



Basic information	
<p><b>2007/0295(COD)</b></p> <p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation</p>	Procedure completed
<p>Type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and access to vehicle repair and maintenance information</p> <p>Repealing Directive 2005/55/EC <a href="#">2003/0205(COD)</a> Repealing Directive 2005/78/EC <a href="#">2003/0205(COD)</a> Amending Directive 2007/46/EC <a href="#">2003/0153(COD)</a> Amending Regulation (EC) No 715/2007 <a href="#">2005/0282(COD)</a> Repealed by <a href="#">2022/0365(COD)</a> Amended by <a href="#">2016/0014(COD)</a> Amended by <a href="#">2018/0143(COD)</a></p> <p><b>Subject</b></p> <p>2.10.03 Standardisation, EC/EU standards and trade mark, certification, compliance 3.20.06 Transport regulations, road safety, roadworthiness tests, driving licence 3.40.03 Motor industry, cycle and motorcycle, commercial and agricultural vehicles 3.70.02 Atmospheric pollution, motor vehicle pollution</p>	

Key players				
European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>	<b>Appointed</b>
	<a href="#">ENVI</a> Environment, Public Health and Food Safety		GROOTE Matthias (PSE)	26/02/2008
	<b>Committee for opinion</b>		<b>Rapporteur for opinion</b>	<b>Appointed</b>
	<a href="#">ITRE</a> Industry, Research and Energy		The committee decided not to give an opinion.	
	<a href="#">IMCO</a> Internal Market and Consumer Protection		WEISGERBER Anja (PPE-DE)	25/03/2008
	<a href="#">TRAN</a> Transport and Tourism		BLOKLAND Johannes (IND/DEM)	22/01/2008
Council of the European Union	<b>Council configuration</b>		<b>Meetings</b>	<b>Date</b>
	Employment, Social Policy, Health and Consumer Affairs		2947	2009-06-08
	Environment		2784	2008-06-05
	Environment		2856	2008-03-03
European Commission	<b>Commission DG</b>		<b>Commissioner</b>	
	Internal Market, Industry, Entrepreneurship and SMEs		VERHEUGEN Günter	

Key events			
Date	Event	Reference	Summary
21/12/2007	Legislative proposal published	COM(2007)0851 	Summary
15/01/2008	Committee referral announced in Parliament, 1st reading		
03/03/2008	Debate in Council		
05/06/2008	Debate in Council		
15/07/2008	Vote in committee, 1st reading		Summary
11/08/2008	Committee report tabled for plenary, 1st reading	A6-0329/2008	
15/12/2008	Debate in Parliament	CRE link	
16/12/2008	Decision by Parliament, 1st reading	T6-0604/2008	Summary
16/12/2008	Results of vote in Parliament		
08/06/2009	Act adopted by Council after Parliament's 1st reading		
18/06/2009	Final act signed		
18/06/2009	End of procedure in Parliament		
18/07/2009	Final act published in Official Journal		

Technical information	
<b>Procedure reference</b>	2007/0295(COD)
<b>Procedure type</b>	COD - Ordinary legislative procedure (ex-codecision procedure)
<b>Nature of procedure</b>	Legislation
<b>Legislative instrument</b>	Regulation
	Repealing Directive 2005/55/EC 2003/0205(COD) Repealing Directive 2005/78/EC 2003/0205(COD) Amending Directive 2007/46/EC 2003/0153(COD) Amending Regulation (EC) No 715/2007 2005/0282(COD) Repealed by 2022/0365(COD) Amended by 2016/0014(COD) Amended by 2018/0143(COD)
<b>Legal basis</b>	EC Treaty (after Amsterdam) EC 095
<b>Stage reached in procedure</b>	Procedure completed
<b>Committee dossier</b>	ENVI/6/57777




Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Amendments tabled in committee		PE404.515	14/04/2008	
Committee draft report		PE405.926	07/05/2008	
Committee opinion	<span style="border: 1px solid red; padding: 2px;">TRAN</span>	PE402.847	08/05/2008	
Amendments tabled in committee		PE407.698	02/06/2008	

Amendments tabled in committee		<a href="#">PE407.814</a>	09/06/2008	
Committee opinion	<a href="#">IMCO</a>	<a href="#">PE406.004</a>	25/06/2008	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A6-0329/2008</a>	11/08/2008	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T6-0604/2008</a>	16/12/2008	<a href="#">Summary</a>

#### Council of the EU

Document type	Reference	Date	Summary
Draft final act	<a href="#">03733/2008/LEX</a>	18/06/2009	

#### European Commission

Document type	Reference	Date	Summary
Document attached to the procedure	<a href="#">SEC(2007)1718</a> 	21/12/2007	
Document attached to the procedure	<a href="#">SEC(2007)1720</a> 	21/12/2007	
Legislative proposal	<a href="#">COM(2007)0851</a> 	21/12/2007	<a href="#">Summary</a>
Commission response to text adopted in plenary	<a href="#">SP(2009)402</a>	29/01/2009	

#### Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
ESC	Economic and Social Committee: opinion, report	<a href="#">CES0754/2008</a>	22/04/2008	

#### Additional information

Source	Document	Date
National parliaments	<a href="#">IPEX</a>	
European Commission	<a href="#">EUR-Lex</a>	

#### Final act

<p><a href="#">Corrigendum to final act 32009R0595R(01)</a> OJ L 200 31.07.2009, p. 0052</p> <p><a href="#">Regulation 2009/0595</a> OJ L 188 18.07.2009, p. 0001</p>	<a href="#">Summary</a>
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## Type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and access to vehicle repair and maintenance information

The European Parliament adopted by 610 votes to 11 with 22 abstentions, a legislative resolution amending the proposal for a regulation of the European Parliament and of the Council on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and on access to vehicle repair and maintenance information. The report had been tabled for consideration in plenary by Matthias **GROOTE** (PES, DE) on behalf of the Committee on the Environment, Public Health and Food Safety.

The amendments were the result of a compromise between the Council and the Parliament. The main amendments - adopted under the 1st reading of the codecision procedure - were as follows:

**Scope:** at the request of the manufacturer the type-approval of a completed vehicle given under this Regulation shall be extended to:

-its incomplete vehicle with a reference mass below 2610kg. Type-approvals shall be extended if the manufacturer can demonstrate that all bodywork combinations expected to be built onto the incomplete vehicle increase the reference mass of the vehicle to above 2610 kg;

-its variants and versions with a reference mass above 2380 kg provided that it also meets the requirements relating to the measurement of greenhouse gas emissions and fuel consumption established in Regulation 715/2007/EC and its implementing measures.

**Definitions:** Parliament amended the definition for "on-board diagnostic" or "OBD system" which now means a system on board a vehicle or engine which has the capability of detecting malfunctions, and, if applicable, of indicating their occurrence by means of an alert system, of identifying the likely area of malfunction by means of information stored in computer memory, and of communicating that information off-board. The Commission may adapt this definition to reflect technical progress in OBD systems in accordance with the regulatory procedure with scrutiny. "Vehicle repair and maintenance information" extends to the remote diagnostic support of the vehicle. Parliament inserted definitions for "manufacturer" and "tampering".

**Requirements and tests:** implementing measures must also be adopted regarding the following : i) tailpipe emissions, including test cycles, the use of portable emissions measurement systems for verifying the actual in-use emissions, verifying and limiting off-cycle emissions, establishment of limits for particle number while retaining the existing ambitious environmental requirements and emissions at idling speed; ii) reference fuels such as petrol, diesel, gaseous fuels and biofuels, such as bioethanol, biodiesel and biogas; iii) correct functioning and regeneration of pollution control devices; (iv) specific provisions to ensure the correct operation of NO x control measures. Such provisions shall ensure that vehicles cannot be operated if the NO x control measures are inoperative due, for example, to lack of any required reagent, incorrect exhaust gas recirculation (EGR) flow or deactivation of EGR.

