there must be incentives to re-equip them so that even older vehicles may be relatively simply brought up to EURO I two-wheel or EURO II two-wheel standards. The possibilities differ greatly between vehicle types and depend on production runs. These particular aspects should be taken into account. Reinstatement from first reading (Amendment 4 + addendum).*

(Amendment 4)  
Recital 11

(11) It is necessary to establish a further stage of emission limits, comprising further substantial reductions with respect to the limit values for 2003; ***such limit values can be developed in detail only when the current test cycle has been revised and after further study of the technical feasibility and emission-reduction potential of the technology.***

(11) It is necessary to establish a further stage of ***mandatory*** emission limits ***with effect from 2006*** comprising further substantial reductions with respect to the limit values for 2003.

*Justification*

*Many motorcycles now being registered already meet the first stage limit values scheduled for 2003. So that current technology will not simply be set in stone a second stage with ambitious limit values for 2006 will be required. Only mandatory values will give the industry*

*the certainty it needs to make its plans. This will provide a suitable lead time for the development of new engines and emission control technology which is certainly necessary as real progress will be made only with new technology. As it is uncertain at present when or even whether a new test cycle for motorcycles will ever be available, clear mandatory limit values for the next 2006 stage must be laid down on the basis of a realistic currently available test procedure (NEDC). Reinstatement from first reading (Amendment 5).*

Amendment 5  
Recital 11 a (new)

***(11a). In order to ensure compliance with emission limit values, from 1 January 2006 conformity testing of in-service two and three-wheel motor vehicles (in-service tests) should be introduced.***

***Specific requirements for the correct operation of emission-control devices during the normal life of two or three-wheel motor vehicles should be introduced, as from 1 January 2004, for up to five years or 30 000 km, whichever is the sooner, and as from 1 January 2006 for up to five years or 50 000 km, whichever is the sooner.***

*Justification*

*Together with setting limit values at the type-testing stage, it is equally important in terms of air quality to introduce measures to check on emission control over time. Amendment 6 from Parliament's first reading is reinstated here as it sets out more specific requirements on durability, in-service tests and dates for carrying them out.*

(Amendment 6)  
Recital 11b (new)

***(11b) It must also be ensured that operating conditions of two and three-wheel motor vehicles in use correspond to the settings for the test cycle and that no defeat devices or other by-pass arrangements are used.***

*Justification*

*Reinstatement from first reading (Amendment 7). The Council has taken over the same provisions in Annex II 1(b) and 1(f) of the common position. The relevant recital should*



therefore also be included.

(Amendment 7)  
Recital 11c (new)

***(11c) As two and three-wheel motor vehicles are producing an increasing proportion of total CO<sub>2</sub> emissions from transport sources, CO<sub>2</sub> emissions and/or the fuel consumption of two and three-wheel motor vehicles should be established as soon as possible and incorporated in the Community strategy for reducing transport CO<sub>2</sub> emissions.***

*Justification*

*Reinstatement from first reading (Amendment 8), CO<sub>2</sub> emissions from two and three-wheel vehicles should also be covered by the Community strategy for reducing gases affecting climate.*

Amendment 8  
Article 2, paragraph 2

2. With the effect from 1 January 2003, Member States shall refuse to grant EC type-approval pursuant to Article 4(1) of Directive 92/61/EEC for any type of vehicle on grounds relating to the measures to be taken against air pollution, if it fails to comply with the provisions of Directive 97/24/EC

2. With the effect from 1 January 2003, Member States shall refuse to grant EC type-approval pursuant to Article 4(1) of Directive 92/61/EEC for any type of vehicle on grounds relating to the measures to be taken against air pollution, if it fails to comply with the provisions of Directive 97/24/EC

***For the type I test for mopeds, the limit values set out in the second row of the Table in Chapter 5, Annex 1 paragraph 2.2.1.1.3. to Directive 97/24/EC shall be used.***

For the type 1 test, the limit values set out in row A of the Table in Chapter 5, Annex II, Section 2.2.1.1.5 to Directive 97/24/EC shall be used.

For the type I test, ***for motorcycles and motor tricycles***, the limit values set out in row A of the Table in Chapter 5, Annex II, Section 2.2.1.1.5 to Directive 97/24/EC shall be used.

