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*****I**
REPORT

on the proposal for a directive of the European Parliament and of the Council amending Directive 2000/25/EC as regards the provisions for tractors placed on the market under the flexibility scheme
(COM(2010)0607 – C7-0342/2010 – 2010/0301(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Salvatore Tatarella

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

In amendments by Parliament, amendments to draft acts are highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the draft act which may require correction when the final text is prepared – for instance, obvious errors or omissions in a language version. Suggested corrections of this kind are subject to the agreement of the departments concerned.

The heading for any amendment to an existing act that the draft act seeks to amend includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend. Passages in an existing act that Parliament wishes to amend, but that the draft act has left unchanged, are highlighted in **bold**. Any deletions that Parliament wishes to make in such passages are indicated thus: [...].

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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 2000/25/EC as regards the provisions for tractors placed on the market under the flexibility scheme
(COM(2010)0607 – C7-0342/2010 – 2010/0301(COD))**

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2010)0607),
 - 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 (C7-0342/2010),
 - 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 16 February 2011¹,
 - having regard to Rule 55 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 Transport and Tourism (A7-0091/2011),
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.

Amendment 1

Proposal for a directive - amending act Recital 1

Text proposed by the Commission

Amendment

(1) Directive 2000/25/EC of the European

(1) Directive 2000/25/EC of the European

¹ OJ C ... /Not yet published in the Official Journal.

Parliament and of the Council of 22 May 2000 on action to be taken against the emission of gaseous and particulate pollutants by engines intended to power agricultural or forestry tractors and amending Council Directive 74/150/EEC⁹ regulates exhaust emissions from engines installed in agricultural and forestry tractors. The current stage of emission limits applicable for type approval of the majority of compression ignition engines is referred to as Stage III A. The directive provides that those limits will be replaced by the more stringent Stage III B limits, entering into force progressively as of 1st January 2011 with regard to the placing on the market and from 1st January 2010 as regards the type approval for those engines. Stage IV, providing for limit values more stringent than stage III B, will enter into force progressively as of 1st January 2013 as regards the type approval for those engines and as of 1st January 2014 with regard to the placing on the market.

Parliament and of the Council of 22 May 2000 on action to be taken against the emission of gaseous and particulate pollutants by engines intended to power agricultural or forestry tractors and amending Council Directive 74/150/EEC⁹ regulates exhaust emissions from engines installed in agricultural and forestry tractors *with a view to further safeguarding human health and the environment*. The current stage of emission limits applicable for type approval of the majority of compression ignition engines is referred to as Stage III A. The directive provides that those limits will be replaced by the more stringent Stage III B limits, entering into force progressively as of 1st January 2011 with regard to the placing on the market and from 1st January 2010 as regards the type approval for those engines. Stage IV, providing for limit values more stringent than stage III B, will enter into force progressively as of 1st January 2013 as regards the type approval for those engines and as of 1st January 2014 with regard to the placing on the market.

Justification

One of the objectives of Directive 2000/25/EC is to maximise the benefits for the European environment and public health.

Amendment 2

Proposal for a directive - amending act Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) The Commission is expected to come forward with a comprehensive revision of Directive 2000/25/EC within 12 months. It is preferable for the Commission to present the comprehensive revision at its

earliest convenience.

Justification

The Commission came forward with the present proposal on the partial revision of Directive 2000/25/EC in a relatively late stage, as the measures the Commission intends to amend are partially in force as per 1 January 2011. A full revision of Directive 2000/25/EC would allow of dealing with the current regulation in a more comprehensive manner.

Amendment 3

**Proposal for a directive - amending act
Recital 2**

Text proposed by the Commission

(2) The transition to Stage III B involves a step change in technology requiring significant implementation costs for re-designing the engines and for developing advanced technical solutions. ***This transition stipulated by the legislator in 2005 coincides with the economic recession in the sector concerned which makes it difficult for the industry to bear the implementation costs necessary in order to adapt to the new legal requirements.***

Amendment

(2) The transition to Stage III B involves a step change in technology requiring significant implementation costs for re-designing the engines and for developing advanced technical solutions. ***The global financial and economic crisis cannot serve as a reason to water down environmental standards. Investments in environmentally friendly technologies are important for the promotion of future growth, jobs and health security.***

Justification

In the current debate the Commission has suggested that the global financial and economic crisis has had a deeply negative impact on the related industry. Despite the difficulties the industry is facing currently it has to be re-emphasised that the crisis can not serve as a reason to water down environmental standards. On the contrary, investments in green technologies are a motor for future growth and jobs in Europe and an important factor for health security.

