



**2019/0101(COD)**

17.12.2019

# **AMENDMENTS**

## **9 - 19**

### **Draft opinion**

**Anna Cavazzini**

(PE643.178v01-00)

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

Proposal for a regulation

(COM(2019)0208 – C9-0009/2019 – 2019/0101(COD))



**Amendment 9**  
**Virginie Joron**

**Proposal for a regulation**  
**Recital 3**

*Text proposed by the Commission*

(3) The type-approval requirements relating to emissions from motor vehicles have been gradually and significantly tightened through the introduction and subsequent revision of Euro standards. While vehicles in general have delivered substantial emission reductions across the range of regulated pollutants, this was not the case for NO<sub>x</sub> emissions from diesel engines or particles for gasoline direct injection engines, installed in particular in light-duty vehicles. Actions for correcting this situation are therefore needed.

*Amendment*

(3) The type-approval requirements relating to emissions from motor vehicles have been gradually and significantly tightened through the introduction and subsequent revision of Euro standards. While vehicles in general have delivered substantial emission reductions across the range of regulated pollutants, this was not the case for NO<sub>x</sub> emissions from diesel engines or particles for gasoline direct injection engines, installed in particular in light-duty vehicles. Actions for correcting this situation are therefore needed, ***while not penalising individuals who already own vehicles with diesel or direct injection petrol engines.***

Or. fr

**Amendment 10**  
**Virginie Joron**

**Proposal for a regulation**  
**Recital 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***(3a) The transparency of repair information for internal market actors is an important value of the Union, especially for Europeans wishing to sell or buy a second-hand car in Europe.***

Or. fr

**Amendment 11**  
**Monika Beňová, Brando Benifei, Maria Grapini, Maria Manuel Leitão Marques, Christel Schaldemose, Alex Agius Saliba**

**Proposal for a regulation**  
**Recital 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**(3a)** *Access to vehicle repair and maintenance information for independent operators is crucial in order to re-establish consumers trust.*

Or. en

**Amendment 12**

**Monika Beňová, Brando Benifei, Maria Grapini, Maria Manuel Leitão Marques, Christel Schaldemose, Alex Agius Saliba**

**Proposal for a regulation**  
**Recital 3 b (new)**

*Text proposed by the Commission*

*Amendment*

**(3b)** *Recent violations of the existing legal framework by manufacturers, including legal obligations under Regulation (EC) No 715/2007, demonstrated the lack of control and enforcement mechanisms. Consumers were left without satisfactory compensation, since even where compensation was granted, it did not bring the vehicles into conformity with Euro 5 and 6 standards. Since increasingly issued diesel bans across European cities affect citizens' daily life, adequate compensation measures would be the re-equipment of affected vehicles with the latest exhaust treatment technology ("hardware change") or the offer of conversion premiums in case the consumer wishes to exchange a purchased vehicle for a cleaner model.*

Or. en

**Amendment 13**  
**Evžen Tošenovský**

**Proposal for a regulation**  
**Recital 11**

*Text proposed by the Commission*

(11) In order to contribute to the achievement of the Union's air quality objectives and to reduce vehicle emissions, the power to adopt 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 specific procedures, tests and requirements for type approval. That delegation should include supplementing Regulation (EC) No 715/2007 by such revised rules as well as the test cycles used to measure emissions; 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 adoption of a revised measurement procedure for particulates. The delegation should further include amending Regulation (EC) No 715/2007 for the purposes of revising the final conformity factors downwards to reflect technical progress in PEMS and recalibrating the particulate mass based limit values and introducing particle number based limit values. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations are conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time as Member States' experts, and their

*Amendment*

(11) In order to contribute to the achievement of the Union's air quality objectives and to reduce vehicle emissions, the power to adopt 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 specific procedures, tests and requirements for type approval. That delegation should include supplementing Regulation (EC) No 715/2007 by such revised rules as well as the test cycles used to measure emissions; the requirements for the implementation of the prohibition on the use of defeat devices that reduce the effectiveness of emission control systems; the adoption of a revised measurement procedure for particulates. ***Notwithstanding the short gap between the entry into force of this Regulation and the repeal of the provisions regarding repair and maintenance information (RMI) by Regulation (EU) 2018/858, for the purposes of legal certainty and to ensure all options are available to the legislator, the delegation should also include 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 delegation should further include amending Regulation (EC) No 715/2007 for the purposes of revising the final conformity factors downwards to reflect technical progress in PEMS and recalibrating the particulate mass based limit values and introducing particle number based limit values. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations are conducted in accordance

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with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time as Member States' experts, and their experts systematically should have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. en

**Amendment 14**  
**Kateřina Konečná**

**Proposal for a regulation**  
**Recital 11**

*Text proposed by the Commission*

(11) In order to contribute to the achievement of the Union's air quality objectives and to reduce vehicle emissions, the power to adopt 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 specific procedures, tests and requirements for type approval. That delegation should include supplementing Regulation (EC) No 715/2007 by such revised rules as well as the test cycles used to measure emissions; 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 adoption of a revised measurement procedure for particulates. The delegation should further include amending Regulation (EC) No 715/2007 for the purposes of revising the

