



EUROPEAN PARLIAMENT

2009 - 2014

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*Committee on Industry, Research and Energy*

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**2009/0173(COD)**

28.6.2010

## **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 European Parliament and Council regulation on  
Setting emission performance standards for new light commercial vehicles as  
part of the Community's integrated approach to reduce CO<sub>2</sub> emissions from  
light-duty vehicles  
(COM(2009)0593 – C7-0271/2009 – 2009/0173(COD))

Rapporteur (\*): Werner Langen

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

## SHORT JUSTIFICATION

There has been a Community strategy to reduce CO<sub>2</sub> emissions from light-duty vehicles since 1995. The Environment Council, in its conclusions of 10 October 2000, requested the Commission to study measures to reduce CO<sub>2</sub> emissions from light commercial vehicles. Regulation (EC) No 443/2009 set targets for the reduction of CO<sub>2</sub> emissions from passenger cars and also highlighted the need for CO<sub>2</sub> targets for light commercial vehicles.

Light commercial vehicles are mainly used by small and medium-sized enterprises, currently making up around 12% of the fleet. They are a means of transport for craftspeople, courier and express delivery services and many retailers such as florists, restaurateurs, etc. They are essential for providing people with necessary everyday items, creating jobs and encouraging growth in many regions of the EU.

### 1. Legal basis

In the rapporteur's view, Article 144 TFEU (ex Article 95 of the EC Treaty) must be added to the legal basis, as the rules also aim to harmonise the internal market.

### 2. Objectives of the draft regulation

With this proposed regulation the Commission seeks gradually to achieve a single target for CO<sub>2</sub> emissions of 175 g CO<sub>2</sub>/km for light commercial vehicles between 2014 and 2016. The proposal sets out a long-term target value of 135 g CO<sub>2</sub>/km for light commercial vehicles; subject to confirmation of feasibility by means of updated impact assessment results, this should come into operation in 2020. The European Parliament supports the overall targets pursued by the Commission but considers a longer transition period to be indispensable. The regulation that is to be adopted by the Council and Parliament must seek to achieve sustainable reduction targets which have a neutral effect on competition, are socially acceptable and take account of the wide variety of European car manufacturers and their position in international competition and the legitimate concerns of SMEs.

### 3. Introductory phase

The development of new types and platforms in the field of light commercial vehicles takes, according to the automobile industry, up to 10 years, and production cycles are longer than for passenger cars. The Commission has proposed implementing the target of 175 g CO<sub>2</sub> over a transitional period of several years. In view of the longer cycles, the phase-in should begin in 2015, as vehicles which will be sold in 2014 are already in the development or production phase. A transition period of 2015-2018 combined with an alternative grading of 65%, 75%, 80% and 100% of the new car fleet in order to achieve the target also corresponds to the period and grading in the Regulation on the reduction of CO<sub>2</sub> emissions from passenger cars (EC) No 443/2009. The achievement of the adjusted long-term target of 150 g CO<sub>2</sub>/km should be introduced gradually from 2018 so as to facilitate transitional periods for manufacturers and the continuous implementation of innovative and fuel-economising technologies.

### 4. Vehicles built in stages

Commercial vehicles are often built in stages. A vehicle manufacturer firstly delivers a chassis, which a coach builder takes as the basis to work towards a complete vehicle. The proportion of small commercial vehicles built in this way is around 25%, with a larger proportion in the case of heavy commercial vehicles. These are included in the draft regulation. An interim method for determining the emissions of the completed vehicle should be applied, whereby the manufacturer takes responsibility for the CO<sub>2</sub> emissions of a completed vehicle. The proposed method is not, however, suitable as a valid assessment of the emissions of whole vehicles. Moreover, manufacturers do not possess the requisite data. The Commission has already discussed other methods for determining the precise CO<sub>2</sub> emissions from vehicles built in stages in a working document and is hereby called upon to submit to the European Parliament and the Council a proposal for a satisfactory method of determining the specific CO<sub>2</sub> emissions from completed vehicles by 2011.

## 5. Penalties

A premium in the event of the target values being exceeded was set out in the Regulation on the reduction of CO<sub>2</sub> emissions from passenger cars. For a 6-year transition period, the penalty will be between 5 and 95 euros per gram, depending on the amount by which the target value is exceeded; thereafter, it will be 95 euros per gram of excess. The Commission has proposed a similar system for light commercial vehicles, with an upper limit of 120 euros. Any excess emissions premium may not be greater for light commercial vehicles than for passenger cars. The requirements should therefore be analogous to the Regulation on the reduction of CO<sub>2</sub> emissions from passenger cars (EC) No 443/2009 in terms of the size of the premium and the period covered.

