



Plenary sitting

B8-0040/2016

12.1.2016

MOTION FOR A RESOLUTION

pursuant to Rule 106(2), (3) and (4)(c) of the Rules of Procedure

on draft Commission regulation (EU) .../... of XXX amending
Regulation (EC) No 692/2008 as regards emissions from light passenger and
commercial vehicles (Euro 6)
(D042120/03 – 2015/2988(RPS))

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on behalf of the Committee on the Environment, Public Health and Food
Safety

**European Parliament resolution on draft Commission regulation (EU) .../... of XXX amending Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 6)
(D042120/03 – 2015/2988(RPS))**

The European Parliament,

- having regard to the draft Commission regulation (D042120/03),
 - having regard to 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 information¹, in particular Article 5(3) thereof,
 - having regard to the opinion delivered on 28 October 2015 by the Technical Committee – Motor Vehicles (TCMV) established by Article 40(1) of Directive 2007/46/EC,
 - having regard to its resolution of 27 October 2015 on emission measurements in the automotive sector²,
 - having regard to Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe³,
 - having regard to Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants⁴,
 - having regard to the Commission communication of 18 December 2013 entitled ‘A Clean Air Programme for Europe’ (COM(2013)0918),
 - having regard to Article 5a(4)(e) of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁵,
 - having regard to the motion for a resolution of the Committee on the Environment, Public Health and Food Safety,
 - having regard to Rule 106(2), (3) and (4)(c) of its Rules of Procedure,
- A. whereas air pollution causes over 430 000 premature deaths in the Union every year and costs up to an estimated EUR 940 billion annually as a result of its health impacts; whereas nitrogen oxides (NOx) are major air pollutants which cause, inter alia, lung cancer, asthma and many respiratory diseases, as well environmental degradation, such

¹ OJ L 171, 29.6.2007, p. 1.

² Texts adopted, P8_TA(2015)0375.

³ OJ L 152, 11.6.2008, p. 1.

⁴ OJ L 309, 27.11.2001, p. 22.

⁵ OJ L 184, 17.7.1999, p. 23.

as eutrophication and acidification; whereas diesel vehicle exhausts are a major source of NO_x in urban areas in Europe; whereas recent air pollution analyses by the European Environment Agency attribute 75 000 premature deaths to NO₂ emissions in Europe, with 93 % of all exceedances occurring close to roads¹;

- B. whereas Regulation (EC) No 715/2007, which sets the Euro 5 and Euro 6 emission standards, requires manufacturers to equip their vehicles so that they meet the emission requirements ‘in normal use’ (Article 5(1));
- C. whereas recital 5 of Regulation (EC) No 715/2007, agreed in December 2006, states the following: ‘Achieving EU air quality objectives requires a continuing effort to reduce vehicle emissions. For that reason, industry should be provided with clear information on future emission limit values. This is why this Regulation includes, in addition to Euro 5, the Euro 6 stage of emission limit values’; and whereas recital 6 of the regulation states the following: ‘In particular, a considerable reduction in nitrogen oxide emissions from diesel vehicles is necessary to improve air quality and comply with limit values for pollution. This requires reaching ambitious limit values at the Euro 6 stage without being obliged to forego the advantages of diesel engines in terms of fuel consumption and hydrocarbon and carbon monoxide emissions. Setting such a step for reducing nitrogen oxide emissions at an early stage will provide long-term, Europe-wide planning security for vehicle manufacturers’;
- D. whereas the Euro 6 limit value for NO_x emissions from diesel vehicles is 80 mg/km, applicable to new types since 1 September 2014 and to all vehicles sold since 1 September 2015;
- E. whereas Article 14(3) of Regulation (EC) No 715/2007 states the following: ‘The Commission shall keep under review the procedures, tests and requirements referred to in Article 5(3) as well as the test cycles used to measure emissions. If the review finds that these are no longer adequate or no longer reflect real world emissions, they shall be adapted so as to adequately reflect the emissions generated by real driving on the road’; whereas the provision is accompanied by recital 15, which states the following: ‘The Commission should keep under review the need to revise the New European Drive Cycle as the test procedure that provides the basis of EC type approval emissions regulations. Updating or replacement of the test cycles may be required to reflect changes in vehicle specification and driver behaviour. Revisions may be necessary to ensure that real world emissions correspond to those measured at type approval. The use of portable emission measurement systems and the introduction of the “not-to-exceed” regulatory concept should also be considered’;
- F. whereas, according to Article 5(3) of the Regulation (EC) No 715/2007, draft implementing measures adopted under that provision, in accordance with the regulatory procedure with scrutiny (RPS), are ‘designed to amend non-essential elements of this Regulation, by supplementing it’; whereas, in the present context, the Commission is empowered only to supplement Regulation (EC) No 715/2007, and not to amend the emission limit values set out in Annex I to the regulation;
- G. whereas the Commission has developed new draft implementing measures with a view

