


Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	2002/0304(COD) Procedure completed
Air pollution: compression ignition engines by non-road mobile machinery Amending Directive 97/68/EC	1995/0209(COD)
Subject 3.40.03 Motor industry, cycle and motorcycle, commercial and agricultural vehicles 3.70.02 Atmospheric pollution, motor vehicle pollution	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	ENVI Environment, Public Health, Consumer Policy	PSE LANGE Bernd	28/01/2003
	Committee for opinion	Rapporteur for opinion	Appointed
	ITRE Industry, External Trade, Research, Energy	The committee decided not to give an opinion.	
Council of the European Union	RETT Regional Policy, Transport and Tourism		21/01/2003
		PSE WIERSMA Jan Marinus	
Council of the European Union	Council configuration	Meeting	Date
	Justice and Home Affairs (JHA) Environment	2574 2517	30/03/2004 13/06/2003
European Commission	Commission DG Environment	Commissioner	

Key events			
27/12/2002	Legislative proposal published	COM(2002)0765	Summary
13/01/2003	Committee referral announced in Parliament, 1st reading		
13/06/2003	Debate in Council	2517	Summary
09/09/2003	Vote in committee, 1st reading		Summary
09/09/2003	Committee report tabled for plenary, 1st reading	A5-0296/2003	
20/10/2003	Debate in Parliament		
	Decision by Parliament, 1st reading		Summary

21/10/2003		T5-0444/2003	
30/03/2004	Act adopted by Council after Parliament's 1st reading		
21/04/2004	Final act signed		
21/04/2004	End of procedure in Parliament		
30/04/2004	Final act published in Official Journal		

Technical information

Procedure reference	2002/0304(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
	Amending Directive 97/68/EC 1995/0209(COD)
Legal basis	EC Treaty (after Amsterdam) EC 095
Stage reached in procedure	Procedure completed

Documentation gateway

Legislative proposal	COM(2002)0765	27/12/2002	EC	Summary
Economic and Social Committee: opinion, report	CES0744/2003 OJ C 220 16.09.2003, p. 0016-0018	18/06/2003	ESC	
Committee report tabled for plenary, 1st reading/single reading	A5-0296/2003	09/09/2003	EP	
Text adopted by Parliament, 1st reading/single reading	T5-0444/2003 OJ C 082 01.04.2004, p. 0027-0143 E	21/10/2003	EP	Summary

Additional information

European Commission	EUR-Lex
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Final act

Directive 2004/26 OJ L 225 25.06.2004, p. 0003-0107 Summary
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Air pollution: compression ignition engines by non-road mobile machinery

PURPOSE : to amend Directive 97/68/EC in order to improve air quality. **CONTENT** : requirements concerning emissions of air pollutants from compression ignition (CI) engines intended for use in non-road mobile machinery and with an engine power of 18-560 kW are covered by Directive 97/68/EC. The Directive includes two stages of emission standards. Stage I standards have already entered into force for all power bands and Stage II standards will enter into force between 31 December 2000 and 31 December 2003 depending on the power band. In December 2000, the Commission, in accordance with recital (5) of the said Directive, presented a proposal to include small (19 kW or below) spark-ignition (petrol) engines within its scope. Furthermore, in accordance with Directive 97/68/EC, this proposal provides for a tightening of the emission standards for compression ignition engines. The Commission should submit a proposal for a further reduction in limit values based on the techniques generally available for controlling polluting emissions and the air quality situation. According to the conclusions of the Auto-Oil programme, additional measures should be taken to address ozone formation (the emission of nitrogen oxides, NOx, and volatile organic compounds, VOCs,) and particulate emissions. The proposed legislation will also help support the promotion of inland waterway shipping and railways as environmentally friendly modes of transport;. It should also ensure that all future diesel engines are equipped with particulate filters; define a reference fuel that reflects the fuel market situation; introduce durability requirements to avoid deterioration of

emission performance; introduce special arrangements for equipment manufacturers to give them time to design their products and to handle small series production.?

