

Emission limits and type-approval for internal combustion engines for non-road mobile machinery

2014/0268(COD) - 25/09/2014 - Legislative proposal

PURPOSE: to protect human health and the environment, and ensure the proper functioning of the internal market for engines in non-road mobile machinery (NRMM).

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: the emissions limits for non-road mobile machinery (NRMM) are currently set out in [Directive 97/68/EC](#). This Directive was amended a number of times, but several technical reviews have concluded that the legislation in its current form has **shortcomings**.

Non-road mobile machinery (NRMM) covers a large variety of combustion engines installed in machines ranging from small handheld equipment, construction machinery and generating sets, to railcars, locomotives and inland waterway vessels.

These engines contribute significantly to air pollution and are accountable for roughly 15% of the nitrogen oxide (NO_x) and 5% of the particulate matter (PM) emissions in the EU.

The proposal also ties in with the [industrial policy update of 2012](#) and could make an important contribution to technical harmonisation in the context of the EU-US trade negotiations (Transatlantic Trade and Investment Partnership - TTIP).

IMPACT ASSESSMENT: the impact assessment took into account in the analytical design that the preferred choice might be a **combination of elements from different options**. Alongside the no-policy change scenario, these options are:

- alignment with US standards in scope and limit values.
- step towards road sector ambition levels, for the most relevant emission sources.
- extended level of ambition through enhanced monitoring provisions.

CONTENT: the proposal **significantly upgrades** the NRMM engine type-approval system with respect to the technical requirements on emissions by adopting **stricter levels**, as well as introducing the “**split-level approach**” which is already used in other pieces of legislation in the area of EU type-approval of motor vehicles.

This approach foresees legislation in two steps:

- first, the **fundamental provisions** will be laid down by the European Parliament and the Council in a Regulation based on the ordinary legislative procedure;
- secondly, the **technical specifications** implementing the fundamental provisions will be laid down in delegated acts adopted by the Commission in accordance with Article 290 of the TFEU.

The draft proposal and its implementing and delegated acts will carry over and improve on the existing requirements laid down in Directive 97/68/EC. Compared to the existing act, the proposal for a regulation will:

- introduce **new emission limits** reflecting technological progress and EU policies in the on-road sector, with a view to achieving EU air quality targets;
- **extend the scope**, with a view to improving market harmonisation (EU and international) and minimising the risk of market distortions;
- introduce measures for **simplifying administrative procedures** and improving enforcement, including conditions for better market surveillance.

In particular, the **delegated acts** adopted under this proposal will include, amongst others:

- detailed technical requirements of the test cycles;
- technical test and measurement procedures;
- detailed arrangements and requirements for the exceptions granted under this Regulation;
- detailed provisions for type-approval procedures.

The proposal also provides general and specific **transitional periods** in order to allow sufficient lead time for engine and machinery manufacturers, as well as for administrations.

BUDGETARY IMPLICATION: the cost associated to setting up an electronic database for the exchange of type-approval information was already assessed in a feasibility study commissioned by the UNECE in June 2006.

The study predicted one off start-up costs in the **EUR 50 000 to EUR 150 000** range and operating costs of **EUR 5 000 to EUR 15 000 per month**, depending on the length of the contract with the service provider. A similar monthly range is provided for operating a help desk service, if required.

DELEGATED ACTS: the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union.