### *Justification*

*As article 2 is applicable to all vehicles (within the framework of EEC/92/61) reference should be made to the limit values for mopeds as well (the stage 2 limits for mopeds are already included in EC/97/24). The amended paragraph 2 aligns the validity of certificates of conformity for mopeds based on stage 1 limits, to those of motorcycles based on stage 1 limits and avoids an indefinite validity.*

### Amendment 9 Article 2, paragraph 3

3. With effect from 1 July 2004, Member States shall:

- (a) consider certificates of conformity which accompany new vehicles pursuant to Directive 92/61/EEC as no longer valid, and
- (b) refuse the registration, sale or entry into service of new vehicles which are not accompanied by a certificate of conformity in accordance with Directive 92/61/EEC,

on grounds relating to the measures to be taken against air pollution, if the vehicles fail to comply with the provisions of Directive 97/24/EC.

For the type I test, the limit values set out in row A of the Table in Chapter 5, Annex II, Section 2.2.1.1.5 to Directive 97/24/EC shall be used.

3. With effect from 1 July 2004, Member States shall:

- (a) consider certificates of conformity which accompany new vehicles pursuant to Directive 92/61/EEC as no longer valid, and
- (b) refuse the registration, sale or entry into service of new vehicles which are not accompanied by a certificate of conformity in accordance with Directive 92/61/EEC,

on grounds relating to the measures to be taken against air pollution, if the vehicles fail to comply with the provisions of Directive 97/24/EC.

***For the type I test for mopeds, the limit values set out in the second row of the Table in Chapter 5, Annex I paragraph 2.2.1.1.3. to Directive 97/24/EC shall be used.***

For the type I test, ***for motorcycles and motor tricycles***, the limit values set out in row A of the Table in Chapter 5, Annex II, Section 2.2.1.1.5 to Directive 97/24/EC shall be used.

### *Justification*

*As article 2 is applicable to all vehicles (within the framework of EEC/92/61) reference*

*should be made to the limit values for mopeds as well (the stage 2 limits for mopeds are already included in EC/97/24). The amended paragraph 3 aligns the validity of certificates of conformity for mopeds based on stage 1 limits, to those of motorcycles based on stage 1 limits and avoids an indefinite validity.*

(Amendment 10)  
Article 2a (new)

#### **Article 2a**

***1. With effect from 1 January 2006, Member States shall refuse to grant EC type-approval pursuant to Article 4(1) of Directive 92/61/EEC for a new vehicle type on grounds relating to measures against air pollution, if it fails to comply with the provisions of Directive 97/24/EC, as amended by this Directive.***

***For the type I test, the limit values set out in rows B of the Table in Chapter 5, Annex II to Directive 97/24/EC, as amended by this Directive, shall be used.***

***2. With effect from 1 January 2007<sup>(1)</sup>, Member States shall:***

- consider certificates of conformity which accompany new vehicles pursuant to Directive 92/61/EEC as no longer valid, and***
- refuse the registration, sale or entry into service of new vehicles which are not accompanied by a certificate of conformity in accordance with Directive 92/61/EEC,***

***On grounds relating to the measures to be taken against air pollution, if the vehicles fail to comply with the provisions of Directive 97/24/EC, as amended by this Directive.***

***For the type I test, the limit values set out in rows B of the Table in Chapter 5, Annex II to Directive 97/24/EC, as amended by this Directive, shall be used.***

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***<sup>(1)</sup> 1 January 2008 shall be the date applicable to vehicle types of which no***

***more than 5000 units are sold annually in the European Union.***

*Justification*

*Reinstatement from first reading (Amendment 10). Article needed to lay down mandatory limit values from 2006. See justification to Amendment 2 (Recital 9) and Amendment 4 (Recital 11).*

(Amendment 11)  
Article 3, paragraph 1(b)

(b) they shall apply to all new vehicles offered for sale on the market of a Member State which comply with the ***permissive*** limit values set out in row B of the Table in Chapter 5, Annex II, ***Section 2.2.1.1.5 of Directive 97/24/EC, as amended by this Directive.***

