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*****I**
REPORT

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 443/2009 to define the modalities for reaching the 2020 target to reduce CO₂ emissions from new passenger cars (COM(2012)0393 – C7-0184/2012 – 2012/0190(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Thomas Ulmer

Rapporteur for the opinion (*):
Fiona Hall, Committee on Industry, Research and Energy

(*) Associated committee – Rule 50 of the Rules of Procedure

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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(*) Associated committee – Rule 50 of the Rules of Procedure

MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 443/2009 to define the modalities for reaching the 2020 target to reduce CO₂ emissions from new passenger cars (COM(2012)0393 – C7-0184/2012 – 2012/0190(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2012)0393),
 - having regard to Article 294(2) and Article 192(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0184/2012),
 - 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 12 December 2012¹,
 - after consulting the Committee of the Regions,
 - 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 opinions of the Committee on Industry, Research and Energy and the Committee on Transport and Tourism (A7-0151/2013),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ OJ C 44, 15.2.2013, p.109.

Amendment 1
Proposal for a regulation

Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) The further development of the worldwide market for advanced technologies aimed at improving the efficiency of passenger cars is in line with the flagship initiative for a resource-efficient Europe under the Europe 2020 strategy, which supports the shift towards a resource-efficient, low-carbon economy for achieving sustainable growth. In order to further stimulate innovation in this area a long-term target for 2025 should be set in this Regulation.

Justification

It is estimated that the need to produce more fuel efficient vehicles in the EU will create 110 000 new jobs by 2030, in particular in the chemicals and electronics industries (McKinsey). A target of 70g/km in 2025 would ensure that investments into alternative power trains continue, creating additional high-tech jobs in Europe.

Amendment 2

Proposal for a regulation

Recital 2

Text proposed by the Commission

Amendment

(2) It is appropriate to clarify that for the purpose of verifying compliance with the target of 95gCO₂/km, CO₂ emissions should continue to be measured in accordance with Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and

(2) It is appropriate to clarify that for the purpose of verifying compliance with the target of 95gCO₂/km, CO₂ emissions should continue to be measured in accordance with Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and

maintenance information and its implementing measures and innovative technologies.

maintenance information and its implementing measures and innovative technologies. *However, studies carried out by the Commission have demonstrated that the test procedures used to measure CO₂ emissions under that Regulation have not prevented an increased utilisation of flexibilities by manufacturers which have resulted in alleged CO₂ emissions reductions that are not attributable to technological improvements and cannot be achieved in real driving on the road. Regulation (EC) No 715/2007, and the New European Drive Cycle (NEDC), should therefore be amended as a matter of urgency, in order to ensure that test procedures give an accurate picture of the CO₂ emissions generated by real driving on the road. The next step should be to incorporate the World Light Duty Test Procedure (WLTP), which is currently being developed under the auspices of the United Nations Economic Commission for Europe, into Union law as soon as possible after it has been finalised.*

Amendment 3 Proposal for a regulation

Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) High and ever increasing fossil fuel prices, in particular for oil, are a threat to economic recovery, energy security and energy affordability in Europe. Oil shocks can lead to deep recessions, reduced competitiveness and rising unemployment. Therefore, reducing Union's oil dependence by, amongst others, increasing the efficiency and sustainability of new passenger cars and light commercial vehicles is a priority.

Amendment 4

Proposal for a regulation Recital 3

Text proposed by the Commission

(3) In recognition of the high research and development and unit production costs of early generations of ultra-low carbon vehicles it is appropriate to accelerate and facilitate, on an interim basis and to a limited extent, the process of their introduction into the Union market at their initial stages of commercialization.

Amendment

(3) In recognition of the high research and development and unit production costs of early generations of ultra-low carbon vehicles it is appropriate to accelerate and facilitate, on an interim basis and to a limited extent, the process of their introduction into the Union market at their initial stages of commercialization. ***The Commission, Member States and regional and local authorities should work to identify and disseminate best practice in stimulating demand for ultra-low emission vehicles so that the healthy growth in sales in some European countries is replicated in all Member States.***

Amendment 5 Proposal for a regulation

Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) In order to speed up the market uptake of ultra-low carbon vehicles and/or e-cars, it is necessary to develop across the Union appropriate infrastructure for the supply of alternative fuels and electric power to vehicles, including a dense network of charging points at all appropriate locations where large numbers of e-cars are parked for lengthy periods, such as park-and-ride car parks. E-cars should, as a matter of priority, store surplus electricity generated using wind and/or solar energy. In addition, exchangeable number plates

should be introduced Union-wide, so that greater use can be made of commuter e-cars for short journeys.

Justification

E-cars make particular sense as a means of storing surplus electricity generated using wind and/or solar energy. However, the relevant infrastructure is lacking. In addition, introducing exchangeable number plates, as employed in Germany and Austria, could offer people an incentive to purchase a small e-car for (daily) commuter journeys, whilst retaining a larger car for family outings.

Amendment 6

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) In recognition of the disproportionate impacts on the smallest manufacturers resulting from compliance with specific emissions targets defined on the basis of the utility of the vehicle, high administrative burden of the derogation procedure and only marginal benefit in terms of avoided CO₂ from the vehicles sold by these manufacturers, producers responsible annually for less than **500** new passenger cars are excluded from the scope of the specific emissions target and the excess emissions premium.

Amendment

(4) In recognition of the disproportionate impacts on the smallest manufacturers resulting from compliance with specific emissions targets defined on the basis of the utility of the vehicle, high administrative burden of the derogation procedure and only marginal benefit in terms of avoided CO₂ from the vehicles sold by these manufacturers, producers responsible annually for less than **1000** new passenger cars are excluded from the scope of the specific emissions target and the excess emissions premium.

Amendment 7

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) The procedure to grant derogations to niche manufacturers should be continued for 2020. However, in order to ensure that the reduction effort required by niche manufacturers is consistent with that of large volume manufacturers, a target 45 %

Amendment

(6) The procedure to grant derogations to niche manufacturers should be continued for 2020. However, in order to ensure that the reduction effort required by niche manufacturers is consistent with that of large volume manufacturers, a target 45 %

lower than the average specific emissions of niche manufacturers in 2007 should therefore apply from 2020.

lower than the average specific emissions of niche manufacturers in 2007 should therefore apply from 2020. ***Equivalent targets should be established for 2025.***

Amendment 8

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) To enable the automotive industry to carry out long-term investments and innovation it is desirable to provide indications of how this Regulation should be amended for the period beyond 2020. These indications should be based on an assessment of the necessary rate of reduction in line with the Union's long term climate goals and the implications for the development of cost effective CO₂ reducing technology for cars. It is therefore desirable ***for these aspects to be reviewed***, the Commission to ***make a report and if appropriate proposals made for targets beyond 2020.***

Amendment

(7) To enable the automotive industry to carry out long-term investments and innovation it is desirable to provide indications of how this Regulation should be amended for the period beyond 2020. These indications should be based on an assessment of the necessary rate of reduction in line with the Union's long term climate goals and the implications for the development of cost effective CO₂ reducing technology for cars. It is therefore desirable ***to set a target for 2025 in this Regulation within an indicative range of 68g CO₂/km to 78g CO₂/km as average emissions for the new car fleet and for the Commission to complete a review on the modalities for reaching such a target in a cost-effective manner and in a way which is as neutral as possible from the point of view of competition, and socially equitable and sustainable.***

Amendment 9

Proposal for a regulation

Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) Given that accurate and truthful information on CO₂ emissions and fuel consumption is essential for consumers to be able to make informed choices, the utmost attention should be paid to

assessing those two parameters. At present, on-road emissions from vehicles differ greatly from the figures measured during the emissions test cycle. A test cycle that produces more accurate results therefore needs to be developed at the earliest opportunity.

Amendment 10
Proposal for a regulation

Recital 7 b (new)

Text proposed by the Commission

Amendment

(7b) With a view to bringing the specific CO₂ emissions quoted for new passenger cars more closely into line with the emissions actually generated during normal conditions of use, the Commission should seek to ensure that the new international light-duty vehicle test procedure (World Light-Duty Test Cycle – WLTC/P) is finalised as soon as possible, so that it may be adopted at Union level by the end of 2014 and introduced in January 2017.

Amendment 11
Proposal for a regulation

Recital 7 c (new)

Text proposed by the Commission

Amendment

(7c) In recognition of the long research and development times needed by manufacturers and in order to provide investors with the certainty they need, it is important to set a target for 2025.

Amendment 12

Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) The Regulation requires the Commission to carry out an impact assessment in order to review the test procedures to reflect adequately the real CO₂ emissions behaviour of cars. This work is proceeding through the development of a World Light Duty Test procedure in the framework of the United Nations Economic Commission for Europe but is not yet complete. In view of this, ***Annex I to Regulation (EC) No 443/2009 establishes emission limits for 2020 as measured according to Regulation (EC) No 715/2007 and Annex XII to Regulation (EC) No 692/2008. When the test procedures are amended,*** the limits set in Annex I should be adjusted to ensure comparable stringency for manufacturers and classes of vehicles.

Amendment

(8) The Regulation requires the Commission to carry out an impact assessment in order to review the test procedures to reflect adequately the real CO₂ emissions behaviour of cars. This work is proceeding through the development of a World Light Duty Test procedure (***WLTP***) in the framework of the United Nations Economic Commission for Europe but is not yet complete. In view of ***this, and considering the insufficiency of the current test cycle, a new test cycle that reflects adequately the actual emissions of cars should be developed swiftly, ruling out divergent interpretations and deviations among Member States. In order to ensure that this Regulation delivers the anticipated reduction in emissions,*** the test ***procedure should if feasible be changed not later than 1 January 2017 to the WLTP and incorporated into Union law. The Commission should consider whether there is a need to supplement the WLTP, by incorporating additional provisions, when integrating it into Union law in order to ensure that test procedures give an accurate picture of the emissions generated by real driving on the road. . Where the WLTP is applied not later than 2017 for the purposes of this Regulation,*** the limits set in Annex I should be adjusted to ensure comparable stringency for manufacturers and classes of vehicles. ***If the WLTP is not adopted by 1 January 2017, the Commission should, at the earliest opportunity, amend the Union measurement procedures provided for in Regulation (EC) No 715/2007 to take account of the actual on-road CO₂ emissions of vehicles.***

Amendment 13

Proposal for a regulation Recital 14

Text proposed by the Commission

(14) The Commission has assessed the availability of footprint data and its use as the utility parameter in the formulae in Annex I. This data is available and its potential use has been assessed in the impact assessment, on the basis of that assessment it is concluded that the utility parameter used in the formula for 2020 should be mass. Nevertheless, the lower cost and merits of *a change to* footprint as the utility parameter *should be considered in the future review*.

Amendment

(14) The Commission has assessed the availability of footprint data and its use as the utility parameter in the formulae in Annex I. This data is available and its potential use has been assessed in the impact assessment. On the basis of that assessment, it is concluded that the utility parameter used in the formula for 2020 should be mass, *since manufacturers have planned their compliance pathways to 2020 on the basis of continuation of the current parameter*. Nevertheless, the lower cost and merits of footprint *would justify its use* as the utility parameter *from 2020 onwards. Therefore, in order to ensure a smooth transition to a future shift from mass to footprint, it is appropriate to introduce a footprint-based formula, which could be used from 2020 onwards by manufacturers as an alternative to the mass-based formula*.