**Access to information:** manufacturers shall provide unrestricted and standardised access to on-board diagnostic (OBD) information, diagnostic and other equipment, tools including any relevant software and vehicle repair and maintenance information to independent operators. They must provide a standardised, secure, remote facility to enable independent repairers to complete operations which involve access to the vehicle security system. In the case of multi-stage type-approval, the manufacturer responsible for the respective type-approval shall also be responsible for communicating repair information relating to the particular stage to both the final manufacturer and independent operators. The final manufacturer shall be responsible for communicating information about the whole vehicle to independent operators.

Until the adoption of the relevant standard, for example through the work of CEN, the on-board diagnostic information and vehicle repair and maintenance information shall be presented in an easily accessible, non-discriminatory manner. That information shall be made available on the websites of manufacturers, or, if this is not feasible due to the nature of the information, in another appropriate format.

**Financial incentives:** whilst Parliament's competent committee had proposed deleting the provisions on financial incentives, the compromise text stated that such incentives might be offered. Those incentives shall apply to all new vehicles put on the market of the Member State concerned, which comply with this Regulation and its implementing measures. However, they shall cease to apply on 31 December 2013 at the latest.

**Penalties:** the types of infringements by manufacturers, repairers and operators which are subject to a penalty shall include tampering with systems for control of emissions of NO x . This shall include, for example, tampering with systems which use a consumable reagent.

**Redefinition of specifications:** after the completion of the relevant parts of the UNECE Particulate Measurement Programme, conducted under the auspices of the World Forum for Harmonization of Vehicle Regulations, the Commission shall, without lowering the level of environmental protection within the Community and in accordance with the regulatory procedure with scrutiny:

-introduce as an additional control upon emissions of particulate matter particle number based limit values set at a level appropriate to the technologies actually being used at that time to meet the particulate mass limit ;

-adopt a measurement procedure for particle number.

The Commission shall also, without lowering the level of environmental protection within the Community, specify a limit value for NO 2 in addition to that for total NO x if appropriate. The limit for NO 2 shall be set at a level reflecting the performance of then existing technologies.

**Application:** 31 December 2012. However, Articles 8(3) and 10 shall apply from entry into force of the legislation and certain points of of Annex II shall apply from 31 December 2013. The Commission shall adopt prescribed implementing measures referred to in Article 4(3), Article 5(4), Article 6(2) and Article 12(1)(a) and (b) by 1 April 2010.

**Study on energy consumption:** a recital stated that in order to promote the market for clean and energy efficient vehicles the Commission should study the feasibility and the development of a definition and a methodology of energy consumption and CO 2 emissions for whole vehicles and not only for engines, without prejudice to the use of virtual and actual testing. An eventual definition and the methodology should also cover alternative driveline concepts (e.g. hybrid vehicles) and effects of improvements on vehicles such as aerodynamics, weight, loading capacity and rolling resistance. If a suitable method of presentation and comparison can be identified, the derived fuel consumption and CO 2 emissions should be made publicly available for separate vehicle types.

## **Type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and access to vehicle repair and maintenance information**

**PURPOSE:** to lay down harmonised rules on the construction of motor vehicles with a view to ensuring the functioning of the internal market while at the same time providing for a high level of environmental protection regarding atmospheric emissions.

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

**CONTENT:** Common EU standards limiting the emission of atmospheric pollutants from motor vehicles are required to prevent the emergence of varying product standards across Member States, which results in fragmentation of the internal market and imposition of unnecessary barriers to intra-Community trade.

