



# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation <a href="#">2007/0297(COD)</a>	Procedure completed
Emission performance standards for new passenger cars Repealing Decision No 1753/2000/EC <a href="#">1998/0202(COD)</a> Amended by <a href="#">2012/0190(COD)</a> Repealed by <a href="#">2017/0293(COD)</a>	
Subject 2.10.03 Standardisation, EC/EU standards and trade mark, certification, compliance 3.20.05 Road transport: passengers and freight 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
	<b>ENVI</b> Environment, Public Health and Food Safety (Associated committee)	PSE <a href="#">SACCONI Guido</a>	26/02/2008
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>ITRE</b> Industry, Research and Energy (Associated committee)	PPE-DE <a href="#">LANGEN Werner</a>	04/03/2008
	<b>IMCO</b> Internal Market and Consumer Protection	The committee decided not to give an opinion.	
	<b>TRAN</b> Transport and Tourism	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Justice and Home Affairs (JHA)</a>	<a href="#">2936</a>	06/04/2009
	<a href="#">Environment</a>	<a href="#">2898</a>	20/10/2008
	<a href="#">Environment</a>	<a href="#">2784</a>	05/06/2008
	<a href="#">Environment</a>	<a href="#">2856</a>	03/03/2008
	<a href="#">Competitiveness (Internal Market, Industry, Research and Space)</a>	<a href="#">2852</a>	25/02/2008
European Commission	Commission DG	Commissioner	
	<a href="#">Environment</a>	DIMAS Stavros	

Key events			
19/12/2007	Legislative proposal published	<a href="#">COM(2007)0856</a>	Summary
17/01/2008	Committee referral announced in Parliament, 1st reading/single reading		
25/02/2008	Debate in Council	<a href="#">2852</a>	
03/03/2008	Debate in Council	<a href="#">2856</a>	Summary
	Referral to associated committees		

10/04/2008	announced in Parliament		
05/06/2008	Debate in Council	<a href="#">2784</a>	
25/09/2008	Vote in committee, 1st reading/single reading		Summary
20/10/2008	Debate in Council	<a href="#">2898</a>	
28/10/2008	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A6-0419/2008</a>	
16/12/2008	Debate in Parliament		
17/12/2008	Results of vote in Parliament		
17/12/2008	Decision by Parliament, 1st reading/single reading	<a href="#">T6-0614/2008</a>	Summary
06/04/2009	Act adopted by Council after Parliament's 1st reading		
22/04/2009	End of procedure in Parliament		
23/04/2009	Final act signed		
05/06/2009	Final act published in Official Journal		

#### Technical information

Procedure reference	2007/0297(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Repealing Decision No 1753/2000/EC <a href="#">1998/0202(COD)</a> Amended by <a href="#">2012/0190(COD)</a> Repealed by <a href="#">2017/0293(COD)</a>
Legal basis	EC Treaty (after Amsterdam) EC 095
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/6/58115

#### Documentation gateway

Legislative proposal		<a href="#">COM(2007)0856</a>	19/12/2007	EC	Summary
Document attached to the procedure		<a href="#">SEC(2007)1723</a>	19/12/2007	EC	
Document attached to the procedure		<a href="#">SEC(2007)1724</a>	19/12/2007	EC	
Committee draft report		<a href="#">PE406.014</a>	08/05/2008	EP	
Committee opinion	<b>TRAN</b>	<a href="#">PE404.814</a>	11/06/2008	EP	
Amendments tabled in committee		<a href="#">PE407.904</a>	18/06/2008	EP	
Amendments tabled in committee		PE408.029	18/06/2008	EP	
Committee opinion	<b>ITRE</b>	<a href="#">PE404.748</a>	03/09/2008	EP	
Economic and Social Committee: opinion,		<a href="#">CES1500/2008</a>	17/09/2008	ESC	

report					
Specific opinion	<b>JURI</b>	<a href="#">PE412.153</a>	19/09/2008	EP	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A6-0419/2008</a>	28/10/2008	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T6-0614/2008</a>	17/12/2008	EP	Summary
Commission response to text adopted in plenary		<a href="#">SP(2009)402</a>	29/01/2009	EC	
Draft final act		<a href="#">03741/2008/LEX</a>	23/04/2009	CSL	
Follow-up document		<a href="#">COM(2010)0656</a>	10/11/2010	EC	Summary
Follow-up document		<a href="#">COM(2010)0657</a>	10/11/2010	EC	Summary
Follow-up document		C(2011)5239	25/07/2011	EC	
Follow-up document		<a href="#">COM(2018)0735</a>	08/11/2018	EC	Summary