Amendment 14

Proposal for a regulation Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) Greenhouse gas emissions related to energy supply and vehicle manufacturing and disposal are significant components of the current overall road transport carbon footprint which are likely to significantly increase in importance in the future. Policy action should therefore be taken to guide manufacturers towards optimal solutions taking account in particular of greenhouse gas emissions associated with the generation of energy

supplied to vehicles such as electricity and alternative fuels, and ensuring that these upstream emissions do not erode the benefits related to the improved operational energy use of vehicles aimed for under this Regulation. To that effect, it is appropriate that the Commission consider, in the future review of this Regulation for the period beyond 2020, a regulatory approach that takes account of greenhouse gas emissions associated with energy supply and the life cycle of the vehicle.

Amendment 15

Proposal for a regulation

Article 1 – point 1 a (new)

Regulation (EC) No 443/2009

Article 1 – paragraph 2a (new)

Text proposed by the Commission

Amendment

(1a) In Article 1 the following paragraph is inserted after the second paragraph:

"From 2025 onwards, this Regulation sets a target within an indicative range of 68g CO₂/km to 78 g CO₂/km as average emissions for the new car fleet as measured in accordance with Regulation (EC) No 715/2007 and its implementing measures and Annex XII to Regulation (EC) 692/2008."

Amendment 16

Proposal for a regulation

Article 1 – point 2

Regulation (EC) No 443/2009

Article 2 – paragraph 4

Text proposed by the Commission

Amendment

4. Article 4, Article 8(4)(b) and (c), Article 9 and Article 10(1)(a) and (c) shall not

4. Article 4, Article 8(4)(b) and (c), Article 9 and Article 10(1)(a) and (c) shall not

apply to a manufacturer which is responsible together with all of its connected undertakings for less than **500** new passenger cars registered in the EU in the previous calendar year.

apply to a manufacturer which is responsible together with all of its connected undertakings for less than **1000** new passenger cars registered in the EU in the previous calendar year.

Amendment 17

Proposal for a regulation

Article 1 – point 2 a (new)

Regulation (EC) No 443/2009

Article 3 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(2a) In Article 3(1), point (f) is replaced by the following:

“(f) ‘specific emissions of CO₂’ means the CO₂ emissions of a passenger car measured in accordance with Regulation (EC) No 715/2007 and specified as the CO₂ mass emissions (combined) in the certificate of conformity. For passenger cars which are not type-approved in accordance with Regulation (EC) No 715/2007, “specific emissions of CO₂” means the CO₂ emissions measured in accordance with the same measurement procedure as specified for passenger cars in Regulation (EC) No 692/2008, or in accordance with procedures adopted by the Commission to establish the CO₂ emissions for such passenger cars; for the purposes of applying this point, the new World Light Duty Test Procedure (WLTP) shall if feasible apply from the entry into force of the relevant changes to the measuring methods specified in Regulation (EC) No 715/2007 and Regulation (EC) No 692/2008 or not later than 1 January 2017.”

Amendment 18

Proposal for a regulation

Article 1 – point 3 a (new)
Regulation (EC) No 443/2009
Article 5

Text proposed by the Commission

Amendment

(3a) Article 5 is replaced by the following:

"Article 5

Supercredits

1. In calculating the average specific emissions of CO₂, each new passenger car with specific emissions of CO₂ of less than 50 g CO₂/km shall be counted as:

- 3.5 cars in 2012;
- 3.5 cars in 2013;
- 2.5 cars in 2014;
- 2.5 cars in 2015;

1a. In calculating the average specific emissions of CO₂, each new passenger car with specific emissions of CO₂ of less than 50g CO₂/km shall be counted as 1.5 passenger cars in the period from 2016 to 2023 subject to a cap of 2.5g of CO₂/km per year for each manufacturer, and as 1 passenger car from 2024 onwards.

1b. It shall not be possible to transfer part or all of any unused super-credits from one calendar year to the next."

Amendment 19
Proposal for a regulation
Article 1 – point 4
Regulation (EC) No 443/2009
Article 5a

Text proposed by the Commission

Amendment

(4) Following Article 5 the following Article shall be inserted:

deleted

"Article 5a

Super-credits for 95 g CO₂/km target

1. In calculating the average specific emissions of CO₂, each new passenger car with specific emissions of CO₂ of less than 35 g CO₂/km shall be counted as 1.3 passenger cars in the period from 2020 to 2023 and as 1 passenger car from 2024 onwards.

2. The maximum number of new passenger cars to be taken into account in the application of the multipliers set out in paragraph 1 for the period 2020 to 2023 shall not exceed a cumulative total of 20 000 new registrations of passenger cars per manufacturer."

Amendment 20

Proposal for a regulation

Article 1 – point 4 a (new)

Regulation (EC) No 443/2009

Article 8 – paragraph 4 – subparagraph 3

Text proposed by the Commission

Amendment

(4a) In Article 8(4), the third subparagraph is replaced by the following:

"The register, and the notification, shall be publicly available. The information recorded by each Member State under paragraph 1 shall also be publicly available regardless of whether it is included in the register."

Justification

The monitoring and reporting process is essential for determining compliance with the emission targets. The public should be able to track and participate in this process at each stage.

Amendment 21

Proposal for a regulation

Article 1 – point 4 b (new)

Regulation (EC) No 443/2009

Article 8 – paragraph 4a (new)

Text proposed by the Commission

Amendment

(4b) In Article 8, the following paragraph is inserted:

"4a. Where as a result of the verification of the conformity of production, a Member State, in accordance with Article 12(3) of Directive 2007/46/EC, establishes that the CO₂ emissions for a production vehicle deviate by more than 4% from the approved type, that deviation shall be reported to the Commission together with the detailed data specified in Annex II to this Regulation.

The specific emissions of CO₂ for the vehicle type for which a deviation has been established shall be adjusted accordingly in the calculation of the average specific emissions of CO₂ in the following calendar year."

Amendment 22
Proposal for a regulation

Article 1 – point 4 c (new)
Regulation (EC) No 443/2009
Article 8 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

(4c) In Article 8, the following paragraph is inserted:

"4b. The Commission shall monitor real reported CO₂ emission values by vehicle type and manufacturer on the basis of the best available sources of information and shall publish in its annual monitoring reports how those values compare with type approval values."

Amendment 23
Proposal for a regulation

Article 1 – point 4 d (new)
Regulation (EC) No 443/2009
Article 8 – paragraph 5 – subparagraph 2

Text proposed by the Commission

Amendment

(4d) In Article 8(5), the second subparagraph is replaced by the following:

"The Commission shall consider any notifications from manufacturers and shall, by 31 October, either confirm or amend the provisional calculations under paragraph 4. Notifications from manufacturers and the confirmations or amendments by the Commission under this paragraph, and the notifications by the Commission under paragraph 6, shall be publicly available."

Justification

The monitoring and reporting process is essential for determining compliance with the emission targets. The public should be able to track and participate in this process at each stage.

Amendment 24
Proposal for a regulation

Article 1 – point 5
Regulation (EC) No 443/2009
Article 8 – paragraph 9 – subparagraph 1

Text proposed by the Commission

Amendment

9. The Commission shall ***adopt detailed rules on*** the procedures for monitoring and reporting of data under this Article and ***on*** the application of Annex II ***by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2).***

9. The Commission shall ***be empowered to adopt delegated acts in accordance with Article 14a concerning*** the procedures for monitoring and reporting of data under this Article and the application of Annex II.

Amendment 25
Proposal for a regulation

Article 1 – point 6
Regulation (EC) No 443/2009
Article 9 – paragraph 3

Text proposed by the Commission

3. The Commission shall ***adopt detailed*** arrangements for the collection of excess emissions premiums under paragraph 1 ***by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2).***

Amendment

3. The Commission shall ***be empowered to adopt delegated acts in accordance with Article 14a concerning the*** arrangements for the collection of excess emissions premiums under paragraph 1

Amendment 26
Proposal for a regulation

Article 1 – point 8 a (new)
Regulation (EC) No 443/2009
Article 12 – paragraph 1

Text proposed by the Commission

Amendment

(8a) In Article 12, paragraph 1 is replaced by the following:

"Upon application by a supplier or a manufacturer, CO₂ savings achieved through the use of innovative technologies or a combination of innovative technologies ("innovative technology packages") shall be considered.

Such technologies shall be taken into consideration only if the methodology used to assess them is capable of producing verifiable, repeatable and comparable results.

The total contribution of those technologies to reducing the specific emissions target of a manufacturer may

be up to 7 g CO₂/km.

That contribution shall be credited to each manufacturer in proportion to the percentage of vehicles in the manufacturer's fleet in which those innovative technologies are used."

Amendment 27

Proposal for a regulation

Article 1 – point 9

Regulation (EC) No 443/2009

Article 12 – paragraph 2 – first sentence

Text proposed by the Commission

The Commission shall adopt detailed provisions for a procedure to approve the innovative technologies referred to in paragraph 1 by way of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2) of this Regulation.

Amendment

The Commission shall adopt detailed provisions for a procedure to approve the innovative technologies ***or innovative technology packages*** referred to in paragraph 1 by way of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2) of this Regulation.

Amendment 28

Proposal for a regulation

Article 1 – point 9 a (new)

Regulation (EC) No 443/2009

Article 12 – paragraph 3

Text proposed by the Commission

Amendment

(9a) In Article 12, paragraph 3 is replaced by the following:

"(3) A supplier or a manufacturer who applies for a measure to be approved as an innovative technology or innovative technology package shall submit a report, including a verification report undertaken by an independent and certified body, to the Commission. In the event of a possible interaction of the

measure with another innovative technology or innovative technology package already approved, the report shall mention that interaction and the verification report shall evaluate to what extent that interaction modifies the reduction achieved by each measure."

Amendment 29

Proposal for a regulation

Article 1 – point 9 b (new)

Regulation (EC) No 443/2009

Article 12 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

(9b) In Article 12, the following paragraph is inserted :

"4a. Once a year, the Commission shall submit to the European Parliament and to the Council a report on innovative technologies and innovative technology packages which have been approved or rejected."

Amendment 30

Proposal for a regulation

Article 1 – point 9 c (new)

Regulation (EC) No 443/2009

Article 12 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

(9c) In Article 12, the following paragraph is inserted:

"4b. The Commission shall, by 31 December 2013, complete a review of the implementing provisions for innovative technologies or innovative technology packages referred to in this Article with the aim of streamlining the application and approval procedures, as appropriate"

Amendment 31

Proposal for a regulation

Article 1 – point 10 – point - a (new)

Regulation (EC) No 443/2009

Article 13 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Amendment

(-a) in paragraph 2, the first subparagraph is replaced by the following:

"2. By 31 October 2020, and every three years thereafter , measures shall be adopted to amend Annex I to adjust the figures M0 and F0, referred to therein, to the average mass or footprint of new passenger cars in the previous three calendar years."

