



2019/0101(COD)

28.1.2020

AMENDMENTS

11 - 101

Draft report
Esther de Lange
(PE644.883v01-00)

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

Proposal for a regulation
(COM(2019)0208 – C9-0009/2019 – 2019/0101(COD))

Amendment 11

Eleonora Evi, Mick Wallace, Yannick Jadot, Marie Toussaint

Proposal for a regulation

—

Proposal for a rejection

— ***The European Parliament rejects the Commission proposal.***

Or. en

Justification

The Commission proposal aims at introducing conformity factors resulting in a concrete increase of the limits on emissions as laid down in regulation (EC) n. 715/2007, thus depriving those limits of their practical effect and therefore creating damaging consequences on human health and the environment, including worsening the already severe problems affecting cities concerning outdoor nitrogen dioxide (NO₂) concentrations. The rejection of the whole Commission proposal is necessary.

Amendment 12

Bas Eickhout

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) Regulation (EC) No 715/2007 requires new light-duty vehicles to comply with certain emission limits (Euro 5 and Euro 6 standards) and lays down additional requirements on access to vehicle repair and maintenance information. The specific technical provisions necessary to implement **that** Regulation were set out in Commission Regulation (EC) No 692/2008¹⁶ and subsequently, in Commission Regulation (EU) 2017/1151¹⁷.

Amendment

(2) Regulation (EC) No 715/2007 requires new light-duty vehicles to comply with certain emission limits (Euro 5 and Euro 6 standards) and lays down additional requirements on access to vehicle repair and maintenance information, **which were amended and further consolidated by Regulation (EU) 2018/858^{15a}, which will apply as of 1 September 2020.** The specific technical provisions necessary to implement Regulation **(EC) No 715/2007** were set out in Commission Regulation (EC) No 692/2008¹⁶ and subsequently, in Commission Regulation (EU) 2017/1151¹⁷.

^{15a} Regulation (EU) 2018/858 of the European Parliament and of the Council

of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC (OJ L 151, 14.6.2018, p. 1).

¹⁶ Commission Regulation (EC) No 692/2008 of 18 July 2008 implementing and amending Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information (OJ L 199, 28.7.2008, p. 1).

¹⁷ Commission Regulation (EU) 2017/1151 of 1 June 2017 supplementing Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information, amending Directive 2007/46/EC of the European Parliament and of the Council, Commission Regulation (EC) No 692/2008 and Commission Regulation (EU) No 1230/2012 and repealing Commission Regulation (EC) No 692/2008 (OJ L 175, 7.7.2017, p. 1).

¹⁶ Commission Regulation (EC) No 692/2008 of 18 July 2008 implementing and amending Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information (OJ L 199, 28.7.2008, p. 1).

¹⁷ Commission Regulation (EU) 2017/1151 of 1 June 2017 supplementing Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information, amending Directive 2007/46/EC of the European Parliament and of the Council, Commission Regulation (EC) No 692/2008 and Commission Regulation (EU) No 1230/2012 and repealing Commission Regulation (EC) No 692/2008 (OJ L 175, 7.7.2017, p. 1).

Or. en

Amendment 13 **Bas Eickhout**

Proposal for a regulation **Recital 3**

Text proposed by the Commission

(3) The type-approval requirements relating to emissions from motor vehicles

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_x 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.

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_x emissions from diesel engines or particles for gasoline direct injection engines, installed in particular in light-duty vehicles, ***mostly due to illegal practices that resulted in discrepancies between emission measures in laboratories and in real work conditions.*** Actions for correcting this situation are therefore needed ***to ensure Euro 6 standards are met under all normal conditions of use and to enable Member States to comply with Union air quality standards without further delay, in particular in urban areas.***

Or. en

Amendment 14

Nicolae Ștefănuță, Vlad-Marius Botoș

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_x 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_x emissions from diesel engines or particles for gasoline direct injection engines, installed in particular in light-duty vehicles. ***It is necessary that research, type-approval and the implementation period are taken into account in any type of action that is to be taken.***

Amendment 15**Bas Eickhout****Proposal for a regulation****Recital 3 a (new)***Text proposed by the Commission**Amendment*

(3 a) The 2019 Air Quality Report^{1a} published by the European Environment Agency (EEA) estimated that in 2016 long-term exposure to air pollution has been responsible to more than 506 000 premature deaths in the EU-28. The report also confirmed that road transport continued to be the primary source of NO_x emissions in the EU-28 in 2017, representing around 40 % of total EU NO_x emissions, and that around 80 % of the total NO_x emission from road transport is generated by diesel powered vehicles;

^{1a} *EEA Air Quality in Europe 2019 report*

Or. en

Amendment 16**Susana Solís Pérez, Ondřej Knotek, Nils Torvalds, María Soraya Rodríguez Ramos****Proposal for a regulation****Recital 6***Text proposed by the Commission**Amendment*

(6) Regulation (EU) 2016/646²¹ introduced the dates of application of the RDE test procedure, as well as the compliance criteria for RDE. For that purpose, pollutant-specific conformity factors were used to take account of statistical and technical uncertainties of the measurements conducted by means of

(6) Regulation (EU) 2016/646²¹ introduced the dates of application of the RDE test procedure, as well as the compliance criteria for RDE. ***The introduction of the dates of application for passenger vehicles and light-duty vehicles were chosen in a yearly sequence to guarantee timely planning of the***

Portable Emission Measurement Systems (PEMS).

manufacturer for each vehicle group. For that purpose, pollutant-specific conformity factors were used to take account of statistical and technical uncertainties of the measurements conducted by means of Portable Emission Measurement Systems (PEMS). ***A clear distinction should be made between the conformity factor (CF) and the error margin in order to reflect more accurately the separation of responsibilities between car manufacturers and the manufacturers of the PEMS.***

²¹ Commission Regulation (EU) 2016/646 of 20 April 2016 amending Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 6) (OJ L 109, 26.04.2016, p.1).

²¹ Commission Regulation (EU) 2016/646 of 20 April 2016 amending Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 6) (OJ L 109, 26.04.2016, p.1).

Or. en

Amendment 17 **Bas Eickhout**

Proposal for a regulation **Recital 6**

Text proposed by the Commission

(6) Regulation (EU) 2016/646²¹ introduced the dates of application of the RDE test procedure, as well as the compliance criteria for RDE. ***For that purpose***, pollutant-specific conformity factors were ***used*** to take account of statistical and technical uncertainties of the measurements conducted by means of Portable Emission Measurement Systems (PEMS).

Amendment

(6) Regulation (EU) 2016/646²¹ introduced the dates of application of the RDE test procedure, as well as the compliance criteria for RDE. ***In the first phase, temporary*** pollutant-specific conformity factors were ***introduced to grant manufacturers leeway in order to adapt to any change in the testing methodologies. In the second phase, final pollutant-specific conformity factors were presented by the Commission as necessary*** to take account of statistical and technical uncertainties of the measurements conducted by means of Portable Emission Measurement Systems (PEMS).

²¹ Commission Regulation (EU) 2016/646 of 20 April 2016 amending Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 6) (OJ L 109, 26.04.2016, p.1).

²¹ Commission Regulation (EU) 2016/646 of 20 April 2016 amending Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 6) (OJ L 109, 26.04.2016, p.1).

Or. en

Amendment 18 **Kateřina Konečná**

Proposal for a regulation **Recital 6**

Text proposed by the Commission

(6) Regulation (EU) 2016/646²¹ introduced the dates of application of the RDE test procedure, as well as the compliance criteria for RDE. For that purpose, pollutant-specific conformity factors were used to take account of statistical and technical uncertainties of the measurements conducted by means of Portable Emission Measurement Systems (PEMS).

²¹ Commission Regulation (EU) 2016/646 of 20 April 2016 amending Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 6) (OJ L 109, 26.04.2016, p.1).

Amendment

(6) Regulation (EU) 2016/646²¹ introduced the dates of application of the RDE test procedure, as well as the compliance criteria for RDE. For that purpose, pollutant-specific conformity factors were **introduced, and separate error margins were** used to take account of statistical and technical uncertainties of the measurements conducted by means of Portable Emission Measurement Systems (PEMS).

²¹ Commission Regulation (EU) 2016/646 of 20 April 2016 amending Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 6) (OJ L 109, 26.04.2016, p.1).

Or. en

Justification

This amendment aims at re-instating the principle of “margin”, as in the current legislation, i.e. Regulation 2016/ 646 (in the case of NO_x) and Regulation 2018/1832 (in the case of PN). The current legislation clearly separates the overall conformity factor into two parts: the target for vehicle manufacturer (i.e. a ‘conformity factor’ applied to the actual emission limit at the exhaust tailpipe) and the variability of the Portable Emission Measurement System (i.e.

the margin of error).

Amendment 19

Anna Zalewska, Alexandr Vondra

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) Regulation (EU) 2016/646²¹ introduced the dates of application of the RDE test procedure, as well as the compliance criteria for RDE. For that purpose, pollutant-specific conformity factors were used to take account of statistical and technical uncertainties of the measurements conducted by means of Portable Emission Measurement Systems (PEMS).