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final conformity factors downwards to reflect technical progress in PEMS and recalibrating the particulate mass based limit values and introducing particle number based limit values. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations are conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time as Member States' experts, and their experts systematically should have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

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Or. en

#### *Justification*

*There is no justification to change anything in Regulation (EC) No 715/2007 on repair and maintenance information (RMI) because all of the RMI provisions have now been moved into the new Type Approval Framework Regulation, Regulation (EU) 2018/858.*

#### **Amendment 15**

**Monika Beňová, Brando Benifei, Maria Grapini, Adriana Maldonado López, Maria Manuel Leitão Marques, Christel Schaldemose, Alex Agius Saliba**

#### **Proposal for a regulation**

##### **Recital 11**

#### *Text proposed by the Commission*

(11) In order to contribute to the achievement of the Union's air quality objectives and to reduce vehicle emissions, the power to adopt 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

#### *Amendment*

(11) In order to contribute to the achievement of the Union's air quality objectives and to reduce vehicle emissions, the power to adopt 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 specific procedures, tests and requirements for type approval. That delegation should include supplementing Regulation (EC) No 715/2007 by such revised rules as well as the test cycles used to measure emissions; 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 adoption of a revised measurement procedure for particulates. The delegation should further include amending Regulation (EC) No 715/2007 for the purposes of revising the final conformity factors downwards to reflect technical progress in PEMS and recalibrating the particulate mass based limit values and introducing particle number based limit values. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations are conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time as Member States' experts, and their experts systematically should have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

on the specific procedures, tests and requirements for type approval. That delegation should include supplementing Regulation (EC) No 715/2007 by such revised rules as well as the test cycles used to measure emissions; 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 ***especially but not limited to vehicles that have been sold to consumers who have been misinformed about the emission level of such vehicles, resulting in damages caused to consumers***; the adoption of a revised measurement procedure for particulates. The delegation should further include amending Regulation (EC) No 715/2007 for the purposes of revising the final conformity factors downwards to reflect technical progress in PEMS and recalibrating the particulate mass based limit values and introducing particle number based limit values. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations are conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time as Member States' experts, and their experts systematically should have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. en



## Amendment 16

Monika Beňová, Brando Benifei, Maria Grapini, Adriana Maldonado López, Maria Manuel Leitão Marques, Christel Schaldemose, Alex Agius Saliba

### Proposal for a regulation

#### Recital 14

##### *Text proposed by the Commission*

(14) Since the objectives of this Regulation, namely to lay down rules on emissions from motor vehicles in order to contribute to the achievement of the basic air quality objectives, cannot be sufficiently achieved by the Member States as motor vehicles with a valid type approval may be marketed across national boundaries but can rather, by reason of the scale and effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

##### *Amendment*

(14) Since the objectives of this Regulation, namely to lay down rules on emissions from motor vehicles in order to contribute to the achievement of the basic air quality objectives, cannot be sufficiently achieved by the Member States as motor vehicles with a valid type approval may be marketed across national boundaries **and consumers have to be equally protected in the whole Union** but can rather, by reason of the scale and effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

Or. en

## Amendment 17

Kateřina Konečná

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 6

Regulation (EC) No 715/2007

Article 8

##### *Text proposed by the Commission*

(6) *Article 8 is replaced by the following:*

*“Article 8*

*Delegated acts on access to vehicle repair and maintenance information*

##### *Amendment*

*deleted*

***The Commission is empowered to adopt delegated acts in accordance with Article 14a in order to supplement 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.”;***

Or. en

*Justification*

*All requirements relating to RMI have been moved into the type approval framework regulation (EU) 2018/858. There is therefore no need for any delegated powers on RMI in respect of Regulation (EC) No 715/2007.*

**Amendment 18**

**Monika Beňová, Brando Benifei, Maria Grapini, Adriana Maldonado López, Maria Manuel Leitão Marques, Christel Schaldemose, Alex Agius Saliba**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 6**

Regulation (EC) No 715/2007

Article 8 – paragraph 1

*Text proposed by the Commission*

The Commission is empowered to adopt delegated acts in accordance with Article 14a in order to supplement 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*

The Commission is empowered to adopt delegated acts in accordance with Article 14a in order to supplement 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, ***micro-enterprises and self-employed operators.***;

Or. en

*Justification*

*Necessary in order to improve the scope.*

**Amendment 19**  
**Maria Grapini, Monika Beňová**

**Proposal for a regulation**  
**Article 3 – paragraph 1**

*Text proposed by the Commission*

This Regulation shall enter into force on the *third* day following that of its publication in the Official Journal of the European Union.

*Amendment*

This Regulation shall enter into force on the *fifth* day following that of its publication in the Official Journal of the European Union.

Or. en