Amendment 4

**Proposal for a directive - amending act
Recital 3**

Text proposed by the Commission

(3) Directive 2000/25/EC provides for a flexibility scheme to allow tractor manufacturers to purchase, ***in the period between two emission stages***, a limited quantity of engines that do not comply with the current emission limit values, but are approved to the nearest previous stage of emission limits.

Amendment

(3) Directive 2000/25/EC provides for a flexibility scheme to allow tractor manufacturers to purchase, ***during a given stage***, a limited quantity of engines that do not comply with the current emission limit values, but are approved to the nearest previous stage of emission limits.

Amendment 5

**Proposal for a directive – amending act
Recital 5**

Text proposed by the Commission

(5) During ***the transition from Stage III A to Stage III B***, the percentage of the number of ***engines placed on the market*** under the flexibility scheme ***should be increased from 20% to 50%*** of the ***tractor manufacturer's annual sales*** of tractors with engines in that category. The optional alternative that a ***maximum*** number of engines may be placed on the market under the flexibility scheme should be adapted accordingly.

Amendment

(5) During Stage III B, the percentage of the number of ***tractors that enter into service*** under the flexibility scheme ***shall be 35%*** of the annual ***quantity*** of tractors ***entered into service by the tractor manufacturer*** with engines in that category. The optional alternative that a ***fixed*** number of engines may be placed on the market under the flexibility scheme should be adapted accordingly.

Amendment 6

**Proposal for a directive - amending act
Recital 5 a (new)**

Text proposed by the Commission

Amendment

(5a) Enterprises operating with machines that fall within the scope of this Directive should benefit from European financial support programmes or respective support programmes provided by Member States. Requiring the beneficiaries of these programmes to apply the best available

technologies of their branches should be considered. Only enterprises that make use of the technologies with the best emission standards should be supported.

Amendment 7

Proposal for a directive – amending act Recital 7

Text proposed by the Commission

(7) The measures provided in this Directive reflect a temporary difficulty faced by the industry; as such, these measures shall be restricted *to the transition from Stage III A to Stage III B and expire on 31 December 2013,*

Amendment

(7) The measures provided in this Directive reflect a temporary difficulty faced by the industry; as such, these measures shall be restricted to Stage III B,

Amendment 8

Proposal for a directive - amending act Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) It is understood that the current emission limits should be tightened with respect to ultrafine black carbon particles by implementing the particle number criterion in future legislation addressing the next emission targets.

Amendment 9

Proposal for a directive – amending act Article 1 – point -1 (new) Directive 2000/25/EC Article 1 - new indents

Text proposed by the Commission

Amendment

(-1) In Article 1, the following indents are added:

- "*flexibility scheme*" means the exemption procedure by means of which a Member State permits the placing on the market of a limited quantity of engines in accordance with the requirements set by Article 3a;

- "*engine category*" means the classification of engines which combines the power band with the stage of exhaust emission limits.

Amendment 10

Proposal for a directive – amending act

Article 1 – point 1

Directive 2000/25/EC

Article 3a – paragraph 1

Text proposed by the Commission

1. *In Article 3a, the following subparagraph is added: 'The flexibility scheme, set out in sections 1.2., 1.2.1. and 1.2.2. of Annex IV shall apply only for the transition from Stage III A to Stage III B and shall expire on 31 December 2013.'*

Amendment

1. Article 3a shall be replaced by the following: "**By way of derogation from Article 3(1) and (2), Member States shall provide that, at the request of the tractor manufacturer, and on condition that the approval authority has granted the relevant permit, a limited number of tractors may enter into service in accordance with the procedures laid down in Annex IV. The flexibility scheme shall begin when a given stage becomes compulsory and shall have the same duration as the stage itself. Under a flexibility scheme, engines shall be approved in accordance with the requirements of the stage immediately preceding the applicable one. The flexibility scheme, set out in sections 1.2., 1.2.1. and 1.2.2. of Annex IV shall apply only for Stage III B and shall have a duration of 3 years.**"

Amendment 11

Proposal for a directive – amending act

Article 1 – point 2

Directive 2000/25/EC

Annex IV - section 1

Text proposed by the Commission

2. **Section 1 of** Annex IV is replaced by the text in Annex I to this Directive.