²¹ Commission Regulation (EU) 2016/646 of 20 April 2016 amending Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 6) (OJ L 109, 26.04.2016, p.1).

Amendment

(6) Regulation (EU) 2016/646²¹ introduced the dates of application of the RDE test procedure, as well as the compliance criteria for RDE. For that purpose, pollutant-specific conformity factors (***including margins of error***) were used to take account of statistical and technical uncertainties of the measurements conducted by means of Portable Emission Measurement Systems (PEMS).

²¹ Commission Regulation (EU) 2016/646 of 20 April 2016 amending Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 6) (OJ L 109, 26.04.2016, p.1).

Or. en

Amendment 20

Nicolae Ștefănuță, Vlad-Marius Botoș

Proposal for a regulation

Recital 6 a (new)

Text proposed by the Commission

Amendment

(6 a) According to the EEA report from 2016, the gap between real-world and laboratory emissions was mainly due to three factors: an outdated test procedure, flexibilities in the current procedure and in-use factors which are driver dependent.

A study is required in order to establish the margin of error that is due to the driving style and to the outside temperature. A clear distinction should be made between the CF, the device-related margin of error and the margin of error of the in-use factor which is driver- and temperature-dependent.

Or. en

Amendment 21
Bas Eickhout

Proposal for a regulation
Recital 6 a (new)

Text proposed by the Commission

Amendment

(6 a) The European Parliament's recommendation of 4 April 2019 to the Council and the Commission following the inquiry into emission measures in the automotive sector^{1a} called on the Commission and the Member States to apply more vigorous measures in the wake of the emissions cheating scandal, and urged in particular the Commission to review the conformity factors so as to bring them down to 1 by 2021 at the latest.

^{1a} OJ C 298, 23.8.2018, p. 140

Or. en

Amendment 22
Miriam Dalli

Proposal for a regulation
Recital 7

Text proposed by the Commission

Amendment

(7) On 13 December 2018, the General Court delivered judgment in Joined Cases

(7) On 13 December 2018, the General Court delivered judgment in Joined Cases

T-339/16, T-352/16 and T-391/16²² concerning an action for annulment of Regulation (EU) 2016/646. The General Court annulled the part of Regulation (EU) 2016/646 which established the conformity factors used to assess compliance of RDE test results with the emission limits laid down in Regulation (EC) No 715/2007. The Court found that only the legislator could introduce those conformity factors as they *touched upon* an essential element of Regulation (EC) No 715/2007.

²² Judgment of 13 December 2018, Ville de Paris, Ville de Bruxelles and Ayuntamiento de Madrid v Commission, T-339/16, T-352/16 and T-391/16, EU:T:2018:927.

T-339/16, T-352/16 and T-391/16²² concerning an action for annulment of Regulation (EU) 2016/646. The General Court annulled the part of Regulation (EU) 2016/646 which established the conformity factors used to assess compliance of RDE test results with the emission limits laid down in Regulation (EC) No 715/2007. The Court found that only the legislator could introduce those conformity factors as they *modified* an essential element of Regulation (EC) No 715/2007 *by de facto amending the limits on emissions of oxides of nitrogen laid down for the Euro 6 standard referred to therein*.

²² Judgment of 13 December 2018, Ville de Paris, Ville de Bruxelles and Ayuntamiento de Madrid v Commission, T-339/16, T-352/16 and T-391/16, EU:T:2018:927.

Or. en

Amendment 23

Kateřina Konečná

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) On 13 December 2018, the General Court delivered judgment in Joined Cases T-339/16, T-352/16 and T-391/16²² concerning an action for annulment of Regulation (EU) 2016/646. The General Court annulled the part of Regulation (EU) 2016/646 which established the conformity factors used to assess compliance of RDE test results with the emission limits laid down in Regulation (EC) No 715/2007. The Court found that only the legislator could introduce those conformity factors as they touched upon an essential element of Regulation (EC) No 715/2007.

Amendment

(7) On 13 December 2018, the General Court delivered judgment in Joined Cases T-339/16, T-352/16 and T-391/16¹⁰ concerning an action for annulment of Regulation (EU) 2016/646. The General Court annulled the part of Regulation (EU) 2016/646 which established the conformity factors *and error margins* used to assess compliance of RDE test results with the emission limits laid down in Regulation (EC) No 715/2007. The Court found that only the legislator could introduce those conformity factors *and error margins* as they touched upon an essential element of Regulation

²² Judgment of 13 December 2018, Ville de Paris, Ville de Bruxelles and Ayuntamiento de Madrid v Commission, T-339/16, T-352/16 and T-391/16, EU:T:2018:927.

²² Judgment of 13 December 2018, Ville de Paris, Ville de Bruxelles and Ayuntamiento de Madrid v Commission, T-339/16, T-352/16 and T-391/16, EU:T:2018:927.

Or. en

Justification

This amendment aims at re-instating the principle of “margin”, as in the current legislation, i.e. Regulation 2016/ 646 (in the case of NO_x) and Regulation 2018/1832 (in the case of PN). The current legislation clearly separates the overall conformity factor into two parts: the target for vehicle manufacturer (i.e. a ‘conformity factor’ applied to the actual emission limit at the exhaust tailpipe) and the variability of the Portable Emission Measurement System (i.e. the margin of error).

Amendment 24 **Miriam Dalli**

Proposal for a regulation **Recital 7 a (new)**

Text proposed by the Commission

Amendment

(7 a) The General Court observed that the system which seeks to introduce a conformity factor, a multiplier of the limits on emissions of oxides of nitrogen laid down for the Euro 6 standard, necessarily entails the amendment of that standard itself, unlike a typical measuring system, which takes into account the performance and possible errors of the measuring equipment by making corrections to the measurements themselves, but not to the limits which must be observed. In view of the very high value of the CF, 2,1 and 1,5, the levels of emissions of NO_x measured during the RDE test may be, respectively, up to more than two times greater and up to one and a half times greater than the limits on those emissions laid down for the Euro 6 standard, without a test being regarded as having been failed. The not-to-exceed

values for emissions of NO_x resulting from the claimed technical and statistical uncertainties do not make it possible to verify, with a reasonable degree of reliability, whether or not the limits of those emissions laid down for Euro 6 standard, are observed by a vehicle during an RDE test.

Or. en

Amendment 25
Miriam Dalli

Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) The General Court *did not question* the technical justification of the conformity factors. *Therefore, and given that at the current stage of technological development there is still a discrepancy between emissions measured in real driving and those measured in a laboratory, it is appropriate to introduce the conformity factors into Regulation (EC) No 715/2007.*

Amendment

(8) The General Court *questioned* the technical justification of the conformity factors *in its ruling, in particular as regards the temporary conformity factor of 2,1 and its margin of statistical uncertainty. The Court stated that “statistical uncertainties (the risk that results may be unrepresentative as compared with overall reality) are corrected by work to ensure the representativeness of the sample or of the testing (representativeness of the test) or by the volume of testing (the number of tests), and not by stating the results may be subject to a margin of error of 60%”^{1a}. Moreover, the Court went on to say that “RDE tests have ‘matured’ over a long period of time, since the work on those tests began in January 2011 and the Commission had the time to clarify and standardise the RDE sufficiently so that they are representative of real driving conditions on the road in order to prevent in that regard a 60% degree of uncertainty as to their results”^{1b}. In addition, the main focus of Regulation (EU) 2016/427, which inserted Annex III A into Regulation (EC) No 692/2008, and in particular of point 4 of that annex and*

its 11 appendices, is to describe in very specific detail the components of an RDE test and how it is to be conducted.

^{1a} Judgment of 13 December 2018, Ville de Paris, Ville de Bruxelles and Ayuntamiento de Madrid v Commission, T-339/16, T-352/16 and T-391/16, EU:T:2018:927, paragraph 139.

^{1b} Judgment of 13 December 2018, Ville de Paris, Ville de Bruxelles and Ayuntamiento de Madrid v Commission, T-339/16, T-352/16 and T-391/16, EU:T:2018:927, paragraph 142.

Or. en

Amendment 26
Bas Eickhout

Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) The General Court *did not question* the technical justification of the conformity factors. *Therefore, and given that at the current stage of technological development there is still a discrepancy between emissions measured in real driving and those measured in a laboratory, it is appropriate to introduce the conformity factors into* Regulation (EC) No 715/2007.

Amendment

(8) The General Court *questioned* the technical justification of the conformity factors *in its ruling, by pointing out the uncertainty it would bring for competent authorities within the framework of their approval and market surveillance activities when determining whether or not the vehicle being tested complies with the limits set out in* Regulation (EC) No 715/2007, *thereby altering an essential element of that Regulation, as well as with Directive 2008/50/EC as regards emission limits.*

Or. en

Amendment 27
Kateřina Konečná

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) The General Court did not question the technical justification of the conformity factors. Therefore, and given that at the current stage of technological development there is still a discrepancy between emissions measured in real driving and those measured in a laboratory, it is appropriate to introduce the conformity factors into Regulation (EC) No 715/2007.