Air pollution: compression ignition engines by non-road mobile machinery

The Council agreed on a general approach, pending the European Parliament's opinion in first reading, on a proposal for a Directive relating to measures against the emission of gaseous (e.g. nitrogen dioxide) and particulate pollutants (e.g. black smoke and carbon monoxide) from internal combustion engines to be installed on non-road mobile machinery (i.e. all machinery that is not intended for the transport of goods or passengers on the road). The UK delegation expressed its intention to abstain, once the Council is ready to adopt its common position at a forthcoming meetings. The general approach provides for, inter alia, the inclusion in the scope of the proposed Directive of inland waterway vessels (e.g. tugs or pusher craft which are built to tow or push vessels of 20m or more) and railway locomotive engines.?

Air pollution: compression ignition engines by non-road mobile machinery

The committee adopted the report by Bernd LANGE (PES, D) amending the proposal under the 1st reading of the codecision procedure. The main amendments were as follows: - for greater clarity, Stage IIIA should become Stage III and Stage IIIB should become Stage IV. This would also make it clear that Stage IV is another genuine stage of reduction with new requirements; - there should be stricter emission limit values to bring EU legislation into line with that of the United States; - rail vehicles (R1 below 560 kW, R2 above 560 kW) should be included in both stages; - a second stage (Stage IV) should be introduced for inland waterway vessels for NOX reduction; - Member States should allow special labelling to indicate early compliance with the standards of Euro Stage III and IV limit values; - exemptions should be allowed for engines in machines used to launch or recover lifeboats and traditional vessels such as "cobles" (traditional open fishing boats) and engines in machines used in harvesting and other specialised applications for a limited season only; - the Commission should lay down detailed rules before 31 December 2006 to prevent 'cycle beating'. ?

Air pollution: compression ignition engines by non-road mobile machinery

The European Parliament adopted a resolution drafted by Bernd LANGE (PES, Germany) by 458 votes in favour, 2 against and 7 abstentions on widening the scope of a draft directive amending existing legislation on the emission of gaseous and particulate pollutants from internal combustion engines on non-road mobile machinery. The amendments expand EU proposals to curb emissions of fumes from agricultural engines (except tractors), cranes and bulldozers to include rail stock (especially train engines) and boats on inland waterways. The compromise between Parliament and Council provides for a gradual reduction in NOx emissions until 2014. This will oblige industry, in the medium term, to introduce particle filters. The demands for boats on inland waterways will be less strict, as will the emission limits for locomotives. The Commission must, before 31 December 2007, re-assess its non-road emission inventory estimates and specifically examine potential cross-checks and correction factors. For engine types or engine families meeting the limit values, Member States should allow special labelling and marking to show that the equipment concerned meets the required limit values before the dates laid down. Parliament also introduced a flexibility scheme. This means that the procedure allows an engine manufacturer to place on the market, during the period between two successive stages of limit values, a limited number of engines, to be installed in non-road mobile machinery, that only comply with the previous stage of emission limit values. The legislation does not apply to machinery already in use even when the engines must be replaced.?

Air pollution: compression ignition engines by non-road mobile machinery

PURPOSE : to amend Directive 97/68/EC in order to improve the future air quality situation.

LEGISLATIVE ACT : Directive 2004/26/EC of the European Parliament and of the Council amending Directive 97/68/EC on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery. (Corrigendum of the Regulation published in OJ L146 of 30 April 2004).

CONTENT : the Council adopted this Directive on measures against the emission of gaseous and particulate pollutants from internal combustion engines installed in non-road mobile machinery, following agreement with the European Parliament at first reading. As advanced technology to reduce emissions is already available to the non-road sector, this Directive extends Directive 97/68/EC, on emission limit values for compression ignition engines, to cover non-road mobile machinery such as railway and inland waterway engines.

This Directive states that in the scope of Directive 97/68/EC inland waterway vessel shall be included. This shall mean a vessel intended for use on inland waterways having a length of 20 metres or more and having a volume of 100 m³ or more or tugs or pusher craft having been built to tow or to push or to move alongside vessels of 20 metres or more.

Directive 97/68/EC implements two stages of emission limit values for compression ignition engines and calls on the Commission to propose a further reduction in emission limits, taking into account the global availability of techniques for controlling air polluting emissions from compression ignition engines and the air quality situation in the European Union.

ENTRY INTO FORCE : 20/05/2004.

IMPLEMENTATION : 20/05/2005.