Euro IV emission limits for trucks and buses are applicable as from 9 November 2006 and Euro V emission limits will apply from 1 October 2008 for new type-approvals in both cases. However, with no change in the policy of reducing emission levels for heavy duty motor vehicles, there is a high risk that Member States will seek to take unilateral action. In addition, the risks of air pollution to human health and the environment are of concern to Member States. Despite improved air quality over the last decade, significant problems remain, especially in urban areas and densely populated regions.

This proposal has been developed in the context of the "Clean Air For Europe" (CAFE) programme (see [INI/2006/2060](#)), which assessed levels of emissions, current and future air quality and the costs and benefits of further measures to improve air quality. On this basis, the Commission has identified measures which are required in order to attain the necessary air quality levels. Euro VI is one among several such measures that are important to reduce emissions of ozone precursors (such as nitrogen oxides-NO<sub>x</sub> and hydrocarbons-HC) and particulate matter. The proposal is fully in line with the aims of the European Union's Sustainable Development Strategy and contributes significantly to the objectives of the Lisbon strategy.

The proposal required analysis of vehicle technologies to be used to reduce emissions and the associated costs of achieving the various scenarios for Euro VI emission limit values. Data were collected from a range of stakeholders in the automotive area and collated by a group of consultants led by TNO in The Netherlands. The panel of consultants summarised the cost data provided and preferred emission limit values were selected on the basis of their technical feasibility and cost-effectiveness. This proposal follows the policy of revising the existing Euro V legislation through setting new Euro VI emission limit values at European Union level.

The main aspect of this Regulation is that it requires a further tightening of vehicle emission limits for particulate matter (PM) and nitrogen oxides (NO<sub>x</sub>). A reduction of 66% in the mass of particulate emissions from compression-ignition engines will be required. While this lower emission limit does not prescribe a particular technology, it will de facto require the introduction of diesel particulate filters (DPFs). For compression-ignition engines, a reduction of 80% in NO<sub>x</sub> is planned. To comply with this emission limit, internal engine measures (e.g. Exhaust Gas Recirculation - EGR) and after-treatment devices (e.g. Selective Catalytic Reduction - SCR) will be needed at the current state of the art. The proposal also includes reductions in emissions from positive-ignition engines. There are general transitory periods in the proposal in order to allow sufficient lead times for vehicle manufacturers.

The proposal includes a requirement that vehicle on-board diagnostic (OBD) information and vehicle repair and maintenance information be made available through websites in the standardised format developed by a technical committee of stakeholders (the so-called 'OASIS format').

This proposal introduces requirements, developed in the framework of the UN-ECE WP.29 – World Forum for Harmonisation of Vehicle Regulations – relating to:

- 1) use of world-wide harmonised steady state (WHSC) and transient (WHTC) driving cycles for the evaluation of pollutant emissions;
- 2) emissions testing and measurement methodology;
- 3) World-Wide Harmonised on-board diagnostic (WWH-OBD) systems.

The proposal also introduces requirements for the type-approval of exhaust after-treatment components such as catalysts and diesel particulate filters (DPFs).

Lastly, the proposal provides for simplification of legislation and administrative procedures for public authorities.

## **Type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and access to vehicle repair and maintenance information**

**PURPOSE:** to lay down harmonised rules on the construction of motor vehicles with a view to ensuring the functioning of the internal market while at the same time providing for a high level of environmental protection regarding atmospheric emissions.

**LEGISLATIVE ACT:** Regulation (EC) No 595/2009 of the European Parliament and of the Council on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and on access to vehicle repair and maintenance information and amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC.

**CONTENT:** following an agreement reached at first reading with the European Parliament, the Council adopted a regulation introducing tighter emission limits for nitrogen oxides and particulate matter (Euro VI) from trucks and buses compared to Euro V levels.

