Procedure file

Basic information

COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2007/0295(COD)	Procedure completed

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

Amending Directive 2007/46/EC 2003/0153(COD)
Repealing Directive 2005/55/EC 2003/0205(COD)
Repealing Directive 2005/78/EC 2003/0205(COD)
Amending Regulation (EC) No 715/2007 2005/0282(COD)
Amended by 2016/0014(COD)
Amended by 2018/0143(COD)

Subject
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

Key players

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

Key events

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	2856	
05/06/2008	Debate in Council	2784	
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		
16/12/2008	Results of vote in Parliament		
16/12/2008	Decision by Parliament, 1st reading	T6-0604/2008	Summary
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

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

Documentation gateway

Legislative proposal		COM(2007)0851	21/12/2007	EC	Summary
Document attached to the procedure		SEC(2007)1718	21/12/2007	EC	
Document attached to the procedure		SEC(2007)1720	21/12/2007	EC	
Economic and Social Committee: opinion, report		CES0754/2008	22/04/2008	ESC	
Committee draft report		PE405.926	07/05/2008	EP	

Committee opinion	TRAN	PE402.847	08/05/2008	EP	
Amendments tabled in committee		PE407.814	09/06/2008	EP	
Committee opinion	IMCO	PE406.004	25/06/2008	EP	
Committee report tabled for plenary, 1st reading/single reading		A6-0329/2008	11/08/2008	EP	
Text adopted by Parliament, 1st reading/single reading		T6-0604/2008	16/12/2008	EP	Summary
Commission response to text adopted in plenary		SP(2009)402	29/01/2009	EC	
Draft final act		03733/2008/LEX	18/06/2009	CSL	

Additional information

National parliaments	IPEX
European Commission	EUR-Lex

Final act

Regulation 2009/595
OJ L 188 18.07.2009, p. 0001 Summary

Corrigendum to final act 32009R0595R(01)
OJ L 200 31.07.2009, p. 0052

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_X 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_X). A reduction of 66% in the mass of particulate emissions from compression-ignition engined vehicles 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 engined vehicles, a reduction of 80% in NOx 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

The Committee on the Environment, Public Health and Food Safety adopted a report drafted by Matthias GROOTE (PES, DE) and made amendments to 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 main amendments? made in 1st reading of the codecision procedure ? are as follows:

Scope: according to MEPs, This Regulation shall apply without prejudice to Article 2(2) of Regulation (EC) No 715/2007, which allows approvals granted to vehicle types with a reference mass ? 2 610 kg to be extended, under specific conditions, to similar vehicle types with a reference mass ? 2 840 kg.

Engine system: compliance with Euro VI must be demonstrated for the whole 'engine system'. The engine system is the optimum interplay between the engine, the exhaust after treatment system and additional control elements. MEPs propose to amend the definition of 'engine' accordingly or replace it by a definition of 'engine system'. They have also introduced the definition of 'exhaust after-treatment system'.

On-board diagnostic system or ?OBD system?: given that the OBD system does not actually control emissions, MEPs have specified the definition. It shall mean 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.

Vehicle repair and maintenance information: MEPs consider it essential to develop a common European standard for the format of on-board diagnostic information and vehicle repair and maintenance information. According to them, manufacturers shall provide a standardised, secure, remote facility to enable accredited independent repairers to complete operations which involve access to the vehicle security system.

Tests and requirements: the implementing measures should be instituted by 1 April 2009 so that manufacturers and subcontractors have all the information they need in order to re-equip vehicles in accordance with the rules in time. These measures shall concern 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 in order to comply with the emission limits specified in Annex I, establishment of limits for particle number while retaining the existing ambitious environmental requirements, emissions at idling speed, smoke opacity and correct functioning and regeneration of pollution control devices. If the Commission concludes that it is appropriate to regulate the emissions of additional pollutants, it shall submit to the European Parliament and the Council a proposal for amending the present Regulation.

Access to information from the OBD system and to information concerning repairs and maintenance of the vehicle: in the case of multi-stage type approval, the manufacturer responsible for the type approval in question 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. Charges for access time shall be levied only once.

On-board diagnostic, repair and maintenance information shall accord with the CEN norm as soon as the latter is adopted. Until the adoption of this new standard format by CEN, on-board diagnostic, repair and maintenance information for vehicles shall be submitted in an easy-to-read and non-discriminatory form. The information shall be published on the websites of the manufacturers or, if this is impossible because of the nature of the information, in another appropriate form. The Commission shall take into account current information technology, forthcoming vehicle technology, existing International Organisation for Standardisation (ISO) standards and the possibility of a worldwide ISO standard.

Timetable for the application of the reception of vehicles and their engines: MEPs consider that there should be an interval of 48 months between the publication of the implementing provisions and the entry into force of the new emissions standards to ensure that manufacturers and distributors are in possession of all the information they need to apply the requisite technological advances to new vehicles.

Financial incentives: MEPs deleted the measures which allowed individual Member States to provide for financial incentives which is against the principles of the Single Market and could be anti-competitive.

Limit value for NOx: MEPs foresee a marginal increase in NOx limit value allows technical solutions that will reduce the CO2 by as much as 50%. This amendment provides a win-win solution on both air pollutants and greenhouse gases by delivering a better trade-off between NOx and CO2 emissions

Retrofitting equipment: lastly, the report underlines that Member States should draw up ambitious measures to ensure retrofitting of existing heavy duty vehicles in line with Euro VI standards. They should regularly monitor the rates of vehicle renewal and retrofitting, intensify their efforts to reduce the rate of more polluting vehicles and report the results every year to the Commission.

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 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 UN/ECE 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.

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) CO2 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 NOx 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 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.

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.