## 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

#### First citation

*Text proposed by the Commission*

– Having regard to the Treaty establishing the European Community, and in particular Article **175(1) thereof**,

*Amendment*

– Having regard to the Treaty on the functioning of the European Union, and in particular Article **192(1) thereof**,

*Justification*

*Technical adjustment as the regulation was proposed before the Lisbon Treaty came into force.*

## Amendment 2

### Proposal for a regulation Recital 1 a (new)

*Text proposed by the Commission*

*Amendment*

***(1a) The Commission completed a review of the sustainable Development Strategy with a focus on the most pressing problems for sustainable development such as transport, climate change, public health and energy conservation. These problems are all interlinked and can be addressed with energy efficiency measures in transport.***

*Justification*

*There should be some reference to the overarching strategies of the European Union – the sustainable Development Strategy is an important strategy document not yet mentioned in the recitals.*

## Amendment 3

### Proposal for a regulation Recital 2 a (new)

*Text proposed by the Commission*

*Amendment*

***(2a) Whereas the growth of road traffic and the resulting increase in danger and nuisance present all Member States with road safety and environmental problems of a serious nature.***

*Justification*

*The publication of the new TERM report by the European Environment Agency has just underlined that road traffic continues to lead to serious environmental problems in Europe. The safety aspect of road traffic should also be highlighted.*

## Amendment 4

### Proposal for a regulation

#### Recital 9 a (new)

*Text proposed by the Commission*

*Amendment*

***(9a) Directive 1999/94/EC already requires that "promotional literature" for cars provides end-users with "the official CO2 emission data and the official fuel consumption of the vehicle". The Commission has interpreted this as including advertising in its recommendation 2003/217/EC. The scope of Directive 1999/94/EC should therefore be extended to Light Commercial Vehicles (LCV), so that advertisement for any LCV be required to provide end-users with the official CO2 emission data and fuel consumption of the vehicle where energy or price related information is disclosed.***

## Amendment 5

### Proposal for a regulation

#### Recital 13

*Text proposed by the Commission*

*Amendment*

(13) Manufacturers should have flexibility to decide how to meet their targets under this Regulation and should be allowed to average emissions over their new vehicle fleet rather than having to respect CO2 targets for each individual vehicle. Manufacturers should therefore be required to ensure that the average specific emission for all the new light commercial vehicles registered in the Community for which they are responsible does not exceed the average of the emissions targets for those vehicles. This requirement should be phased in between **2014 and 2016** in order to facilitate its introduction. This is consistent with the lead times given and the duration of the phase-in period set in Regulation 443/2009.

(13) Manufacturers should have flexibility to decide how to meet their targets under this Regulation and should be allowed to average emissions over their new vehicle fleet rather than having to respect CO2 targets for each individual vehicle. Manufacturers should therefore be required to ensure that the average specific emission for all the new light commercial vehicles registered in the Community for which they are responsible does not exceed the average of the emissions targets for those vehicles. This requirement should be phased in between **2015 and 2018** in order to facilitate its introduction. This is consistent with the lead times given and the duration of the phase-in period set in Regulation 443/2009.

### *Justification*

*In view of the longer production cycles, the phase-in should begin in 2015, as vehicles which will be sold in 2014 are already in the development or production phase. A transition period of 2015-2018 with an alternative grading of 65/75/80/100% corresponds to the period and grading in the Regulation on the reduction of CO<sub>2</sub> emissions from passenger cars (EC) No 443/2009.*

#### **Amendment 6**

##### **Proposal for a regulation Recital 14**

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

(14) In order to ensure that targets reflect the particularities of small and niche manufacturers and are consistent with the manufacturer's reduction potential, alternative emission reduction targets should be set for such manufacturers taking into account the technological potential of a given manufacturer's vehicles to reduce their specific emissions of CO<sub>2</sub> and consistently with the characteristics of the market segments concerned. This derogation should be covered by the review of the specific emission targets in Annex I, to be completed by the beginning of 2013 at the latest.

###### *Amendment*

(14) In order to ensure that targets reflect the particularities of small and niche manufacturers and are consistent with the manufacturer's reduction potential, alternative emission reduction targets should be set for such manufacturers taking into account the technological potential of a given manufacturer's vehicles to reduce their specific emissions of CO<sub>2</sub> **and the average level of CO<sub>2</sub> emissions from the light commercial vehicles of all manufacturers** and consistently with the characteristics of the market segments concerned. This derogation should be covered by the review of the specific emission targets in Annex I, to be completed by the beginning of 2013 at the latest.

### *Justification*

*Setting alternative emission targets will require these manufacturers to make greater efforts than fleet manufacturers but at the same time will give them fair conditions, with the average value of CO<sub>2</sub> emissions of manufacturers of light commercial vehicles used as the point of reference.*

#### **Amendment 7**

##### **Proposal for a regulation Recital 20**

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

(20) Manufacturers' compliance with the

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###### *Amendment*

(20) Manufacturers' compliance with the

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targets under this Regulation should be assessed at the Community level. Manufacturers whose average specific emissions of CO<sub>2</sub> exceed those permitted under this Regulation should pay an excess emissions premium with respect to each calendar year from **1 January 2014**. The premium should be modulated as a function of the extent to which manufacturers fail to comply with their target. In order to ensure consistency, the premium mechanism should be similar to the one set in Regulation (EC) No 443/2009. The amounts of the excess emissions premium should be considered as revenue in the General Budget of the European Union.

targets under this Regulation should be assessed at the Community level. Manufacturers whose average specific emissions of CO<sub>2</sub> exceed those permitted under this Regulation should pay an excess emissions premium with respect to each calendar year from **1 January 2015**. The premium should be modulated as a function of the extent to which manufacturers fail to comply with their target. In order to ensure consistency, the premium mechanism should be similar to the one set in Regulation (EC) No 443/2009. The amounts of the excess emissions premium should be considered as revenue in the General Budget of the European Union.