#### Additional information

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

#### Final act

<a href="#">Regulation 2009/443</a> <a href="#">OJ L 140 05.06.2009, p. 0001</a> Summary Final legislative act with provisions for delegated acts
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#### Delegated acts

<a href="#">2014/2934(DEA)</a>	Examination of delegated act
<a href="#">2017/2718(DEA)</a>	Examination of delegated act
<a href="#">2018/2544(DEA)</a>	Examination of delegated act
<a href="#">2018/2937(DEA)</a>	Examination of delegated act

## 2007/0297(COD) - 19/12/2007 Legislative proposal

**PURPOSE:** to ensure the proper functioning of the internal market for passenger cars by laying down harmonised rules to limit the average CO2 emissions from the new car fleet in the Community to 130g CO2/km by 2012.

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

**BACKGROUND:** while the EU as a whole has reduced its emissions of greenhouse gases (GHG) by approximately 5% over the 1990-2004 period and emissions have been declining in non-transport sectors, CO2 emissions from road transport have increased by 26%. Despite significant improvements in vehicle motor technology, in particular in fuel efficiency, demand for transport and vehicle size has increased and progress has been too slow in view of the Community objective to reduce average emissions from the new car fleet to 120 g CO2/km.

Adopting Community targets for new passenger cars is necessary to prevent fragmentation in the internal market resulting from the adoption of different measures at Member State level. Community targets provide manufacturers with more planning certainty and more flexibility to meet the CO2 reduction requirements than would be provided by separate national reduction targets.

It should be noted that the review of the Community Strategy to reduce CO2 emissions from passenger cars and light-commercial vehicles (see [INI/2007/2119](#)) envisaged a certain number of complementary measures, which should allow a further reduction of emissions of 10g CO2/km or equivalent, so that the average overall emissions of the new car fleet would be sufficiently reduced to reach the Community target of 120g CO2/km.

**CONTENT:** the proposal aims to ensure the proper functioning of the internal market for passenger cars by ensuring that average specific

emissions of new passenger cars in the Community do not exceed 130g CO<sub>2</sub>/km from 2012 onwards. The aim of this Regulation is to create incentives for the car industry to invest in new technologies. The Regulation actively promotes eco-innovation and takes into account future technological developments, which strengthens the competitiveness of the European Industry and stimulates the creation of more high-quality jobs.

The key aspects of the proposal are as follows:

the proposal will apply to M1 vehicles (passenger cars);

the proposal sets targets for the specific emissions of CO<sub>2</sub> from new passenger cars in the Community as a function of their mass;

the proposal sets mandatory targets for the specific emissions of CO<sub>2</sub> of passenger cars from 2012 onwards. The targets will apply to the average specific emissions of CO<sub>2</sub> in g/km for new passenger cars for each manufacturer which are registered in the EU in each calendar year. Manufacturers may form a pool in order to meet their targets. Where two or more manufacturers form a pool, the pool will be treated as if it is one manufacturer for the purposes of determining its compliance with the targets;

Member States will be obliged to collect data on the new cars registered in their territory and to report this data to the Commission for the purposes of assessing compliance with the targets;

If a manufacturer fails to meet its target, it will be required to pay an excess emissions premium in respect of each calendar year from 2012 onwards. The premium will be calculated by multiplying the number of g CO<sub>2</sub>/km by which the manufacturer exceeded its target by the number of cars newly registered and by the excess emissions penalty for the year. The excess emissions penalty will be EUR 20 for emissions in 2012, EUR 35 for emissions in 2013, EUR 60 for emissions in 2014 and EUR 95 for emissions in 2015 and each subsequent year.

The targets under the Regulation are established on the basis of the best knowledge currently available, particularly regarding the likely fleet evolution between now and 2012 in respect of the autonomous weight increase. The proposed measures will lead to a 19% reduction in CO<sub>2</sub> emissions, placing the EU among world leaders in terms of fuel-efficient cars.

## 2007/0297(COD) - 25/09/2008 Vote in committee, 1st reading/single reading

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The Committee on Environment, Public Health and Food Safety adopted a report drafted by Guido SACCONI (PES, IT) amending the Commission's proposal for a regulation of the European Parliament and of the Council setting emission performance standards for new passenger cars as part of the Community's integrated approach to reduce CO<sub>2</sub> emissions from light-duty vehicles.