(b) they shall apply to all new vehicles offered for sale on the market of a Member State which comply ***ahead of the deadline*** with the ***mandatory*** limit values set out in row B of the Table in Chapter 5, Annex II, ***Section 2.2.1.1.5 of Directive 97/24/EC; they shall end on the date for the mandatory application of the emission limit values for new vehicles laid down in Article 2a (new), paragraph 2.***

*Justification*

*Reinstatement from first reading (Amendment 11 with addendum). Article required to lay down mandatory limit values from 2006 - see justification to Amendment 2 (Recital 9) and Amendment 4 (Recital 11) - and to provide a tax incentive for bringing clean vehicles on to the road ahead of the deadline.*

Amendment 12  
Article 3 paragraph 2a (new)

***(2a) Member States may inter alia offer fiscal or financial incentives for the retrofitting of older two or three-wheel motor vehicles, if they thereby meet the limit values contained in this Directive or in the earlier version of Directive 97/24/EC.***

*Justification*

*Owners of older vehicles in particular are often not in a position to buy a new cleaner vehicle or to afford a refit. They must not, however, suffer discrimination on that account but should*

*instead be given financial incentives to protect the environment. In the case of older two or three-wheeled vehicles, therefore, there must be incentives to re-equip them so that even older vehicles may be relatively simply brought up to EURO I two-wheel or EURO II two-wheel standards. The possibilities differ greatly between vehicle types and depend on production runs. These particular aspects should be taken into account. Article required as a result of amendment 3 (Recital 9a new) Reinstatement from first reading (Amendment 12).*

Amendment 13  
Article 3a (new)

***Article 3a***

***Type-approvals shall also confirm the correct operation of the emission-control devices during the normal life of two and three-wheel motor vehicles:***

- ***as from 1 January 2004 for new vehicle types and as from 1 January 2005 for all vehicle types for up to five years or 30 000 km, whichever is the sooner;***
- ***as from 1 January 2006 for new vehicle types and as from 1 January 2007 for all vehicle types for up to five years or 50 000 km, whichever is the sooner.***

***The Commission shall submit a proposal for supplementary provisions to the European Parliament and the Council by 31 December 2002.***

*Justification*

*Reinstatement from first reading (Amendment 14) with dates changed. Article required as a result of amendment 5 (Recital 11a new).*

Amendment 14  
Article 3b (new)

***Article 3b***

***With effect from 1 January 2006, for new***

*two or three-wheel motor vehicle types, type-approvals granted to vehicles shall also require confirmation of the correct operation of the emission-control devices during the normal life of the vehicle under normal conditions of use (conformity of in-service vehicles properly maintained and used). From 1 January 2007 this provision shall apply to all vehicle types.*

*The Commission shall submit a proposal for supplementary provisions to the European Parliament and the Council by 31 December 2002. They shall include inter alia:*

- *criteria for carrying out checks,*
- *criteria for selecting the vehicles to be tested,*
- *criteria for carrying out the tests,*
- *rules to eliminate possible errors,*
- *the criterion that there shall be no charge for the owner/holder of the vehicle.*

#### *Justification*

*Reinstatement from first reading (Amendment 15) with dates changed. Article required as a result of amendment 5 (Recital 11a new).*

Amendment 15  
Article 3c (new)

#### *Article 3c*

*1. With effect from 1 January 2004 Member States may no longer grant EC type approval and shall refuse national type approval for a two or three wheel vehicle with an engine capacity of over 150 cc on grounds relating to CO<sub>2</sub> emissions and fuel consumption if its emission and fuel consumption values are not established pursuant to Directive*

*80/1268/EEC as amended by Directive 93/116/EC in its current form.*

*2. With effect from 1 January 2005 Member States shall*

- *consider certificates of conformity which accompany new two-wheel motor vehicle with an engine capacity of over 150 cc pursuant to Directive 92/61/EEC as no longer valid, and*
- *refuse the registration, sale or entry into service of new vehicles which are not accompanied by a certificate of conformity in accordance with Directive 92/61/EEC,*

*on grounds relating to CO<sub>2</sub> emissions and fuel consumption, if the emission and fuel consumption values are not established pursuant to Directive 80/1268/EEC as amended by Directive 93/116/EC.*