Amendment 32

Proposal for a regulation

Article 1 – point 10 – point b

Regulation (EC) No 443/2009

Article 13 – paragraph 3

Text proposed by the Commission

Amendment

(b) *The second subparagraph of paragraph 3 is deleted.*

(b) *Paragraph 3 is replaced by the following:*

"3. From 2012, the Commission shall carry out an impact assessment in order to review by 2014, as provided for in Article 14(3), of Regulation (EC) No 715/2007, the procedures for measuring CO₂ emissions as set out under that Regulation with a view, if feasible, to applying the WLTP as the revised measuring procedure no later than 1 January 2017. The Commission shall, in particular, make appropriate proposals to adapt those procedures to reflect adequately the real CO₂ emissions behaviour of cars and to include the

approved innovative technologies as defined in Article 12 that could be reflected in the test cycle. The Commission shall ensure that those procedures are subsequently reviewed on a regular basis."

Amendment 33
Proposal for a regulation

Article 1 – point 10 – point b a (new)
Regulation (EC) No 443/2009
Article 13 – paragraph 3 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

(ba) in paragraph 3, the following subparagraph is added:

"With a view to ensuring that real world emissions are adequately reflected and measured CO₂ values are strictly comparable, the Commission shall, in accordance with Article 14(3) of Regulation (EC) No 715/2007, ensure that those elements in the testing procedure that have a significant influence on measured CO₂ emissions are strictly defined in order to prevent the utilisation of test cycle flexibilities by manufacturers.

Where variation is permitted in any of the factors within the overall testing procedure that influence the measured CO₂ emissions, the Commission shall ensure that that it incorporates an adjustment calculation for each of those variables in the test procedures, which shall be used to adjust the measured values so as to compensate for the variation in the factors and thereby normalise measured emissions."

Amendment 34
Proposal for a regulation

Article 1 – point 10 – point b b (new)
Regulation (EC) No 443/2009
Article 13 – paragraph 3 – subparagraph 1 b (new)

Text proposed by the Commission

Amendment

(bb) in paragraph 3, the following subparagraph is added:

"For the purpose of verifying that the CO₂ emissions of production vehicles conform to the values of the approved type, it shall be ensured that the aerodynamic and rolling resistance values are obtained from the vehicle for which conformity of production is being verified."

Justification

Experimental evidence suggests that it is often not possible to replicate the original coast down test values with a production vehicle. It is therefore essential that the vehicle on which conformity of production is being verified have a coast down test performed on it to establish its aerodynamic and rolling resistance and provide the values to be used for the dynamometer test which forms part of the conformity of production test.

Amendment 35
Proposal for a regulation

Article 1 – point 10 – point b c (new)
Regulation (EC) No 443/2009
Article 13 – paragraph 3 – subparagraph 1 c (new)

Text proposed by the Commission

Amendment

(bc) in paragraph 3, the following subparagraph is added:

"With a view to ensuring that real world emissions are adequately reflected and that measured CO₂ values are strictly comparable, the Commission shall, in accordance with Article 14(3) of Regulation (EC) No 715/2007, ensure that those elements in the testing procedure

that have a significant influence on measured CO₂ emissions are strictly defined. For the purpose of verifying that the CO₂ emissions of production vehicles conform to the values of the approved type, the resistance values derived from coast down tests for setting the dynamometer shall be obtained from the vehicle for which conformity of production is being verified."

Justification

It is widely accepted that the current test cycle fails to reflect accurately real driving conditions. Information being provided to consumers is therefore inaccurate and misleading. Arrangements must be made to ensure that the assessments made more closely reflect real world emissions. These arrangements will still be required even when the new World Light Duty Test is adopted.

Amendment 36

Proposal for a regulation

Article 1 – point 10 – point c

Regulation (EC) No 443/2009

Article 13 – paragraph 5

Text proposed by the Commission

5. By **31 December 2014**, the Commission shall review the specific emissions targets, *modalities and other aspects of this Regulation in order to establish the CO₂ emission targets for new passenger cars for the period beyond 2020.*

Amendment

5. By **1 January 2017**, the Commission shall **complete** a review of the specific emissions targets **in Annex I and of the derogations in Article 11, with the aim of defining:**

- the modalities for reaching, by the year 2025, a target within an indicative range of 68g CO₂/km to 78g CO₂/km in a cost-effective manner, unless a lower target is duly justified in the light of the use of low emissions technologies and their uptake on the market; and

- the aspects relevant to the implementation of that target, including the excess emissions premium.

On the basis of such a review and an accompanying impact assessment which

includes an overall assessment of the impact on the car industry and its dependent industries, the Commission shall, if appropriate and in accordance with the ordinary legislative procedure, submit a proposal to the European Parliament and the Council to amend this Regulation in a way which is as neutral as possible from the point of view of competition and which is socially equitable and sustainable.

Amendment 37

Proposal for a regulation

Article 1 – point 13

Regulation (EC) No 443/2009

Annex I – point 1 – point c

Text proposed by the Commission

(c) From 2020:

Specific emissions of CO₂ = 95 + a × (M – M₀)

Where:

M = mass of vehicle in kilograms (kg)

M₀ = the value adopted pursuant to Article 13(2)

a = 0,0333.

Amendment

(c) From 2020:

One of the following formulae should be used:

(i) Specific emissions of CO₂ = 95 + a × (M – M₀)

Where:

M = mass of vehicle in kilograms (kg)

M₀ = the value adopted pursuant to Article 13(2)

a = 0,0333;

(ii) ***Specific emissions of CO₂ = 95 + b × (F - F₀)***

Where:

F = footprint of vehicle in square metres (m²)

F₀ = the value adopted pursuant to Article 13(2)

b = 17,6.

Amendment 38
Proposal for a regulation

Article 1 – point 13 a (new)
Regulation (EC) No 443/2009
Annex I – point 2 a (new)

Text proposed by the Commission

Amendment

(13a) In Annex I, the following point is added:

"2a. A manufacturer shall apply the same utility parameter (mass or footprint) for the whole of its car fleet. Once a manufacturer has chosen to use footprint as the utility parameter for establishing compliance with its specific emissions target, it may not revert to the use of mass in the subsequent years."

Justification

If the automotive industry could choose the utility parameter for each type of vehicle in its fleet individually, the general thrust of the proposal would be greatly weakened. They would simply choose for each vehicle the utility parameter for which the least effort is required. Weight reduction as a general approach would not be encouraged, however.

Amendment 39
Proposal for a regulation

Article 1 – point 13 b (new)
Regulation (EC) No 443/2009
Annex II – part A – point 1 – point f a (new)

Text proposed by the Commission

Amendment

(13b) In Annex II, Part A, point 1, the following point is added:

"(fa) maximum net power (kW);"

Justification

The maximum net power (kW) is an important parameter affecting vehicle CO₂ and should therefore be recorded.

Amendment 40
Proposal for a regulation

Article 1 – point 13 c (new)
Regulation (EC) No 443/2009
Annex II – Part A – point 1 – point f b (new)

Text proposed by the Commission

Amendment

(13c) In Annex II, Part A, point 1, the following point is added:

“(fb) engine capacity (cm³).”

Justification

Engine capacity is an important parameter relating to vehicle CO₂ and should therefore be recorded.

EXPLANATORY STATEMENT

The purpose of this proposal is to bring about a further significant – but economically and environmentally defensible – reduction in CO₂ emissions from new vehicles by using modern propulsion concepts.

Since 2006 a fleet value of 160g CO₂/km has applied; the corresponding figures will be 130g CO₂/km from 2015 and now 95g CO₂/km from 2020. This is a very ambitious value. The rapporteur considers it important to attain this target, even though it represents the biggest reduction in recent years. Moreover, in its proposal COM(2012) 393 the Commission proposed reducing the slope of the target line for specific emissions of CO₂ from new passenger cars in Regulation (EC) No 443/2009 from $a = 0.0457$ to $a = 0.0333$. This constitutes a further 27% flattening of the line and will particularly impose higher costs on manufacturers of relatively large premium vehicles than on manufacturers of smaller vehicles. As, however, it is larger vehicles that generally play a pioneering role in vehicle technology, the rapporteur feels compelled to propose a realistic system of incentives, which will promote the development and use of new, less environmentally damaging propulsion concepts. The Member States' budgets must not suffer as a result, particularly not as a result of cross-subsidies. At the same time, he wishes to ensure that a broad range of manufacturers and new passenger cars survives in order to continue to facilitate fair competition among manufacturers of new passenger cars. Moreover, the EU should not adopt the objective of restricting individual freedom of choice of vehicle by law.

In order to help consumers to make comparisons, the fuel consumption of each model of each manufacturer should be measured by means of the standardised test procedure, the NEDC (New European Driving Cycle). The Commission and other institutions are currently working on a new alternative, the WLTP (Worldwide Harmonised Light Duty Test Procedure), which should replace the old test cycle and be introduced by 1 January 2017.

Manufacturers of new cars and their suppliers should be encouraged to certify and incorporate technologies or technology packages (eco-innovations) which further reduce fuel consumption and the CO₂ emissions directly associated with it. As yet, there are no recognised eco-innovations, because the test procedure is too lengthy and cost-intensive. The rapporteur therefore considers it necessary to provide an incentive for simplification of the recognition of innovative technologies or technology packages. As provided for in Regulation (EC) No 443/2009, the total contribution of those technologies to reducing the average specific emissions target of each manufacturer may be up to 7 g CO₂/km.

As it is not yet possible to tell what alternative propulsion concepts consumers will accept, it does not make sense to submit as early as 2014 a proposal for revision of the regulations for the period after 2020. The rapporteur considers that a worthwhile reassessment of the future market situation should not be performed before 2017.

20.03.2013

OPINION OF THE COMMITTEE ON INDUSTRY, RESEARCH AND ENERGY

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

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 443/2009 to define the modalities for reaching the 2020 target to reduce CO₂ emissions from new passenger cars (COM(2012)0393 – C7-0184/2012 – 2012/0190(COD))

Rapporteur(*): Fiona Hall

(*) Associated committee - Rule 50 of the Rules of Procedure

SHORT JUSTIFICATION

On 11 July 2012 the Commission presented its proposal to review Regulation (EC) 443/2009 that sets the CO₂ reduction framework for the new car fleet to 2020. This review implements the necessary modalities without which the target of 95gCO₂/km for the second period to 2020 cannot become effective.

Modalities are aspects of the implementation which impact on how the emission target is achieved. The Commission proposal leaves most modalities unchanged with the following exceptions:

- super-credits for cars emitting below 35 gCO₂/km are introduced between 2020 and 2023 with a multiplier of 1.3 and limited to a cumulative figure of 20 000 vehicles per manufacturers over the duration of the scheme;
- the "niche" derogation target is updated for 2020 and manufacturers responsible for less than 500 registrations of new passenger cars per year are excluded from the obligation of having a CO₂ target;
- eco-innovations are retained when a revised test procedure is implemented.

In addition, the Committee procedure provisions are updated to be compatible with the Lisbon Treaty.

Your Rapporteur broadly welcomes the revised Regulation. Given that most car

manufacturers are on track to reach their 2015 and 2020 CO₂ emission targets as agreed in 2009, it would be undesirable at this stage to make extensive changes to the modalities to reach the 2020 target of 95gCO₂/km. There remain, however, important issues which the Commission does not address adequately in its proposal.