The Regulation contains the following main elements:

**Scope:** this Regulation shall apply to motor vehicles of categories M 1 , M 2 , N 1 and N 2 as defined in Annex II of Directive 2007/46/EC with a reference mass exceeding 2 610 kg and to all motor vehicles of categories M 3 and N 3 , as defined in that Annex. At the request of the manufacturer, the type-approval of a completed vehicle given under this Regulation shall be extended to: (i) its incomplete vehicle with a reference mass below 2610kg if the manufacturer can demonstrate that all bodywork combinations expected to be built onto the incomplete vehicle increase the reference mass of the vehicle to above 2610 kg; (ii) its variants and versions with a reference mass above 2380 kg provided that it also meets the requirements

relating to the measurement of greenhouse gas emissions and fuel consumption established in Regulation 715/2007/EC and its implementing measures.

**Obligations of the manufacturers:** manufacturers shall ensure that type-approval procedures for verifying conformity of production, durability of pollution control devices and in-service conformity are followed. The Regulation establishes the **mileage and period of time** by reference to which the tests for durability of pollution control devices and testing of conformity of in-service vehicles or engines are to be carried out.

**Requirements and tests:** the Commission shall adopt implementing measures, in accordance with the regulatory procedure with scrutiny, regarding: (i) tailpipe emissions; (ii) crankcase emissions; (iii) OBD systems; (iv) durability of pollution control devices; (v) CO<sub>2</sub> emissions and fuel consumption; (vi) granting extension of type-approvals; (vii) test equipment; (viii) reference fuels such as petrol, diesel, gaseous fuels and biofuels; (ix) measurement of engine power; (x) correct functioning and regeneration of pollution control devices; (xi) specific provisions to ensure the correct operation of NO<sub>x</sub> control measures.

**Access to information:** manufacturers shall provide: (i) **unrestricted and standardised access** to vehicle OBD information, diagnostic and other equipment, tools including any relevant software and vehicle repair and maintenance information to independent operators; (ii) a **standardised, secure and remote facility** to enable independent repairers to complete operations which involve access to the vehicle security system. The information shall be made available on the websites of manufacturers or, where necessary, in another appropriate format.

**Financial incentives:** Member States may provide for financial incentives that apply to motor vehicles in series production which comply with this Regulation and its implementing measures. They shall apply to all new vehicles put on the market of the Member State concerned. However, they shall cease to apply on 31 December 2013 at the latest. Member States may also grant incentives for retrofitting in order to meet the emission limit values of in-use vehicles and for scrapping vehicles which do not comply with this Regulation and its implementing measures. The incentives **shall not exceed the additional cost of the technical devices used to ensure compliance** with the emission limits specified in Annex I, including the cost of installation on the vehicle.

**Penalties:** Member States shall lay down the provisions on penalties applicable for infringement of the provisions of this Regulation. The penalties provided for must be effective, proportionate and dissuasive. Infringements include: (i) making false declarations during the approval procedures; (ii) falsifying test results; (iii) withholding data or technical specifications; (iv) use of defeat strategies; (v) refusal to provide access to information.

**Redefinition of specifications:** after the completion of the relevant parts of the UN/ECE Particulate Measurement Programme, the Commission shall, without lowering the level of environmental protection within the Community and in accordance with the regulatory procedure with scrutiny: (i) introduce as an additional control upon emissions of particulate matter particle number based limit values set at a level appropriate to the technologies actually being used at that time to meet the particulate mass limit; (ii) adopt a measurement procedure for particle number.

The Commission shall also specify a limit value for NO<sub>2</sub> in addition to that for total NO<sub>x</sub>, if appropriate. The limit for NO<sub>2</sub> shall be set at a level reflecting the performance of then existing technologies.

ENTRY INTO FORCE: 07/08/2009. Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC are repealed with effect from 31 December 2013.

APPLICATION: 31/12/2012. However, Articles 8(3) and 10 shall apply from entry into force of the legislation and certain points of Annex II shall apply from 31 December 2013. The Commission shall adopt prescribed implementing measures referred to in Article 4(3), Article 5(4), Article 6(2) and Article 12(1)(a) and (b) by 1 April 2010.