*Justification*

*Reinstatement from first reading (Amendment 17) with dates changed. Article required as a result of amendment 5 (Recital 11c new).*

Amendment 16  
Article 4, paragraph 1

(1) The Commission shall consider *a further tightening* of the emission standards of vehicles falling within the scope of this Directive, taking into account:

1. The Commission shall consider *further development* of the emission standards of vehicles falling within the scope of this Directive, taking into account:

*Justification*

*Improving other aspects of the legislation on emissions can certainly be envisaged. The Commission should follow up on the development of a new worldwide test cycle. Introducing this test procedure with correlation factors in respect of the limit values set does not*

*necessarily mean tightening up the proposals for the 2006 stage.*

Amendment 17  
Article 4, paragraph 2

2. The Commission shall, not later than 31 December 2002, submit to the Committee for Adaptation to Technical Progress a proposal setting out a test method for the measurement of particulate emissions **from compression ignition engines and two-stroke spark ignition engines**, to be applied to new type-approvals from 1 January 2004.

2. The Commission shall, not later than 31 December 2002, submit to the Committee for Adaptation to Technical Progress a proposal setting out a test method for the measurement of particulate emissions **in accordance with Article 4(1)(e)**, to be applied to new type-approvals from 1 January 2004.

*Justification*

*Coherence of the various parts of Article 4. For three and four-wheel vehicles, limit values are needed for stage B from 2006, and for particulate emissions. The current lack of progress with the development of a new test cycle for motorcycles must not prevent this.*

Amendment 18  
Article 4, paragraph 3, point (a)

(a) **a new dedicated test cycle to be used for measurement of emissions** in the Type I test and mandatory emission limit values for **motorcycles, including** particulate emissions for compression ignition engines and two-stroke spark-ignition engines, to be applied from 2006.

(a) **mandatory emission limit values** to be used for **three and four-wheel vehicles for stage B from 2006** and mandatory emission limit values for particulate emissions, **in accordance with Article 4(1)(e)**;

*Justification*

*Coherence of the various parts of Article 4 For three and four-wheel vehicles, limit values are needed for stage B from 2006, and for particulate emissions. The current lack of progress with the development of a new test cycle for motorcycles must not prevent this.*

Amendment 19  
Article 4, paragraph 3(b)

(b) an obligation to measure specific CO<sub>2</sub>

(b) an obligation to measure specific CO<sub>2</sub>



emissions in type approval;

emissions in type approval ***in accordance with Article 3c;***

***The Commission shall also submit proposals for the inclusion of two and three-wheel motor vehicles in the Community strategy for reducing transport CO<sub>2</sub> emissions (agreement to reduce average CO<sub>2</sub> emissions, labelling, tax incentives).***

#### *Justification*

*It is obvious that two and three-wheel vehicles need to be covered by the Community strategy for reducing CO<sub>2</sub> emissions produced by traffic. Some development work remains to be done, as there is no reason why a motor cycle with a mass of some 220 kg and carrying one person should have the same or greater fuel consumption and hence CO<sub>2</sub> emissions as a five-seater passenger car. The CO<sub>2</sub> value pursuant to Directive 93/116/EEC must therefore be ascertained for motor cycles of over 150 cc engine capacity in order to obtain comparable values. Another consideration is whether for example the Directive relating to consumer information on fuel economy and CO<sub>2</sub> emissions (Directive 1999/94/EC) should not be extended to two or three-wheel motor vehicles. Reinstated from first reading (amendment 21, last indent).*

#### **Amendment 20** **Article 4, paragraph 3(c)**

(c) Provisions on durability requirements;

(c) Provisions on durability requirements ***from 1 January 2004 in accordance with Article 3a;***

#### *Justification*

*More specific requirement. Reinstatement from first reading; related to amendment 5 (Recital 11a new) and amendment 11 (Article 3a new).*

#### **Amendment 21** **Article 4, paragraph 3, point (ca) (new)**

***(ca) requirements to include conformity testing on in-service vehicles (in-service tests) in the type-approval procedure for two or three-wheel motor vehicles with effect from 1 January 2006 pursuant to***