Amendment

(8) The General Court did not question the technical justification of the conformity factors **and error margins**. Therefore, and given that at the current stage of technological development there is still a discrepancy between emissions measured in real driving and those measured in a laboratory, it is appropriate to introduce the **same** conformity factors **and error margins** into Regulation (EC) No 715/2007.

Or. en

Justification

This amendment aims at re-instating the principle of “margin”, as in the current legislation, i.e. Regulation 2016/ 646 (in the case of NO_x) and Regulation 2018/1832 (in the case of PN). The current legislation clearly separates the overall conformity factor into two parts: the target for vehicle manufacturer (i.e. a ‘conformity factor’ applied to the actual emission limit at the exhaust tailpipe) and the variability of the Portable Emission Measurement System (i.e. the margin of error).

Amendment 28

Anna Zalewska, Alexandr Vondra

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) The General Court did not question the technical justification of the conformity factors. Therefore, and given that at the current stage of technological development there is still a discrepancy between emissions measured in real driving and those measured in a laboratory, it is appropriate to introduce the conformity factors into Regulation (EC) No 715/2007.

Amendment

(8) The General Court did not question the technical justification of the conformity factors. Therefore, and given that at the current stage of technological development there is still a discrepancy between emissions measured in real driving and those measured in a laboratory, it is appropriate to introduce the conformity factors **(including margins of error)** into Regulation (EC) No 715/2007.

Or. en

Amendment 29
Miriam Dalli

Proposal for a regulation
Recital 8 a (new)

Text proposed by the Commission

Amendment

(8 a) During the negotiations on the mandatory introduction of the RDE in the Technical Committee on Motor Vehicles on 6 and 28 October 2015, a temporary conformity factor of 2,1 was agreed, to address the alleged statistical uncertainty. That CF of 2,1, referred to as Euro 6 TEMP, cannot legally be justified and was intended as a phase-in value to accommodate the demands of the industry. That is also why the CF of 2,1 was vigorously criticised by the European Parliament and it has now been declared invalid by the judgment of the General Court. It is appropriate therefore to delete the temporary conformity factor of 2,1 introduced by Regulation (EU) 2016/646.

Or. en

Amendment 30
Bas Eickhout

Proposal for a regulation
Recital 8 a (new)

Text proposed by the Commission

Amendment

(8 a) The European Parliament's resolution of 28 March 2019 on recent developments in the 'Dieselgate' scandal welcomed the ruling of the General Court, and explicitly asked the Commission not to introduce any new conformity factor in order to ensure Euro 6 standards are not further diluted and are instead met under normal conditions of use, as originally provided for in Regulation (EC) 715/2007.

Amendment 31

Miriam Dalli

Proposal for a regulation

Recital 8 b (new)

Text proposed by the Commission

Amendment

(8 b) The Court also stated in its judgment that a margin of error of 50 %, corresponding to the ‘FINAL’ CF of 1,5, which is explained by the existence of a margin of technical uncertainty, represents half the value, which is supposed to be measured and that, if that margin is converted into a real margin of error as compared with the measurement by the equipment, this results in a margin of 33 % (a measurement of 120 mg/km may correspond in reality to emissions of 80 mg/km, one third less than the value measured or to emissions of 160 mg/km, two times greater than the standard allows). That means that it is impossible to determine, following an RDE test, whether the vehicle being tested complies with those limits or is even close to them.

Or. en

Amendment 32

Miriam Dalli

Proposal for a regulation

Recital 8 c (new)

Text proposed by the Commission

Amendment

(8 c) Any measurement equipment has a margin of error, even under laboratory conditions, and manufacturers already take this into account when designing vehicles to meet regulatory limits. PEMS equipment has been found to have a

somewhat larger margin of error compared to non-mobile laboratory equipment, but this in fact can mean both, over- and under-estimating emissions. It is unacceptable that those uncertainties are used only one-sidedly at the expense of public health without a clear end date.

Or. en

Amendment 33
Bas Eickhout

Proposal for a regulation
Recital 9

Text proposed by the Commission

Amendment

(9) In order to allow manufacturers to comply with the Euro 6 emission limits in the context of RDE test procedure, the compliance criteria for RDE should be introduced in two steps. During the first step, upon the request of the manufacturer, a temporary conformity factor should apply, while as a second step only the final conformity factor should be used. The Commission should keep under review the final conformity factors in light of technical progress.

deleted

Or. en

Amendment 34
Susana Solís Pérez, Nils Torvalds, María Soraya Rodríguez Ramos

Proposal for a regulation
Recital 9

Text proposed by the Commission

Amendment

(9) In order to allow manufacturers to comply with the Euro 6 emission limits in the context of RDE test procedure, the compliance criteria for RDE should be introduced in two steps. During the first

(9) In order to allow manufacturers to comply with the Euro 6 emission limits in the context of RDE test procedure, the compliance criteria for RDE should be introduced in two steps. During the first

step, upon the request of the manufacturer, a temporary conformity factor should apply, while as a second step only the final conformity factor should be used. The Commission should *keep under review the final conformity factors in light of* technical progress.

step, upon the request of the manufacturer, a temporary conformity factor should apply, while as a second step only the final conformity factor should be used. The Commission should review *annually the error margin downwards on the basis of scientific evidence and* technical progress *of the PEMs devices. The current error margin should be revised downwards to the figure proposed by the JRC report as soon as it is published. The aim is that the error margin reaches zero by 31 December 2022.*

Or. en

Amendment 35

Edina Tóth, András Gyürk

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) In order to allow manufacturers to comply with the Euro 6 emission limits in the context of RDE test procedure, the compliance criteria for RDE *should be* introduced in two steps. During the first step, upon the request of the manufacturer, a temporary conformity factor *should* apply, while as a second step only the final conformity factor *should* be used. The Commission should *keep under review* the final conformity factors *in light of* technical progress.

Amendment

(9) In order to allow manufacturers to comply with the Euro 6 emission limits in the context of *the* RDE test procedure, the compliance criteria for RDE *have been* introduced in two steps. During the first step, upon the request of the manufacturer, a temporary conformity factor *can* apply, while as a second step only the final conformity factor *are to* be used. The Commission should *adjust downwards the margin of error used to calculate* the final conformity factors *every second year as a result of* technical progress *of PEMS equipment, unless the Commission justifies the reason for not being able to do so.*

Or. en

Amendment 36

Christel Schaldemose

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) In order to allow manufacturers to comply with the Euro 6 emission limits in the context of RDE test procedure, the compliance criteria for RDE ***should be introduced in two steps. During the first step, upon the request of the manufacturer, a temporary conformity factor should apply, while as a second step only the final conformity factor should be used.*** The Commission should keep under review the final conformity factors in light of technical progress.

Amendment

(9) In order to allow manufacturers to comply with the Euro 6 emission limits in the context of RDE test procedure, the compliance criteria for RDE ***will only*** apply the final conformity factor. The Commission should keep under review the final conformity factors in light of technical progress. ***The Commission should adjust downwards the margin of error used to calculate the final conformity factor every year as a result of the improved accuracy of the measuring procedure or technical progress of PEMS equipment.***

Or. en

Amendment 37

Kateřina Konečná

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) In order to allow manufacturers to comply with the Euro 6 emission limits in the context of RDE test procedure, the compliance criteria for RDE should be introduced in two steps. During the first step, upon the request of the manufacturer, a temporary conformity factor should apply, while as a second step only the final conformity factor should be used. The Commission should keep under review the ***final conformity factors*** in light of technical progress.

Amendment

(9) In order to allow manufacturers to comply with the Euro 6 emission limits in the context of RDE test procedure, the compliance criteria for RDE should be introduced in two steps. During the first step, upon the request of the manufacturer, a temporary conformity factor should apply, while as a second step only the final conformity factor should be used. The Commission should keep under review the ***error margin*** in light of technical progress ***of the Portable Emission Measurement System (PEMS).***

Or. en

Justification

This amendment aims at re-instating the principle of “margin”, as in the current legislation, i.e. Regulation 2016/ 646 (in the case of NOx) and Regulation 2018/1832 (in the case of PN). The current legislation clearly separates the overall conformity factor into two parts: the target for vehicle manufacturer (i.e. a ‘conformity factor’ applied to the actual emission limit at the exhaust tailpipe) and the variability of the Portable Emission Measurement System (i.e. the margin of error).

Amendment 38

Anna Zalewska, Alexandr Vondra

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) In order to allow manufacturers to comply with the Euro 6 emission limits in the context of RDE test procedure, the compliance criteria for RDE should be introduced in two steps. During the first step, upon the request of the manufacturer, a temporary conformity factor should apply, while as a second step only the final conformity factor should be used. ***The Commission should keep under review the final conformity factors in light of technical progress.***

Amendment

(9) In order to allow manufacturers to comply with the Euro 6 emission limits in the context of RDE test procedure, the compliance criteria for RDE should be introduced in two steps. During the first step, upon the request of the manufacturer, a temporary conformity factor should apply, while as a second step only the final conformity factor ***(including margins of error)*** should be used.

