

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	1997/0350(COD) Procedure completed
Air pollution: emissions of gaseous and particulate pollutants from diesel engines (amend. Direct. 88/77/EEC) Repealed by 2003/0205(COD)	
Subject 3.70.02 Atmospheric pollution, motor vehicle pollution	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	ENVI Environment, Public Health, Consumer Policy		22/04/1998
		PSE LANGE Bernd	
	Former committee responsible		
	ENVI Environment, Public Health and Consumer Protection		22/04/1998
		PSE LANGE Bernd	
Council of the European Union	Former committee for opinion		
	ECON Economic and Monetary Affairs, Industrial Policy		
	Council configuration	Meeting	Date
	Telecommunications	2172	22/04/1999
	Environment	2153	20/12/1998
	Environment	2121	06/10/1998
Environment	2106	16/06/1998	
Environment	2062	16/12/1997	

Key events			
03/12/1997	Legislative proposal published	COM(1997)0627	Summary
16/12/1997	Debate in Council	2062	
03/04/1998	Committee referral announced in Parliament, 1st reading		
16/06/1998	Debate in Council	2106	
06/10/1998	Debate in Council	2121	
13/10/1998	Vote in committee, 1st reading		Summary

13/10/1998	Committee report tabled for plenary, 1st reading	A4-0364/1998	
20/10/1998	Debate in Parliament		
21/10/1998	Decision by Parliament, 1st reading	T4-0612/1998	Summary
17/12/1998	Modified legislative proposal published	COM(1998)0776	Summary
11/03/1999	Modified legislative proposal published	COM(1999)0089	Summary
22/04/1999	Council position published	05734/1/1999	Summary
23/07/1999	Committee referral announced in Parliament, 2nd reading		
19/10/1999	Vote in committee, 2nd reading		Summary
19/10/1999	Committee recommendation tabled for plenary, 2nd reading	A5-0043/1999	
15/11/1999	Debate in Parliament		
16/11/1999	Decision by Parliament, 2nd reading	T5-0099/1999	Summary
13/12/1999	Final act signed		
13/12/1999	End of procedure in Parliament		
16/02/2000	Final act published in Official Journal		

Technical information

Procedure reference	1997/0350(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
	Repealed by 2003/0205(COD)
Legal basis	EC Treaty (after Amsterdam) EC 095
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/4/10912

Documentation gateway

Legislative proposal	COM(1997)0627 OJ C 173 08.06.1998, p. 0001	03/12/1997	EC	Summary
Economic and Social Committee: opinion, report	CES1121/1998 OJ C 407 28.12.1998, p. 0027	09/09/1998	ESC	
Committee report tabled for plenary, 1st reading/single reading	A4-0364/1998 OJ C 341 09.11.1998, p. 0003	13/10/1998	EP	
Text adopted by Parliament, 1st reading/single reading	T4-0612/1998 OJ C 341 09.11.1998, p. 0066-0082	21/10/1998	EP	Summary
Modified legislative proposal	COM(1998)0776 OJ C 043 17.02.1999, p. 0025	17/12/1998	EC	Summary
Modified legislative proposal	COM(1999)0089	11/03/1999	EC	Summary

Council position	05734/1/1999 OJ C 296 15.10.1999, p. 0001	22/04/1999	CSL	Summary
Commission communication on Council's position	SEC(1999)0423	16/07/1999	EC	Summary
Committee recommendation tabled for plenary, 2nd reading	A5-0043/1999 OJ C 158 07.06.2000, p. 0009	19/10/1999	EP	
Text adopted by Parliament, 2nd reading	T5-0099/1999 OJ C 189 07.07.2000, p. 0019-0043	16/11/1999	EP	Summary

Additional information

European Commission

[EUR-Lex](#)

Final act

[Directive 1999/96](#)
[OJ L 044 16.02.2000, p. 0001](#) Summary

Air pollution: emissions of gaseous and particulate pollutants from diesel engines (amend. Direct. 88/77/EEC)

OBJECTIVE: to amend Directive 88/77/EEC to adopt stricter limits on emissions from heavy goods vehicle engines. SUBSTANCE: the proposal steps up Community requirements regarding limits on emissions of pollutants from new diesel engines for heavy goods vehicles. These requirements are based on Directive 88/77/EEC as last amended by Directive 96/1/EC. The proposal also lays down new requirements concerning emissions of pollutants from new engines for heavy goods vehicles fuelled by natural gas (NG) and liquefied petroleum gas (LPG). The proposal is in complete harmony with the conclusions of the Auto-Oil I programme, which recommended that limits for emissions of nitrogen oxides (NOx) and particulates from heavy goods vehicles should be reduced by 30% in relation to the limits applicable in 1996. The specification of a reference diesel fuel in Annex IV to the proposal follows directly from the common position of the Council of June 1997 on emissions from private cars. The proposal is also compatible with the common position of the Council of June 1997 on the quality of petrol and diesel fuels available on the market in the year 2000. ?