#### *Justification*

*In view of the longer production cycles for light commercial vehicles, the phase-in should begin in 2015, as vehicles which will be sold in 2014 are already in the development or production phase. Similarly, the excess emissions premium should be imposed starting from 1 January 2015.*

## **Amendment 8**

### **Proposal for a regulation Recital 21 a (new)**

*Text proposed by the Commission*

*Amendment*

***(21a) In order to ensure that the values of CO<sub>2</sub> emissions and fuel efficiency of completed vehicles are representative and that the actual CO<sub>2</sub> emissions are not underestimated, the Commission should come forward with a specific calculation methodology to determine the emissions for each type of vehicle.***

#### *Justification*

*The method proposed by the Commission for determining the specific emissions of CO<sub>2</sub> of completed vehicles has already been described as unsuitable in a Commission working document, where reference is made to developing an alternative method. Due to the high market share, an appropriate procedure to obtain representative values of CO<sub>2</sub> emissions and mass of completed vehicles needs to be determined as soon as possible.*

## Amendment 9

### Proposal for a regulation

#### Recital 23

*Text proposed by the Commission*

*Amendment*

***(23) New modalities should be considered for reaching the long-term target, in particular the slope of the curve, the utility parameter and the excess emissions premium scheme.*** ***deleted***

*Justification*

*Referring to the introduction of additional modalities does not fit in with the approach of the draft regulation.*

## Amendment 10

### Proposal for a regulation

#### Recital 24

*Text proposed by the Commission*

*Amendment*

***(24) The speed of road vehicles has a strong influence on their fuel consumption and CO2 emissions. In addition, in the absence of speed limitation for light commercial vehicles, it is possible that there is an element of competition as regards top speed which could lead to oversized powertrains and associated inefficiencies in slower operating conditions. It is therefore appropriate to investigate the feasibility of extending the scope of Council Directive 92/6/EEC on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community, with the aim of including light commercial vehicles covered in this Regulation.*** ***deleted***



### *Justification*

*Rules for limiting the speed of vehicles are the responsibility of the Member States. These measures were introduced for reasons of road safety, not for environmental reasons.*

#### **Amendment 11**

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

##### **Article 1 – paragraph 2**

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

2. From 2020, this Regulation sets a target of **135 g CO<sub>2</sub>/km** for the average emissions of new light commercial vehicles registered in the Community.

###### *Amendment*

2. From 2020, this Regulation sets a target of **150 g CO<sub>2</sub>/km** for the average emissions of new light commercial vehicles registered in the Community.

#### **Amendment 12**

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

##### **Article 1 – paragraph 2 a (new)**

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

###### *Amendment*

**2a. This Regulation is complemented by additional measures corresponding to a reduction of 10 g CO<sub>2</sub>/km as part of the Community's integrated approach.**

### *Justification*

*This proposal is a continuation of the Commission's regulatory process to address the climate change impacts of road vehicles initiated in 2007.*

*It's a continuation, and additionally the provisions should be consistent with the legislative framework for implementing the objectives concerning emissions from the new passenger cars set out in Regulation (EC) NO 443/2009, as it is clearly recognized under the Recital 6 and Article 11 of the present proposal of the regulation.*

#### **Amendment 13**

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

##### **Article 2 – paragraph 2**

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

2. A previous registration outside the

###### *Amendment*

2. A previous registration outside the

Community less than three months before registration in the Community shall not be taken into account.

Community ***made*** less than three months before registration in the Community shall not be taken into account.

#### *Justification*

*The amendment aims at linguistic clarity and conformity with the text of the Regulation on the reduction of CO<sub>2</sub> emissions from cars (EC) No 443/2009.*

### **Amendment 14**

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

##### **Article 3 – paragraph 1 – point f**

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

(f) 'specific emissions of CO<sub>2</sub>' means the emissions of a light commercial vehicle measured in accordance with Regulation (EC) No 715/2007 and specified as the CO<sub>2</sub> mass emission (combined) in the certificate of conformity;

###### *Amendment*

(f) 'specific emissions of CO<sub>2</sub>' means the emissions of a light commercial vehicle measured in accordance with Regulation (EC) No 715/2007 and specified as the CO<sub>2</sub> mass emission (combined) in the certificate of conformity ***of the complete or completed vehicle;***

### **Amendment 15**

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

##### **Article 3 – paragraph 1 – point g**

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

(g) 'specific emissions target' means, in relation to a manufacturer, the average of the indicative specific emissions of CO<sub>2</sub> determined in accordance with Annex I in respect of each new light commercial vehicle for which it is the manufacturer.

###### *Amendment*

(g) 'specific emissions target' means, in relation to a manufacturer, the average of the indicative specific emissions of CO<sub>2</sub> determined in accordance with Annex I in respect of each new light commercial vehicle for which it is the manufacturer, ***or, if the manufacturer is granted a derogation in accordance with Article 10, the specific emissions target determined according to the derogation.***

#### *Justification*

*The reference to the specific emissions targets for manufacturers granted a derogation in accordance to Article 10 of this Regulation should be incorporated, for reasons of conformity with the text of the Regulation on the reduction of CO<sub>2</sub> emissions from cars (EC) No*

443/2009.