Or. en

Amendment 39

Miriam Dalli

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) In order to allow manufacturers to comply with the Euro 6 emission limits in the context of RDE test procedure, ***the compliance criteria for RDE should be introduced in two steps. During the first step, upon the request of the***

Amendment

(9) In order to allow manufacturers to comply with the Euro 6 emission limits in the context of RDE test procedure, ***a*** conformity factor ***could be introduced to temporarily address the technical uncertainty for the PEMS equipment.*** The

manufacturer, a temporary conformity factor *should apply, while as a second step only the final conformity factor should be used.* The Commission should keep under review the *final* conformity factors in light of technical progress.

Commission should keep under *annual* review the *temporary* conformity factors in light of technical progress *until its complete phase-out by 31 December 2021.*

Or. en

Amendment 40
Jan Huitema, Mohammed Chahim

Proposal for a regulation
Recital 9

Text proposed by the Commission

(9) In order to allow manufacturers to comply with the Euro 6 emission limits in the context of RDE test procedure, the compliance criteria for RDE *should be introduced in two steps. During the first step, upon the request of the manufacturer, a temporary* conformity factor *should apply, while as a second step only* the final conformity factor *should be used. The Commission should keep under review the final conformity factors in light of* technical progress.

Amendment

(9) In order to allow manufacturers to comply with the Euro 6 emission limits in the context of RDE test procedure, the compliance criteria for RDE *will apply the final* conformity. *The Commission should adjust downwards the margin of error used to calculate* the final conformity factor *every year as a result of the improved accuracy of the measuring procedure or* technical progress *of PEMS equipment.*

Or. en

Justification

To ensure that under real driving conditions the applicable emission limits are met as precisely as possible, the conformity factor should reflect the real margin of error. To ensure measurement accuracy the conformity factor must be brought down to 1 as soon as possible. The Commission should ensure an annual downward review of the conformity factor in light of scientific assessment of the accuracy of the PEMS equipment.

Amendment 41
Bas Eickhout

Proposal for a regulation
Recital 9 a (new)

(9 a) On 11 December 2019, the Commission published its Communication on the European Green Deal, which highlights the need to accelerate the shift to sustainable and smart mobility, including by addressing and tackling all emission sources, and ensuring a clear pathway from 2025 onwards towards zero-emission mobility. To deliver on that ambition, it is essential that the Commission present, as soon as possible and by June 2021 at the latest, new legislative proposals to introduce more stringent air pollution emissions standards for combustion-engine vehicles, covering all pollutants and all fuels and powertrains under all driving conditions. As part of the future revision of the CO₂ standards for cars and vans, the Commission should also propose a clear phase out the sale of new passenger cars and light commercial vehicles with combustion engines by 2035 at the latest, while ensuring rules do not prevent frontrunner countries to apply more stringent measures at national level in order to decarbonise road transport.

Or. en

Amendment 42
Christel Schaldemose

Proposal for a regulation
Recital 9 a (new)

(9 a) As the General Court of the European Union has ruled that the Commission had no power to amend the limits for RDE tests by applying conformity factors and that the relevant provisions relating to setting the oxides of nitrogen emissions limits are to be

annulled, this legislative act aims at addressing the effects of the annulment by amending Regulation (EC) No 715/2007 with transitional provisions. To that end, it is essential that the Commission establish, by 1 June 2021 at the latest, ambitious and robust requirements for PEMS measuring equipment that may be used for RDE tests. Those requirements should ensure the use of the best available PEMS equipment to ensure accurate measurement of air pollutants including NO_x and PN. On the publication of the PEMS requirements, the final conformity factor should become obsolete and no longer apply for the RDE tests starting 1 January 2022 at the latest.

Or. en

Amendment 43
Mohammed Chahim

Proposal for a regulation
Recital 9 a (new)

Text proposed by the Commission

Amendment

(9 a) In order to ensure swift progress towards improved air quality for Union citizens, it is essential that the Commission adopt a legislative proposal for more stringent air pollutant emissions standards for combustion-engine vehicle as soon as possible, and at the latest by June 2021, as announced by the Commission in its communication of 11 December 2019 entitled "The European Green Deal". In that legislative proposal (post-Euro 6), air pollutant standards should apply to all vehicles regardless of their motor type or the fuel they employ and ensure a lifelong compliance. The standards should further address all relevant pollutants including ammonia.

Or. en

Amendment 44
Anna Zalewska, Alexandr Vondra

Proposal for a regulation
Recital 9 a (new)

Text proposed by the Commission

Amendment

(9 a) The Commission should continually look into the final conformity factors in light of technical progress in order to revise the margins of error. In doing so, the Commission should take into account any standards adopted by the European Committee for Standardization (CEN) for a standard procedure to assess Real Driving Emissions measurement uncertainty with regard to gaseous and particle emissions.

Or. en

Amendment 45
Miriam Dalli

Proposal for a regulation
Recital 9 a (new)

Text proposed by the Commission

Amendment

(9 a) In order to ensure that only the best available technology of PEMS equipment is used by the type-approval authorities to perform the RDE test in the framework of the type-approval process, it is important that the Commission takes all necessary measures to accelerate the ongoing development of standards by the European Committee for Standardization regarding the performance of PEMS NOx and particulate matter (PM) measurement.

Or. en

Amendment 46

Susana Solís Pérez, Ondřej Knotek, Nils Torvalds, María Soraya Rodríguez Ramos

Proposal for a regulation

Recital 9 a (new)

Text proposed by the Commission

Amendment

(9 a) In order to assess more accurately the error margin, a standard procedure to assess RDE measurement uncertainty with regard to gaseous and particle emissions is necessary. It is essential therefore that the European Committee for Standardization (CEN) adopt as soon as possible standards for the PEMS devices. The Commission should duly take into account these standards.

Or. en

Amendment 47

Norbert Lins, Christine Schneider, Sven Schulze, Ulrike Müller, Peter Liese, Jens Gieseke, Andreas Glück

Proposal for a regulation

Recital 9 a (new)

Text proposed by the Commission

Amendment

(9 a) The Commission will mandate CEN to work out a PEMS-Performance Standard for determination of individual error margins of PEM-Systems. Before applying a PEMS-Performance Standard, the Commission is committed to keeping the error margin under annual review and to only update it once improvements in the measuring technology have been made.

Or. en

Justification

The error margin should remain at 0.43 as long as no technical improvements in the measuring devices have been made or are reflected in a CEN PEMS Performance standard.

Amendment 48
Jan Huitema

Proposal for a regulation
Recital 9 a (new)

Text proposed by the Commission

Amendment

(9 a) The Commission should establish ambitious and robust requirements for PEMS measuring equipment that may be used for RDE tests. These requirements should ensure the use of the best available PEMS equipment to ensure accurate measurement of air pollutants, including NO_x and number of particles (PN).

Or. en

Amendment 49
Kateřina Konečná

Proposal for a regulation
Recital 9 a (new)

Text proposed by the Commission

Amendment

(9 a) It is necessary that the Commission take into account any standards adopted by the European Committee for Standardization (CEN) for a standard procedure to assess RDE measurement uncertainty with regard to gaseous and particle emissions.

Or. en

Justification

Subject to the balloting of the draft standard, the work in CEN has completed and should now deliver a standard by end-2020. The aim of the standard is to establish an uncertainty factor for RDE measurements that could replace the specific margins or complement them.

Amendment 50
Nicolae Ștefănuță, Vlad-Marius Botoș

Proposal for a regulation
Recital 9 a (new)

Text proposed by the Commission

Amendment

(9 a) In order to encourage the producers to have a proactive, pro-environmental attitude, the new technological innovations meant to absorb NO_x should be tested, quantified and considered in the subsequent revision of Euro standards.

Or. en

Amendment 51
Christel Schaldemose

Proposal for a regulation
Recital 9 b (new)

Text proposed by the Commission

Amendment

(9 b) In order to ensure swift progress towards improved air quality for Union citizens, it is essential that the Commission adopt a legislative proposal for more stringent air pollutant emissions standards for combustion-engine vehicle as soon as possible, and at the latest by June 2021, as announced by the Commission in its communication of 11 December 2019 entitled "The European Green Deal". In that legislative proposal (post-Euro 6), air pollutant standards should apply to all vehicles regardless of their motor type or the fuel they employ and should ensure a lifelong compliance. The standards should further address all relevant pollutants, including ammonia.

Or. en

Amendment 52
Mohammed Chahim

Proposal for a regulation
Recital 9 b (new)

Text proposed by the Commission

Amendment

(9 b) It is essential that the Commission establish, by 1 June 2021 at the latest, ambitious and robust requirements for PEMS measuring equipment that can be used for RDE tests. These requirements should ensure the use of the best available PEMS equipment to ensure accurate measurement of air pollutants, including NO_x and number of particles (PN). On the publication of the PEMS requirements, the final conformity factor should become obsolete and no longer apply for the RDE tests as from 1 January 2022 at the latest.