The main amendments - made in first reading of the co-decision procedure - are as follows:

**Purpose and objectives:** according to MEPs, the regulation should establish CO<sub>2</sub> emission performance requirements for new passenger cars in order to ensure the proper functioning of the internal market and to achieve the overall objective of reducing CO<sub>2</sub> emissions in the EU, including in the transport sector. The Regulation should set a target, for the new car fleet, of an average 120 g CO<sub>2</sub>/km as from 1 January 2012. From 2012 the Regulation sets the average CO<sub>2</sub> emissions for new passenger cars at 130 g CO<sub>2</sub>/km by means of improvement in vehicle motor technology. From 2020 the Regulation sets a target, for the new car fleet, of average emissions of no more than 95 g CO<sub>2</sub>/km as from 1 January 2020 by means of improvement in vehicle motor technology as measured in accordance with Regulation (EC) No 715/2007 and its implementing measures.

**Scope:** Members propose deleting, in the definition of the Regulation's scope, the reference to mass not exceeding 2 610 kg because this would prevent very heavy vehicles from being exempt from it. Moreover, in order to encourage European automobile producers to invest in new technologies increase energy efficiency and reduce CO<sub>2</sub> emissions, Members consider it is necessary to avoid introducing specific advantages for new automobiles imported from outside the Community. Another amendment seeks to allow vehicles built specifically to load and accommodate wheelchairs inside the vehicle, which are not homologated as wheelchair accessible vehicles but that have full European Whole Vehicle Type Approval (EWTVA) to be excluded from this legislation. Also excluded would be vehicles designed to fulfil specific social needs.

**Objectives in terms of specific emissions:** for the calendar year commencing 1 January 2020 and each subsequent calendar year, each manufacturer of passenger cars shall ensure that its average specific emissions of CO<sub>2</sub> do not exceed its specific emissions target determined in accordance with Annex I as amended pursuant to Article 10(2a)(b). For ultra-low carbon vehicles, a new article stipulates that between 1 January 2012 and the year beginning 1 January 2016 for the purposes of determining compliance by individual manufacturers of passenger cars with the specific emissions target referred to in the Regulation, each ultra low carbon vehicle registered in the European Union shall contribute to the calculation of the manufacturer's average specific emissions of CO<sub>2</sub> on a multiplier basis of: 2012-2013: 4 times; 2014: 3 times; 2015: 2 times. From 1 January 2016 this multiplier will cease to apply.

**Specific emission target for alternative fuel vehicles:** for the purpose of determining compliance by individual manufacturers of passenger cars with the specific emissions target referred to in Article 4, the CO<sub>2</sub> emissions as stated in the certificate of conformity for each alternative fuel vehicle, as defined in Regulation (EC) No 715/2007, registered in the European Union shall be reduced in a linear function from 0 to 20%, with a maximum of 25 g CO<sub>2</sub>/km, if at least 30% of the filling stations in the Member State where the vehicle is registered provide alternative fuels for these vehicles that meet the sustainability criteria set out in Directive ... [the Renewable energy directive]. The reduction shall not be valid for vehicles with a mass weight exceeding 2000 kg, or if it is achieved through the use of alternative fuels that are not available for commercial use within the Community.

**Monitoring and reporting of average emissions:** for the month beginning 1 January 2012 and each subsequent month, each Member State shall record information for each new passenger car registered in its territory in accordance with Part A of Annex II. This information shall be made available to the manufacturers and their designated importers or representatives in each Member State. Member States shall make every effort to ensure that reporting bodies operate in a transparent and non-bureaucratic manner. Members consider that the verification of the Member States data by a certified auditor should ensure that Member States collect and monitor the CO<sub>2</sub> figures from the Certificate of Conformity paper and that the car models are allocated to right manufacturers.

**Excess emissions premium:** the amounts of the excess emissions premium shall be considered as revenue for the budget of the European Union and must be used to increment research activities in support of the development of technological innovations for the reduction of vehicle CO<sub>2</sub> emissions and the development of zero emission vehicles.

Publication of manufacturers' performance: Members propose that the average weight of all new passenger cars should be published.