An important area of concern is the growing gap between type-approval and real-world emissions from new passenger cars, estimated by the Commission to be as much as 15-30%. This discrepancy is largely due to the methods which car manufacturers use when measuring CO₂ emissions according to the current test cycle procedure. It is vital to address this discrepancy, not least because CO₂ reductions directly translate into fuel savings for consumers and lower oil imports.

Your Rapporteur would therefore like the Commission to review, by 2014, the EU's regulatory test procedure for measurement of specific CO₂ emissions established under Regulation (EC) No 715/2007 and its implementing measures. By January 2015 the Commission should be in a position to update the EU test cycle. This should take place regardless of whether or not the UNECE Worldwide harmonized Light vehicles Test Procedure (WLTP) is finalised by then, since fuel economy is in the interests of European consumers regardless of international progress. The new WLTP procedures could then be incorporated into the EU test cycle framework and the individual car manufacturers' CO₂ targets adjusted. The option of measuring eco-innovations outside the test cycle should not be retained when the EU test cycle is updated in 2015.

A weakness of the Commission's proposal is the lack of a post-2020 vision. While it may not be possible to predict the exact path that technological improvement will take to 2025, industry can benefit from the certainty of a clear political signal. A target for CO₂ emission levels for 2025 should therefore be set in this Regulation. Such a target will give industry ample lead time and will be subject to a review to ensure that it is achievable in a socially and economically equitable way.

In the US, a target for 2025 has already been set. The US target requires carmakers to halve fuel consumption in the average car sold between 2011 and 2025. Because the EU should remain at the forefront of the global race for cleaner vehicles, it should adopt an equally ambitious pace of improvement. A 50% reduction over 2011 levels would mean a target of less than 70g CO₂ per kilometre. The most recent 2012 study by AEA-Ricardo concludes that a 70g CO₂/km target is the most appropriate for 2025 and estimates that a 70g target can be achieved with just 7% ultra-low emission vehicles and around 20% hybrids.

A target of 70g CO₂/km in 2025 would ensure that investments into developing alternative power trains continue and create additional growth and high-tech jobs in Europe. McKinsey estimate that by 2030 110,000 new jobs will be created in production and R&D in the EU thanks to the need to produce more fuel efficient vehicles. The Commission has acknowledged the merits of using footprint rather than mass as the utility parameter and it would be appropriate to make the change to a footprint utility parameter for the 2025 target and allow manufacturers to choose between mass and footprint metrics between 2015 and 2020.

Finally, the Rapporteur proposes to amend the article relating to super credits. A weakness of

super credits is that, while they encourage car manufacturers to produce more ultra-low emission vehicles, they also allow manufacturers to sell more higher-polluting cars, thus weakening the CO₂ target. The Rapporteur proposes instead the introduction of a flexible mandate similar to the low-carbon vehicle mandate in California. This will speed up the development and deployment of alternative power trains such as electric batteries and fuel cells and ensure that adequate investments are made in ultra-low emission technologies. It will provide incentives for ‘early movers’ by relaxing their average CO₂ emission targets for 2025 while at the same time ensuring that manufacturers who choose not to contribute to the early deployment of ultra-low emission vehicles make additional improvements to their conventional fleet beyond 2020.

Work is required by the Commission, Member States and regional and local authorities to identify and disseminate best practice in stimulating demand for ultra-low emission vehicles so that the healthy growth in sales in some European countries is replicated in all Member States.

AMENDMENTS

The Committee on Industry, Research and Energy 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 regulation**

Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) If targets are altered too often, it creates uncertainty for the automotive industry and affects its global competitiveness.

Amendment 2 **Proposal for a regulation**

Recital 2

Text proposed by the Commission

Amendment

(2) It is appropriate to clarify that for the purpose of verifying compliance with the target of 95gCO₂/km, CO₂ emissions

(2) It is appropriate to clarify that for the purpose of verifying compliance with the target of 95gCO₂/km, CO₂ emissions

should continue to be measured in accordance with Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information and its implementing measures and innovative technologies.

should continue to be measured in accordance with Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information and its implementing measures and innovative technologies. ***However, studies carried out by the Commission have demonstrated that the test procedures used to measure CO₂ emissions under that Regulation have not prevented an increased utilisation of flexibilities by manufacturers which have resulted in alleged CO₂ emissions reductions that are not attributed to technological improvements and cannot be achieved in real driving on the road. Therefore, Regulation (EC) No 715/2007 should be reviewed as a matter of urgency in order to ensure that test procedures reflect adequately the real CO₂ emissions behaviour of cars.***

Amendment 3 Proposal for a regulation

Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) High and ever increasing fossil fuel and particularly oil prices are a threat to economic recovery, energy security and energy affordability in Europe. Oil shocks can lead to deep recessions, reduced competitiveness and rising unemployment. Therefore, reducing our oil dependence by, amongst others, increasing the efficiency and sustainability of new passenger cars and vans is a priority.

Amendment 4

Proposal for a regulation Recital 3

Text proposed by the Commission

(3) In recognition of the high research and development and unit production costs of early generations of ultra-low carbon vehicles it is appropriate to accelerate and facilitate, on an interim basis and to a limited extent, the process of their introduction into the Union market at their initial stages of commercialization.

Amendment

(3) In recognition of the high research and development and unit production costs of early generations of ultra-low carbon vehicles it is appropriate to accelerate and facilitate, on an interim basis and to a limited extent, the process of their introduction into the Union market at their initial stages of commercialization. ***The Commission, Member States and regional and local authorities should work to identify and disseminate best practice in stimulating demand for ultra-low emission vehicles so that the healthy growth in sales in some European countries is replicated in all Member States.***

Amendment 5 Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) In recognition of the disproportionate impacts on the smallest manufacturers resulting from compliance with specific emissions targets defined on the basis of the utility of the vehicle, high administrative burden of the derogation procedure and only marginal benefit in terms of avoided CO₂ from the vehicles sold by these manufacturers, producers responsible annually for less than **500** new passenger cars are excluded from the scope of the specific emissions target and the excess emissions premium.

Amendment

(4) In recognition of the disproportionate impacts on the smallest manufacturers resulting from compliance with specific emissions targets defined on the basis of the utility of the vehicle, high administrative burden of the derogation procedure and only marginal benefit in terms of avoided CO₂ from the vehicles sold by these manufacturers, producers responsible annually for less than **1000** new passenger cars are excluded from the scope of the specific emissions target and the excess emissions premium.

Justification

Small volume manufacturers applied for derogations through a complicated process which required significant resources, also for the Commission. The Commission's impact assessment states that these manufacturers have a marginal impact on climate. In addition, the 500 cars threshold prevents the economical development of these small companies, which are more likely to be financially viable producing up to 1,000 cars, particularly in the context of the economic crisis.

Amendment 6

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) To enable the automotive industry to carry out long-term investments and innovation it is desirable to provide indications ***of how this Regulation should be amended*** for the period beyond 2020. ***These indications*** should be based on ***an assessment of*** the necessary rate of reduction in line with the Union's long term climate goals and ***the implications for*** the development of cost effective CO₂ reducing technology for cars. It is therefore desirable for ***these aspects to be reviewed***, the Commission to make a report ***on the CO₂ emission targets for new passenger cars for the period beyond 2020.***

Amendment

(7) To enable the automotive industry to carry out long-term investments and innovation it is desirable to provide indications for the period beyond 2020. ***This should be done by setting a target for 2025. That target*** should be based on the necessary rate of reduction in line with the Union's long term climate goals and ***should enhance*** the development of cost effective CO₂ reducing technology for cars. It is therefore desirable for the Commission to make a report ***and propose targets which are consistent with the cost-effective pathway to achieving the Union's long-term climate goals for 2050 and which ensure the European Union's continued leadership in fuel economy and CO₂ emissions. The report should take into consideration CO₂ emissions over the whole life cycle of cars (including manufacture and end-of-life).***

Amendment 7

Proposal for a regulation

Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) In recognition of the long research

and development times needed by manufacturers and in order to provide investors with the certainty they need, it is important to set a target for 2025.

Amendment 8
Proposal for a regulation

Recital 7 b (new)

Text proposed by the Commission

Amendment

(7b) As correct and truthful information on CO₂ emission and fuel consumption, which are directly related, is essential to consumers for making informed choices, highest attention should be given to predicting these parameters. However, today, the real emissions of cars and vans on the road greatly differ from the values determined in the current test cycle. Therefore, the swift development of an improved test cycle is needed.

Amendment 9

Proposal for a regulation
Recital 8

Text proposed by the Commission

Amendment

(8) **The** Regulation requires the Commission to carry out an impact assessment in order to review the test procedures to reflect adequately the real CO₂ emissions behaviour of cars. **This work is** proceeding through the development of a World Light Duty Test procedure in the framework of the United Nations Economic Commission for Europe but is not yet complete. In view of this, Annex I to Regulation (EC) No 443/2009 establishes emission limits for 2020 as measured according to Regulation (EC) No 715/2007 and Annex XII to Regulation (EC) No 692/2008. When the test

(8) Regulation (EC) No 443/2009 requires the Commission to carry out an impact assessment in order to review the test procedures to reflect adequately the real CO₂ emissions behaviour of cars. **Current implementation of the Union's regulatory procedure for the measurement of specific CO₂ emissions is leading to the recording of lower emission levels than occur in the actual performance of vehicles on the road. The measurement procedures referred to in Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to**

procedures are amended, the limits set in Annex I should be adjusted to ensure comparable stringency for manufacturers and classes of vehicles.

emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information and its implementing measures therefore need to be amended as a matter of urgency.

Review of the test procedures is currently proceeding through the development of a World Light Duty Test procedure ('WLTP') in the framework of the United Nations Economic Commission for Europe but is not yet complete. In view of this, and given that the existing test cycle does not sufficiently reflect the actual emissions of cars and vans on the road, the swift development of an improved test cycle is crucial. In order to enable manufacturers to plan in full knowledge of the provisions they will have to comply with the existing test procedure until it is replaced by the WLTP. When the current test procedures, set out in Annex I to Regulation (EC) No 443/2009, which establishes emission limits for 2020 as measured according to Regulation (EC) No 715/2007 and Annex XII to Regulation (EC) No 692/2008, are amended, the limits set in Annex I should be adjusted to ensure comparable stringency for manufacturers and classes of vehicles.

Amendment 10

Proposal for a regulation

Recital 12

Text proposed by the Commission

(12) 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 supplement the rules on derogations from the specific emissions targets, to amend data requirements for the purpose of monitoring of CO₂ emissions and to adjust

Amendment

(12) 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 supplement the rules on derogations from the specific emissions targets, to amend data requirements for the purpose of monitoring of CO₂ emissions and to adjust

the formulae for calculating the specific CO₂ emissions in Annex I to changes in the vehicle mass value and the regulatory test procedure for the measurement of specific CO₂ emissions *referred to in Regulation (EC) No 715/2007*. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

the formulae for calculating the specific CO₂ emissions in Annex I to changes in the vehicle mass value and the regulatory test procedure for the measurement of specific CO₂ emissions. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

Amendment 11

Proposal for a regulation

Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) It is appropriate to assess the need to move away from CO₂ emission targets and replace them with fuel efficiency targets, as CO₂ emission targets fail to take into account harmful emissions from modern internal combustion engines. The Commission is therefore called upon to submit a report on this issue.