Or. en

Amendment 53
Jan Huitema, Mohammed Chahim

Proposal for a regulation
Recital 9 b (new)

Text proposed by the Commission

Amendment

(9 b) In order to reduce air pollution, the emission limits standards for NO_x (and other particle) emissions need to be revised downwards in the post-Euro 6 legislative proposal. Therefore, it is of utmost importance that the Commission present the post-Euro-6 legislative proposal as soon as possible, and at the latest by June 2021, in line with the commitments made under the European Green Deal ensuring a pathway towards zero-emission mobility.

Or. en

Amendment 54

Susana Solís Pérez, Nils Torvalds, María Soraya Rodríguez Ramos

Proposal for a regulation

Recital 9 b (new)

Text proposed by the Commission

Amendment

(9 b) In order to reduce air pollution, the emission limits standards for NO_x (and other particle) emissions need to be revised downwards in the post- Euro 6 legislative proposal. Therefore, it is of utmost importance that the Commission present the post-Euro-6 legislative proposal as soon as possible and at the latest by June 2021 in line with the commitments made under the European Green Deal.

Or. en

Amendment 55

Kateřina Konečná

Proposal for a regulation

Recital 11

Text proposed by the Commission

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***

(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 (*TFEU*) 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 delegation should further include

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.

amending Regulation (EC) No 715/2007 for the purposes of revising the ***error margins*** to reflect technical progress in PEMS. 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 receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

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; The Commission has already started to work on possible measures for post-Euro 6. Delegation to revise particle measurement procedures/ recalibrate the particulate mass based limit values/ introduce particle number based limit values before a post-Euro 6 proposal appears unnecessary.

Amendment 56

Anna Zalewska, Alexandr Vondra

Proposal for a regulation

Recital 11

(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

(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 (*TFEU*) 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, ***including margins of error, ongoing work on their standardisation*** 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

acts.

dealing with the preparation of delegated acts.

Or. en

Amendment 57

Bas Eickhout

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

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 (*TFEU*) 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 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

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.

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 58
Bas Eickhout

Proposal for a regulation
Article 1 – paragraph 1 – point 3 – point a
Regulation (EC) No 715/2007
Article 4 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Those obligations include meeting the emission limits set out in Annex I. ***For the purposes of determining compliance with the Euro 6 emission limits set out in Table 2 of Annex I, the emission values determined during any valid Real Driving Emissions (RDE) test shall be divided by the applicable conformity factor set out in Table 2a of Annex I. The result shall remain below the Euro 6 emission limits set out in Table 2 of that Annex.;***

Amendment

Those obligations include meeting the emission limits set out in Annex I.;

Or. en

Amendment 59
Kateřina Konečn

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

Text proposed by the Commission

Those obligations include **meeting** the emission limits set out in Annex I. For the purposes of determining compliance with the Euro 6 emission limits set out in Table 2 of Annex I, the emission values determined during any valid Real Driving Emissions (RDE) test shall be divided by the applicable conformity factor set out in Table 2a of Annex I. The result shall **remain below** the Euro 6 emission limits set out in Table 2 of that Annex.;

Amendment

Those obligations include **complying with** the emission limits set out in Annex I. For the purposes of determining compliance with the Euro 6 emission limits set out in Table 2 of Annex I, the emission values determined during any valid Real Driving Emissions (RDE) test shall be divided by the applicable conformity factor **or, where specified, by the sum of the applicable conformity factor and error margin** set out in Table 2a of Annex I. The result shall **comply with** the Euro 6 emission limits set out in Table 2 of that Annex.;

Or. en

Justification

This amendment aims at re-instating the principle of “margin”, as in the current legislation, i.e. Regulation 2016/ 646 (in the case of NO_x) and Regulation 2018/1832 (in the case of PN). The current legislation clearly separates the overall conformity factor into two parts: the target for vehicle manufacturer (i.e. a ‘conformity factor’ applied to the actual emission limit at the exhaust tailpipe) and the variability of the Portable Emission Measurement System (i.e. the margin of error).

Amendment 60

Susana Solís Pérez, Nils Torvalds, María Soraya Rodríguez Ramos

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point a

Regulation (EC) No. 715/2007

Article 4 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Those obligations include meeting the emission limits set out in Annex I. For the purposes of determining compliance with the Euro 6 emission limits set out in Table 2 of Annex I, the emission values determined during any valid Real Driving Emissions (RDE) test shall be divided by the applicable conformity factor set out in

Amendment

Those obligations include meeting the emission limits set out in Annex I. For the purposes of determining compliance with the Euro 6 emission limits set out in Table 2 of Annex I, the emission values determined during any valid Real Driving Emissions (RDE) test shall be divided by the applicable conformity factor set out in

Table 2a of Annex I. The result shall remain below the Euro 6 emission limits set out in Table 2 of that Annex.;

Table 2a of Annex I. The result shall remain below the Euro 6 emission limits set out in Table 2 of that Annex. ***The error margin shall reach zero by 31 December 2022;***

Or. en

Amendment 61
Miriam Dalli

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point a

Regulation (EC) No 715/2007

Article 4 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Those obligations include meeting the emission limits set out in Annex I. For the purposes of determining compliance with the Euro 6 emission limits set out in Table 2 of Annex I, the emission values determined during any valid Real Driving Emissions (RDE) test shall be divided by the ***applicable*** conformity factor set out in Table 2a of Annex I. The result shall remain below the Euro 6 emission limits set out in Table 2 of that Annex.;

Amendment

Those obligations include meeting the emission limits set out in Annex I. For the purposes of determining compliance with the Euro 6 emission limits set out in Table 2 of Annex I, the emission values determined during any valid Real Driving Emissions (RDE) test shall be divided by the ***temporary*** conformity factor set out in Table 2a of Annex I ***until its complete phase-out by 31 December 2021***. The result shall remain below the Euro 6 emission limits set out in Table 2 of that Annex.;

Or. en

Amendment 62
Bas Eickhout

Proposal for a regulation

Article 1 – paragraph 1 – point 7 – point a

Regulation (EC) No 715/2007

Article 10 – paragraph 1

Text proposed by the Commission

1. With effect from 2 July 2007, if a manufacturer so requests, the national

Amendment

1. With effect from 2 July 2007, if a manufacturer so requests, the national

authorities may not, on grounds relating to emissions or fuel consumption of vehicles, refuse to grant EC type approval or national type approval for a new type of vehicle, or prohibit the registration, sale or entry into service of a new vehicle, where the vehicle concerned complies with this Regulation, and in particular with the Euro 5 limit values set out in Table 1 of Annex I or with the Euro 6 limit values set out in Table 2 of Annex I, **subject to the second subparagraph of Article 4(1)**.

authorities may not, on grounds relating to emissions or fuel consumption of vehicles, refuse to grant EC type approval or national type approval for a new type of vehicle, or prohibit the registration, sale or entry into service of a new vehicle, where the vehicle concerned complies with this Regulation, and in particular with the Euro 5 limit values set out in Table 1 of Annex I or with the Euro 6 limit values set out in Table 2 of Annex I.

Or. en

Amendment 63
Bas Eickhout

Proposal for a regulation
Article 1 – paragraph 1 – point 7 – point b
Regulation (EC) No 715/2007
Article 10 – paragraph 4 – subparagraph 2

Text proposed by the Commission

The compliance with the Euro 6 limit values shall, during any valid RDE test, be determined by taking into account the pollutant-specific conformity factor set out in Table 2a of Annex I in accordance with the second subparagraph of Article 4(1).

Amendment

deleted

Or. en

Amendment 64
Miriam Dalli

Proposal for a regulation
Article 1 – paragraph 1 – point 7 – point b
Regulation (EC) No 715/2007
Article 10 – paragraph 4 – subparagraph 2

Text proposed by the Commission

The compliance with the Euro 6 limit values shall, during any valid RDE test, be determined by taking into account the pollutant-specific conformity factor set out in Table 2a of Annex I in accordance with the second subparagraph of Article 4(1).

Amendment

The compliance with the Euro 6 limit values shall, during any valid RDE test, be determined by taking into account the pollutant-specific **temporary** conformity factor set out in Table 2a of Annex I, **until its complete phase-out by 31 December 2021**, in accordance with the second subparagraph of Article 4(1).

Or. en

Amendment 65
Christel Schaldemose

Proposal for a regulation
Article 1 – paragraph 1 – point 7 – point b
Regulation (EC) No 715/2007
Article 10 – paragraph 4 – subparagraph 2

Text proposed by the Commission

The compliance with the Euro 6 limit values shall, **during any valid RDE test**, be determined by **taking** into account the pollutant-specific conformity factor set out in Table 2a of Annex I in accordance with the second subparagraph of Article 4(1).

Amendment

The compliance with the Euro 6 limit values shall be determined by **using a valid RDE test. Until 1 January 2022 at the latest, the RDE test shall take** into account the pollutant-specific conformity factor set out in Table 2a of Annex I in accordance with the second subparagraph of Article 4(1).