Special derogation for small volume independent manufacturers: an amendment defines the criteria which would allow the determination and evaluation of the individual objectives so as to offer greater legal certainty and improved planning certainty while encouraging reduced emissions. MEPs consider that if a manufacturer exceeds the specific emissions objective fixed in his application for a derogation, the withdrawal of this derogation (as proposed by the Commission) could constitute a disproportionate measure. Instead of this, they call for the same system as that which applies to large manufacturers to apply in this case. Lastly, a manufacturer may apply to the Commission to be allowed to meet an alternative target that is a 25% reduction on its average specific emissions in 2006, instead of its specific emissions target calculated in accordance with the Eco-innovations annex: the Regulation should offer incentives to increase the efficiency of auxiliaries / components even if their CO<sub>2</sub> benefit is not reflected in the CO<sub>2</sub> measurement according to Regulation 715/2007. Only technologies that lead to real-world CO<sub>2</sub> reductions beyond any doubt should be considered as eco-innovations, their impact having to be certified by a competent technical service such as those used in EU type approval.

Evaluation and reports: Members suggest that the Commission should review the procedures for measuring CO<sub>2</sub> emissions and the possibilities for including the CO<sub>2</sub> emission test in the in-service conformity assessment without hindering the rapid introduction of new and less proven technologies (e.g. batteries, fuel cells) to lower CO<sub>2</sub> emissions.

The European Commission should:

- make proposals by 2010, as appropriate, to ensure that the procedures for measuring CO<sub>2</sub> emissions under Regulation (EC) No 715/2007 and its implementing measures are adapted and subsequently reviewed on a regular basis;

- ensure that, by 2015, cars of all weights are covered by this Regulation;

- by 31 December 2014 table a proposal for a regulation setting the average emissions level referred to in Annex I, which may in any event not be higher than 95 g of CO<sub>2</sub>, to be achieved by the new car fleet by 1 January 2020;

- by 2014, following an impact assessment, publish a report on the data availability of footprint, as an utility parameter for determining specific emissions targets and, if appropriate, amend Annex I in accordance with the regulatory procedure with scrutiny.

Consumer information: from 1 January 2010, the information provided to consumers concerning the specific CO<sub>2</sub> emissions of passenger cars shall be governed by Directive 1999/94/EC. From 1 January 2012 manufacturers seeking type-approval for M1 vehicles, as defined in Directive 2007/46/EC in accordance with Regulation (EC) No 715/2007, shall equip every vehicle with a fuel consumption monitor.

## 2007/0297(COD) - 17/12/2008 Text adopted by Parliament, 1st reading/single reading

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The European Parliament adopted by 559 votes to 98, with 60 abstentions, a legislative resolution amending the proposal for a regulation of the European Parliament and of the Council setting emission performance standards for new passenger cars as part of the Community's integrated approach to reduce CO<sub>2</sub> emissions from light-duty vehicles.

The report had been tabled for consideration in plenary by Guido SACCONI (PES, IT), on behalf of the Committee on Environment, Public Health and Food Safety.

The amendments ? adopted in first reading under the codecision procedure ? are the result of a compromise between Parliament and Council. The main elements of the compromise are as follows:

Objectives: the compromise supports the objective proposed by the Commission of an average level of emissions of 120g CO<sub>2</sub>/km for the entire car industry by 2012. The Regulation sets the average CO<sub>2</sub> emissions for new passenger cars at 130 g CO<sub>2</sub>/km by means of improvement in vehicle motor technology and innovative technologies. It will be complemented by additional measures corresponding to 10 g CO<sub>2</sub> /km as part of the Community's integrated approach. The compromise introduces a target, for the new car fleet, of average emissions of 95 g CO<sub>2</sub> /km from 2020.

Specific emissions targets: the compromise stipulates that the average specific emissions of CO<sub>2</sub> shall be determined using the following proportions of new passenger cars registered in the relevant year:

- 65% in January 2012;
- 75% in January 2013;
- 80% in 2014;
- 100% in 2015.

Supercredits: when calculating the average specific CO<sub>2</sub> emissions, each new passenger car with specific CO<sub>2</sub> emissions of less than 50g CO<sub>2</sub>/km, shall count as:

- 3.5 cars in 2012;
- 3.5 cars in 2013;
- 2.5 cars in 2014;
- 1.5 cars in 2015;
- 1 car from 2016 onwards.

Specific emission target for alternative fuel vehicles: for the purpose of determining compliance by individual manufacturers of passenger cars with the specific emissions target, the CO<sub>2</sub> emissions as stated in the certificate of conformity for each vehicle designed to be capable of running on a mixture of petrol with 85% ethanol ("E85") and registered in the European Union, shall be reduced until 31 December 2015 by 5% in recognition of the greater technological and emissions reduction capability of running on biofuels. This reduction shall apply only where at least 30% of the filling stations in the Member State in which the vehicle is registered provide this type of alternative fuel complying with the sustainability criteria for biofuels set out in Community legislation.

