OPINION

of the Committee on the Internal Market and Consumer Protection

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


Rapporteur: Róża Gräfin von Thun und Hohenstein
SHORT JUSTIFICATION

The Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EC) No 715/2007 and (EC) No 595/2009 as regards the reduction of pollutant emissions from road vehicles is meant to address specific problem areas where market and regulatory failures present obstacles in the overall quest for ensuring better air quality in congested areas in Europe, as well as the reduction of toxic and greenhouse gas emissions, in the context of global warming, pollution and efforts for more efficient use of resources.

It is estimated that around 400 thousand Europeans die prematurely due to bad air quality and at the same time 17 Member States are under infringement procedures for not respecting the ambient air quality directive (AAQD). The way emissions are measured in tests also deviates significantly from real world emissions, with the latter being significantly higher, whereas they should be converging.

In light of the aforementioned, the primary objective was to table amendments that will ensure that the text is improved in a way that captures most of the issues at hand while not undermine the regulation's effectiveness and legal certainty, while reducing some of the connected administrative burdens.

Methane, being a very potent greenhouse gas is currently not calculated in the overall greenhouse gas emissions of vehicles and your rapporteur’s amendment is meant to further clarify the Proposal in this respect by providing Methane's inclusion in emission calculations through the method of CO₂ equivalent. Furthermore, the current upper mass limit for light duty vehicles necessitates duplication of type-approval for certain vehicle platforms, which adds considerable burden on manufacturers of such vehicles. As such your rapporteur’s amendment to raise the maximum mass threshold is meant to address this problem, while also stipulating the need for access for remote diagnostic support on these vehicles, in line with latest technological developments.

While significant progress has been made in the last years in the reduction of emissions of particulates, we consider that nano-particulates need to be considered in the calculation of particulate emissions.

As emissions from vehicles are directly related to fuel consumption and since there are possible benefits from having mandatory in-dash fuel consumption meters and gear-shift indicators in Light Duty vehicles as well, Commission is called on carrying out an Impact Assessment in this respect and to follow it up with a legislative proposal, if warranted by the results of the IA.

As technological developments in this sector are ongoing, it is necessary to confer empowerments on the European Commission to amend certain non-essential elements of this legislative act, so that action can be taken promptly, if needed. In addition, as the current testing cycles do not reflect real world conditions, your rapporteur calls on a review and adjustment of the test cycles without delay in order to avoid misleading consumers and product development based on skewed and inaccurate data. In addition, test cycle accuracy should be reviewed on a regular basis, as driving conditions and levels of traffic congestion change over time. To this end, your rapporteur calls on a review of the accuracy of test cycles on an ongoing basis, at intervals of two years.
AMENDMENTS

The Committee on the Internal Market and Consumer Protection calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a regulation
Recital 2

Text proposed by the Commission

(2) Although emissions of methane are not known to have a direct harmful effect on human health, methane is a strong greenhouse gas. Therefore, in line with the Communication of the Commission on the application and future development of Community legislation concerning vehicle emissions from light-duty vehicles and access to repair and maintenance information (Euro 5 and 6)\(^2\) and with Article 14(1) of Regulation (EC) 715/2007 of the European Parliament and of the Council\(^3\), the Commission should consider including methane emissions in the calculation of CO\(_2\) emissions.

Amendment

(2) Although emissions of methane are not known to have a direct harmful effect on human health, methane is a strong greenhouse gas. Therefore, in line with the communication of the Commission of 19 July 2008 on the application and future development of Community legislation concerning vehicle emissions from light-duty vehicles and access to repair and maintenance information (Euro 5 and 6)\(^1\) and with Article 14(1) of Regulation (EC) 715/2007 of the European Parliament and of the Council\(^2\), the Commission should consider including methane emissions in the calculation of CO\(_2\) emissions, in the framework of the revision of Regulation (EC) No 443/2009 of the European Parliament and of the Council\(^3a\), after carrying out a clear and detailed impact assessment evaluating the proper conversion of methane emissions into CO\(_2\) emissions and its feasibility.

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Amendment 2

Proposal for a regulation
Recital 3

*Text proposed by the Commission*

(3) In order to facilitate the introduction of natural gas vehicles the current total hydrocarbons (THC) emission limit should be *increased* and the effect of methane emissions should be taken into account and expressed as a CO\(_2\) equivalent for regulatory and consumer information purposes.