***Article 3c and, by analogy, to European Parliament and Council Directive 98/69/EC of 13 October 1998 relating to measures to be taken against air pollution by emissions from motor vehicles and amending Council Directive 70/220/EEC<sup>(1)</sup>;***

*Justification*

*Reinstatement from first reading (Amendment 20(b)), related to Amendment 5 (Recital 11a new) and Recital 12 (Article 3b (new)).*

Amendment 22

Article 4, paragraph 3, point (d)

(d) a new set of limit values (stage III) for mopeds, including particulate emissions ***from two-stroke spark emission engines***, to be applied from 2006. The provisions on durability requirements and the obligation to measure specific CO<sub>2</sub> emissions in type approval will also be applied to mopeds.

(d) a new set of limit values (stage III) for mopeds, including particulate emissions ***in accordance with Article 4(1)(e)***, to be applied from 2006. The provisions on durability requirements and the obligation to measure specific CO<sub>2</sub> emissions in type approval will also be applied to mopeds..

*Justification*

*Coherence of the various parts of Article 4.*

Amendment 23

Article 4, paragraph 4

The Commission shall submit proposals to the European Parliament and Council, ***containing inter alia provisions on in-use compliance and, if appropriate***, inspection and maintenance, OBD and evaporative emission control.

The Commission shall submit proposals to the European Parliament and Council, inspection and maintenance, OBD and evaporative emission control.

***The Commission shall also ensure that only replacement and retrofit parts for exhaust systems which comply with Directive 97/24/EC and this Directive are placed on the market. The issuing of type-approval must be sufficiently verifiable and the data on the type-approvals issued***

*must be quickly, efficiently and transparently retrievable and traceable in a European data system.*

### *Justification*

*Reinstatement from first reading (Amendment 21, first indent).*

## Amendment 24 ANNEX Chapter 5 (Directive 97/24/EC)

### Council Common Position

2.2.1.1.5 Subject to the requirements for 2.2.1.1.6, the test must be repeated three times. The resulting masses of gaseous emissions obtained in each test must be less than the limits shown in the table below. (row A):

	Class	Mass of carbon monoxide (CO)	Mass of hydrocarbons (HC)	Mass of oxides of nitrogen (NO <sub>x</sub> )
		L <sub>1</sub> (g/km)	L <sub>2</sub> (g/km)	L <sub>3</sub> (g/km)
Limit values for motorcycles (two-wheel) for type approval and conformity of production				
A (2003)	I (< 150 cc)	5,5	1,2	0,3
	II (≥ 150 cc)	5,5	1,0	0,3
B	I (< 150 cc) (UDC cold) <sup>1</sup>	2,0	0,8	0,15
	II (≥ 150 cc) <i>(test cycle provided for in 98/69/EC</i> <sup>2</sup>	2,0	0,3	0,15
<i>* The values in row B are permissive and applicable for the purposes of Article 3 of Directive /EC.</i>				
<i>1 Test cycle: test cycle provided for in this Directive without warming up, starting temperature 20-30 °C (similar to that in Directive 98/69/EC)</i>				
<i>2 Type I test procedure provided for in Directive 98/69/EC</i>				

### Parliament's amendments

2.2.1.1.5 Subject to the requirements for 2.2.1.1.6, the test must be repeated three times. The resulting masses of gaseous emissions obtained in each test must be less than the limits shown in the table below. (row A **for 2003 and row B for 2006**).

	Class	Mass of carbon monoxide (CO)	Mass of hydrocarbons (HC)	Mass of oxides of nitrogen (NO <sub>x</sub> )
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		L <sub>1</sub> (g/km)	L <sub>2</sub> (g/km)	L <sub>3</sub> (g/km)
Limit values for motorcycles (two-wheel) for type approval and conformity of production				
A (2003)	I (< 150 cc)	5,5	1,2	0,3
	II (≥ 150 cc)	5,5	1,0	0,3
B (2006)	I (< 150 cc) (UDC cold) <sup>1</sup>	2,0	0,8	0,15
	II (≥ 150 cc) (UDC+EUDC cold) <sup>2</sup>	2,0	0,3	0,15
<b>1</b> Test cycle : ECE R40 cycle with emissions measured for all 6 modes (sampling starts at T=0) <b>2</b> Test cycle : ECE R40+EUDC (emissions measured from all modes – sampling starts at T=0), with the maximum speed of 120 km/h				