Amendment 12

Proposal for a regulation

Recital 14

Text proposed by the Commission

Amendment

(14) The Commission has assessed the availability of footprint data and its use as the utility parameter in the formulae in Annex I. This data is available and its potential use has been assessed in the impact assessment, on the basis of that assessment it is concluded that the utility parameter used in the formula for 2020 should be mass. Nevertheless, the lower

(14) The Commission has assessed the availability of footprint data and its use as the utility parameter in the formulae in Annex I ***to Regulation (EC) No 443/2009***. This data is available and its potential use has been assessed in the impact assessment. On the basis of that assessment it is concluded that the utility parameter used in the formula for 2020 should be

cost and merits of a change to footprint as the utility parameter *should be considered in the future review.*

mass, *since a change of utility parameter would not meet the objective of planning certainty as manufacturers have already started their compliance pathways to 2020 on the basis of continuation of the current parameter.* Nevertheless, *given the lower cost and merits of a change to footprint as the utility parameter, footprint could be used as the utility parameter for the 2025 target and manufacturers given the option of using footprint from 2020.*

Amendment 13 **Proposal for a regulation**

Article 1 – point 1
Regulation (EC) No 443/2009
Article 1 – paragraph 2

Text proposed by the Commission

From 2020 onwards, this Regulation sets a target of 95 g CO₂/km as average emissions for the new car fleet as measured in accordance with Regulation (EC) No 715/2007 and Annex XII to Regulation (EC) No 692/2008 *and its implementing measures, and innovative technologies.*

Amendment

From 2020 onwards, this Regulation sets a target of 95 g CO₂/km as average emissions for the new car fleet as measured in accordance with Regulation (EC) No 715/2007, Annex **III** and XII to Regulation (EC) No 692/2008, **ECE R83-06 and ECE R101 in each case as valid on the ...**⁺.

⁺ **OJ: Please insert the date of adoption of this Regulation.**

Justification

The version of the current Euro 6 Regulation (NEDC/ECE R83 and ECE R101) should be updated in order to guarantee the same level of stringency of the targets set today, irrespective of foreseen changes in the procedures and cycle as such.

Amendment 14 **Proposal for a regulation**

Article 1 – point 2
Regulation (EC) No 443/2009
Article 2 – paragraph 4

Text proposed by the Commission

4. Article 4, Article 8(4)(b) and (c), Article 9 and Article 10(1)(a) and (c) shall not apply to a manufacturer which is responsible together with all of its connected undertakings for less than **500** new passenger cars registered in the EU in the previous calendar year.

Amendment

4. Article 4, Article 8(4)(b) and (c), Article 9 and Article 10(1)(a) and (c) shall not apply to a manufacturer which is responsible together with all of its connected undertakings for less than **1000** new passenger cars registered in the EU in the previous calendar year.

Justification

Small volume manufacturers applied for derogations through a complicated process which required significant resources, also for the Commission. The Commission's impact assessment states that these manufacturers have a marginal impact on climate. In addition, the 500 cars threshold prevents the economical development of these small companies, which are more likely to be financially viable producing up to 1,000 cars, particularly in the context of the economic crisis.

Amendment 15
Proposal for a regulation

Article 1 – point 2 a (new)
Regulation (EC) No 443/2009
Article 3 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(2a) Point (f) of Article 3(1) is replaced by the following:

"(f) 'specific emissions of CO₂' means the CO₂ emissions of a passenger car measured in accordance with Regulation (EC) No 715/2007 and specified as the CO₂ mass emissions (combined) in the certificate of conformity. For passenger cars which are not type-approved in accordance with Regulation (EC) No 715/2007, 'specific emissions of CO₂' means the CO₂ emissions measured in accordance with the same measurement procedure as specified for passenger cars in Regulation (EC) No 692/2008, or in accordance with the procedures adopted by the Commission to establish the CO₂ emissions for such passenger

cars; for the purposes of this Regulation, any amendments which are adopted in Regulation (EC) No 715/2007 and Regulation (EC) No 692/2008, as well as in ECE Standards R 83 and R 101, which are taken as a basis and which enter into force from 1 January 2013, shall enter into force only with effect from 1 January 2021."

Amendment 16

Proposal for a regulation

Article 1 – point 4

Regulation (EC) No 443/2009

Article 5 a (new)

Text proposed by the Commission

1. In calculating the average specific emissions of CO₂, each new passenger car with specific emissions of CO₂ *of* less than **35g** CO₂/km shall be counted as **1.3** passenger cars in the period from **2020** to 2023 and as 1 passenger car from 2024 onwards.

2. The *maximum number of new passenger cars to be taken into account in the application of the multipliers set out in paragraph 1 for the period 2020 to 2023 shall not exceed a cumulative total of 20 000 new registrations of passenger cars per* manufacturer.

Amendment 17

Proposal for a regulation

Article 1 – point 4 a (new)

Regulation (EC) No 443/2009

Article 6

Text proposed by the Commission

Amendment

1. In calculating the average specific emissions of CO₂, each new passenger car with specific emissions of CO₂ *that are* less than **50g** CO₂/km shall be counted as **1.5** passenger cars in the period from **2016** to 2023 and as 1 passenger car from 2024 onwards.

2. The increase of the emissions target for each manufacturer derived from the super credits calculation shall be capped at 2.5g of CO₂/km per year.

(4a) Article 6 is replaced by the following:

"For the purpose of determining compliance by a manufacturer with its specific CO₂ emissions target referred to in Article 4, the specific CO₂ emissions targets of each vehicle [...] capable of running on alternative fuels in line with EU standards shall be reduced by 5% by 31 December 2015 in recognition of the greater potential for innovative fuel technologies and emissions reduction [...] when running on biofuels. This reduction shall only apply where at least 30% of the filling stations in the Member State in which the vehicle is registered provide this type of alternative fuel, including biofuels, complying with the sustainability criteria set out in relevant Union legislation."

Justification

The bonus of a 5% reduction in CO₂ emissions should apply to all alternative fuels, including bioesters, and not only bioethanol.

Amendment 18

Proposal for a regulation

Article 1 – point 4 b (new)

Regulation (EC) No 443/2009

Article 8 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

(4b) In Article 8, the following paragraph is inserted:

"4a. Where as a result of the verification of the conformity of production, a Member State, in accordance with Article 12(3) of Directive 2007/46/EC, establishes that the CO₂ emissions for a production vehicle deviate by more than 4% from the approved type, that deviation shall be reported to the Commission together with the detailed data specified in Annex II to this Regulation.

The specific emissions of CO₂ for the vehicle type for which a deviation has been established shall be adjusted accordingly in the calculation of the average specific emissions of CO₂ in the following calendar year."

Amendment 19
Proposal for a regulation

Article 1 – point 9
2009/443/EC
Article 12 – paragraph 2 – first sentence

Text proposed by the Commission

The Commission shall adopt detailed provisions for a procedure to approve the innovative technologies referred to in paragraph 1 by way of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2) of this Regulation.

Amendment

The Commission shall adopt detailed provisions for a procedure to approve the innovative technologies ***or innovative technology package*** referred to in paragraph 1 by way of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2) of this Regulation.

Amendment 20
Proposal for a regulation

Article 1 – point 9 a (new)
Regulation (EC) No 443/2009
Article 12 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

(9a) In Article 12, the following paragraph is inserted:

"4a. Once a year, the Commission shall submit to the Council and Parliament a report on innovative technologies and innovative technology packages which have been approved and rejected."

Amendment 21

Proposal for a regulation

Article 1 – point 9 b (new)

Regulation (EC) No 443/2009

Article 12 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

(9b) In Article 12, the following paragraph is inserted:

"4b. The Commission shall, by 31 December 2013, complete a review of the implementing provisions for innovative technologies referred to in this Article with the aim of streamlining the application and approval procedures, as appropriate"

Amendment 22

Proposal for a regulation

Article 1 – point 10 – point b

Regulation (EC) No 443/2009

Article 13 – paragraph 3

Text proposed by the Commission

Amendment

(b) The *second* subparagraph of paragraph 3 is *deleted*.

(b) The *first* subparagraph of paragraph 3 is *replaced by the following*:

"3. From 2012, the Commission shall carry out an impact assessment in order to review by 2014, as provided for in Article 14(3), of Regulation (EC) No 715/2007, the procedures for measuring CO₂ emissions pursuant to that Regulation with a view to applying a revised measuring procedure as soon as feasible. The Commission shall, in particular, make appropriate proposals to adapt those procedures to reflect adequately the real CO₂ emissions behaviour of cars and to include the approved innovative technologies as defined in Article 12 that could be reflected in the test cycle. The

Commission shall ensure that those procedures are subsequently reviewed on a regular basis."

Amendment 23
Proposal for a regulation

Article 1 – point 10 – point b a (new)
Regulation (EC) No 443/2009
Article 13 – paragraph 3 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

(ba) In Article 13(3), the following subparagraph is inserted after subparagraph 2:

"For the purpose of verifying that the CO₂ emissions of production vehicles conform to the values of the approved type, Member States responsible for the checks on conformity of production shall audit the aerodynamic and rolling resistance values on a representative sample of production vehicles, including coast down tests, and report any deviation from type approved values in line with Article 8(4a)."

Amendment 24
Proposal for a regulation

Article 1 – point 10 – point b b (new)
Regulation (EC) No 443/2009
Article 13 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

(bb) In Article 13, the following paragraph is inserted:

"3a. The Commission shall assess the possibility of replacing the tailpipe approach, in which only emissions associated with fuel production and use are counted, with a lifecycle approach, which incorporates emissions from all stages of a vehicle's life, from material

production to end-of- life disposal or recycling."

Amendment 25

Proposal for a regulation

Article 1 – point 10 – point c

Regulation (EC) No 443/2009

Article 13 – paragraph 5

Text proposed by the Commission

5. By 31 December 2014, the Commission shall review the specific emissions targets, modalities and other aspects of this Regulation in order to establish the CO₂ emission targets for new passenger cars for *the period* beyond 2020.

Amendment

5. By 31 December 2014, the Commission shall ***complete a*** review *of* the specific emissions targets, modalities and other aspects of this Regulation in order to establish the CO₂ emission targets for new passenger cars for ***2025 and*** beyond. ***Such targets shall be consistent with the cost-effective pathway to achieving the Union's long-term climate goals for 2050.***

The Commission shall assess:

a) on the basis of an impact assessment and of technical and economic feasibility the modalities for reaching a long-term 2025 target;

(b) the aspects of the implementation of that target, including the excess emissions premium.

On the basis of that review and its impact assessment, which shall include an overall assessment of the impact on the car industry and its dependent industries, the Commission shall, if appropriate, make a proposal to amend this Regulation, in accordance with the ordinary legislative procedure, in a way which is as neutral as possible from the point of view of competition, and which is socially equitable and sustainable.