## Amendment 16

### Proposal for a regulation

#### Article 3 – paragraph 1 – point g a (new)

*Text proposed by the Commission*

*Amendment*

***(ga) ‘footprint’ means the track width multiplied by the wheelbase as stated in the certificate of conformity and defined in sections 2.1 and 2.3 of Annex I to Directive 2007/46/EC.***

*Justification*

*Definition added for consistency with Annex II, Part B, Paragraph 5 and 6.*

## Amendment 17

### Proposal for a regulation

#### Article 3 – paragraph 1 – point g b (new)

*Text proposed by the Commission*

*Amendment*

***(gb) ‘Payload’: the difference between the technically permissible maximum laden mass pursuant to Annex III to Directive 2007/46/EC and the mass of the vehicle.***

*Justification*

*In the interest of legal certainty and clarity, all relevant terms for which the Regulation lays down rules should be incorporated in Article 3 ‘Definitions’.*

## Amendment 18

### Proposal for a regulation

#### Article 4

*Text proposed by the Commission*

*Amendment*

For the calendar year commencing ***1 January 2014*** and each subsequent calendar year, each manufacturer of light commercial vehicles shall ensure that its

For the calendar year commencing ***1 January 2015*** and each subsequent calendar year, each manufacturer of light commercial vehicles shall ensure that its

average specific emissions of CO<sub>2</sub> do not exceed its specific emissions target determined in accordance with Annex I or, where a manufacturer is granted a derogation under Article 10, in accordance with that derogation.

For the purpose of determining each manufacturer's specific emissions of CO<sub>2</sub>, the following percentages of each manufacturer's new light commercial vehicles registered in the relevant year shall be taken into account:

- 75% in **2014**,
- 80% in **2015**,
- 100% from **2016** onwards.

## **Amendment 19**

### **Proposal for a regulation Article 5**

#### *Text proposed by the Commission*

In calculating the average specific emissions of CO<sub>2</sub>, each new light commercial vehicle with specific emissions of CO<sub>2</sub> of less than 50 g CO<sub>2</sub>/km shall be counted as:

- **2.5** light commercial vehicles in **2014**,
- **1.5** light commercial vehicles in **2015**,
- **1** light commercial vehicle from **2016**.

## **Amendment 20**

### **Proposal for a regulation Article 5 a (new)**

#### *Text proposed by the Commission*

average specific emissions of CO<sub>2</sub> do not exceed its specific emissions target determined in accordance with Annex I or, where a manufacturer is granted a derogation under Article 10, in accordance with that derogation.

For the purpose of determining each manufacturer's specific emissions of CO<sub>2</sub>, the following percentages of each manufacturer's new light commercial vehicles registered in the relevant year shall be taken into account:

- **65% in 2015**,
- 75% in **2016**,
- 80% in **2017**,
- 100% from **2018** onwards.

#### *Amendment*

In calculating the average specific emissions of CO<sub>2</sub>, each new light commercial vehicle with specific emissions of CO<sub>2</sub> of less than 50 g CO<sub>2</sub>/km shall be counted as:

- **3.5** light commercial vehicles in **2015**,
- **2.5** light commercial vehicles in **2016**,
- **2.0 light commercial vehicles in 2017**,
- **1.0** light commercial vehicle from **2018**.

#### *Amendment*

#### **Article 5a**

### *Speed limitation devices*

*For the calendar year commencing 1 January 2014 and each subsequent calendar year, each manufacturer of light commercial vehicles shall ensure that its light commercial vehicles shall be equipped with speed limitation devices for which the maximum speed is set at 120 km/h.*

## **Amendment 21**

### **Proposal for a regulation Article 7 – paragraph 1**

#### *Text proposed by the Commission*

1. For the calendar year commencing **1 January 2012** and each subsequent calendar year, each Member State shall record information for each new light commercial vehicle registered in its territory in accordance with Part A of Annex II. This information shall be made available to the manufacturers and their designated importers or representatives in each Member State. Member States shall make every effort to ensure that reporting bodies operate in a transparent manner.

#### *Amendment*

1. For the calendar year commencing **1 January 2013** and each subsequent calendar year, each Member State shall record information for each new light commercial vehicle registered in its territory in accordance with Part A of Annex II. This information shall be made available to the manufacturers and their designated importers or representatives in each Member State. Member States shall make every effort to ensure that reporting bodies operate in a transparent manner.

#### *Justification*

*Monitoring should be in line with the implementation of the regulation in order to avoid market distortion and discrimination of manufacturers.*

*As multi-stage vehicles will be covered by Directive 2007/46/EC (Type-approval) only as of April 2013, it will not be possible to monitor multi-stage vehicles satisfactorily before this date. A pilot exercise should cover a monitoring of multi-stage vehicles and include the same lead-time as for other vehicle categories (e.g. M1).*

*Vehicle manufacturers should get permanent access to the manufacturer specific data monitored by Member States already during the monitoring year. Such a regular data provision to manufacturers helps the industry to correct data already during the monitoring year and thus reduces the possibilities of data inconsistencies when the Commission provisionally calculates the average CO<sub>2</sub> emissions in the preceding year.*

## **Amendment 22**

**Proposal for a regulation**  
**Article 7 – paragraph 2**

*Text proposed by the Commission*

2. By 28 February of each year, commencing in **2013**, each Member State shall determine and transmit to the Commission the information listed in Part B of Annex II in respect of the preceding calendar year. The data shall be transmitted in accordance with the format specified in Part C of Annex II.

*Amendment*

2. By 28 February of each year, commencing in **2014**, each Member State shall determine and transmit to the Commission the information listed in Part B of Annex II in respect of the preceding calendar year. The data shall be transmitted in accordance with the format specified in Part C of Annex II.