Monitoring and reporting of average emissions: information shall be made available to the manufacturers and their designated importers or representatives in each Member State. Member States shall make every effort to ensure that reporting bodies operate in a transparent

manner. Each Member State shall ensure that the specific emissions of CO<sub>2</sub> of passenger cars which are not type-approved in accordance with Regulation (EC) No 715/2007 are measured and recorded in the certificate of conformity.

Member States shall designate a competent authority for the collection and communication of the monitoring data and shall inform the Commission of the competent authority designated no later than 6 months after the entry into force of the Regulation. The Commission shall subsequently inform the European Parliament and the Council.

For each calendar year in which Article 6 (specific emission target for alternative fuel vehicles) applies, Member States shall provide information to the Commission regarding the share of filling stations and the sustainability criteria of the E85 fuel.

Excess Emissions Premium: in respect of each calendar year from 2012 onwards for which a manufacturer's average specific emissions of CO<sub>2</sub> exceed its specific emissions target in that year, the Commission shall impose an excess emissions premium on the manufacturer. The compromise specifies the formula for calculating the premium between 2012 and 2018, where average specific emissions of CO<sub>2</sub> exceed the specific emissions target: (i) by more than 3g CO<sub>2</sub> /km; (ii) by more than 2g CO<sub>2</sub> /km but no more than 3g CO<sub>2</sub> /km; (iii) by more than 1 but no more than 2g CO<sub>2</sub> /km; (iv) by no more than 1g CO<sub>2</sub> /km.

From 2019, the formula for calculating the premium shall be as follows: (excess emissions x 95 g CO<sub>2</sub> /km) x number of new passenger cars.

Derogations for certain manufacturers: an application for a derogation from the specific emissions target may be made by a manufacturer which: (a) is responsible for less than 10 000 new passenger cars registered in the Community per calendar year; and (b) is not part of a group of connected manufacturers, or has connected undertakings, and these in total are responsible for less than 10 000 new passenger cars registered in the Community per calendar year; or (c) is part of a group of connected manufacturers but operates its own production facilities and design centre.

An application for a derogation from the specific emissions target may be made by a manufacturer which is responsible, together with all of its connected undertakings, for between 10 000 and 300 000 passenger cars registered in the European Union annually.

Eco-innovation: upon application by a supplier or a manufacturer, CO<sub>2</sub> savings achieved through the use of innovative technologies shall be considered. The total contribution of those technologies can be up to 7g CO<sub>2</sub> reduction of each manufacturer's average specific emissions target.

The Commission shall adopt by 2010 detailed provisions for a procedure to approve such innovative technologies. These innovative technologies shall: (a) be accountable; (b) make a verified contribution to CO<sub>2</sub> reduction; (c) not be covered by the standard test cycle CO<sub>2</sub> measurement or by mandatory provisions due to complementary additional measures complying to 10g CO<sub>2</sub> /km referred to in the Regulation.

A manufacturer or a supplier which wishes a measure to be approved as an innovative technology shall submit a report, including a verification report undertaken by an independent and certified body, to the Commission.

Review and report: the European Commission shall:

- in 2010, submit a report to the European Parliament and the Council reviewing the progress made to implement the Community's Integrated Approach to reduce the CO<sub>2</sub> emissions from light-duty vehicles;
- from 2012, carry out an impact assessment in order to review by 2014 the procedures for measuring CO<sub>2</sub> emissions as set out under Regulation (EC) No 715/2007/EC;
- by 2010, review Directive 2007/46/EC so that each type/version/variant corresponds to a unique set of innovative technologies;
- no later than the beginning of 2013, complete a review of the specific CO<sub>2</sub> emissions targets in Annex I and of the derogations for certain manufacturers, with the aim of defining the modalities for reaching, by the year 2020, a long-term target of 95g CO<sub>2</sub> /km in a cost-effective manner, and defining the aspects of its implementation, including the excess emissions premium.

On the basis of such a review and its impact assessment, including an overall assessment of the impact on the car industry and its dependent industries, in a way that is as neutral as possible from the point of view of competition, and which is socially equitable and sustainable, the Commission shall, as appropriate, make a proposal to amend this Regulation.

## 2007/0297(COD) - 23/04/2009 Final act

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**PURPOSE:** to ensure the proper functioning of the internal market for passenger cars by laying down harmonised rules to limit the average CO<sub>2</sub> emissions from the new car fleet in the Community to 130g CO<sub>2</sub>/km by 2012.