Amendment 26
Proposal for a regulation

Article 1 – point 10 – point d
Regulation (EC) No 443/2009
Article 13 – paragraph 7

Text proposed by the Commission

7. The Commission shall be empowered to adopt *delegated* acts in accordance with **Article 14a** to adapt the formulae in Annex I in order to reflect any change in the regulatory test procedure for the measurement of specific CO₂ emissions referred to in Regulation (EC) No 715/2007 and Regulation (EC) No 692/2008 while ensuring that reduction requirements of comparable stringency for manufacturers and vehicles of different utility are required under the old and new test procedures.

Amendment

7. The Commission shall be empowered to adopt *implementing* acts in accordance with **the examination procedure referred to in Article 14(2)** to adapt the formulae in Annex I in order to reflect any change in the regulatory test procedure for the measurement of specific CO₂ emissions referred to in Regulation (EC) No 715/2007 and Regulation (EC) No 692/2008 while ensuring that reduction requirements of comparable stringency for manufacturers and vehicles of different utility are required under the old and new test procedures.

Justification

The current proposal gives only the possibility of ex-post control the European Parliament and Member States. As the Member States are responsible for the implementation of the Union law, and the Commission is entrusted with this executive role, uniform conditions for implementation are necessary. From the industry perspective, Member States have to have oversight over the Commission. Therefore, the relevant committee procedure should apply.

Amendment 27
Proposal for a regulation

Article 1 – point 12
Regulation (EC) No 443/2009
Article 14a – paragraph 2

Text proposed by the Commission

2. The power to adapt delegated acts referred to in the second subparagraph of Article 8(9), Article 11(8), the third subparagraph of Article 13(2) **and Article 13(7)**, shall be conferred on the Commission for **an indeterminate** period

Amendment

2. The power to adapt delegated acts referred to in the second subparagraph of Article 8(9), Article 11(8) **and** the third subparagraph of Article 13(2), shall be conferred on the Commission for **a** period **of five years** from [the date of entry into

from [the date of entry into force of this Regulation].

force of this Regulation]. ***The Commission shall submit a report in respect of the delegation of power at the latest nine months before the end of the five-year period. The delegation of power shall be automatically extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension at the latest three months before the end of each period.***

Amendment 28

Proposal for a regulation

Article 1 – point 13

Regulation (EC) No 443/2009

Annex I – point 1 – point c

Text proposed by the Commission

(c) From 2020:

Specific emissions of CO₂ = 95 + a × (M – M₀)

Where:

M = mass of vehicle in kilograms (kg)

M₀ = the value adopted pursuant to Article 13(2)

a = 0,0333.

Amendment

(c) From 2020:

For the purpose of determining the fleet 'average specific emissions of CO₂' one of the following formulae should be used:

i) Specific emissions of CO₂ = 95 + a × (M – M₀)

Where:

M = mass of vehicle in kilograms (kg)

M₀ = the value adopted pursuant to Article 13(2)

a = 0,0333.

ii) Specific emissions of CO₂ = 95 + b × (F - F₀)

Where:

F = footprint of vehicle in square meters (m²)

F₀ = the value adopted pursuant to Article 13(2)

b = 60 % slope of the limit value curve.

PROCEDURE

Title	Modalities for reaching the 2020 target to reduce CO2 emissions from new passenger cars
References	COM(2012)0393 – C7-0184/2012 – 2012/0190(COD)
Committee responsible Date announced in plenary	ENVI 11.9.2012
Opinion by Date announced in plenary	ITRE 11.9.2012
Associated committee(s) - date announced in plenary	17.1.2013
Rapporteur Date appointed	Fiona Hall 23.10.2012
Discussed in committee	23.1.2013 20.2.2013
Date adopted	19.3.2013
Result of final vote	+: 51 -: 5 0: 0
Members present for the final vote	Amelia Andersdotter, Jean-Pierre Audy, Zigmantas Balčytis, Ivo Belet, Bendt Bendtsen, Jan Březina, Reinhard Bütikofer, Maria Da Graça Carvalho, Giles Chichester, Jürgen Creutzmann, Pilar del Castillo Vera, Christian Ehler, Vicky Ford, Adam Gierek, Norbert Glante, Robert Goebbels, Fiona Hall, Jacky Hélin, Kent Johansson, Romana Jordan, Krišjānis Kariņš, Lena Kolarska-Bobińska, Bogdan Kazimierz Marcinkiewicz, Judith A. Merkies, Angelika Niebler, Jaroslav Paška, Aldo Patriciello, Vittorio Prodi, Miloslav Ransdorf, Herbert Reul, Teresa Riera Madurell, Michèle Rivasi, Salvador Sedó i Alabart, Francisco Sosa Wagner, Konrad Szymański, Britta Thomsen, Ioannis A. Tsoukalas, Claude Turmes, Marita Ulvskog, Vladimir Urutchev, Adina-Ioana Vălean, Kathleen Van Brempt, Alejo Vidal-Quadras
Substitute(s) present for the final vote	António Fernando Correia de Campos, Françoise Grossetête, Jolanta Emilia Hibner, Yannick Jadot, Seán Kelly, Holger Kraemer, Bernd Lange, Werner Langen, Vladko Todorov Panayotov, Markus Pieper, Mario Pirillo, Vladimír Remek
Substitute(s) under Rule 187(2) present for the final vote	Oldřich Vlasák

28.3.2013

OPINION OF THE COMMITTEE ON TRANSPORT AND TOURISM

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

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 443/2009 to define the modalities for reaching the 2020 target to reduce CO₂ emissions from new passenger cars (COM(2012)0393 – C7-0184/2012 – 2012/0190(COD))

Rapporteur: Eider Gardiazábal Rubial

SHORT JUSTIFICATION

The 2020 target for cars of 95 g CO₂/km implies reductions in annual fuel consumption of 27% compared with the 2015 target of 130 g. It is expected to stimulate research and innovation in the automotive sector, promoting green growth and jobs and improving the international competitiveness of the EU industry, while reducing EU's dependency on oil imports.

Given the wide support for the aims of this legislative proposal, your Rapporteur is proposing a limited number of amendments with the broad aim of strengthening its objectives:

i) Post-2020 target

A weakness of the Commission's proposal is the lack of a post-2020 vision. While it may not be possible to predict the exact path that technological improvement will take to 2025, setting a target for 2025 would (a) provide planning and investment certainty for the automotive industry; (b) stimulate the market for ultra-low carbon vehicles; (c) preserve the EU's global leadership in making cleaner fuel efficient cars; and (d) send a clear political signal on the need for continued emission reductions. The European Parliament has an opportunity to steer the debate on the post-2020 period.

Your Rapporteur proposes a 2025 target within a range of 65 g CO₂/km to 75 g CO₂/km. A precise target should be proposed by the Commission in the legislative proposal to be submitted by the end of 2014 in the light of the expected uptake by the market of low-emission technologies. It should be noted that in the US, a target for 2025 has already been set.

ii) An alternative scheme to super credits

The Commission proposal introduces a scheme of super credits for cars emitting below 35 g CO₂/km in the period from 2020 and 2023 with a multiplier of 1,3 and limited to a cumulative figure of 20 000 vehicles per manufacturer over the duration of the scheme. A weakness of super credits is that, while they may encourage car manufacturers to produce more ultra-low emission vehicles, they also allow them to sell more higher-polluting cars, thus weakening their CO₂ target.

Your Rapporteur proposes an alternative system to super credits which aims at facilitating and accelerating the process of placing more ultra-low carbon vehicles into the Union market by incentivising and rewarding manufacturers who have invested in low-emission technologies. Manufacturers achieving more than 5% sales of cars emitting below 50 g CO₂/km shall be rewarded with a 2 g increase in their target (e.g. 97 g instead of 95 g CO₂/km), whereas those achieving less than 4% sales would have their target reduced by 1 g.

iii) Utility parameter - mass vs. footprint

Although vehicle weight has a huge impact on fuel consumption and CO₂ emissions, the mass-based utility parameter has been retained in the Commission proposal. The impact assessment analysis shows a cost benefit of shifting from mass to footprint since light-weighting is under-incentivised with mass as the parameter. If footprint is used, perverse incentives to change the design of the car are more limited. Footprint would in particular allow greater use of light-weighting as a compliance option.

Despite the merits of footprint, a change of the utility parameter would not meet the objective of planning certainty since it is highly probable that manufacturers have planned their compliance pathways to 2020 on the basis of continuation of the current parameter. Therefore, your Rapporteur proposes a dual scheme where footprint may be used as an alternative to mass from 2016 onwards. Giving manufacturers the flexibility to choose between mass and footprint would lead to an overall lower cost for meeting their 2020 target.

iv) Discrepancies between type-approval and real-world CO₂ emissions (test cycle)

An important area of concern is the growing gap between type-approval and real-world emissions from new passenger cars. From literature review and information from type approval authorities and test houses, it is clear that flexibilities are increasingly being used to lower CO₂ emissions of new vehicles. For passenger cars, it is estimated that the application of flexibilities in the last decade has led to a reduction of registered type approval CO₂ emissions by around 11% (bandwidth 6-16%), accounting for at least 1/3 of the reductions achieved in the period from 2002 to 2010 (9,3 g/km out of 26,8 g/km reduction).¹

The possible impact of increased utilisation of flexibilities is not only relevant from a regulatory point of view. Reductions on the type approval test that are not resulting from technological improvements to vehicles do not result in reduction of the fuel consumption in

¹ See studies carried out for the Commission:

http://ec.europa.eu/clima/policies/transport/vehicles/cars/docs/report_2012_en.pdf
http://ec.europa.eu/clima/policies/transport/vehicles/cars/docs/note_2012_en.pdf

real-world driving. This means that vehicles do not deliver end-users the promised fuel cost reductions, leading to consumer misinformation. Consumer disappointment with real-world fuel consumption figures may ultimately lead to reduced support for the EU's CO₂ reduction policy. Also, varying levels of utilisation of flexibilities by different manufacturers may lead to unfair competition.

Your Rapporteur stresses the need to amend Regulation (EC) No 715/2007¹ in order to ensure that test procedures reflect adequately the emissions generated by real driving on the road. A number of amendments are proposed to address this issue.

¹ Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information

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 regulation

Recital 2

Text proposed by the Commission

(2) It is appropriate to clarify that for the purpose of verifying compliance with the target of 95g CO₂/km, CO₂ emissions should continue to be measured in accordance with Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information and its implementing measures and innovative technologies.

Amendment

(2) It is appropriate to clarify that for the purpose of verifying compliance with the target of 95g CO₂/km, CO₂ emissions should continue to be measured in accordance with Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information and its implementing measures and innovative technologies. ***However, studies carried out by the Commission have demonstrated that the test procedures used to measure CO₂ emissions under that Regulation have not prevented an increased utilisation of flexibilities by manufacturers which have resulted in alleged CO₂ emissions reductions that are not attributed to technological improvements and cannot be achieved in real driving on the road. Therefore, Regulation (EC) No 715/2007 should be reviewed as a matter of urgency, at the latest by the end of 2014, in order to ensure that test procedures give an accurate picture of the CO₂ emissions generated by real driving on the road.***

Amendment 2

Proposal for a regulation Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) In order to speed up the market uptake of ultra-low carbon vehicles and/or e-cars, it is necessary to develop across the Union appropriate infrastructure for the supply of alternative fuels and electric power to vehicles, including a dense network of charging points at all appropriate locations where many e-cars are parked for many hours, such as park-and-ride car parks. E-cars should, as a matter of priority, store surplus electricity generated using wind and/or solar energy. In addition, exchangeable number plates should be introduced Europe-wide, so that greater use can be made of commuter e-cars for short journeys.