Or. en

Amendment 66
Bas Eickhout

Proposal for a regulation
Article 1 – paragraph 1 – point 7 – point b
Regulation (EC) No 715/2007
Article 10 – paragraph 5 – subparagraph 1

Text proposed by the Commission

With effect from 1 September 2015, and

Amendment

With effect from 1 September 2015, and

from 1 September 2016 in the case of category N₁ class II and III and category N₂ vehicles, national authorities shall, in the case of new vehicles which do not comply with this Regulation, and in particular with the Euro 6 limit values set out in Table 2 of Annex I, [*as determined in accordance with the second subparagraph of paragraph 4*], consider certificates of conformity to be no longer valid for the purposes of Article 18 of Directive 2007/46/EC and shall, on grounds relating to emissions or fuel consumption, prohibit the registration, sale or entry into service of such vehicles.

from 1 September 2016 in the case of category N₁ class II and III and category N₂ vehicles, national authorities shall, in the case of new vehicles which do not comply with this Regulation, and in particular with the Euro 6 limit values set out in Table 2 of Annex I, consider certificates of conformity to be no longer valid for the purposes of Article 18 of Directive 2007/46/EC and shall, on grounds relating to emissions or fuel consumption, prohibit the registration, sale or entry into service of such vehicles.

Or. en

Amendment 67
Bas Eickhout

Proposal for a regulation

Article 1 – paragraph 1 – point 7 – point b

Regulation (EC) No 715/2007

Article 10 – paragraph 5 – subparagraph 2

Text proposed by the Commission

The compliance with the Euro 6 limit values shall, during any valid RDE test, be determined by taking into account the pollutant-specific conformity factor set out in Table 2a of Annex I in accordance with the second subparagraph of Article 4(1).;

Amendment

deleted

Or. en

Amendment 68
Miriam Dalli

Proposal for a regulation

Article 1 – paragraph 1 – point 7 – point b

Regulation (EC) No 715/2007

Article 10 – paragraph 5 – subparagraph 2

Text proposed by the Commission

The compliance with the Euro 6 limit values shall, during any valid RDE test, be determined by taking into account the pollutant-specific conformity factor set out in Table 2a of Annex I in accordance with the second subparagraph of Article 4(1).;

Amendment

The compliance with the Euro 6 limit values shall, during any valid RDE test, be determined by taking into account the pollutant-specific **temporary** conformity factor set out in Table 2a of Annex I, **until its complete phase-out by 31 December 2021**, in accordance with the second subparagraph of Article 4(1).;

Or. en

Amendment 69

Christel Schaldemose

Proposal for a regulation

Article 1 – paragraph 1 – point 7 – point b

Regulation (EC) No 715/2007

Article 10 – paragraph 5 – subparagraph 2

Text proposed by the Commission

The compliance with the Euro 6 limit values shall, **during any valid RDE test**, be determined by **taking** into account the pollutant-specific conformity factor set out in Table 2a of Annex I in accordance with the second subparagraph of Article 4(1).;

Amendment

The compliance with the Euro 6 limit values shall be determined by **using a valid RDE test. Until 1 January 2022 at the latest, the RDE test shall take** into account the pollutant-specific conformity factor set out in Table 2a of Annex I in accordance with the second subparagraph of Article 4(1).;

Or. en

Amendment 70

Kateřina Konečná

Proposal for a regulation

Article 1 – paragraph 1 – point 10

Regulation (EC) No 715/2007

Article 14 – paragraph 2

Text proposed by the Commission

2. The Commission is empowered to

Amendment

deleted

adopt delegated acts in accordance with Article 14a in order to adopt the following measures based on the results of the UNECE Particulate Measurement Programme, conducted under the auspices of the World Forum for Harmonisation of Vehicle Regulations, without lowering the level of environmental protection within the Union:

(a) amend this Regulation for the purposes of reviewing the particulate mass and particle number limit values set out in Annex I;

(b) supplement this Regulation by the adoption of a revised measurement procedure for particle numbers.

Or. en

Amendment 71
Bas Eickhout

Proposal for a regulation
Article 1 – paragraph 1 – point 10
Regulation (EC) No 715/2007
Article 14 – paragraph 3 – point a

Text proposed by the Commission

(a) supplementing this Regulation in order to adapt the procedures, tests and requirements as well as the test cycles used to measure emissions in order to adequately reflect real driving emissions;

Amendment

(a) supplementing this Regulation in order to adapt the procedures, tests and requirements as well as the test cycles used to measure emissions in order to adequately reflect real driving emissions *under all normal conditions of use, in particular in view of extending the temperature and altitude boundary conditions to the maximum capability of the best in class PEMS equipment, removing the maximum cumulative positive altitude gain permissible during the trip, removing the additional 1,6 conformity factor for pollutant emissions measured during extended ambient boundary conditions, and addressing hazardous spikes in particles resulting*

from filter cleaning;

Or. en

Amendment 72
Miriam Dalli

Proposal for a regulation
Article 1 – paragraph 1 – point 10
Regulation (EC) No 715/2007
Article 14 – paragraph 3 – point a

Text proposed by the Commission

(a) supplementing this Regulation in order to adapt the procedures, tests and requirements as well as the test cycles used to measure emissions in order to adequately reflect real driving emissions;

Amendment

(a) supplementing this Regulation in order to adapt the procedures, tests and requirements as well as the test cycles used to measure emissions in order to adequately reflect real driving emissions ***in line with ISO standards;***

Or. en

Amendment 73
Christel Schaldemose

Proposal for a regulation
Article 1 – paragraph 1 – point 10
Regulation (EC) No 715/2007
Article 14 – paragraph 3 – point a a (new)

Text proposed by the Commission

Amendment

(a a) amending this Regulation in order to establish, by 1 June 2021 at the latest, ambitious requirements for PEMS measuring equipment, based on the best available techniques, to ensure accurate measurement of air pollutants and discontinue the applications of the final conformity factors in RDE test as from 1 January 2022 at the latest.

Or. en

Amendment 74

Jan Huitema

Proposal for a regulation

Article 1 – paragraph 1 – point 10

Regulation (EC) No 715/2007

Article 14 – paragraph 3 – point a a (new)

Text proposed by the Commission

Amendment

(a a) amending this Regulation in order to establish ambitious requirements for PEMS measuring equipment, based on the best available techniques, to ensure accurate measurement of air pollutants. Results of those measurements shall be submitted in a unified form and shall be made publicly available online across the Union.

Or. en

Amendment 75

Edina Tóth, András Gyürk

Proposal for a regulation

Article 1 – paragraph 1 – point 10

Regulation (EC) No 715/2007

Article 14 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) amending this Regulation in order to adapt to technical progress the pollutant-specific final conformity factors set out in Table 2a to Annex I;

deleted

Or. en

Amendment 76

Bas Eickhout

Proposal for a regulation

Article 1 – paragraph 1 – point 10

Regulation (EC) No 715/2007

Article 14 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) amending this Regulation in order to adapt to technical progress the pollutant-specific final conformity factors set out in Table 2a to Annex I;

deleted

Or. en

Amendment 77

Susana Solís Pérez, Nils Torvalds, María Soraya Rodríguez Ramos

Proposal for a regulation

Article 1 – paragraph 1 – point 10

Regulation (EC) No 715/2007

Article 14 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) amending this Regulation in order to adapt to technical progress the pollutant-specific final conformity factors set out in Table 2a to Annex I;

(b) amending this Regulation in order to adapt to technical progress the pollutant-specific final conformity factors **and error margins** set out in Table 2a to Annex I, **with the aim of bringing the error margin to zero as soon as possible and by 31 December 2022 at the latest;**

Or. en

Amendment 78

Kateřina Konečná

Proposal for a regulation

Article 1 – paragraph 1 – point 10

Regulation (EC) No 715/2007

Article 14 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) amending this Regulation in order to **adapt to technical progress** the pollutant-specific **final conformity factors** set out in Table 2a to Annex I;

(b) amending this Regulation in order to **revise** the pollutant-specific **margin of error** set out in Table 2a to Annex I **in light of technical progress by taking into account the technical uncertainties linked with the use of Portable Emission**

Justification

The issues surrounding particle emissions are being addressed by the PMP group in Geneva in preparation for a Commission proposal on post-Euro 6. The request for delegated powers as noted in paragraph 2 is therefore irrelevant. In addition to that, particulate mass and particulate number values, as well as the measurement procedure for particulate numbers are essential elements of the legislation which should be adopted by ordinary legislative procedure and not via delegated acts;

Amendment 79

Miriam Dalli

Proposal for a regulation

Article 1 – paragraph 1 – point 10

Regulation (EC) No 715/2007

Article 14 – paragraph 3 – point b

Text proposed by the Commission

(b) amending this Regulation in order to adapt to technical progress the pollutant-specific **final** conformity factors set out in Table 2a to Annex I.;