*Justification*

*Monitoring should be in line with the implementation of the regulation in order to avoid market distortion and discrimination of manufacturers.*

*As multi-stage vehicles will be covered by Directive 2007/46/EC (Type-approval) only as of April 2013, it will not be possible to monitor multi-stage vehicles satisfactorily before this date. A pilot exercise should cover a monitoring of multi-stage vehicles and include the same lead-time as for other vehicle categories (e.g. M1).*

*Vehicle manufacturers should get permanent access to the manufacturer specific data monitored by Member States already during the monitoring year. Such a regular data provision to manufacturers helps the industry to correct data already during the monitoring year and thus reduces the possibilities of data inconsistencies when the Commission provisionally calculates the average CO2 emissions in the preceding year.*

**Amendment 23**

**Proposal for a regulation**  
**Article 7 – paragraph 4 – first subparagraph**

*Text proposed by the Commission*

4. The Commission shall keep a central register of the data reported by Member States under this Article and this register shall be publicly available. By **30 June 2013** and each subsequent year, the Commission shall provisionally calculate for each manufacturer:

*Amendment*

4. The Commission shall keep a central register of the data reported by Member States under this Article and this register shall be publicly available. By **30 June 2014** and each subsequent year, the Commission shall provisionally calculate for each manufacturer:

*Justification*

*Consistency reasons. Monitoring should be in line with the implementation of the regulation*

*in order to avoid market distortion and discrimination of manufacturers. Experience from the passenger car regulation shows difficulties of monitoring. More lead-time for establishing a reliable monitoring system is needed in particular as full N1 data at EU-27 level are not available today, i.e. making the starting point more difficult than for passenger cars.*

## **Amendment 24**

### **Proposal for a regulation Article 7 – paragraph 7**

*Text proposed by the Commission*

*Amendment*

7. In relation to the calendar year **2012** and **2013** and on the basis of the calculations performed pursuant to paragraph 5, the Commission shall notify a manufacturer where it appears to the Commission that the manufacturer's average specific emissions of CO<sub>2</sub> exceed its specific emissions target.

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#### *Justification*

*Consistency reasons. Monitoring should be in line with the implementation of the regulation in order to avoid market distortion and discrimination of manufacturers.*

## **Amendment 25**

### **Proposal for a regulation Article 7 – paragraph 10 a (new)**

*Text proposed by the Commission*

*Amendment*

***10a. As of 1 January 2014 the monitoring shall be extended to completed vehicles.***

#### *Justification*

*The Whole Vehicle Type Approval (2007/46/EC) will only be applied to all types of completed vehicles from May 2013 onwards. Thus, as of January 2014 the monitoring shall be extended to completed vehicles. 2014 will be the first full calendar year of monitoring and collecting the CO<sub>2</sub> emissions and mass of completed vehicles according to new procedure available.*

## Amendment 26

### Proposal for a regulation

#### Article 8

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

1. In respect of the period **1 January 2014** and every calendar year thereafter, the Commission shall impose an excess emissions premium on a manufacturer or pool manager, as appropriate, where a manufacturer's average specific emissions of CO<sub>2</sub> exceed its specific emissions target.

2. The excess emissions premium under paragraph 1 shall be calculated using the following formula

(a) From **2014** to **2018**:

(i) For excess emissions of more than 3 g CO<sub>2</sub>/km:

$((\text{Excess emissions} - 3) \times \text{€}120 + \text{€}45) \times$   
number of new light commercial vehicles.

(ii) For excess emissions of more than 2 but no more than 3 g CO<sub>2</sub>/km:

$((\text{Excess emissions} - 2) \times \text{€}25 + \text{€}20) \times$   
number of new light commercial vehicles.

(iii) For excess emissions of more than 1 but no more than 2 g CO<sub>2</sub>/km:

$((\text{Excess emissions} - 1) \times \text{€}15 + \text{€}5) \times$   
number of new light commercial vehicles.

(iv) For excess emissions of no more than 1 g CO<sub>2</sub>/km:

$\text{Excess emissions} \times \text{€}5 \times$  number of new light commercial vehicles.

(b) From **2019**:

$(\text{Excess emissions} \times \text{€}120) \times$  number of new light commercial vehicles.

3. The Commission shall establish methods for the collection of excess emissions premiums under paragraph 1.

Those measures designed to amend non-

##### *Amendment*

1. In respect of the period **1 January 2015** and every calendar year thereafter, the Commission shall impose an excess emissions premium on a manufacturer or pool manager, as appropriate, where a manufacturer's average specific emissions of CO<sub>2</sub> exceed its specific emissions target.

2. The excess emissions premium under paragraph 1 shall be calculated using the following formula

(a) From **2015** to **2019**:

(i) For excess emissions of more than 3 g CO<sub>2</sub>/km:

$((\text{Excess emissions} - 3) \times \text{€}95 + \text{€}45) \times$   
number of new light commercial vehicles.

(ii) For excess emissions of more than 2 but no more than 3 g CO<sub>2</sub>/km:

$((\text{Excess emissions} - 2) \times \text{€}25 + \text{€}20) \times$   
number of new light commercial vehicles.

(iii) For excess emissions of more than 1 but no more than 2 g CO<sub>2</sub>/km:

$((\text{Excess emissions} - 1) \times \text{€}15 + \text{€}5) \times$   
number of new light commercial vehicles.

(iv) For excess emissions of no more than 1 g CO<sub>2</sub>/km:

$\text{Excess emissions} \times \text{€}5 \times$  number of new light commercial vehicles.

(b) From **2020**:

$(\text{Excess emissions} \times \text{€}95) \times$  number of new light commercial vehicles.