Justification

E-cars make particular sense as a means of storing surplus electricity generated using wind and/or solar energy. However, the relevant infrastructure is lacking. In addition, introducing exchangeable number plates, as employed in Germany and Austria, could offer people an incentive to purchase a small e-car for (daily) commuter journeys, whilst retaining a larger car for family outings.

Amendment 3

Proposal for a regulation Recital 4

Text proposed by the Commission

Amendment

(4) In recognition of the disproportionate impacts on the smallest manufacturers resulting from compliance with specific emissions targets defined on the basis of the utility of the vehicle, high

(4) In recognition of the disproportionate impacts on the smallest manufacturers resulting from compliance with specific emissions targets defined on the basis of the utility of the vehicle, high

administrative burden of the derogation procedure and only marginal benefit in terms of avoided CO₂ from the vehicles sold by these manufacturers, producers responsible annually for less than **500** new passenger cars are excluded from the scope of the specific emissions target and the excess emissions premium.

administrative burden of the derogation procedure and only marginal benefit in terms of avoided CO₂ from the vehicles sold by these manufacturers, producers responsible annually for less than **1000** new passenger cars are excluded from the scope of the specific emissions target and the excess emissions premium.

Justification

Given the high administrative burden involved, the derogation should apply to very small manufacturers which are responsible for fewer than 1000 new passenger cars each year.

Amendment 4

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) The Regulation requires the Commission to carry out an impact assessment in order to review the test procedures to reflect adequately the real CO₂ emissions behaviour of cars. This work is proceeding through the development of a World Light Duty Test procedure in the framework of the United Nations Economic Commission for Europe ***but is not yet complete***. In view of this, Annex I to Regulation (EC) No 443/2009 establishes emission limits for 2020 as measured according to Regulation (EC) No 715/2007 and Annex XII to Regulation (EC) No 692/2008. When the test procedures are amended, the limits set in Annex I should be adjusted to ensure comparable stringency for manufacturers and classes of vehicles.

Amendment

(8) The Regulation requires the Commission to carry out an impact assessment in order to review the test procedures to reflect adequately the real CO₂ emissions behaviour of cars. This work is proceeding through the development of a World Light Duty Test (***WLTP***) procedure in the framework of the United Nations Economic Commission for Europe, ***which should be integrated, as soon as possible after it has been finalised, into Union legislation. The Commission should consider the need to supplement the WLTP by additional provisions when integrating it into Union law in order to ensure that test procedures give an accurate picture of the CO₂ emissions generated by real driving on the road.*** In view of this, Annex I to Regulation (EC) No 443/2009 establishes emission limits for 2020 as measured according to Regulation (EC) No 715/2007 and Annex XII to Regulation (EC) No 692/2008. When the test procedures are amended, the limits set in Annex I should

be adjusted to ensure comparable stringency for manufacturers and classes of vehicles.

Amendment 5

Proposal for a regulation

Recital 12

Text proposed by the Commission

(12) 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 supplement the rules on derogations from the specific emissions targets, to amend data requirements for the purpose of monitoring of CO₂ emissions and to adjust the formulae for calculating the specific CO₂ emissions in Annex I to changes in the vehicle mass value and the regulatory test procedure for the measurement of specific CO₂ emissions referred to in Regulation (EC) No 715/2007. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

Amendment

(12) 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 supplement the rules on derogations from the specific emissions targets, to amend data requirements for the purpose of monitoring of CO₂ emissions and to adjust the formulae for calculating the specific CO₂ emissions in Annex I to changes in the vehicle mass **and footprint** value and the regulatory test procedure for the measurement of specific CO₂ emissions referred to in Regulation (EC) No 715/2007. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

Amendment 6

Proposal for a regulation

Recital 14

Text proposed by the Commission

(14) The Commission has assessed the availability of footprint data and its use as the utility parameter in the formulae in Annex I. This data is available and its

Amendment

(14) The Commission has assessed the availability of footprint data and its use as the utility parameter in the formulae in Annex I. This data is available and its

potential use has been assessed in the impact assessment, on the basis of that assessment it is concluded that the utility parameter used in the formula for 2020 should be mass. Nevertheless, the lower cost and merits of *a change to footprint* as the utility parameter *should be considered in the future review*.

potential use has been assessed in the impact assessment. On the basis of that assessment it is concluded that the utility parameter used in the formula for 2020 should be mass, *since manufacturers have planned their compliance pathways to 2020 on the basis of continuation of the current parameter*. Nevertheless, the lower cost and merits of footprint *would justify its use* as the utility parameter *from 2025 onwards. Therefore, in order to ensure a smooth transition to a future shift from mass to footprint, it is appropriate to introduce a footprint-based formula, which may be used from 2016 onwards by manufacturers as an alternative to the mass-based formula*.

Justification

The main advantage of footprint compared to mass is that it does not discriminate against light-weighting as a CO₂ reduction strategy. Reducing weight is penalised under the current mass-based system. If a car maker reduces the average weight of his fleet, his emissions decrease but he will also get a tougher target. That makes light-weighting a particularly unattractive CO₂ reduction strategy under the current regulatory framework, resulting in higher fuel consumption and CO₂ emissions.

Amendment 7

Proposal for a regulation Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) Greenhouse gas emissions related to energy supply and vehicle manufacturing and disposal are significant components of the current overall road transport carbon footprint which are likely to significantly increase in importance in the future. Policy action should therefore be taken to guide manufacturers towards optimal solutions taking account in particular of greenhouse gas emissions associated with the generation of energy supplied to vehicles such as electricity and

alternative fuels, and ensuring that these upstream emissions do not erode the benefits related to the improved operational energy use of vehicles aimed by this Regulation. To that effect, it is appropriate that the Commission consider, in the future review of this Regulation for the period beyond 2020, a regulatory approach that takes account of greenhouse gas emissions associated with energy supply and the life cycle of the vehicle.

Amendment 8

Proposal for a regulation

Article 1 – point 1 a (new)

Regulation (EC) No 443/2009

Article 1 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

(1a) In Article 1, the following paragraph 2a is inserted:

"From 2025 onwards, this Regulation sets a target within an indicative range of 65 g CO₂/km to 75 g CO₂/km as average emissions for the new car fleet, as specified in Article 13(5)."

Amendment 9

Proposal for a regulation

Article 1 – point 2

Regulation (EC) No 443/2009

Article 2 – paragraph 4

Text proposed by the Commission

Amendment

Article 4, Article 8(4)(b) and (c), Article 9 and Article 10(1)(a) and (c) shall not apply to a manufacturer which is responsible together with all of its connected undertakings for less than **500** new passenger cars registered in the EU in the

Article 4, Article 8(4)(b) and (c), Article 9 and Article 10(1)(a) and (c) shall not apply to a manufacturer which is responsible together with all of its connected undertakings for less than **1000** new passenger cars registered in the EU in the

previous calendar year.’

previous calendar year.’

Amendment 10

Proposal for a regulation

Article 1 – point 4

Regulation (EC) No 443/2009

Article 5 a (new)

Text proposed by the Commission

1. In calculating the average specific emissions of CO₂, each new passenger car with specific emissions of CO₂ of less than **35** g CO₂/km shall be counted as **1.3** passenger cars in the period from 2020 to 2023 and as 1 passenger car from 2024 onwards.

2. The **maximum number of new passenger cars to be taken into account** in the application of the **multipliers** set out in paragraph 1 for the period 2020 to 2023 shall **not exceed a cumulative total of 20 000 new registrations of passenger cars per manufacturer.**

Amendment

1. In calculating the average specific emissions of CO₂, each new passenger car with specific emissions of CO₂ of less than **50** g CO₂/km shall be counted as **1.5** passenger cars in the period from 2020 to 2023 and as 1 passenger car from 2024 onwards.

2. The **increase of the average specific emissions target derived from** the application of the **multiplier** set out in paragraph 1 for the period 2020 to 2023 shall **be capped at 2.5 g CO₂/km per year for each manufacturer.**

Amendment 11

Proposal for a regulation

Article 1 – point 4 a (new)

Regulation (EC) No 443/2009

Article 8 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

In Article 8, the following paragraph 4a is inserted:

“(4a) Where as a result of the verification of the conformity of production, a Member State, in accordance with Article 12(3) of Directive 2007/46/EC, establishes that the CO₂ emissions for a production vehicle deviate significantly from the approved type, that deviation shall be

reported to the Commission together with the detailed data specified in Annex II to this Regulation.

The specific emissions of CO₂ for the vehicle type for which a deviation has been established shall be adjusted accordingly in the calculation of the average specific emissions of CO₂ in the following calendar year."

Amendment 12

Proposal for a regulation

Article 1 – point 4 b (new)

Regulation (EC) No 443/2009

Article 8 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

In Article 8, the following paragraph 4b is inserted:

“(4b) The Commission shall monitor real reported CO₂ emission values by vehicle type and manufacturer on the basis of the best available sources of information and publish in its annual monitoring reports how they compare with type approval values.

Justification

A number of sources provide information about the real world fuel consumption data. These include: data gathered and reported by individuals on their own fuel consumption; fuel consumption monitoring of lease vehicles; tests carried out by consumer/motoring organisations. Information from these and other sources can be brought together to provide a picture of how the divergence between real world and type approval fuel consumption is altering and to enable comparison between the performance of different manufacturers' vehicles.

Amendment 13

Proposal for a regulation

Article 1 – point 10 – point -a (new)

Regulation (EC) No 443/2009

Article 13 – paragraph 2 – first subparagraph

Text proposed by the Commission

By 31 October 2014, and every three years thereafter, measures shall be adopted to amend Annex I to adjust the **figure** M_0 , referred to therein, to the average mass of new passenger cars in the previous three calendar years.

Amendment

By 31 October 2014, and every three years thereafter, measures shall be adopted to amend Annex I to adjust the **figures** M_0 **and** F_0 , referred to therein, to the average mass **and footprint respectively** of new passenger cars in the previous three calendar years.

Amendment 14

Proposal for a regulation

Article 1 – point 10 – point b a (new)

Regulation (EC) No 443/2009

Article 13 – paragraph 3 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

In Article 13(3), the following subparagraph 1a is inserted:

"With a view to ensuring that real world emissions are adequately reflected and measured CO₂ values are strictly comparable, the Commission shall, in accordance with Article 14(3) of Regulation (EC) No 715/2007, ensure that those elements in the testing procedure that have a significant influence on measured CO₂ emissions are strictly defined in order to prevent the utilisation of test cycle flexibilities by manufacturers."