Amendment

(b) amending this Regulation in order to adapt to technical progress the pollutant-specific **temporary** conformity factors set out in Table 2a to Annex I **until its complete phase-out by 31 December 2021.**;

Amendment 80

Anna Zalewska, Alexandr Vondra

Proposal for a regulation

Article 1 – paragraph 1 – point 10

Regulation (EC) No 715/2007

Article 14 – paragraph 3 – point b

Text proposed by the Commission

(b) amending this Regulation in order to adapt to technical progress the pollutant-specific final conformity factors set out in Table 2a to Annex I.;

Amendment

(b) amending this Regulation (**by revising the margins of error**) in order to adapt to technical progress the pollutant-specific final conformity factors set out in

Amendment 81
Jan Huitema, Mohammed Chahim

Proposal for a regulation
Article 1 – paragraph 1 – point 10
Regulation (EC) No 715/2007
Article 14 – paragraph 3 – point b

Text proposed by the Commission

(b) amending this Regulation in order to ***adapt to technical progress*** the pollutant-specific final conformity factors set out in Table 2a to Annex I;

Amendment

(b) amending this Regulation in order to ***review annually downwards*** the pollutant-specific final conformity factors set out in Table 2a to Annex I;

Amendment 82
Christel Schaldemose

Proposal for a regulation
Article 1 – paragraph 1 – point 10
Regulation (EC) No 715/2007
Article 14 – paragraph 3 – point b

Text proposed by the Commission

(b) amending this Regulation in order to ***adapt to technical progress*** the pollutant-specific final conformity factors set out in Table 2a to Annex I;

Amendment

(b) amending this Regulation in order to ***review annually downwards*** the pollutant-specific final conformity factors set out in Table 2a to Annex I;

Amendment 83
Kateřina Konečná

Proposal for a regulation
Article 1 – paragraph 1 – point 10

Text proposed by the Commission

(b) amending this Regulation in order to adapt to technical progress the ***pollutant-specific final conformity factors*** set out in Table 2a to Annex I;

Amendment

(b) amending this Regulation in order to adapt to technical progress the ***pollutant specific margin of error*** set out in Table 2a to Annex I;

Or. en

Justification

This amendment aims at re-instating the principle of “margin”, as in the current legislation, i.e. Regulation 2016/ 646 (in the case of NO_x) and Regulation 2018/1832 (in the case of PN). The current legislation clearly separates the overall conformity factor into two parts: the target for vehicle manufacturer (i.e. a ‘conformity factor’ applied to the actual emission limit at the exhaust tailpipe) and the variability of the Portable Emission Measurement System (i.e. the margin of error).

Amendment 84

Anna Zalewska, Alexandr Vondra

Proposal for a regulation

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

Regulation (EC) 715/2007

Article 14 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

(10a) in Article 14 the following paragraph is inserted:

“3 a. In exercising its powers referred to in paragraph 3 the Commission shall take into account any standards adopted by the European Committee for Standardization (CEN) which provide a technically sound approach to assess Real Driving Emissions measurement uncertainty with regard to gaseous and particle emissions and to verify a specific margin of error for PEMS applications. ”

Or. en

Amendment 85

Bas Eickhout

Proposal for a regulation

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

Regulation (EC) No 715/2007

Article 14 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

(10 a) In Article 14, paragraph 5a is added:

“5a. By June 2021 at the latest and in view of improving compliance of Member States with Union Air Quality Standards, the Commission shall present a proposal to the European Parliament and the Council with a view to tightening the emission limits set out in Annex I, and to covering all remaining pollutants, for all types of fuels and power trains, under all driving conditions. New emission limits and accompanying measures, and their date of entry into force, shall be consistent with a pathway towards zero-emission mobility from 2025 onwards and the Union zero-pollution ambition.”

Or. en

Amendment 86

Bas Eickhout

Proposal for a regulation

Article 1 – paragraph 1 – point 11

Regulation (EC) No 715/2007

Article 14a – paragraph 2

Text proposed by the Commission

Amendment

2. The power to adopt delegated acts referred to in Article 5(3), Article 8 and Article 14(2) and (3) shall be conferred on the Commission for a period of **five** years from ... [date of entry into force]. The Commission shall draw up a report in respect of the delegation of power not later

2. The power to adopt delegated acts referred to in Article 5(3), Article 8 and Article 14(2) and (3) shall be conferred on the Commission for a period of **two** years from ... [date of entry into force]. The Commission shall draw up a report in respect of the delegation of power not later

than *nine* months before the end of the *five-year* period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

than *six* months before the end of the *two-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.

Or. en

Amendment 87
Kateřina Konečná

Proposal for a regulation
Article 1 – paragraph 1 – point 11
Regulation (EC) No 715/2007
Article 14a – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6 a. The Commission shall take into account any standards adopted by the European Committee for Standardization (CEN) which provide a technically sound approach to assess RDE measurement uncertainty with regard to gaseous and particle emissions, with the aim of requiring the use of such a standard within this Regulation in order for an appropriate authority to verify a specific margin of uncertainty for PEMS applications and to consider if that is sufficient to replace the specific margins of error indicated in Table 2a in Annex I to this Regulation or is able to complement these specific margins.

Or. en

Justification

Subject to the balloting of the draft standard, the work in CEN has completed and should now deliver a standard by end-2020. The aim of the standard is to establish an uncertainty factor for RDE measurements that could replace the specific margins or complement them.

Amendment 88

Bas Eickhout

Proposal for a regulation

Annex – paragraph -1 (new)

Regulation (EC) No 715/2007

Annex I – table 2 – column 6

Present text

Mass of oxides of nitrogen (NO_x)

L₄

(mg/km)

PI	CI
60	80
60	80
75	105
82	125
82	125

Amendment

In Annex I to Regulation (EC) No 715/2007, Table 2 is amended as follows:

“Mass of oxides of nitrogen (NO_x)

L₄

(mg/km)

PI	CI
60	60
60	60
75	75
82	82
82	82

Key: PI = Positive Ignition, CI = Compression Ignition”

Or. en

Amendment 89

Bas Eickhout

Proposal for a regulation

Annex

Regulation (EC) No 715/2007

Annex I – table 2a

Text proposed by the Commission

Amendment

[...]

deleted

Or. en

Amendment 90

Christel Schaldemose

Proposal for a regulation

Annex – paragraph 1

Regulation (EC) No 715/2007

Annex I – table 2a – row 2

Text proposed by the Commission

CF	1,43	1,5	-	-	-
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pollutant-final ⁽²⁾

⁽²⁾ CF pollutant-final is the conformity factor used to determine compliance with the Euro 6 emission limits by taking into account the technical uncertainties linked with the use of the Portable Emission Measurement Systems (PEMS).

Amendment

CF	1,32	1,5	-	-	-
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pollutant-final ⁽²⁾

⁽²⁾ CF pollutant-final is the conformity factor used to determine compliance with the Euro 6 emission limits by taking into account the technical uncertainties linked with the use of the Portable Emission Measurement Systems (PEMS).

Or. en

Amendment 91

Miriam Dalli

Proposal for a regulation

Annex – paragraph 1

Text proposed by the Commission

CF pollutant- final ⁽²⁾	1,43	1,5	-	-	-
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⁽²⁾ CF pollutant-**final** is the conformity factor used to determine compliance with the Euro 6 emission limits by taking into account the technical uncertainties linked with the use of the Portable Emission Measurement Systems (PEMS).

Amendment

CF pollutant- temp (2)	1,32	1,5	-	-	-
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(2) CF pollutant-**temp** is the **temporary** conformity factor used to determine compliance with the Euro 6 emission limits by taking into account the technical uncertainties linked with the use of the Portable Emission Measurement Systems (PEMS) **until its complete phase-out by 31 December 2021**.

Or. en

Justification

Any measurement equipment has a margin of error, even under laboratory conditions, and manufacturers already take this into account when designing vehicles to meet regulatory limits. For that reason, no conformity factor can be applied in the context of the RDE test procedure without a clear end date.

A temporary conformity factor of maximum 1.32 might be considered to be applied until its complete phase-out by 31 December 2021. Based on the knowledge shared by JRC itself in December 2019 lowering the margin to 0.32 is reasonable.

Furthermore, standards are there to provide legal stability and to be followed, and should not be undermined by using conformity factors or other deviation mechanism whatever their name is.

Amendment 92
Jan Huitema

Proposal for a regulation
Annex – paragraph 1
Regulation (EC) No 715/2007
Annex I – table 2a – row 2

Text proposed by the Commission

CF pollutant-final ⁽²⁾	1,43	1,5	-	-	-
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⁽²⁾ CF pollutant-final is the conformity factor used to determine compliance with the Euro 6 emission limits by taking into account the technical uncertainties linked with the use of the Portable Emission Measurement Systems (PEMS).