Air pollution: emissions of gaseous and particulate pollutants from diesel engines (amend. Direct. 88/77/EEC)

Fresh from its success in achieving cleaner engine fuels and strict emission limits for cars and vans under recent codecision legislation, the Committee is turning its attention to the next stage in Europe's pioneer pollution-busting auto-oil strategy - curbing pollution from lorries. Thus the committee adopted a report (first reading, codecision) by Bernd LANGE (PES, D) substantially amending a Commission proposal for a directive on the emission of gas and particulate pollutants from the heavy-duty diesel engines used in lorries. Mr Lange was Parliament's rapporteur for emission limits for cars and vans. The Commission proposal sets compulsory emission limits for new heavy-duty diesel engines for 2000. The pollutants involved are carbon monoxide, unburnt hydrocarbons, nitrogen oxides, particulates and smoke. The committee, following the precedent set for cars and vans, proposes stringent compulsory limits for 2005 as well. The committee's amendments propose additional improvements for 2005. For instance, all heavy-duty vehicles must be equipped with on-board diagnostic or measurement systems to monitor exhaust emissions while the vehicle is in service so as to permit rapid detection of faulty components and systems. In-service checks on compliance with approved emission standards must also be made and the emission-reducing devices must function throughout the normal life of the vehicle. Member States may use tax incentives to encourage advance introduction of the cleaner heavy-duty engines before they become mandatory and also to promote the re-equipment of older vehicles to meet the new standards. ?

Air pollution: emissions of gaseous and particulate pollutants from diesel engines (amend. Direct. 88/77/EEC)

Adopting the report by Mr Bernd Lange (PES, D), Parliament made substantial changes to the proposal for a directive on emissions from diesel engines. While approving the limit values proposed by the Commission for the year 2000, Parliament introduced stricter binding limits for 2005. Other amendments propose additional improvements for 2005. Thus, all heavy duty vehicles would have to be fitted with onboard diagnostic or measurement systems to monitor in-service exhaust emissions to permit rapid detection of any failure of a component or system. There should also be roadside checks on conformity with the emission standards adopted and emission-reducing devices should operate during the whole normal life of a vehicle. Parliament considers that Member States should be able to introduce tax incentives to encourage the early introduction of cleaner heavy-duty vehicles, before they have become obligatory, and to promote re-equipment of older vehicles to meet those requirements. Type-approval and certificates of conformity would not be granted to heavy vehicle engines which did not conform to the limit values. It might be necessary to introduce differentiated type-approval depending on the use to which the vehicles are to be put. The

major problem in urban areas is emissions of soot particles, while in long-distance traffic it is the emission of nitrogen oxides. Parliament also considers that heavy vehicles are covered by the Community strategy to reduce carbon dioxide emissions, which would imply not legislation but a voluntary agreement on reduction with manufacturers. Another amendment calls on the Commission to report on emission limit values for fuel other than diesel, such as liquid petroleum gas and natural gas. Parliament also calls for restrictive measures to be adopted from 2005.

Air pollution: emissions of gaseous and particulate pollutants from diesel engines (amend. Direct. 88/77/EEC)

The amendments proposed by the Commission seek to complete the initial proposal. They concern measures relating to the introduction of a new design of enhanced environmentally friendly vehicles (EEV) and actions which may facilitate the approval of engines and vehicles which use ethanol as a replacement fuel. The Commission has defined the target emission values which it considers compatible with the description of enhanced environmentally friendly vehicles. Manufacturers who so wish may apply, on a voluntary basis, for their vehicles to be certified as enhanced environmentally friendly vehicles using the administrative procedures which already apply to heavy duty vehicles/engines for normal heavy duty vehicles, as defined in the proposal. The procedures and the description of enhanced environmentally friendly vehicle will be independent of the type of fuel used and certain technical details of the standardised definition of reference natural gases applicable to tests of enhanced environmentally friendly vehicles/engines for enhanced environmentally friendly vehicles have been finalised. This proposal also lays down the scope of application of the tax incentives intended to encourage the use of vehicles which meet the description of enhanced environmentally friendly vehicles. The proposed measures amend the previous proposal based on Article 100 A of the Treaty and are now based on Article 189 A (2) of the Treaty. Specifically, the proposal: - specifies that an engine which meets the target values laid down for enhanced environmentally-friendly vehicles is also considered to meet general approval requirements applicable from 1 October 2000; - allows Member States to make provision for tax incentives for vehicles which comply with general approval requirements before the compulsory date of application to all new engines and vehicles (1 October 2001) and for vehicles which comply with the target values applicable to enhanced ecologically friendly vehicles; - indicates that, in the analysis carried out by the Commission with a view to tightening emission standards still further, the Commission will also propose suitable limits for pollutants which still have not been regulated because of the widespread introduction of new replacement fuels.