*Amendment*

(3) In order to facilitate the introduction of natural gas vehicles, the current total hydrocarbons (THC) emission limit should be *reviewed on the basis of a clear and detailed impact analysis* and the effect of methane emissions should be *considered to be* taken into account and expressed as a CO\(_2\) equivalent for regulatory and consumer information purposes.

Amendment 3

Proposal for a regulation
Recital 4

*Text proposed by the Commission*

(4) Modern diesel vehicles emit high and increasing amounts of NO\(_2\) as a share of the total NOx emissions which were not anticipated when Regulation (EC) No 715/2007 was adopted. Most air quality problems in affected urban areas appear to be related to direct NO\(_2\) emissions. *Therefore*, an appropriate emission limit should be introduced.

*Amendment*

(4) Modern diesel vehicles emit high and increasing amounts of NO\(_2\) as a share of the total NOx emissions which were not anticipated when Regulation (EC) No 715/2007 was adopted. Most air quality problems in affected urban areas appear to be related to *toxic NOx* and direct NO\(_2\) emissions. *For that reason*, an appropriate emission limit should *urgently* be introduced.

Amendment 4

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) The current emission limits for CO and total hydrocarbons (THC) after a cold start at low temperature have been carried over from Euro 3 requirements set out in Directive 98/69/EC of the European Parliament and of the Council\(^4\), which appear to be outdated in the light of existing vehicle technology and air quality needs. In addition, air quality problems and results of vehicle emission measurements suggest the need to introduce an appropriate limit for NO\(_x\)/NO\(_2\) emissions. Therefore, revised emission limits should be introduced pursuant to Article 14(5) of Regulation (EC) No 715/2007.


Amendment

(5) The current emission limits for CO and total hydrocarbons (THC) after a cold start at low temperature have been carried over from Euro 3 requirements set out in Directive 98/69/EC of the European Parliament and of the Council\(^4\), which appear to be outdated in the light of existing vehicle technology and air quality needs. In addition, air quality problems and results of vehicle emission measurements suggest the need to introduce an appropriate limit for NO\(_x\)/NO\(_2\) emissions.

Causing 41% of NO\(_x\) emissions, traffic is by far the main source of those emissions. In particular, the high efficiency of state-of-the-art motors is due to higher combustion temperatures which, in turn, produce higher amounts of NO\(_x\). NO\(_2\), on the other hand, is responsible for ozone formation, acid rain and irritation of the human respiratory system. Consequently, revised emission limits should be introduced pursuant to Article 14(5) of Regulation (EC) No 715/2007.


Proposal for a regulation

Recital 6 a (new)

Text proposed by the Commission

(6a) The potential to reduce fuel consumption, and therefore pollutant and...
greenhouse gas emissions, through fuel-efficient driving behaviour, has so far been insufficiently exploited. That is mainly due to a lack of information or awareness, or both, on the part of drivers about how to drive in a fuel-efficient way. The technical means for facilitating fuel-efficient driving should be focused on two types of in-vehicle systems: fuel consumption meters (FCM) and gear shift indicators (GSI).

Amendment 6

Proposal for a regulation
Recital 6 b (new)

Text proposed by the Commission

(6b) In accordance with the Commission’s impact assessment, mandatory installation of FCM would not put a significant burden on vehicle manufacturers. They can be installed at relatively small cost. Currently FCM are often unavailable or sold as part of optional packages, which impedes their widespread use. Furthermore, where available, such devices are often installed in ways that are not well suited to facilitate fuel-efficient driving (e.g. no permanent visibility, no instantaneous information on fuel consumption, divergence between the fuel consumption displayed and the actual one). At the same time, the widespread availability of FCM could help vehicle users to decrease the emissions level and monitor fuel consumption and, as a consequence, contribute to consumers’ ability to make more informed decisions when it comes to purchasing vehicles. Finally, consumers would be able to make a decision, in particular when buying used vehicles, also on the basis of realistic information on fuel consumption.
Amendment 7