Amendment

2. Annex IV is replaced by the text in Annex I to this Directive.

Amendment 12

Proposal for a directive – amending act

Annex I

Directive 2000/25/EC

Annex IV - section 1 - point 1.1

Text proposed by the Commission

Section 1 of Annex IV is replaced by the following:

1.1. **With the exception of the transition period between Stage III A and Stage III B, a** tractor manufacturer who wishes to make use of the flexibility scheme shall request permission from **his** approval authority to **place or to source from his engine suppliers,** in the **period between two emissions stages,** the quantities of **engines** described in sections 1.1.1. and 1.1.2. **that do not comply with the current emission limit values, but are approved to the nearest previous stage of emission limits.**

Amendment

Annex IV is replaced by the following:

1.1. A tractor manufacturer who wishes to make use of the flexibility scheme shall request permission from **the** approval authority to **enter the tractors into service according to the relevant provisions set out in this Annex. With the exception of Stage III B,** the quantities of **tractors shall not exceed those** described in sections 1.1.1. and 1.1.2. **The engines shall meet the requirements referred to in Article 3a.**

Amendment 13

Proposal for a directive – amending act

Annex I

Directive 2000/25/EC

Annex IV - section 1 - point 1.1.1.

Text proposed by the Commission

1.1.1. The number of engines **placed on**

Amendment

1.1.1. The number of engines **and tractors**

the market under a flexibility scheme shall, in each engine category, not exceed 20 % of the *tractor manufacturer's* annual *sales* of tractors with engines in that engine category (calculated as the average of the last 5 years sales on the Union market). Where a tractor manufacturer has *marketed* tractors in the Union for a period of less than five years the average will be calculated based on the actual period for which the tractor manufacturer has *marketed* tractors in the Union.

entering into service under a flexibility scheme shall, in each engine category, not exceed 20 % of the annual *quantities* of tractors *entered into service by the tractor manufacturer* with engines in that engine category (calculated as the average of the last 5 years sales on the Union market). Where a tractor manufacturer has *entered* tractors *into service* in the Union for a period of less than five years the average will be calculated based on the actual period for which the tractor manufacturer has *entered* tractors *into service* in the Union.

Amendment 14

Proposal for a directive – amending act Annex I

Directive 2000/25/EC

Annex IV - section 1 - point 1.1.2.

Text proposed by the Commission

1.1.2. As an alternative option to section 1.1.1., the *tractor manufacturer may seek permission for his engine suppliers to place on the market a fixed number of engines under the flexibility scheme. The number of engines* in each *engine category* shall not exceed the following *values*:

Amendment

1.1.2. As an alternative option to section 1.1.1., the number of *tractors* in each *power band* shall not exceed the following *quantities*:

Amendment 15

Proposal for a directive – amending act Annex I

Directive 2000/25/EC

Annex IV - section 1 - point 1.1.2. - table - titles

Text proposed by the Commission

Engine *Category* (kW)

Number of *Engines*

Amendment

Engine *Power Band* (kW)

Number of *Tractors*

Amendment 16

Proposal for a directive – amending act Annex I

Directive 2000/25/EC

Annex IV - section 1 - point 1.2.