**LEGISLATIVE ACT:** Regulation (EC) No 443/2009 of the European Parliament and of the Council setting emission performance standards for new passenger cars as part of the Community's integrated approach to reduce CO<sub>2</sub> emissions from light-duty vehicles.

**CONTENT:** following a first reading agreement with the European Parliament, the Council adopted this Regulation which establishes CO<sub>2</sub> emissions performance requirements for new passenger cars in order to ensure the proper functioning of the internal market. It aims to achieve the overall objective of the European Community of 120 g CO<sub>2</sub>/km as average emissions for the new car fleet. The Regulation sets the average CO<sub>2</sub> emissions for new passenger cars at 130 g CO<sub>2</sub>/km, by means of improvement in vehicle motor technology, as measured in accordance with Regulation (EC) No 715/2007 and its implementing measures and innovative technologies. From 2020 onwards, this Regulation sets a target of 95 g CO<sub>2</sub>/km as average emissions for the new car fleet. The Regulation will be complemented by additional measures corresponding to a reduction of 10 g CO<sub>2</sub>/km as part of the Community's integrated approach.

These legally-binding standards for CO<sub>2</sub> emissions from new passenger cars will apply as of 2012. The Regulation notes that its aim is to create incentives for the car industry to invest in new technologies. It actively promotes eco-innovation and takes into account future technological developments. The development of innovative propulsion technologies should particularly be promoted, as they result in significantly lower emissions than traditional passenger cars. In this way, the long-term competitiveness of the European industry is promoted and more high-quality jobs are created. The Commission should consider the possibility of including eco-innovation measures in the review of test procedures pursuant to Regulation (EC) No 715/2007, taking into consideration the technical and economic impacts of such inclusion.

The Regulation will give effect to the EU's existing goal of reducing average emissions from new cars to 120g CO<sub>2</sub> / km. This is to be

achieved in two ways:

- a reduction to 130gr CO<sub>2</sub> / km through engine technology;
- an additional cut of 10gr CO<sub>2</sub> / km through more efficient vehicle features, for instance air-conditioning systems or tyres.

Specific emissions targets: for 2012 and each subsequent calendar year, each manufacturer of passenger cars will ensure that its average specific emissions of CO<sub>2</sub> do not exceed its specific emissions target determined in accordance with the text. For the purposes of determining each manufacturer's average specific emissions of CO<sub>2</sub>, the following percentages of each manufacturer's new passenger cars registered in the relevant year shall be taken into account:

- 65 % in 2012,
- 75 % in 2013,
- 80 % in 2014,
- 100 % from 2015 onwards.

Parliament and Council adopted this phase-in so as to respect the length of industrial planning and production cycles and give the car industry the necessary time to adjust. To send a signal to industry for further production cycles, Parliament and Council also introduced an objective of 95gr CO<sub>2</sub> / km for 2020. By 2013, the Commission has to review the modalities for reaching this target.

Excess emissions premium: in respect of each calendar year from 2012 onwards for which a manufacturer's average specific emissions of CO<sub>2</sub> exceed its specific emissions target in that year, the Commission will impose an excess emissions premium on the manufacturer or, in the case of a pool, the pool manager.

From 2012 until 2018, EUR 5 per newly registered car must be paid for the first gram above the objective. For the second gram of exceedance EUR 15 is due and EUR 25 for the third gram. For emissions of more than 3 grams over the limit, EUR 95 is charged per newly registered vehicle. From 2019, the penalty will be EUR 95 per new car for every gram above the target. The amounts of the excess emissions premium will be considered as revenue for the general budget of the EU.

Eco-innovation: upon application by a supplier or a manufacturer, CO<sub>2</sub> savings achieved through the use of innovative technologies will be considered. The total contribution of those technologies to reducing the specific emissions target of a manufacturer may be up to 7 g CO<sub>2</sub>/km.<sup>2</sup> The Commission must adopt by 2010, detailed provisions for a procedure to approve such innovative technologies in accordance with the regulatory procedure. Those detailed provisions must be based on certain criteria for innovative technologies.

Super-credits: in calculating the average specific emissions of CO<sub>2</sub>, each new passenger car with specific emissions of CO<sub>2</sub> of less than 50 g CO<sub>2</sub>/km shall be counted as:

- 3.5 cars in 2012;
- 3.5 cars in 2013;
- 2.5 cars in 2014;
- 1.5 cars in 2015; and
- 1 car from 2016.