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) In order to achieve EU air quality objectives and to ensure a continuous effort to reduce vehicle emissions, the power to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union (TFUE) should be delegated to the Commission in respect of the detailed rules on the application of Regulation (EC) No 715/2007 to vehicles of categories M₁, M₂, N₁ and N₂ with a reference mass exceeding 2 610 kg but with a maximum vehicle mass not exceeding 5 000 kg, the specific procedures, tests and requirements for type approval, the requirements for the implementation of the prohibition on the use of defeat devices that reduce the effectiveness of emission control systems, the measures necessary for the implementation of the obligation of a manufacturer to provide unrestricted and standardised access to vehicle repair and maintenance information, the replacement of the information on the mass of CO₂ emissions in the certificate of conformity with information on total mass of CO₂ emissions equivalents, the increase or removal of the limit value of total hydrocarbons emissions for positive ignition vehicles, the amendment of Regulation (EC) No 715/2007 for the purposes of recalibrating the particulate mass based limit values and introducing particle number based limit values that would correlate broadly with the petrol and diesel mass limit values, the adoption of a revised measurement procedure for particulates and a particle number limit value, a limit value for emissions of NO₂ and limits for tailpipe emissions at cold temperatures for vehicles approved as...
complying with the Euro 6 emission limits. 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 8**

Proposal for a regulation

Recital 8

*Text proposed by the Commission*

(8) *The Treaty of Lisbon* introduced the possibility for the legislator to delegate power to the Commission to adopt non-legislative acts of general application to supplement or amend certain non-essential elements of a legislative act. The measures which can be covered by delegations of powers, as referred to in Article 290(1) TFEU, correspond in principle to those covered by the regulatory procedure with scrutiny established by Article 5a of Council Decision 1999/468/EC. It is therefore necessary to adapt to Article 290 TFEU the provisions in Regulation (EC) No 715/2007 which provide for the use of the regulatory procedure with scrutiny.

*Amendment*

(8) *TFEU* introduced the possibility for the legislator to delegate power to the Commission to adopt non-legislative acts of general application to supplement or amend certain non-essential elements of a legislative act. The measures which can be covered by delegations of powers, as referred to in Article 290(1) TFEU, correspond in principle to those covered by the regulatory procedure with scrutiny established by Article 5a of Council Decision 1999/468/EC. It is therefore necessary to adapt to Article 290 TFEU the relevant provisions set out in Regulation (EC) No 715/2007 which provide for the use of the regulatory procedure with scrutiny. Such delegation of power should be conferred on the Commission from the entry into force of this Regulation for a four year period and could be tacitly extended for periods of an identical duration.

6 Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184,
Amendment 9

Proposal for a regulation
Article 1 – point 1
Article 2 – paragraph 2 – subparagraph 1

Text proposed by the Commission

After publication of the delegated acts adopted in accordance with the second subparagraph and at the manufacturer's request, this Regulation shall apply to vehicles of categories M₁, M₂, N₁ and N₂ as defined in Annex II to Directive 2007/46/EC of the European Parliament and of the Council* with a reference mass exceeding 2 610 kg but with a maximum vehicle mass not exceeding 5 000 kg.

Amendment

After publication of the delegated acts adopted in accordance with the second subparagraph and at the manufacturer's request, this Regulation shall apply to vehicles of categories M₁, M₂, N₁ and N₂ as defined in Annex II to Directive 2007/46/EC of the European Parliament and of the Council* with a reference mass exceeding 2 610 kg but with a maximum vehicle mass not exceeding 7 500 kg.


Amendment 10

Proposal for a regulation
Article 1 – point 1
Article 2 – paragraph 2 – subparagraph 2

Text proposed by the Commission

The Commission shall be empowered to adopt delegated acts in accordance with Article 14a concerning the detailed rules on the application of this Regulation to vehicles of categories M₁, M₂, N₁ and N₂ as defined in Annex II to Directive 2007/46/EC with a reference mass exceeding 2 610 kg but with a maximum vehicle mass not exceeding 5 000 kg. The delegated acts shall ensure in particular that at chassis dynamometer tests the actual operational mass of the vehicle is

Amendment

The Commission shall be empowered to adopt delegated acts in accordance with Article 14a concerning the detailed rules on the application of this Regulation to vehicles of categories M₁, M₂, N₁ and N₂ as defined in Annex II to Directive 2007/46/EC with a reference mass exceeding 2 610 kg but with a maximum vehicle mass not exceeding 7 500 kg. The delegated acts shall ensure in particular that at chassis dynamometer tests the actual operational mass of the vehicle is
appropriately considered for determining the equivalent inertia as well as other default power and load parameters.