Text proposed by the Commission

1.2. During *the transition period between Stage III A and Stage III B*, a tractor manufacturer who wishes to make use of the flexibility scheme, shall request permission from *his* approval authority to *place or to source from his engine suppliers, in the period between two emissions stages, the quantities of engines described in sections 1.2.1. and 1.2.2. that do not comply with the current emission limit values, but are approved to the nearest previous stage of emission limits.*

Amendment

1.2. During Stage III B, a tractor manufacturer who wishes to make use of the flexibility scheme, shall request permission from *the* approval authority to *enter the tractors into service according to the relevant provisions set out in this Annex. The quantities of tractors shall not exceed the quantities* described in sections 1.2.1. and 1.2.2. *The engines shall meet the requirements referred to in Article 3a.*

Amendment 17

Proposal for a directive – amending act Annex I

Directive 2000/25/EC

Annex IV - section 1 - point 1.2.1

Text proposed by the Commission

1.2.1. The number of engines *placed on the market* under a flexibility scheme shall, in each engine category, not exceed 50 % of the *tractor manufacturer's* annual *sales* of tractors with engines in that engine category (calculated as the average of the last 5 years sales on the Union market). Where a tractor manufacturer has *marketed* tractors in the Union for a period of less than five years the average will be calculated based on the actual period for which the tractor manufacturer has *marketed* tractors in the Union.

Amendment

1.2.1. The number of engines *and tractors entering into service* under a flexibility scheme shall, in each engine category, not exceed 35 % of the annual *quantities* of tractors *entered into service by the tractor manufacturer* with engines in that engine category (calculated as the average of the last 5 years sales on the Union market). Where a tractor manufacturer has *entered* tractors *into service* in the Union for a period of less than five years the average will be calculated based on the actual period for which the tractor manufacturer has *entered* tractors *into service* in the Union.

Amendment 18

Proposal for a directive – amending act Annex I

Directive 2000/25/EC

Annex IV - section 1 - point 1.2.2.

Text proposed by the Commission

1.2.2. As an alternative option to section 1.2.1, the *tractor manufacturer may seek permission for his engine suppliers to place on the market a fixed number of engines under the flexibility scheme. The number of engines in each engine category shall not exceed the following values:*

Amendment

1.2.2. As an alternative option to section 1.2.1., the number of *tractors* in each *power band* shall not exceed the following values:

Amendment 19

Proposal for a directive – amending act Annex I

Directive 2000/25/EC

Annex IV - section 1 - point 1.2.2. - table - titles

Text proposed by the Commission

Engine *Category* (kW)

Number of *Engines*

Amendment

Engine *Power Band* (kW)

Number of *Tractors*

Amendment 20

Proposal for a directive – amending act Annex I

Directive 2000/25/EC

Annex IV - section 1 - point 1.3. - introductory part

Text proposed by the Commission

1.3. The tractor manufacturer shall include in his application to *an* approval authority the following information:

Amendment

1.3. The tractor manufacturer shall include in his application to *the* approval authority the following information:

Amendment 21

**Proposal for a directive – amending act
Annex 1**

Directive 2000/25/EC

Annex IV – section 1 – point 1.4.

Text proposed by the Commission

1.4. The tractor manufacturer shall provide the approval authority with any information connected with the implementation of the flexibility scheme that the approval authority may request necessary to make a decision.

Amendment

1.4. The tractor manufacturer shall provide the approval authority with any **necessary** information connected with the implementation of the flexibility scheme that the approval authority may request necessary to make a decision.

Amendment 22

**Proposal for a directive – amending act
Annex 1**

Directive 2000/25/EC

Annex IV – section 1 – point 1.5.

Text proposed by the Commission

1.5. The tractor manufacturer shall file a report every six months to the approval authorities of each Member State, where the tractor or engine is put on the market, on the implementation of the flexibility schemes he is using. The report shall include cumulative data on the number of engines and tractors placed on the market under the flexibility scheme, engine and tractor serial numbers, and the Member States where the tractor has been entered into service. This procedure shall be continued as long as a flexibility scheme is still in progress.

Amendment

1.5. The tractor manufacturer shall file a report every six months to the approval authorities of each Member State, where the tractor or engine is put on the market, on the implementation of the flexibility schemes he is using. The report shall include cumulative data on the number of engines and tractors placed on the market under the flexibility scheme, engine and tractor serial numbers, and the Member States where the tractor has been entered into service. This procedure shall be continued as long as a flexibility scheme is still in progress **without any exceptions**.