Air pollution: emissions of gaseous and particulate pollutants from diesel engines (amend. Direct. 88/77/EEC)

Of the 24 amendments adopted by the Parliament during its first reading, the Commission took up 10 of them either in their entirety or partially. In the Commission's opinion, it would be premature, given the current state of affairs, to propose compulsory limits and complementary technical measures to apply from 2005 without first undertaking the necessary studies. It agreed with a number of amendments that reflect the agreement reached in the Auto-Oil conciliation. The Commission accepted the essence of the amendments that provide for an extra line in the emission limit tables to contain the emissions limits for 2005, that the Commission is to propose before the end of 1999. In line with the views of the Parliament, the Commission considers that on-board diagnostic systems should become obligatory for heavy goods vehicles from October 2005. It accepts the principle of the Parliament's amendments regarding fuel quality. Lastly, the Commission accepted certain amendments which relate to studies in the future and the development of a world harmonised test cycle, the revision of reference fuels used for tests for the 2005 limits and the development of more environmentally friendly emission limits for gas fuelled vehicles.

Air pollution: emissions of gaseous and particulate pollutants from diesel engines (amend. Direct. 88/77/EEC)

The Council felt it appropriate to introduce, as requested by the Parliament, a second stage of more stringent emission limit values by 2005, as well as to adopt provisions aiming at introducing before this date complementary measures on durability, on-board diagnostics and in-use conformity testing. In addition, the Council has decided to introduce a further stage applicable from October 2008 that aims for a further reduction of the NOx limit by 43% over the limit set for 2005. However, recognising that the necessary NOx reduction technology is not yet available, the Council has decided that the Commission shall report on the state of play of such technology by the end of 2002 accompanied, if necessary, by appropriate proposals. As the Council has judged that the apportionment of test cycles applicable for 2000 would no longer be valid for the stringent emission limits envisaged for 2005, it has decided that for 2005, all diesel engines must be tested on all cycles (ESC, ELR and ETC cycles) for the purpose of type approval. The Council has extended the scope of the Directive to provide for European type approval of gas-fuelled engines - liquified petroleum gas (LPG) or natural gas (NG). This is achieved through the application of the same emission limits for non-methane hydrocarbons (instead of total hydrocarbons) and methane for gas-fuelled engines. Gas engines are tested on the ETC cycle only and due to their inherently low particulate emission, gas engines are not subject to particulate measurement for the purposes of type approval. The Council has agreed to introduce specific values for extra-low emission vehicles (EEV) for use primarily in urban fleets. As has been the case in the other so-called Auto-Oil Directives, taxation provisions have been introduced and thus the Council has decided that Member States can apply tax incentives to encourage the earlier introduction of vehicles complying with future emission limits. However, incentives for vehicles complying with the more stringent standards will only be permitted from 01.10.2000 and incentives shall cease from the date of mandatory application of the legislative requirements.

Air pollution: emissions of gaseous and particulate pollutants from diesel engines (amend. Direct. 88/77/EEC)

In general, the Commission welcomes the Council's common position and invites the two institutions to reach agreement on measures applied to heavy duty vehicles as soon as possible. It notes that the Council agrees with it regarding the retention of the derogation for small high

speed diesel engines. In addition, the Council has confirmed that this exception shall end from the application of a second stage in 2005. The Council also agreed with it concerning the apportioning of the two new test cycles to different engine technologies and fuel requirements. It also concurred on the need to extend the scope of the Directive to provide for the European type-approval of gas-fuelled engines. In tightening the Commission's proposal with the addition of a mandatory second stage applicable from October 2005 and a further mandatory stage applicable from 2008 (but subject to Commission review), the common position meets the aspirations of the Parliament. In agreeing further mandatory stages applicable from 2005, the Council, in the Commission's opinion, has set extremely challenging targets for the heavy duty vehicle and engine industry and the exhaust aftertreatment industry. The Commission seeks to highlight the fact that the time for the development of sufficiently durable and efficient particulate and NOx reduction technology capable of complying with the 2005 limits, as applied in advance of 2005 through tax incentives, is extremely short.?