Amendment 11

Proposal for a regulation
Article 1 – point 1 a (new)
Article 3 – paragraph 1 – point 17 a (new)

Text proposed by the Commission

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

"(17a) ‘fuel consumption meter’ (FCM) means a device which provides the driver with accurate information about the real fuel consumption of the vehicle, including at least the following data: instantaneous fuel consumption (l/100 km), average fuel consumption (l/100 km), fuel consumption when idling (l/hour) and lifetime fuel consumption (l);"

Amendment 12

Proposal for a regulation
Article 1 – point 1 b (new)
Article 3 – paragraph 1 – point 17 b (new)

Text proposed by the Commission

(1b) In Article 3, the following point is inserted:

"(17b) "normal use" means any road and driving conditions that can generally be met across the European transport network."

Amendment 13

Proposal for a regulation
Article 1 – point 2 a (new)
Article 5 – paragraph 1

Present text

1. The manufacturer shall equip vehicles so that the components likely to affect emissions are designed, constructed and assembled so as to enable the vehicle, in normal use, to comply with this Regulation and its implementing measures.

Amendment

(2a) Article 5(1) is replaced by following:

1. The manufacturer shall equip vehicles so that the components likely to affect emissions are designed, constructed and assembled so as to enable the vehicle, in normal use, to comply with this Regulation and its implementing measures. When correction factors (CF) are used in testing procedures measuring real life emissions, such CFs shall only reflect the uncertainty of the measuring devices.

The manufacturer shall ensure effectiveness of emission control systems in respect of the limits also set out for NOx and NO₂.

The manufacturer shall equip vehicles with the FCM in accordance with the requirements of this Regulation and its implementing measures.

Amendment 14

Proposal for a regulation
Article 1 – point 3 a (new)
Article 5 – paragraph 3 – point i a (new)

Text proposed by the Commission

(3a) The following point is inserted:

"(ia) FCMs;"

Amendment 15

Proposal for a regulation
Article 1 – point 4
Article 8
The Commission shall be empowered to adopt delegated acts in accordance with Article 14a in order to implement Articles 6 and 7. This shall include the definition and updating of technical specifications relating to the way in which OBD and vehicle repair and maintenance information shall be provided, with special attention being paid to the specific needs of SMEs.

Amendment 16

Proposal for a regulation
Article 1 – point 5 – point a
Article 14 – paragraph 1 – point a

(a) the replacement of the information on the mass of CO\textsubscript{2} emissions in the certificate of conformity referred to in Article 18 of Directive 2007/46/EC with the information on total mass of CO\textsubscript{2} emissions equivalents, which shall be the sum of the mass of CO\textsubscript{2} emissions and methane emissions, expressed as equivalent mass of CO\textsubscript{2} emissions with regard to their greenhouse gas effects;

Amendment 17

Proposal for a regulation
Article 1 – point 5 – point a
Article 14 – paragraph 1 – point b

(a) the review of the information on the mass of CO\textsubscript{2} emissions in the certificate of conformity referred to in Article 18 of Directive 2007/46/EC, in the framework of the revision of Regulation (EC) No 443/2009, based on the information on total mass of CO\textsubscript{2} emissions equivalents, which should be considered to be the sum of the mass of CO\textsubscript{2} emissions and methane emissions, expressed as equivalent mass of CO\textsubscript{2} emissions with regard to their greenhouse gas effects;
(b) the increase or removal of the limit value of total hydrocarbons (THC) emissions for positive ignition vehicles.

Amendment 18
Proposal for a regulation
Article 1 – point 5 – point a
Article 14 – paragraph 2 – introductory part

Text proposed by the Commission
2. After the completion of the UN/ECE Particulate Measurement Programme, conducted under the auspices of the World Forum for Harmonisation of Vehicle Regulations, and at the latest upon entry into force of Euro 6, the Commission shall be empowered to adopt delegated acts in accordance with Article 14a in order to adopt the following measures, without lowering the level of environmental protection within the Union:

Amendment
2. After the completion of the UN/ECE Particulate Measurement Programme, conducted under the auspices of the World Forum for Harmonisation of Vehicle Regulations, and at the latest upon entry into force of Euro 6, the Commission shall be empowered to adopt, without undue delay, delegated acts in accordance with Article 14a in order to adopt the following measures, without lowering the level of environmental protection within the Union:

Amendment 19
Proposal for a regulation
Article 1 – point 5 – point a
Article 14 – paragraph 2 – point b

Text proposed by the Commission
(b) adoption of a revised measurement procedure for particulates and a particle number limit value.