### *Justification*

*For the moment the test is made on 6 modes (up to 50km/h) but measuring of emissions starts on the 3rd mode (.ie. there is a warming up phase on the first 2 modes).*

*The amended test is still a "Cold start" but the emissions control device can reach their operating temperature. In effect the cycle is spread over 6 modes instead of 4.*

*This approach allows us to introduce "cold start" testing under Motorcycle type approval, in a progressive way.*

*There is a need to test larger motorcycles (>125cc) on extra urban conditions. This amendment introduces the EUDC (Extra Urban Driving cycle up to 120 km/h) within the test cycle.*

*Note: ECE=R40= Economic Commission for Europe Regulation 40. It is the test cycle currently used for testing MCs.*

(Amendment 25)

ANNEX (1) (k)

Annex II, Chapter 5, Appendix 1 (6.1.3 a) (new) (Directive 97/24/EC)

**6.1.3a. When testing for compliance with the limit values set out in rows BI (Table, section 2.2.1.1.5) the following shall apply:**

**prior to the initiation of the test, a flow of air of variable speed is directed at the motorcycle or motor tricycle. The ventilation system must include a**

***mechanism controlled by the speed of the bench roller so that, in the range from 10 km/h to 50 km/h, the linear air speed at the blower outlet is equal to the relative speed of the roller with an approximation of 10%. For roller speeds below 10km/h, the air speed may be zero. The end section of the air blower device must have the following characteristics:***

- (i) surface area of at least 0.4 m<sup>2</sup>;***
- (ii) lower edge between 0.15 and 0.20 m above ground level;***
- (iii) distance from the leading edge of the motorcycle or motor tricycle between 0.3 and 0.45 m;***

*Justification*

*In conjunction with the amendment to the table of limit values. Omitting the warm-up phase gives a more realistic emission test. Reinstatement from first reading (Amendment 24).*

(Amendment 26)

ANNEX (1) (m)

Annex II, Chapter 5, Appendix 1 (7.2.1 a) (new) (Directive 97/24/EC)

***7.2.1a. When testing for compliance with the limit values in rows BI (Table Section 2.2.1.1.5), the following shall apply: Once the engine is started the procedures described in 7.2.2-7.2.5 shall be carried out simultaneously.***

*Justification*

*In conjunction with the amendment to the table of limit values. Omitting the warm-up phase gives a more realistic emission test. Reinstatement from first reading (Amendment 25).*

## EXPLANATORY STATEMENT

Your rapporteur welcomes the fact that the Council's common position of 13 July 2001 has taken over a number of Parliament's amendments or, at least, endorsed them in principle. For example, the Council added a ban on defeat devices in the proposal to prevent tampering with or disabling of emission control devices. The Council also supports the inclusion of CO<sub>2</sub> emissions in the type-approval procedure for two and three-wheel motor vehicles, as well as taking account of particulate emissions and the durability requirements of emission control devices. The Council has also taken over most of the table of limit values adopted by the EP at first reading for stage two from 2006, including the proposed measurement procedures, i.e. omitting the warm-up phase for small motorcycles and using the passenger car test cycle (pursuant to Directive 98/69/EC), though the Council adheres to permissive values only. Despite bridging the gap on a wide range of issues, a number of questions remain open:

### Mandatory second stage for limit values in 2006 and suitable test procedure

The Commission itself proposed a second stage of reducing limit values from 2006 but was awaiting the development of a worldwide harmonised test cycle for motorcycles before laying down definitive values. Meanwhile, however, it has become apparent to all concerned, including the industry, that there are problems in developing and harmonising this test cycle worldwide. This has borne out the fears which ultimately prompted the European Parliament at first reading to propose a mandatory second stage for limit values from 2006 on the basis of the test cycle for passenger cars (NEDC). Motorcycles are also in urgent need of more realistic test conditions. In the past measurements were taken on motorcycles only when the engine was hot after two warm-up test cycles and up to speeds of no more than 50 km/h (ECR R40): this bears little relation to reality.