Amendment 15

Proposal for a regulation

Article 1 – point 10 – point b b (new)

Regulation (EC) No 443/2009

Article 13 – paragraph 3 – subparagraph 1 b (new)

Text proposed by the Commission

Amendment

In Article 13(3), the following

subparagraph 1b is inserted:

"For the purpose of verifying that the CO₂ emissions of production vehicles conform to the values of the approved type, it shall be ensured that the aerodynamic and rolling resistance values are obtained from the vehicle for which conformity of production is being verified."

Justification

It is essential that the vehicle on which conformity of production is being verified have a coast down test performed on it to establish its aerodynamic and rolling resistance and provide the values to be used for the dynamometer test which forms part of the conformity of production test. This would replace the current situation where the dynamometer settings from the original test vehicle are used. This is because experimental evidence suggests that it is often not possible to replicate the original coast down test values with a production vehicle.

Amendment 16

Proposal for a regulation

Article 1 – point 10 – point b c (new)

Regulation (EC) No 443/2009

Article 13 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

In Article 13, the following paragraph 3a is inserted:

“(3a) The Commission shall consider the benefit of ensuring that type approval CO₂ values include emissions resulting from the use of the main energy using devices of the vehicle and, if appropriate, make proposals for this to take effect in the period beyond 2020.”

Justification

Energy using devices are not currently activated during the test procedures, for example air conditioning and lights are turned off.

Amendment 17

Proposal for a regulation

Article 1 – point 10 – point c

Regulation (EC) No 443/2009

Article 13 – paragraph 5

Text proposed by the Commission

By 31 December 2014, the Commission shall review the specific emissions targets, modalities and other aspects of this Regulation in order to establish the CO₂ emission targets for new passenger cars for the period beyond 2020.

Amendment

By 31 December **2015, based on the new World Light Duty Test Procedure (WLTP)**, the Commission shall review the specific emissions targets, modalities and other aspects of this Regulation in order to establish the CO₂ emission targets for new passenger cars for the period beyond 2020, **with the aim of reaching, by the year 2025, a target within an indicative range of 65 g CO₂/km to 75 g CO₂/km, unless a lower target is duly justified in the light of the use of low-emission technologies and their uptake by the market.**

On the basis of this review, which shall include an overall assessment of the impact on the car industry and its dependent industries, the Commission shall, if appropriate, make a proposal to amend this Regulation in a way which is cost-effective and as neutral as possible from the point of view of competition and ensures the achievement of the Union's long term objectives in combating climate change.

As part of that review, the Commission shall also report on emissions associated with the energy supply of the vehicle and may, as appropriate, make proposals as to how such emissions should be taken into account under this Regulation.

Any changes to the regulatory test procedure for the measurement of specific CO₂ emissions provided for in Regulation (EC) No 715/2007 and Regulation (EC) No 692/2008 shall be fully taken into account by means of a correlation exercise.

Amendment 18

Proposal for a regulation - amending act

Article 1 – point 12

Regulation (EC) No 443/2009

Article 14 a (new) – paragraph 2

Text proposed by the Commission

The power to adapt delegated acts referred to in the second subparagraph of Article 8(9), Article 11(8), the third subparagraph of Article 13(2) and Article 13(7), shall be conferred on the Commission for ***an indeterminate period*** from [the date of entry into force of this Regulation].

Amendment

The power to adapt delegated acts referred to in the second subparagraph of Article 8(9), Article 11(8), the third subparagraph of Article 13(2) and Article 13(7), shall be conferred on the Commission for ***a period of five years*** from [the date of entry into force of this Regulation]. ***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.***

Amendment 19

Proposal for a regulation - amending act

Article 1 – point 12 a (new)

Regulation (EC) No 443/2009

Annex I – point 1 – point b

Text proposed by the Commission

Amendment

In point 1 of Annex I, point (b) is replaced by the following:

“(b) From 2016:

One of the following formulae should be used:

i) Specific emissions of CO₂ = 130 + a × (M – M₀)

Where:

M = mass of vehicle in kilograms (kg)

M₀ = the value adopted pursuant to Article 13(2)

a = 0,0457.

ii) Specific emissions of CO₂ = 130 + b × (F - F₀)

Where:

F = footprint of vehicle in square metres (m²)

F₀ = the value adopted pursuant to Article 13(2)

b = 17,6"

Justification

Despite the merits of footprint, a change of the utility parameter would not provide planning certainty since manufacturers have planned their compliance pathways to 2015 based on the current parameter. Therefore, a dual scheme is proposed where footprint may be used as an alternative to mass. Giving manufacturers this flexibility can lead to an overall lower cost for meeting their target while providing incentive for weight reductions. b=17,6 is derived from the EC impact assessment and corresponds to a 60% slope, providing an equitable burden sharing by manufacturers.

Amendment 20

Proposal for a regulation - amending act

Article 1 – point 13

Regulation (EC) No 443/2009

Annex I – point 1 – point c

Text proposed by the Commission

Amendment

(b) From 2020:

“(c) From 2020:

One of the following formulae should be used:

Specific emissions of CO₂ = 95 + a × (M – M₀)

i) Specific emissions of CO₂ = 95 + a × (M – M₀)

Where:

Where:

M = mass of vehicle in kilograms (kg)

M = mass of vehicle in kilograms (kg)

M₀ = the value adopted pursuant to Article

M₀ = the value adopted pursuant to Article

13(2)

$a = 0,0333$.

13(2)

$a = 0,0333$.

ii) Specific emissions of CO₂ = 95 + b × (F - F₀)

Where:

F = footprint of vehicle in square metres (m²)

F₀ = the value adopted pursuant to Article 13(2)

b = 17,6''

Justification

This amendment has the same objective as amendment 17. The footprint formula has been adjusted to reflect the 2020 target (95 g CO₂/km).

Amendment 21

Proposal for a regulation - amending act

Article 1 – point 13 a (new)

Regulation (EC) No 443/2009

Annex I – point 2 a (new)

Text proposed by the Commission

Amendment

In Annex I, the following point 2a is inserted:

A manufacturer shall apply the same utility parameter (mass or footprint) for the whole of its car fleet.

Justification

Manufacturers are provided with the choice between using mass or footprint as the utility parameter for establishing their compliance with their CO₂ target. If they were given that choice for each vehicle type within their fleet, this would result in a maximum weakening of the overall level of ambition without providing the strong incentive to use downweighting. They would simply choose for each vehicle the utility parameter for which the least effort is required. This wouldn't encourage them to incorporate downweighting as a general strategy.

Amendment 22

Proposal for a regulation - amending act

Article 1 – point 13 a (new)

Regulation (EC) No 443/2009

Annex I – point 2 b (new)

Text proposed by the Commission

Amendment

In Annex I, the following point 2b is inserted:

Once a manufacturer has chosen to use footprint as the utility parameter for establishing compliance with its specific emissions target, it may not revert to the use of mass in the subsequent years.

Justification

Once a manufacturer has chosen to use footprint for assessing its compliance with the CO₂ target, it may not revert to the use of mass in subsequent years. This is to avoid perverse incentives to change the design of the car that would undermine the achievement of the CO₂ objective as well as the economic benefits that flow from it.

PROCEDURE

Title	Modalities for reaching the 2020 target to reduce CO2 emissions from new passenger cars
References	COM(2012)0393 – C7-0184/2012 – 2012/0190(COD)
Committee responsible Date announced in plenary	ENVI 11.9.2012
Opinion by Date announced in plenary	TRAN 11.9.2012
Rapporteur Date appointed	Eider Gardiazábal Rubial 21.9.2012
Discussed in committee	19.2.2013
Date adopted	26.3.2013
Result of final vote	+: 37 -: 5 0: 0
Members present for the final vote	Magdi Cristiano Allam, Inés Ayala Sender, Georges Bach, Izaskun Bilbao Barandica, Philip Bradbourn, Antonio Cancian, Michael Cramer, Joseph Cuschieri, Philippe De Backer, Luis de Grandes Pascual, Christine De Veyrac, Saïd El Khadraoui, Ismail Ertug, Carlo Fidanza, Knut Fleckenstein, Jacqueline Foster, Mathieu Grosch, Jim Higgins, Dieter-Lebrecht Koch, Jörg Leichtfried, Boguslaw Liberadzki, Eva Lichtenberger, Marian-Jean Marinescu, Gesine Meissner, Hubert Pirker, Dominique Riquet, Vilja Savisaar-Toomast, Olga Sehnalová, Brian Simpson, Keith Taylor, Giommara Uggias, Peter van Dalen, Patricia van der Kammen, Dominique Vlasto
Substitute(s) present for the final vote	Spyros Danellis, Markus Ferber, Karl-Heinz Florenz, Eider Gardiazábal Rubial, Ádám Kósa, Bogdan Kazimierz Marcinkiewicz, Geoffrey Van Orden, Sabine Wils, Janusz Władysław Zemke

PROCEDURE

Title	Modalities for reaching the 2020 target to reduce CO2 emissions from new passenger cars		
References	COM(2012)0393 – C7-0184/2012 – 2012/0190(COD)		
Date submitted to Parliament	11.7.2012		
Committee responsible Date announced in plenary	ENVI 11.9.2012		
Committee(s) asked for opinion(s) Date announced in plenary	ITRE 11.9.2012	IMCO 11.9.2012	TRAN 11.9.2012
Not delivering opinions Date of decision	IMCO 18.9.2012		
Associated committee(s) Date announced in plenary	ITRE 17.1.2013		
Rapporteur(s) Date appointed	Thomas Ulmer 20.9.2012		
Discussed in committee	19.2.2013	20.3.2013	
Date adopted	24.4.2013		
Result of final vote	+: -: 0:	45 17 1	
Members present for the final vote	Martina Anderson, Elena Oana Antonescu, Kriton Arsenis, Sophie Auconie, Pilar Ayuso, Paolo Bartolozzi, Sergio Berlato, Lajos Bokros, Franco Bonanini, Milan Cabrnoch, Martin Callanan, Nessa Childers, Yves Cochet, Chris Davies, Esther de Lange, Anne Delvaux, Bas Eickhout, Jill Evans, Karl-Heinz Florenz, Elisabetta Gardini, Gerben-Jan Gerbrandy, Matthias Groote, Françoise Grossetête, Cristina Gutiérrez-Cortines, Jolanta Emilia Hibner, Karin Kadenbach, Christa Kläß, Eija-Riitta Korhola, Jo Leinen, Corinne Lepage, Peter Liese, Zofija Mazej Kukovič, Linda McAvan, Radvilė Morkūnaitė-Mikulėnienė, Miroslav Ouzký, Vladko Todorov Panayotov, Antonia Parvanova, Andrés Perelló Rodríguez, Mario Pirillo, Oreste Rossi, Kārlis Šadurskis, Carl Schlyter, Horst Schnellhardt, Richard Seeber, Theodoros Skylakakis, Bogusław Sonik, Claudiu Ciprian Tănăsescu, Salvatore Tatarella, Thomas Ulmer, Åsa Westlund, Glenis Willmott, Sabine Wils		
Substitute(s) present for the final vote	Nikos Chrysogelos, Minodora Cliveti, Vicky Ford, Gaston Franco, Julie Girling, Rebecca Harms, Judith A. Merkies, Justas Vincas Paleckis, Sophocles Sophocleous, Kathleen Van Brempt, Andrea Zannoni		
Date tabled	30.4.2013		