Amendment 23

**Proposal for a directive – amending act
Annex I**

Directive 2000/25/EC

Annex IV - section 2

Text proposed by the Commission

Amendment

2. ACTIONS BY THE ENGINE MANUFACTURER

2.1. An engine manufacturer may *place on the market* engines under a flexibility scheme *approved in accordance with sections 1 and 3* of this annex.

2.2. The engine manufacturer must *mark* those engines with the following text: ‘Engine placed on the market under the flexibility scheme’ *in accordance with the requirements referred to in Section 5 of Annex I.*

Amendment 24

Proposal for a directive – amending act Annex I

Directive 2000/25/EC

Annex IV - section 3

Text proposed by the Commission

Amendment

3. ACTIONS BY THE APPROVAL AUTHORITY

3.1. The approval authority shall evaluate the content of the flexibility scheme request and the enclosed documents. As a consequence it will inform the tractor manufacturer of its decision as to whether or not to allow use of the flexibility scheme *as requested.*

EXPLANATORY STATEMENT

Substance of the proposal

The Directive under consideration concerns emissions from agricultural tractors and merely makes a quantitative modification to Directive 2000/25/EC, without altering its environmental protection objectives, methodology or period of validity. It is an urgent directive, because it affects a period which already began on 1 January 2011, and it is very important because of the positive impact it is expected to have on the industry concerned.

Directive 2000/25/EC on emissions of pollutants from agricultural tractors lays down the maximum levels of carbon monoxide (CO), hydrocarbons (HC), nitrogen oxides (NO_x) and particulates (PM) which may be emitted in exhaust gases from diesel engines in tractors.

For each different type of tractor, the Directive lays down the maximum emission level on the basis of the engine power and provides for the gradual, phased reduction of emissions. On 31 December 2010, Stage III A ended, and on 1 January 2011 Stage III B began, which is to run until 31 December 2013. The limits set for the stage which has just begun are much stricter than those for the previous stage.

To facilitate the transition from one stage to the next, the Directive introduced a 'flexibility scheme', allowing tractor manufacturers to place on the market a limited quantity of tractors with engines calibrated to the emission limits permitted during the previous stage. During the current stage, which the proposal seeks to modify, the flexibility scheme already allows less stringent limits to apply to a percentage of not more than 20% of annual sales, calculated on the basis of average sales within the EU in the past five years, and, for smaller businesses, a maximum permitted number which is laid down in the Directive.

The proposed amendment merely increases the percentage from 20% to 50%. The aim here is to maintain adequate economic development of the industry concerned while at the same time keeping the environmental protection programme unaltered. The proposed amendment is based on the following considerations:

(a) Technological development time lag: the most drastic reductions in emissions provided for during Stage III B entail major modifications to existing engines, which will affect their configuration, size and weight. Tractors too will therefore require substantial mechanical modifications in order to accommodate the new engines. The technological solutions which will make it possible to comply with the limits imposed during the current stage are not yet final and require further significant research efforts.

(b) The economic crisis: the financial and economic crisis has affected the whole world and virtually all production sectors, including tractor manufacturing. According to the organisation representing the industry (CEMA), turnover decreased by 20-25% between 2008 and 2009, while figures for the 1st quarter of 2010 show a fall of 22% compared to 2009.

The Directive will not have any budgetary impact and, with due regard for the subsidiarity principle, is based on Article 114 of the Treaty.

Rapporteur's remarks

The Directive proposed by the Commission is certainly to be welcomed. It respects the environmental protection objectives adopted some time ago by the EU. In view of the serious economic crisis, the Commission might have made more radical proposals, such as a moratorium on the Directive, a change in the timing of the stages or an even higher percentage of flexibility.

However, the Commission has opted to introduce a measure which is simple, effective and timely and which will make it possible:

(a) for manufacturers in the EU to sell tractors, overcome the current difficult economic crisis, find new resources for research and comply with the limits laid down by European law for environmental protection purposes;

(b) for farmers to replace their oldest tractors with new ones whose engines will be less polluting.