Amendment
(b) adoption of a revised measurement procedure for particulates, including nanoparticles, and a particle number limit value.
Amendment 20

Proposal for a regulation
Article 1 – point 5 – point a
Article 14 – paragraph 3

Text proposed by the Commission

3. 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 those procedures, tests, requirements and test cycles are no longer adequate or no longer reflect real world emissions, the Commission shall act in accordance with Article 5(3) in order to adapt them so as to adequately reflect the emissions generated by real driving on the road.

Amendment

3. The Commission shall, as soon as possible, review the procedures, tests and requirements referred to in Article 5(3) as well as the test cycles used to measure emissions. Following that review, the Commission shall, by means of delegated acts referred to in Article 5(3), adapt procedures, test cycles and requirements so as to adequately reflect the emissions generated by real driving on the road. That review shall be conducted every two years.

Amendment 21

Proposal for a regulation
Article 1 – point 6
Article 14 a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in the second subparagraph of Article 2(2), Article 5(3), Article 8 and in Article 14(1) to (5) shall be conferred on the Commission for an indeterminate period of time from [...]Publications Office, please insert the exact date of entry into force].

Amendment

2. The power to adopt delegated acts referred to in the second subparagraph of Article 2(2), Article 5(3), Article 8 and in Article 14(1) to (5) shall be conferred on the Commission for a period of four years from [...]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of four 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 22

Proposal for a regulation
Article 2 – point 1 a (new)
Regulation (EC) No 595/2009
Article 3 – point 16 a (new)

Text proposed by the Commission

Amendment

(1a) In Article 3, the following point is added:

"16a. 'fuel consumption meter' (FCM) means a device which provides the driver with accurate information about the real fuel consumption of the vehicle, including at least the following data: instantaneous fuel consumption (l/100 km), average fuel consumption (l/100 km), fuel consumption when idling (l/hour) and lifetime fuel consumption (l)."

Amendment 23

Proposal for a regulation
Article 2 – point 1 b (new)
Regulation (EC) No 595/2009
Article 5 – paragraph 2 – subparagraph 2 (new)

Text proposed by the Commission

Amendment

(1b) The following subparagraph is added:

"The manufacturer shall equip vehicles with the FCM in accordance with requirements of this Regulation and its implementing measures."
Amendment 24

Proposal for a regulation
Article 2 – point 1 c (new)
Regulation (EC) No 595/2009
Article 5 – paragraph 4 – point k a (new)

Text proposed by the Commission

Amendment

(1c) In Article 5(4), the following point is added:

"(ka) FCMs"

Amendment 25

Proposal for a regulation
Article 2 – point 2
Regulation (EC) No 595/2009
Annex I – table "Euro VI Emission Limits" – Column 9

Text proposed by the Commission

Amendment

(2)". (2) 6,0 x 1011"

Amendment 26

Proposal for a regulation
Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3a

Gear shift indicators

The Commission shall assess by 30 June 2016 the appropriateness of introducing requirements to fit gear shift indicators in vehicles with a manual gearbox other than those of category M1 for which a requirement already applies under existing Union legislation. Based on that assessment, the Commission shall submit, where appropriate, a legislative proposal extending the scope of application of Article 11 of Regulation (EC) No 661/2009 of the European Parliament and
of the Council\textsuperscript{1a} to additional categories of vehicles.

## PROCEDURE

<table>
<thead>
<tr>
<th>Title</th>
<th>Reduction of pollutant emissions from road vehicles</th>
</tr>
</thead>
</table>
| Committee responsible | ENVI  
Date announced in plenary | 6.2.2014 |
| Opinion by | IMCO  
Date announced in plenary | 6.2.2014 |
| Rapporteur | Róża Gräfin von Thun und Hohenstein  
Date appointed | 3.12.2014 |
| Discussed in committee | 6.5.2015  
4.6.2015  
22.6.2015 |
| Date adopted | 29.6.2015 |
| Result of final vote | +: 20  
 -: 9  
0: 1 |
| Substitutes present for the final vote | Lucy Anderson, Pascal Arimont, Birgit Collin-Langen, Roberta Metsola, Lambert van Nistelrooij |