An application for a derogation from the specific emissions target may be made by a manufacturer which is responsible for fewer than 10 000 new passenger cars registered in the Community per calendar year and fulfils certain specified conditions.

It should be noted that this Directive forms part of the climate-energy legislative package containing measures aimed at fighting climate change and promoting renewable energy. (See also [COD/2008/0013](#), [COD/2008/0014](#), [COD/2008/0015](#), [COD/2008/0016](#) and [COD/2007/0019](#)). The package is designed to achieve the EU's overall environmental target of a 20 % reduction in greenhouse gases and a 20 % share of renewable energy in the EU's total energy consumption by 2020.

ENTRY INTO FORCE: 08/06/2009.

## 2007/0297(COD) - 10/11/2010 Follow-up document

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On 7 February 2007, the Commission adopted a [Communication](#) outlining a comprehensive new strategy to reduce carbon dioxide emissions from new cars and vans sold in the European Union. Subsequently, Article 13 of [Regulation \(EC\) 443/2009](#) requires the Commission to submit to the European Parliament and Council a report reviewing the progress made towards implementation of the Community's integrated approach to reducing CO<sub>2</sub> emissions from light-duty vehicles.

The present report provides a final evaluation of the pre-2007 strategy and reviews the progress made towards the different elements of the 2007 strategy.

Pre-2007 Strategy: before 2007, the Community's strategy was based on three pillars, as outlined by the Commission in its Communication of 1995 and subsequently supported by the Council and European Parliament. This structure allowed for the combination of measures addressing both supply (voluntary commitments) and demand (labelling and taxation). The pre-2007 strategy focused on targets for 2008 and 2009 and the data for these years have only recently become available. The statistics and monitoring data described in the following text show, as expected in the preparation of the 2007 Strategy, that the objectives of the pre 2007 strategy were only partly achieved.

2007 Strategy: the 2007 strategy aimed at reaching the Community objective of an equivalent of 120 gCO<sub>2</sub>/km by 2012 through a legislative framework addressing supply oriented measures. While we have observed significant decreases in the average CO<sub>2</sub> emissions from new passenger cars, especially in 2008 and 2009, the 2012 goal of the Strategy is unlikely to be achieved. It is clear that the 2009 reductions of CO<sub>2</sub> emissions are in part due to the economic crisis as well as the deployment of new technologies by vehicle manufacturers, and there is no guarantee that this year's strong decrease will continue once the economy recovers.

Moreover, the timeline of the Strategy was amended by the European Parliament and the Council during the co-decision process to adopt Regulation (EC) No 443/2009 by shifting the date of full entry into force of the Regulation to 2015, and including a 2020 target. The timeline going beyond 2012 is also set for other measures implementing the Strategy.

The Commission expects that the targets for 2012-2015 specified in Regulation (EC) No 443/2009 will be achieved and that the average specific CO<sub>2</sub> emissions from the new light-duty fleet will fall substantially by 2015 due to the regulatory measures announced in the Strategy.

In summary, despite a low probability of achieving the 2012 target, the Strategy and its implementing measures have played an important role in driving decrease of CO<sub>2</sub> emissions from light-duty vehicles.

As regards the progress of implementation of the Strategy to reduce CO<sub>2</sub> from light-duty vehicles, the following may be noted:

- to reach an objective of 130 gCO<sub>2</sub>/km for the average new car fleet by means of improvements in vehicle motor technology;
- the compulsory fitting of accurate tyre pressure monitoring systems;
- setting maximum tyre rolling resistance limits in the EU for tyres fitted on passenger cars and light commercial vehicles;
- the use of gear shift indicators, taking into account the extent to which such devices are used by consumers in real driving conditions;
- increased use of biofuels maximizing environmental performance.

Progress is also being made in the following areas:

- setting minimum efficiency requirements for air-conditioning systems;
- fuel efficiency progress in light-commercial vehicles (vans) with the objective of reaching 175 gCO<sub>2</sub>/km by 2012 and 160 gCO<sub>2</sub>/km by 2015.

Limited progress have been made in the areas of tax, consumer information and ecodriving.

Mid-term action: the specific actions linked to the scope of the Strategy foreseen by the Commission in the timeline 2010-2020 include:

- a review of modalities of reaching the 2020 target of 95 gCO<sub>2</sub>/km set out in the cars legislation, and possibly modalities of the long-term target as proposed in the draft regulation on CO<sub>2</sub> from light commercial vehicles;
- the proposal of a new test-cycle to reflect more accurately the real world driving conditions as well as the specific CO<sub>2</sub> emissions and fuel consumption related to it;
- the plan to look into the possibility of measurement and certifications of CO<sub>2</sub> emissions from heavy duty vehicles;
- the implementation of efficiency standards for new heavy duty vehicles;
- the Commission developing its life cycle analysis of energy use in vehicles. It will consider whether this well to wheel approach can be integrated in long term targets for vehicles.