If the proposed amendment were not adopted, we would paradoxically end up with a result opposite to that which we all seek to bring about. Many farmers, faced with a choice between keeping old tractors which are more highly polluting and buying new ones which are considerably more expensive and based on technology which is still uncertain and precarious, might prefer the first option, particularly bearing in mind the current economic difficulties, and this would damage, rather than improve, Europe's environment.

In substance, with the modest amendments proposed, this Directive will enable the EU to attain a significant overall result, comprising effective environmental protection, salutary support for the economic prospects of the industry concerned, a most desirable increase in revenue for use in research, and a period which may reasonably be considered necessary to enable researchers and the industry to develop new engines which accord with the unmodified levels proposed for Stage III B. Lastly, it is also worth underlining the very limited environmental impact which the proposed amendment would have.

According to an assessment by the JRC for the Commission, the estimated impact of the flexibility scheme as modified by this proposal would amount to only 0.3% of total emissions from all non-road mobile machinery in use in the first year.

16.3.2011

OPINION OF THE COMMITTEE ON TRANSPORT AND TOURISM

for the Committee on the Environment, Public Health and Food Safety

on the proposal for a directive of the European Parliament and of the Council amending Directive 2000/25/EC as regards the provisions for tractors placed on the market under the flexibility scheme
(COM(2010)0607 – C7-0342/2010 – 2010/0301(COD))

Rapporteur: Olga Sehnalová

SHORT JUSTIFICATION

Summary of the Commission's proposal

Directive 2000/25/EC regulates the maximum exhaust emissions of carbon oxide (CO), hydrocarbons (HC), nitrogen oxides (NO_x) and particulate matter (PM) from diesel engines installed in agricultural and forestry tractors and is in fully line with Directive 97/68/EC on emissions of non-road mobile machinery.

Currently valid limits (Stage III A) are being replaced by the more stringent Stage III B limits progressively as of 1st January 2011.

Flexibility scheme

Directive 2005/13/EC introduced the so-called flexibility scheme to facilitate the transition between the different emission stages. The flexibility scheme allows the tractor manufacturers to place on the market, during the period between two successive stages of exhaust emissions limit values, a limited number of tractors fitted with engines that still comply with the exhaust emission limits of the previous stage. A tractor manufacturer is entitled to place on the market either (1) for each engine power category a limited number of tractors not exceeding 20% of the manufacturer's annual sales or (2) a fixed number of tractors. This second option is intended to be used by smaller enterprises producing lower volumes of tractors.

Economic aspects

In analogy with the situation for non-road mobile machinery manufacturers, the technological challenge for tractor manufacturers is that the next generation of engines must achieve emission reductions in PM and NO_x comparable to those required and deployed in on-road

engines and vehicles (trucks, buses etc.).

There are approximately 40 tractor manufacturers in the EU producing a wide variety of tractors that have to comply with the emission limits laid down in the Directive, while the engines are produced by only a few large companies (approximately 10 manufacturers in the EU and 20 companies worldwide). The adaptation of the vehicles can only be done by the tractor manufacturers after the finalisation of the configuration of the engine, since this redesigning procedure cannot be done in parallel (except for tractor manufacturers producing their own engines).

Competitiveness

World-wide, only the EU, the U.S., Canada and to a lesser degree Japan have similar ambitions with regard to engine emission legislation for the non-road mobile machinery sector and tractors. In other important geographical areas like China, India, Russia or Latin-America these requirements do not exist or are lagging stages behind. The main geographical market is the transatlantic market hosting the key manufacturers of engines and tractors, but also the main customers.

Environmental aspects

The key air pollutants from the sector to overall air pollution are particulates and nitrogen oxides emissions. According to the Commission's impact assessment the estimated PM10 emissions from the non-road mobile machinery (NRMM) sector for EU27 are 7% compared to 13% for road transport. In 2005, the contribution of tractors to all NRMM PM emissions was 43% or 57 kt per year for EU15.

In terms of NOx emissions, the non-road mobile machinery sector is responsible for 16% of all NOx emissions in the EU27 while the road sector contributes to 42% of all NOx emissions. In 2005, the contribution of tractors to all NRMM NOx emissions was 36% or 539 kt per year for EU15.