3. The Commission shall establish methods for the collection of excess emissions premiums under paragraph 1.

Those measures designed to amend non-



essential elements of this Regulation, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 13(3).

4. The amounts of the excess emissions premium shall be considered as revenue for the general budget of the European Union.

essential elements of this Regulation, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 13(3).

4. The amounts of the excess emissions premium shall be considered as revenue for the general budget of the European Union.

## **Amendment 27**

### **Proposal for a regulation**

#### **Article 9 – paragraph 1 – introductory phrase**

*Text proposed by the Commission*

1. By **31 October 2013** and 31 October each subsequent year, the Commission shall publish a list indicating for each manufacturer:

*Amendment*

1. By **31 October 2014** and 31 October each subsequent year, the Commission shall publish a list indicating for each manufacturer:

*Justification*

*Consistency reasons. Publication should be in line with the implementation of the regulation in order to avoid market distortion and discrimination of manufacturers.*

## **Amendment 28**

### **Proposal for a regulation**

#### **Article 9 – paragraph 2**

*Text proposed by the Commission*

2. From **the 31 October 2014**, the list published under paragraph 1 shall also indicate whether the manufacturer has complied with the requirements of Article 4 with respect to the preceding calendar year.

*Amendment*

2. From **31 October 2016**, the list published under paragraph 1 shall also indicate whether the manufacturer has complied with the requirements of Article 4 with respect to the preceding calendar year.

*Justification*

*Follows from the change to the starting date (phase-in to begin in 2015).*

## Amendment 29

### Proposal for a regulation

#### Article 10 – paragraph 1 – introduction

*Text proposed by the Commission*

1. An application for a derogation from the specific emissions target calculated in accordance with Annex I may be made by a manufacturer of fewer than **22 000** new light commercial vehicles registered in the Community per calendar year and:

*Amendment*

1. An application for a derogation from the specific emissions target calculated in accordance with Annex I may be made by a manufacturer of fewer than **25 000** new light commercial vehicles registered in the Community per calendar year and:

*Justification*

*Increasing the number of new light commercial vehicles to 25 000 better reflects the situation of small manufacturers than a limit of 22 000.*

## Amendment 30

### Proposal for a regulation

#### Article 10 – paragraph 1 – point (b)

*Text proposed by the Commission*

(b) is part of a group of connected manufacturers that is responsible in total for fewer than **22 000** new light commercial vehicles registered in the Community per calendar year; or

*Amendment*

(b) is part of a group of connected manufacturers that is responsible in total for fewer than **25 000** new light commercial vehicles registered in the Community per calendar year; or

*Justification*

*Increasing the number of new light commercial vehicles to 25 000 better reflects the situation of small manufacturers than a limit of 22 000.*

## Amendment 31

### Proposal for a regulation

#### Article 10 – paragraph 2 – point (d)

*Text proposed by the Commission*

(d) a specific emissions target consistent with its reduction potential, including the economic and technological potential to reduce its specific emissions of CO<sub>2</sub> and

*Amendment*

(d) a specific emissions target consistent with its reduction potential, including the economic and technological potential to reduce its specific emissions of CO<sub>2</sub>, **and**

taking into account the characteristics of the market for the type of light commercial vehicle manufactured.

***with the average value of CO<sub>2</sub> emissions from light commercial vehicles made by all manufacturers***, and taking into account the characteristics of the market for the type of light commercial vehicle manufactured.

#### *Justification*

*Setting alternative emission targets will require these manufacturers to make greater efforts than fleet manufacturers but at the same time will give them fair conditions, with the average value of CO<sub>2</sub> emissions of manufacturers of light commercial vehicles used as the point of reference.*

### **Amendment 32**

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

#### **Article 11 – paragraph 2 – first subparagraph**

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

2. The Commission shall by 31 December 2012, adopt detailed provisions for a procedure to approve such innovative technologies in accordance with the regulatory procedure referred to in Article 13(2). Those detailed provisions shall be based on the following criteria for innovative technologies:

##### *Amendment*

2. The Commission shall by 31 December 2012, adopt detailed provisions for a procedure to approve such innovative technologies in accordance with the regulatory procedure referred to in Article 13(2). Those detailed provisions shall be ***in accordance with the provisions established in accordance with Article 12(2), of Regulation (EC) 443/2009 and be*** based on the following criteria for innovative technologies:

#### *Justification*

*Article 12 paragraph 2 of the passenger car CO<sub>2</sub> regulation (443/2009) mentions that the Commission shall, by 2010, adopt detailed provisions for a procedure to approve such innovative technologies. The provisions for the approval procedure, which are currently being discussed for passenger cars, should be applied on LCVs as well. No difference should be made between eco-innovations for passenger cars and LCVs, nor should there be a difference in the approval procedure. Any double work should be avoided.*

## Amendment 33

### Proposal for a regulation

#### Article 12

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

1. By 31 October 2016, and every three years thereafter, measures shall be adopted to amend Annex I to adjust the figure M0, referred to therein, to the average mass of new light commercial vehicles in the previous three calendar years.

Those measures shall take effect for the first time on **1 January 2018** and every three years thereafter.

Those measures, designed to amend non-essential elements of this Regulation, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 13(3).

2. The Commission shall include light commercial vehicles in the review of the procedures for measuring CO<sub>2</sub> emissions in accordance with Article 13(3) of Regulation (EC) No 443/2009.

From the date of application of the revised procedure for the measuring of CO<sub>2</sub> emissions, innovative technologies shall no longer be approved under the procedure set out in Article 11.