¹ EEA Report No 5/2015 ‘Air quality in Europe – 2015 report’, p. 8 and p. 44.

to amending Commission Regulation (EC) 692/2008¹ by adapting the test procedures so that they adequately reflect the emissions generated by real driving on the road; whereas two packages of measures, each contained in a draft Commission regulation based on Article 5(3) of Regulation (EC) No 715/2007, were endorsed by the TCMV on 19 May 2015 and 28 October 2015 respectively;

- H. whereas draft Commission Regulation (EU) .../... of XXX amending Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 6) (hereafter ‘the draft measure’) states that for the purpose of establishing the quantitative real driving emission (RDE) requirements ‘statistical and technical uncertainties of the measurement procedures should be taken into account’; whereas the draft measure also allows for a margin ‘taking into account the additional measurement uncertainties related to the application of Portable Emission Measurement Systems (PEMS)’;
- I. whereas, under the draft measure, manufacturers will be required to ensure that, at type approval and throughout the life of a vehicle, emissions emitted at an RDE test do not exceed certain ‘not-to-exceed (NTE) limit values’; whereas the NTE limit values are expressed as the emission limits set out in Regulation (EC) No 715/2007 multiplied by a conformity factor and a transfer function;
- J. whereas, on the basis of an analysis by the Joint Research Centre (JRC), the Commission has concluded the current average PEMS error of measurement to be 18.75 %, corresponding to a maximum compliance factor of 1.2; whereas the JRC error analysis concluded that the RDE testing procedure may introduce a measurement uncertainty margin of up to maximum 30 %, i.e. a ‘worst case margin’ of 25 mg NO_x/km for the Euro 6 limit, equivalent to a compliance factor of 1.3; whereas such tolerances or initial uncertainties of the emissions measurement procedure are expected to become smaller over time thanks to technical progress;
- K. whereas the draft measure endorsed by the TCMV on 28 October 2015 would introduce a ‘temporary conformity factor’ of 2.1, with the effect of allowing vehicles to emit 168 mg/km of NO_x in the RDE test applicable to all new vehicles from September 2019 (new vehicle types from September 2017), i.e. four years after the entry into force of the Euro 6 80mg/km limit value; whereas a final quantitative RDE requirement with a ‘final conformity factor’ of 1.5 would apply to all new vehicles from 2021 (new vehicle types from 2020) with the effect of allowing vehicles to emit 120 mg/km of NO_x in the RDE test;
- L. whereas the transfer function multiplier in the formula for NTE limits is not explained or justified; whereas any value for the transfer function parameter that is greater than 1 would result in increasing the level of emissions allowed under the RDE test;
- M. whereas the draft measure would undermine any enforcement of the existing limit values established in Regulation (EC) No 715/2007 as regards the evidenced significant

¹ Commission Regulation (EC) No 692/2008 of 18 July 2008 implementing and amending Regulation (EC) No 715/2007 of the European Parliament and of the Council 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 (OJ L 199, 28.7.2008, p. 1).

exceedances in normal use of vehicle NOx emissions until enforcement of the RDE test;

- N. whereas in paragraph 14 of its resolution of 27 October 2015 on emission measurements in the automotive sector, Parliament confirmed the provision of the report adopted by its Committee on the Environment, Public Health and Food Safety which requires the Commission to ‘introduce a real driving emissions test for all vehicles type-approved or registered from 2015 to ensure the effectiveness of emission control systems and enable the vehicle to comply with this Regulation and its implementing measures, with a conformity factor reflecting only the possible tolerances of the emissions measurement procedure in place by 2017’;
1. Considers that the draft Commission implementing decision exceeds the implementing powers provided for in Regulation (EC) No 715/2007;
 2. Considers that the draft Commission Regulation would result in a de facto blanket derogation from applicable emissions limits, and is therefore not consistent with Union law, in that it is not compatible with the aim and content of Regulation (EC) No 715/2007;
 3. Calls on the Commission to withdraw the draft regulation and submit a new one without delay and no later than 1 April 2016, in order to introduce a real driving emissions test for all vehicles with a view to ensuring the effectiveness of emission control systems and enabling vehicles to comply with Regulation (EC) No 715/2007 and its implementing measures, with a conformity factor reflecting only the possible tolerances of the emissions measurement procedure in place by 2017;
 4. Instructs its President to forward this resolution to the Council and the Commission, and to the governments and parliaments of the Member States.