Amendment

CF pollutant-final ⁽²⁾	1 + margin of error (margin =0,32*)	1 + margin of error (margin =0,5*)	-	-	-
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*** To be revised downwards on the basis of the imminent assessment of the Joint Research Centre.**

⁽²⁾ CF pollutant-final is the conformity factor used to determine compliance with the Euro 6 emission limits by taking into account the technical uncertainties linked with the use of the Portable Emission Measurement Systems (PEMS). **It is therefore expressed as 1 + a margin of error.**

Or. en

Amendment 93

Anna Zalewska, Alexandr Vondra

Proposal for a regulation

Annex – paragraph 1

Regulation (EC) No 715/2007

Annex I – table 2a – row 2

Text proposed by the Commission

CF pollutant-final ⁽²⁾	1,43	1,5	-	-	-
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⁽²⁾ CF pollutant-final is the conformity factor used to determine compliance with the Euro 6 emission limits by taking into account the technical uncertainties linked with the use of the Portable Emission Measurement Systems (PEMS).

Amendment

CF pollutant-	1 + margin of error	1 + margin of error	-	-	-
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final ⁽²⁾ (*margin* (*margin*
 =0,43) =0,5)

⁽²⁾ CF pollutant-final is the conformity factor used to determine compliance with the Euro 6 emission limits by taking into account the technical uncertainties linked with the use of the Portable Emission Measurement Systems (PEMS) *which is expressed as a margin of error.*

Or. en

Amendment 94
Kateřina Konečná

Proposal for a regulation
Annex – paragraph 1
 Regulation (EC) No 715/2007
 Annex I – table 2a – row 2

Text proposed by the Commission

CF pollutant-final ⁽²⁾	1,43	1,5	-	-	-
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⁽²⁾ CF pollutant-final is the conformity factor used to determine compliance with the Euro 6 emission limits by taking into account the technical uncertainties linked with the use of the Portable Emission Measurement Systems (PEMS).

Amendment

CF pollutant-final ⁽²⁾	1 + margin, with margin =0,43^(2a)	1 + margin, with margin =0,5^(2a)	-	-	-
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⁽²⁾ CF pollutant-final is the conformity factor used to determine compliance with the Euro 6 emission limits *expressed as the sum of the target for vehicle emissions performance and* the technical uncertainties linked with the use of the Portable Emission Measurement Systems (PEMS) (*i.e. margin of error*).

^(2a) *The Commission shall take into account any standards adopted by the European Committee for Standardization (CEN) which provide a technically sound approach to assess RDE measurement uncertainty with regard to gaseous and particle emissions, with the aim of requiring the use of such as standard within this Regulation in order for an appropriate authority to verify a specific margin of uncertainty for PEMS applications and to consider if that is sufficient to replace the specific margins of error indicated in Table 2a in Annex I to this Regulation or is able to complement these specific margins.*

Or. en

Amendment 95

Norbert Lins, Christine Schneider, Peter Liese, Andreas Glück, Ulrike Müller, Jens Gieseke, Sven Schulze

Proposal for a regulation

Annex – paragraph 1

Regulation (EC) No 715/2007

Annex I – table 2a – row 2

Text proposed by the Commission

CF pollutant-final ⁽²⁾	1,43	1,5	-	-	-
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⁽²⁾ CF pollutant-final is the conformity factor used to determine compliance with the Euro 6 emission limits by taking into account the technical uncertainties linked with the use of the Portable Emission Measurement Systems (PEMS).

Amendment

CF pollutant-final (2)	<i>1 + margin of error (margin = [0,43]^{a)}</i>	<i>1 + margin of error (margin = 0,5)</i>	-	-	-
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⁽²⁾ CF pollutant-final is the conformity factor used to determine compliance with the Euro 6 emission limits by taking into account the technical uncertainties linked with the use of the Portable Emission Measurement Systems (PEMS). *It is therefore expressed as 1 + a margin of error.*

^(2a) *In order to verify an individual error margin of PEM-Systems to complement or replace the margins in Table 2a in annex to this Regulation, the Commission shall take into account any CEN standards that determine a PEMS-Performance standard with respect to measuring NO_x and PN.*

Or. en

Justification

The error margin should remain at 0,43 as long as no technical improvements in the measuring devices have been made or are reflected in a CEN PEMS Performance standard.

Amendment 96

Edina Tóth, András Gyürk

Proposal for a regulation

Annex – paragraph 1

Text proposed by the Commission

CF pollutant-final ⁽²⁾	1,43	1,5	-	-	-
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⁽²⁾ CF pollutant-final is the conformity factor used to determine compliance with the Euro 6 emission limits by taking into account the technical uncertainties linked with the use of the Portable Emission Measurement Systems (PEMS).

Amendment

CF pollutant-final ⁽²⁾	1 + margin of error (margin =[0,43])	1 + margin of error (margin =0,5)	-	-	-
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⁽²⁾ CF pollutant-final is the conformity factor used to determine compliance with the Euro 6 emission limits by taking into account the technical uncertainties linked with the use of the Portable Emission Measurement Systems (PEMS). ***It is therefore expressed as 1 + a margin of error.***

Or. en

Amendment 97

Susana Solís Pérez, Nils Torvalds, Ondřej Knotek

Proposal for a regulation

Annex – paragraph 1

Regulation (EC) No 715/2007

Annex I – table 2a – row 2

Text proposed by the Commission

CF pollutant-final ⁽²⁾	1,43	1,5	-	-	-
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⁽²⁾ CF pollutant-final is the conformity factor used to determine compliance with the Euro 6 emission limits by taking into account the technical uncertainties linked with the use of the Portable Emission Measurement Systems (PEMS).

Amendment

CF pollutant-	1 +error margin	1 +error margin	-	-	-
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final ⁽²⁾ (*margin* (*margin*
 =*[0,43]**) =*[0,5]**)

** To be revised downwards to the figure proposed in the JRC report as soon as this is published.*

⁽²⁾ CF pollutant-final is the conformity factor used to determine compliance with the Euro 6 emission limits by taking into account the technical uncertainties linked with the use of the Portable Emission Measurement Systems (PEMS). *It is expressed as 1 + error margin.*

Or. en

Amendment 98
Christel Schaldemose

Proposal for a regulation
Annex – paragraph 1
Regulation (EC) No 715/2007
Annex I – table 2a – row 3

Text proposed by the Commission

<i>CF</i>	<i>2,1</i>	<i>1,5</i>	<i>-</i>	<i>-</i>	<i>-</i>
<i>pollutant-temp</i> ⁽³⁾					

⁽³⁾ *CF pollutant-temp is the temporary conformity factor that may be used upon request of the manufacturer as an alternative to CF pollutant-final during a period of 5 years and 4 months following the dates specified in Article 10(4) and (5).”.*

Amendment

deleted

Or. en

Amendment 99
Jan Huitema

Proposal for a regulation
Annex – paragraph 1
Regulation (EC) No 715/2007
Annex I – table 2a – row 3

Text proposed by the Commission

<i>CF</i>	<i>2,1</i>	<i>1,5</i>	<i>-</i>	<i>-</i>	<i>-</i>
<i>pollutant-</i>					

temp⁽³⁾

⁽³⁾CF pollutant-temp is the temporary conformity factor that may be used upon request of the manufacturer as an alternative to CF pollutant-final during a period of 5 years and 4 months following the dates specified in Article 10(4) and (5).”.

Amendment

deleted

Or. en

Amendment 100
Miriam Dalli

Proposal for a regulation
Annex – paragraph 1
Regulation (EC) No 715/2007
Annex I – table 2a – row 3

Text proposed by the Commission

<i>CF pollutant-temp</i> ⁽³⁾	<i>2,1</i>	<i>1,5</i>	<i>-</i>	<i>-</i>	<i>-</i>
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⁽³⁾CF pollutant-temp is the temporary conformity factor that may be used upon request of the manufacturer as an alternative to CF pollutant-final during a period of 5 years and 4 months following the dates specified in Article 10(4) and (5).”.

Amendment

deleted

Or. en

Justification

It is unacceptable that the acclaimed uncertainties related to the use of PEMS devices are used at the expense of public health and allow vehicles to emit up to more than two times greater amount of NO_x than the limits on those emissions laid down for the Euro 6 standard. This conformity factor of 2.1 is being declared invalid by the judgement of the General Court, therefore, it is necessary to delete this conformity factor of 2.1 introduced by Regulation (EU) 2016/646.

Amendment 101
Kateřina Konečná

Proposal for a regulation
Annex – paragraph 1
Regulation (EC) No 715/2007
Annex I – table 2a – row 3

Text proposed by the Commission

CF pollutant-temp ⁽³⁾	2,1	1,5	-	-	-
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⁽³⁾CF pollutant-temp is the temporary conformity factor that may be used upon request of the manufacturer as an alternative to CF pollutant-final during a period of 5 years and 4 months following the dates specified in Article 10(4) and (5).

Amendment

CF pollutant-temp ⁽³⁾	2,1	1 + margin, with margin = 0,5	-	-	-
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⁽³⁾CF pollutant-temp is the temporary conformity factor that may be used upon request of the manufacturer as an alternative to CF pollutant-final during a period of 5 years and 4 months following the dates specified in Article 10(4) and (5).

Or. en