We need a genuine second stage with ambitious mandatory limit values equal to the Euro-III emission levels for passenger cars (from 2000). Only mandatory values create a secure basis for planning, which is an absolute must for the industry. The industry needs clear signals as the development of new engines and clean emission technology requires an appropriate lead time. The time-frame from now until 2006 is already extremely tight; the time for procrastination is past. As at present it is extremely uncertain when or even whether a worldwide harmonised test cycle for motorcycles will ever be available, we must press ahead now and clarify the situation. That includes the immediate establishment of mandatory limit values for the next stage from 2006 on the basis of a realistic test procedure. The new European driving cycle (NEDC) is ready and available. It also creates transparency through clear comparability of emission levels of motorcycles and passenger cars. The aim must be for new motorcycles from 2006 to be just as clean as new cars since 2000. If a new worldwide dedicated motorcycle test cycle subsequently becomes available, it will always be possible to introduce it and produce correlation factors for the 2006 stage.

### Guaranteeing the durability of emission control devices and checking in-service compliance

In principle, there is agreement with the Council that measures to check on emission control over time are crucial for air quality. Parliament's first reading was reinstated on this point as it contains more specific requirements for durability, in-service tests and dates on which they should be carried out, viz:

- (a) it must be ensured that vehicles continue to comply with the strict limit values set at type testing when they are on the road and after 30 000 km in service (EURO II - two-wheel vehicles) or 50 000 km in service (EURO III - two-wheel vehicles).
- (b) If the serviceability of emission control equipment is to be monitored throughout the normal life of vehicles, in-service checks must be introduced as a way of detecting and removing manufacturing or other faults. Deteriorating emission results may be caused by design faults, material failure or faulty operating instructions, for example. This is a matter purely for the authorities inspecting the vehicle. The owner should incur no cost.

Tax incentives to expedite the introduction of low-emission vehicles and the retrofitting of older vehicles

In order to get lower emission vehicles on to the roads as soon as possible and replace the existing fleet with such vehicles, there must be tax incentives to encourage an early changeover to new low emission vehicles, which would now meet the limit values set for 2003 or 2006. There must be no discrimination against owners of older vehicles on account of that; they should be given financial incentives instead to protect the environment as they are often not in a position to afford such alterations themselves. Retrofitting should also be encouraged in the case of older motorcycles to fit them with relatively simple devices to bring them up to EURO I or EURO II motorcycle standards. The possibilities differ greatly between vehicle types and depend on production runs. These particular aspects must be taken into account.

Evidently the debate over the worldwide harmonised test cycle for motorcycles has also been a factor in the Council's adoption of the common position. The Council wanted a mandatory stage for 2006. The majority of the Member States, however, did not want to take a final decision until the results of the new worldwide test cycle were available. In the meantime, however, the debate has progressed and, foreseeably, it will no longer be possible to introduce a worldwide test cycle for motorcycles within a realistic time-frame. In the light of the apparent difficulties with the development and worldwide coordination of this test cycle, the European Parliament's position at first reading would also seem capable of gaining a majority in the Council. This is also underscored by the political statement drawn up by a number of Member States, which reads as follows:

'The Austrian, Danish, German, Greek, Italian and Netherlands delegations see a need for more stringent emission limits for two and three wheeled vehicles because of their increasing impact, particularly on urban air quality and ground level ozone values.

Today, the exhaust emissions per kilometre produced by two and three wheeled vehicles are 10 to 100 times higher compared with passenger cars. Therefore, these delegations stress the need to establish already today binding limits for 2006 for motorcycles, as proposed by the European Parliament in its opinion at First Reading, and to establish more stringent limits for mopeds as soon as possible.

Furthermore, these delegations underline the need for new Commission proposals on limits for evaporative limits and in-use-compliance testing by the end of 2002.'

It therefore seems appropriate to reinstate the key points from first reading and to adopt them as a basis for a mandatory second stage of emission reduction from 2006, using NECD limit values as reference. This would enable the industry to make plans and ensures that, from 2006, motorcycles will be as clean as cars complying with EURO III standards since 2000.