According to the Commission the estimated impact of an enlarged flexibility scheme (50% compared to currently 20) is 0,3% of the overall emissions (both of PM and NOx) of all NRMM in use, in the first year.

The Commission therefore propose:

- 1) An increase of the percentage of the number of engines placed on the market under the flexibility scheme in each engine category from 20% to 50% of the tractor manufacturer's annual sales of equipment, or
- 2) as an optional alternative, an adaptation of the maximum number of engines that may be placed on the market under the flexibility scheme.
- 3) These measures will expire on 31 December 2013.

Rapporteur's point of view

The Rapporteur considers that it is necessary to safeguard both development and competitiveness of the industry on the one side and environmental protection on the other side, aiming at safeguarding economic development of the tractors industry and, at the same

time, limiting as much as possible negative environmental impacts stemming from a later replacement of a defined number of existing engines that do not yet comply with the new more stricter emission limit.

It is questionable, why the group of tractor producers was taken out from the proposal amending Directive 97/68/EC on emissions of non-road mobile machinery and is dealt with separately when the solution proposed for the tractors is, according to the Commission, fully in line with Directive 97/68/EC. The Rapporteur would like to ask for more information based on studies carried out separately for tractors producers, rather than relying solely on data based on assessment carried out for the non-road mobile machinery sector as a whole, and would appreciate more third-party researches and working studies in order to be able to assess in detail both, short-term and especially long-term impacts of the proposed changes.

At the same time, the Rapporteur would like to recall that due to delays in the preparatory works, the Commission presented its Proposal in a period, when the new, more stringent emissions limits, are being progressively introduced. This somehow decreases relevance of the proposal. Therefore, the Rapporteur believes that we should draw our attention on a more comprehensive review of Directive 97/68/EC which should be presented by the Commission later this year.

At the same time, the Rapporteur specifically acknowledges the need of such flexibility provisions for small and medium size manufacturers in order to reduce the compliance costs with new standards. On the other hand there are also producers that already made investments in research and development and the Proposal should not decrease their competitiveness at the market.

AMENDMENTS

The Committee on Transport and Tourism calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a directive – amending act Recital 4

Text proposed by the Commission

(4) Since 2005, Directive 2000/25/EC foresees in Article 4(8) the evaluation of the possible need for additional flexibilities in relation to Stage III B and IV limit values. In order to provide a temporary relief to *industry* when moving to the next stage, it is necessary to adapt the conditions for applying the flexibility

Amendment

(4) Since 2005, Directive 2000/25/EC foresees in Article 4(8) the evaluation of the possible need for additional flexibilities in relation to Stage III B and IV limit values. In order to provide a temporary relief to *small and medium-sized undertakings in the industrial and agricultural sectors which are affected by*

scheme.

these changes when moving to the next stage, it is necessary to adapt the conditions for applying the flexibility scheme.

Amendment 2

Proposal for a directive – amending act

Annex 1

Directive 2000/25/EC

Annex IV – section 1 – point 1.4.

Text proposed by the Commission

1.4. The tractor manufacturer shall provide the approval authority with any information connected with the implementation of the flexibility scheme that the approval authority may request necessary to make a decision.

Amendment

1.4. The tractor manufacturer shall provide the approval authority with any *necessary* information connected with the implementation of the flexibility scheme that the approval authority may request necessary to make a decision.

Amendment 3

Proposal for a directive – amending act

Annex 1

Directive 2000/25/EC

Annex IV – section 1 – point 1.5.

Text proposed by the Commission

1.5. The tractor manufacturer shall file a report every six months to the approval authorities of each Member State, where the tractor or engine is put on the market, on the implementation of the flexibility schemes he is using. The report shall include cumulative data on the number of engines and tractors placed on the market under the flexibility scheme, engine and tractor serial numbers, and the Member States where the tractor has been entered into service. This procedure shall be continued as long as a flexibility scheme is still in progress.