3. The Commission shall include light commercial vehicles in the review of Directive 2007/46/EC in accordance with Article 13(4) of Regulation (EC) No 443/2009.

4. By 1 January 2013, the Commission shall complete a review of the specific emissions targets in Annex I and of the derogations in Article 10, with the aim of defining:

– subject to confirmation of its feasibility on the basis of updated impact assessment results, the modalities for reaching, by the

##### *Amendment*

1. By 31 October 2016, and every three years thereafter, measures shall be adopted to amend Annex I to adjust the figure M0, referred to therein, to the average mass of new light commercial vehicles in the previous three calendar years.

Those measures shall take effect for the first time on **1 January 2019** and every three years thereafter.

Those measures, designed to amend non-essential elements of this Regulation, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 13(3).

2. The Commission shall include light commercial vehicles in the review of the procedures for measuring CO<sub>2</sub> emissions in accordance with Article 13(3) of Regulation (EC) No 443/2009.

From the date of application of the revised procedure for the measuring of CO<sub>2</sub> emissions, innovative technologies shall no longer be approved under the procedure set out in Article 11.

3. The Commission shall include light commercial vehicles in the review of Directive 2007/46/EC in accordance with Article 13(4) of Regulation (EC) No 443/2009.

4. By 1 January 2013, the Commission shall complete a review of the specific emissions targets in Annex I and of the derogations in Article 10, with the aim of defining:

– subject to confirmation of its feasibility on the basis of updated impact assessment results, the modalities for reaching, by the

year 2020, a long-term target of **135 g CO<sub>2</sub>/km** in a cost-effective manner; and

– the aspects of the implementation of that target, including the excess emissions premium.

On the basis of such a review and its impact assessment, which includes 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 as neutral as possible from the point of view of competition, and which is socially equitable and sustainable,

– **confirm** the inclusion in this Regulation of vehicles in category N2 and M2 as defined in Annex II to Directive 2007/46/EC with a reference mass not exceeding 2 610 kg and to vehicles to which type-approval is extended in accordance with Article 2(2) of Regulation (EC) No 715/2007.

**Those** measures, designed to amend **non-essential** elements of this Regulation, **shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 13(3).**

5. The Commission shall by 2014, following an impact assessment, publish a report on the availability of data on footprint and payload and their use as utility parameters for determining specific emissions targets and, if appropriate, submit a proposal to the European Parliament and to the Council to amend Annex I.

6. Measures shall be adopted to provide for the necessary adaptation to the formulae of Annex I in order to reflect any change in the regulatory test procedure for the measurement of specific CO<sub>2</sub> emissions.

Those measures, designed to amend non-essential elements of this Regulation, shall

year 2020, a long-term target of **150 g CO<sub>2</sub>/km** in a cost-effective manner; and

– the aspects of the implementation of that target, including the excess emissions premium.

On the basis of such a review and its impact assessment, which includes 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 as neutral as possible from the point of view of competition, and which is socially equitable and sustainable,

– **identify the modalities for an** inclusion in this Regulation of vehicles in category N2 and M2 as defined in Annex II to Directive 2007/46/EC with a reference mass not exceeding 2 610 kg and to vehicles to which type-approval is extended in accordance with Article 2(2) of Regulation (EC) No 715/2007.

**The Commission shall make a proposal to the European Parliament and Council on those** measures, designed to amend **essential** elements of this Regulation.

5. The Commission shall by 2014, following an impact assessment, publish a report on the availability of data on footprint and payload and their use as utility parameters for determining specific emissions targets and, if appropriate, submit a proposal to the European Parliament and to the Council to amend Annex I.

6. Measures shall be adopted to provide for the necessary adaptation to the formulae of Annex I in order to reflect any change in the regulatory test procedure for the measurement of specific CO<sub>2</sub> emissions.

Those measures, designed to amend non-essential elements of this Regulation, shall

be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 13(3).

7. The Commission shall by **2015 review the method of** determining the specific emissions of CO<sub>2</sub> of completed vehicles **in paragraph 7 of Part B of Annex II and, if appropriate, submit a proposal** to the European Parliament and to the Council **to amend Annex II.**

be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 13(3).

7. The Commission shall by **2011 submit a proposal for a procedure for** determining the specific emissions of CO<sub>2</sub> of completed vehicles to the European Parliament and to the Council.

## Amendment 34

### Proposal for a regulation Article 13 – paragraph 1

#### *Text proposed by the Commission*

1. The Commission shall be assisted by the committee instituted by **Article 8** of Decision **93/389/EEC**.

#### *Amendment*

1. The Commission shall be assisted by the committee instituted by **Article 9** of Decision **280/2004/EC**.

#### *Justification*

*Technical amendment, as Article 9 of Decision 280/2004/EC in its current form replaces Article 8 of Decision 93/389/EEC and, by analogy with the Regulation on the reduction of CO<sub>2</sub> emissions from passenger cars (EC) No 443/2009, should appear as a reference.*

## Amendment 35

### Proposal for a regulation Annex I

#### *Text proposed by the Commission*

1. The **indicative** specific emissions of CO<sub>2</sub> for each light commercial vehicle, measured in grams per kilometre, shall be determined in accordance with the following formulae:

(a) From **2014** to **2017**:

Indicative specific emission of CO<sub>2</sub> = 175  
+ a × (M – M<sub>0</sub>)

Where:

#### *Amendment*

1. The specific emissions of CO<sub>2</sub> for each light commercial vehicle, measured in grams per kilometre, shall be determined in accordance with the following formulae:

(a) From **2015** to **2018**:

Indicative specific emission of CO<sub>2</sub> = 175  
+ a × (M – M<sub>0</sub>)

Where:

M = mass of the vehicle in kilograms (kg)

$M_0 = 1\,706.0$

$a = 0.093$

(b) From **2018**:

**Indicative** specific emission of CO<sub>2</sub> =  $175 + a \times (M - M_0)$

Where:

M = mass of the vehicle in kilograms (kg)

M<sub>0</sub> = the value adopted pursuant to Article 12(1)

$a = 0.093$

M = mass of the vehicle in kilograms (kg)

$M_0 = 1\,706.0$

$a = 0.093$

(b) From **2019**:

Specific emission of CO<sub>2</sub> =  $175 + a \times (M - M_0)$

Where:

M = mass of the vehicle in kilograms (kg)

M<sub>0</sub> = the value adopted pursuant to Article 12(1)

$a = 0.093$

## Amendment 36

### Proposal for a regulation

#### Annex II – part A – point 1 – introductory part

*Text proposed by the Commission*

1. For the year beginning **1 January 2011** and each subsequent year, Member States shall record the following details for each new light commercial vehicle registered in its territory:

*Amendment*

1. For the year beginning **1 January 2013** and each subsequent year, Member States shall record the following details for each new light commercial vehicle registered in its territory:

#### *Justification*

*Consistency reasons. Monitoring should be in line with the implementation of the regulation in order to avoid market distortion and discrimination of manufacturers.*

## Amendment 37

### Proposal for a regulation

#### Annex II – part A – point 3 – introductory part

*Text proposed by the Commission*

3. For the calendar year commencing **1 January 2011** and each subsequent calendar year, each Member State shall determine, in accordance with the methods set out in Part B, for each manufacturer:

*Amendment*

3. For the calendar year commencing **1 January 2013** and each subsequent calendar year, each Member State shall determine, in accordance with the methods set out in Part B, for each manufacturer:

### *Justification*

*Consistency reasons. Monitoring should be in line with the implementation of the regulation in order to avoid market distortion and discrimination of manufacturers.*

### **Amendment 38**

#### **Proposal for a regulation Annex II – part B – number 7**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<b><i>(7) Specific emissions of completed vehicles</i></b>	<b><i>deleted</i></b>
<b><i>The specific emissions of completed vehicles shall be determined in accordance with Directive 2004/3/EC. Where that value is not available, the specific emissions of a completed vehicle shall be set equal to the highest value of the specific emissions of all complete vehicles that are of the same type of vehicle as the incomplete vehicle on which the completed vehicle is based, and that have been registered in the EU in the same monitoring year, where 'type of vehicle' is defined in accordance with Article 3 of Directive 2007/46/EC. If there are more than three different values of specific emissions of all complete vehicles, the second-highest specific emissions shall be used.</i></b>	

### *Justification*

*The method proposed by the Commission for determining the specific emissions of CO<sub>2</sub> of completed vehicles has already been described as unsuitable in a Commission working document, where reference is made to developing an alternative method.*



## PROCEDURE

<b>Title</b>	Emission performance standards for new light commercial vehicles		
<b>References</b>	COM(2009)0593 – C7-0271/2009 – 2009/0173(COD)		
<b>Committee responsible</b>	ENVI		
<b>Opinion by</b> Date announced in plenary	ITRE 24.11.2009		
<b>Associated committee(s) - date announced in plenary</b>	20.5.2010		
<b>Rapporteur</b> Date appointed	Werner Langen 11.2.2010		
<b>Discussed in committee</b>	7.4.2010	28.4.2010	31.5.2010
<b>Date adopted</b>	24.6.2010		
<b>Result of final vote</b>	+: 41	–: 14	0: 0
<b>Members present for the final vote</b>	Zigmantas Balčytis, Ivo Belet, Bendt Bendtsen, Jan Březina, Reinhard Bütikofer, Maria Da Graça Carvalho, Jorgo Chatzimarkakis, Giles Chichester, Pilar del Castillo Vera, Christian Ehler, Ioan Enciu, Adam Gierek, Norbert Glante, Fiona Hall, Edit Herczog, Lena Kolarska-Bobińska, Béla Kovács, Philippe Lamberts, Marisa Matias, Judith A. Merkies, Angelika Niebler, Jaroslav Paška, Anni Podimata, Miloslav Ransdorf, Herbert Reul, Teresa Riera Madurell, Paul Rübig, Amalia Sartori, Francisco Sosa Wagner, Konrad Szymański, Britta Thomsen, Patrizia Toia, Ioannis A. Tsoukalas, Claude Turmes, Niki Tzavela, Marita Ulvskog, Vladimir Urutchev, Adina-Ioana Vălean, Alejo Vidal-Quadras, Henri Weber		
<b>Substitute(s) present for the final vote</b>	Matthias Groote, Andrzej Grzyb, Jolanta Emilia Hibner, Yannick Jadot, Werner Langen, Marian-Jean Marinescu, Vladko Todorov Panayotov, Markus Pieper, Mario Pirillo, Vladimír Remek, Frédérique Ries, Hermann Winkler		
<b>Substitute(s) under Rule 187(2) present for the final vote</b>	Izaskun Bilbao Barandica, Jacqueline Foster, Jan Zahradil		