Long-term vision: to improve planning certainty for the automotive sector while ensuring that CO<sub>2</sub> reductions from light-duty vehicles continue to take place, the Commission considers, based on a thorough impact assessment, to also propose a target for passenger car emissions to be reached by 2025. Among other options, the Commission will assess the feasibility of the target suggested by the European Parliament of reaching 70 gCO<sub>2</sub>/km by 2025 as indicated in its [Resolution](#) of 24 October 2007 on the Community Strategy to reduce CO<sub>2</sub> emissions from passenger cars and light-commercial vehicles. Further reduction steps shall also be considered for light commercial vehicles. The consideration of long term targets beyond 2020 will have to take into account the possible market penetration of alternative energy, especially electricity.

## 2007/0297(COD) - 10/11/2010 Follow-up document

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This Commission communication concerns the monitoring and reporting of data on the registration of new passenger cars.

According to Regulation (EC) No 443/2009 setting emission performance standards for new passenger cars as part of the Community's integrated approach to reduce CO<sub>2</sub> emissions from light-duty vehicles, Member States must every year record and transmit certain data on new passenger cars to the Commission. That data will be the basis for determining the specific CO<sub>2</sub> emissions target for manufacturers of new passenger cars and will also serve for the assessment of whether manufacturers comply with those targets.

To ensure the consistency of the data to be transmitted by the Member States, it is necessary to harmonise the rules on the collection and reporting of that data as far as possible. This Communication will, together with Commission Regulation C(2010)7652 on the monitoring and reporting of data on the registration of new passenger cars pursuant to Regulation (EC) No 443/2009, facilitate the collection, submission and assessment of the data by indicating the Commission's interpretation of the relevant provisions of Regulation (EC) No 443/2009 and by providing guidance to Member States on the data to be provided and the format to be used. Further guidance will also be provided on an ad hoc basis.

The communication provides a certain number of clarifications on the following issues:

- data sources;
- list of manufacturers;
- data requirements;
- reporting on registration of bi-fuel and flex-fuel vehicle;
- data transmission;
- calculation of the average specific emissions;
- pooling of manufacturers.

## 2007/0297(COD) - 08/11/2018 Follow-up document

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In accordance with Regulation (EC) No 443/2009, the Commission presents a report on the exercise of the delegation conferred on the Commission in regard to setting emission performance standards for new passenger cars as part of the Union's integrated approach to reduce CO<sub>2</sub> emissions from light-duty vehicles. Regulation (EC) No 443/2009 has applied since 2009. Since then, the Commission has adopted delegated acts to define and amend rules for monitoring and reporting of data on average emissions, in particular adjusting the target calculation formulae and mass values in Annex I and II to the Regulation.



The following delegated acts have been adopted:

- [Commission Delegated Regulation \(EU\) 2017/1502](#) amending Annexes I and II to Regulation (EC) No 443/2009 for the purpose of adapting them to the change in the regulatory test procedure for the measurement of CO<sub>2</sub> from light duty vehicles.

The aim of the Regulation is to adapt the reporting and monitoring requirement to the change in the regulatory test procedure for measuring average emissions of new passenger cars registered in the territory of the EU. The World Harmonised Light Vehicles Test Procedure is set out in Commission Regulation (EU) 2017/1151 and replaces the New European Driving Cycle pursuant to Commission Regulation (EC) No 692/20087, which came into effect on 1 September 2017.

- [Commission Delegated Regulation \(EU\) No 2015/6](#) amending Annex I to Regulation (EC) No 443/2009 in order to take into account the evolution of the mass of new passenger cars registered in 2011, 2012 and 2013.
- [Commission Delegated Regulation \(EU\) No 2018/649](#) amending Annex I to Regulation (EC) No 443/2009 of the European Parliament and of the Council as regards the evolution of the mass of new passenger cars registered in 2014, 2015 and 2016.

The latter two Delegated Regulations aim to ensure a regular adaptation of the average mass value used for calculating the specific CO<sub>2</sub> emissions of new passenger cars, by taking into account the average mass of new vehicles registered in the Union in a preceding three year period.

The European Parliament and the Council raised no objections as a result of the scrutiny of those acts.