Amendment

1.5. The tractor manufacturer shall file a report every six months to the approval authorities of each Member State, where the tractor or engine is put on the market, on the implementation of the flexibility schemes he is using. The report shall include cumulative data on the number of engines and tractors placed on the market under the flexibility scheme, engine and tractor serial numbers, and the Member States where the tractor has been entered into service. This procedure shall be continued as long as a flexibility scheme is still in progress *without any exceptions*.

PROCEDURE

Title	Amendment of Directive 2000/25/EC as regards the provisions for tractors placed on the market under the flexibility scheme
References	COM(2010)0607 – C7-0342/2010 – 2010/0301(COD)
Committee responsible	ENVI
Opinion by Date announced in plenary	TRAN 16.12.2010
Rapporteur Date appointed	Olga Sehnalová 30.11.2010
Discussed in committee	14.2.2011 14.3.2011
Date adopted	15.3.2011
Result of final vote	+: 31 -: 4 0: 4
Members present for the final vote	Georges Bach, Izaskun Bilbao Barandica, Antonio Cancian, Luis de Grandes Pascual, Saïd El Khadraoui, Ismail Ertug, Jacqueline Foster, Mathieu Grosch, Jim Higgins, Ville Itälä, Dieter-Lebrecht Koch, Georgios Koumoutsakos, Werner Kuhn, Jörg Leichtfried, Bogusław Liberadzki, Eva Lichtenberger, Gesine Meissner, Hella Ranner, Vilja Savisaar-Toomast, Olga Sehnalová, Debora Serracchiani, Brian Simpson, Dirk Sterckx, Keith Taylor, Silvia-Adriana Țicău, Giommara Uggias, Thomas Ulmer, Peter van Dalen, Artur Zasada, Roberts Zīle
Substitute(s) present for the final vote	Philip Bradbourn, Spyros Danellis, Isabelle Durant, Tanja Fajon, Bogdan Kazimierz Marcinkiewicz, Dominique Riquet, Alfreds Rubiks, Sabine Wils, Corien Wortmann-Kool

PROCEDURE

Title	Amendment of Directive 2000/25/EC as regards the provisions for tractors placed on the market under the flexibility scheme
References	COM(2010)0607 – C7-0342/2010 – 2010/0301(COD)
Date submitted to Parliament	27.10.2010
Committee responsible Date announced in plenary	ENVI 10.11.2010
Committee(s) asked for opinion(s) Date announced in plenary	TRAN 16.12.2010
Rapporteur(s) Date appointed	Salvatore Tatarella 18.11.2010
Discussed in committee	17.2.2011
Date adopted	16.3.2011
Result of final vote	+: 45 –: 5 0: 6
Members present for the final vote	János Áder, Elena Oana Antonescu, Kriton Arsenis, Pilar Ayuso, Paolo Bartolozzi, Sandrine Bélier, Sergio Berlato, Martin Callanan, Nessa Childers, Chris Davies, Bairbre de Brún, Bas Eickhout, Edite Estrela, Karl-Heinz Florenz, Elisabetta Gardini, Julie Girling, Satu Hassi, Jolanta Emilia Hibner, Dan Jørgensen, Karin Kadenbach, Christa Kläß, Holger Krahmer, Jo Leinen, Corinne Lepage, Linda McAvan, Miroslav Ouzký, Vladko Todorov Panayotov, Gilles Pargneaux, Antonia Parvanova, Sirpa Pietikäinen, Pavel Poc, Vittorio Prodi, Frédérique Ries, Anna Rosbach, Oreste Rossi, Dagmar Roth-Behrendt, Daciana Octavia Sârbu, Carl Schlyter, Horst Schnellhardt, Richard Seeber, Theodoros Skylakakis, Bogusław Sonik, Salvatore Tatarella, Åsa Westlund, Glenis Willmott, Sabine Wils, Marina Yannakoudakis
Substitute(s) present for the final vote	Jutta Haug, Miroslav Mikolášik, Bill Newton Dunn, Bart Staes, Eleni Theocharous, Thomas Ulmer, Marita Ulvskog, Anna Záborská
Substitute(s) under Rule 187(2) present for the final vote	Francesco Enrico Speroni
Date tabled	28.3.2011