Air pollution: emissions of gaseous and particulate pollutants from diesel engines (amend. Direct. 88/77/EEC)

The committee adopted the recommendation for second reading (codecision procedure) by Mr Bernd LANGE (PES, D) amending the proposed directive. In accordance with new arrangements following the adoption of the Amsterdam Treaty, the rapporteur would have talks with the Council to see whether, before Parliament voted on the report, a compromise could be reached on the committee's amendments to the Council's common position. The committee welcomed the fact that the Council had included restrictions on emissions from engines using natural gas or liquefied petroleum gas (LPG) and also welcomed the Council's proposal for a new category of "enhanced environmentally-friendly vehicles" (EEVs) with particularly ambitious exhaust gas emission limits. It highlighted the problem of pollution from CO₂, urging that heavy-duty vehicles be covered by the Community's strategy for reducing CO₂ emissions (based not on legislation but on a voluntary cutback agreement with manufacturers). The committee also wanted Member States to be allowed to provide financial or other incentives to promote the re-equipment of older vehicles to meet the new standards. In the case of EEVs, the committee favoured labelling the engines as "environmentally friendly" and also calling for fiscal incentives and for rules on noise and fuel consumption. It also proposed limits for ethanol used in diesel engine testing. Moreover, a European quality specification should be established for LPG fuel quality and LPG delivery pumps should be labelled to indicate fuel specification. As regards the mandatory limits proposed for 1 October 2005, the committee felt that the earlier limit of 5 g/KWh for nitrogen oxides could be retained provided that this was reduced to 2 on 1 October 2006.

Air pollution: emissions of gaseous and particulate pollutants from diesel engines (amend. Direct. 88/77/EEC)

The European Parliament adopted its resolution, drafted by Mr. Bernd LANGE (PES, D), on the Council's common position. The Parliament approved the common position without amendment.?

Air pollution: emissions of gaseous and particulate pollutants from diesel engines (amend. Direct. 88/77/EEC)

PURPOSE: to tighten the maximum emission levels in the Community from diesel-powered lorries as well as limiting values for heavy-duty engines fuelled by natural gas (NG) and liquified petroleum gas (LPG). **COMMUNITY MEASURE:** Directive 1999/96/EC of the European Parliament and the Council, modifying Directive 1988/77/EC. **CONTENT:** The main provisions of the Directive are as follows: - the Directive includes one stage of binding emission limit values to come into force in 2000 but also two further stages, which will apply from 2005 and 2008 respectively (the latter for NO_x only; - the emission limits agreed for 2000 would amount to a reduction of 30% of pollutants (carbon monoxide, nitrogen oxides, particulates; hydrocarbon emissions would even be cut by 34%), compared to the current level. They would apply to newly approved engine types for heavy duty vehicles from 01.10.2000 and to all such vehicles newly registered from 01.10.2001; - the limits set for 2005 would result in an overall reduction of pollutants by about half (and in the case of particulates even more), compared to today; - specific (stricter) values for extra low emission vehicles (also known as "enhanced environmentally friendly vehicles" - EEVs) are set in view of their contribution to reducing atmospheric pollution in cities; - emission limit values set for 2005 and 2008 will require all new diesel-powered heavy duty vehicles to be fitted with so-called exhaust after-treatment technology (e.g. special filters called "particulate traps" and deNO_x catalysts). - from 01.10.2008, the limit value for NO_x will be 2.0 for engines having a swept volume of less than 0.75dm³ per cylinder and a rated power speed of more than 3000 min⁻¹. - for diesel engines that are additionally tested on the ETC test, and specifically for gas engines, the limit values (where applicable) shall not exceed set amounts. - from 01.10.2008, the limit value for NO_x will be 2.0: a) for natural gas engines only; b) not applicable for gas fuelled engines at stage A (2000) and stage B (2005) c) for engines having a swept volume of less than 0.75dm³ per cylinder and a rated power speed of more than 3000 min⁻¹. - for the type approval of new vehicles with diesel engines according to the year 2000 limit values, manufacturers have the choice between either of these tests. For type approval according to the 2005 limit values and for EEVs, the emissions shall be determined on both the ETC and the ESC/ELR tests. **ENTRY INTO FORCE:** 16/02/2000 **DATE OF TRANSPOSITION:** 01/07/2000.?