

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2018/0065(COD) Procedure completed
Two- or three-wheel vehicles and quadricycles: application of the Euro 5 step to the type-approval	
Amending Regulation (EU) No 168/2013	2010/0271(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
	 Internal Market and Consumer Protection		16/05/2018
		 DALTON Daniel	
		Shadow rapporteur	
		 POSPÍŠIL Jiří	
		 GRAPINI Maria	
		 VAN MILTENBURG Matthijs	
		 DURAND Pascal	
		 PRETZELL Marcus	
		Committee for opinion	Rapporteur for opinion
 Environment, Public Health and Food Safety			25/04/2018
 Industry, Research and Energy		The committee decided not to give an opinion.	
 Transport and Tourism		The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date

Key events

19/03/2018	Legislative proposal published	COM(2018)0137	Summary
16/04/2018	Committee referral announced in Parliament, 1st reading		
17/10/2018	Vote in committee, 1st reading		
19/10/2018	Committee report tabled for plenary, 1st reading	A8-0346/2018	Summary
29/11/2018	Results of vote in Parliament		
29/11/2018	Decision by Parliament, 1st reading	T8-0466/2018	Summary
17/12/2018	Act adopted by Council after Parliament's 1st reading		
16/01/2019	Final act signed		
16/01/2019	End of procedure in Parliament		
31/01/2019	Final act published in Official Journal		

Technical information

Procedure reference	2018/0065(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Regulation (EU) No 168/2013 2010/0271(COD)
Legal basis	Treaty on the Functioning of the EU TFEU 114
Other legal basis	Rules of Procedure EP 159
Mandatory consultation of other institutions	European Economic and Social Committee
Stage reached in procedure	Procedure completed
Committee dossier	IMCO/8/12546

Documentation gateway

Legislative proposal		COM(2018)0137	19/03/2018	EC	Summary
Committee opinion	ENVI	PE627.826	17/09/2018	EP	
Committee report tabled for plenary, 1st reading/single reading		A8-0346/2018	19/10/2018	EP	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0466/2018	29/11/2018	EP	Summary
Commission response to text adopted in		SP(2018)838	19/12/2018	EC	

plenary					
Draft final act		00065/2018/LEX	16/01/2019	CSL	

Final act
Regulation 2019/129 OJ L 030 31.01.2019, p. 0106 Summary Final legislative act with provisions for delegated acts

Two- or three-wheel vehicles and quadricycles: application of the Euro 5 step to the type-approval

PURPOSE: to improve the type-approval of two- or three-wheel vehicles and quadricycles in order to achieve a high level of environmental protection.

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

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: type-approval requirements applying to 'L-category vehicles' as of 1 January 2016 are set out in [Regulation \(EU\) No 168/2013](#) and its four delegated and implementing acts.

The term L-category vehicles covers a wide range of light vehicle types with two, three or four wheels, e.g. powered cycles, two- and three-wheel mopeds, two- and three-wheel motorcycles, motorcycles with side-cars and four-wheel vehicles (quadricycles) such as onroad quads, all-terrain vehicles and quadrimobiles.

On the basis of the Commission report to the European Parliament and the Council on the comprehensive effect study of the environmental step Euro 5 for L-category vehicles and taking into account issues encountered by approval authorities and stakeholders in applying that Regulation, certain changes and clarifications should be made in Regulation (EU) No 168/2013 in order to ensure its smooth application.

CONTENT: the proposal seeks to amend Article 21 of Regulation (EC) No 168/2013 regarding the requirement to install an on-board diagnostic system (OBD I) which monitors for any electric circuit and electronics failure of the emission control system and which is triggered when the emission thresholds are being exceeded. OBD stage I systems for those vehicle (sub-) categories shall also report the triggering of any operating mode which significantly reduces engine torque.

It is necessary to clarify the exemption for mopeds (L1e and L2e categories) from the OBD system of stage II requirement and to extend that exemption to light quadricycles (L6e category) and to the enduro (L3e-AxE) and trial (L3e-AxT) motorcycle subcategories.

Regarding the requirement to install an on-board diagnostic system (OBD) of stage II, the Commission concluded on the basis of the comprehensive environmental effect study that there are technical limitations with respect to catalyst monitoring for certain vehicles and that further development is required to ensure its correct implementation. Catalyst monitoring is not expected to be ready for the first round of the Euro 5 emission step, but should be envisaged for 2025.

The amending Regulation therefore provides for the time necessary to ensure the correct implementation of OBD system of stage II requirement.

In addition, the European Commission would have additional powers to adopt delegated acts to implement Regulation (EC) No 168/2013: the powers initially granted expired on 21 March 2018. The proposal provides for an extension of the delegation for a further five years, with the possibility of tacit extension.

Two- or three-wheel vehicles and quadricycles: application of the Euro 5 step to the type-approval

The Committee on the Internal Market and Consumer Protection adopted the report by Daniel DALTON (ECR, UK) on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 168/2013 as regards the application of the Euro 5 step to the type-approval of two- or three- wheel vehicles and quadricycles.

As a reminder, the proposal seeks to amend Article 21 of Regulation (EC) No 168/2013 regarding the requirement to install an on-board diagnostic system (OBD I) which monitors for any electric circuit and electronics failure of the emission control system and which is triggered when the emission thresholds are being exceeded. OBD stage I systems for those vehicle (sub-) categories shall also report the triggering of any operating mode which significantly reduces engine torque.

The proposal also requires, for certain subcategories of vehicles, the installation of an OBD II device to identify and report malfunctions and degradation of the emission control system.

The proposal clarifies the exemption for vehicles of categories L1e and L2e from the OBD system of stage II requirement and to extend that exemption to light quadricycles (L6e category) and to the enduro (L3e-AxE) and trial (L3e-AxT) motorcycle sub-categories.

The committee supported that the date of application of the Euro 5 emission limits for certain L-category vehicles (L6e-B, L2e-U, L3e-AxT and L3e-AxE) will need to be postponed from 2020 to 2024 (rather than 2022 as proposed by the Commission) to increase the cost beneficial ratio compared to the base line. In addition, manufacturers of these vehicles, which are mainly SMEs, require more lead time to ensure that the transition towards zero emission powertrains, such as electrification can be achieved in a cost effective way.

Two- or three-wheel vehicles and quadricycles: application of the Euro 5 step to the type-approval

The European Parliament adopted by 512 votes to 73, with 4 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 168/2013 as regards the application of the Euro 5 step to the type-approval of two- or three- wheel vehicles and quadricycles.

As a reminder, the proposal aims to amend Article 21 of Regulation (EC) No 168/2013 regarding the requirement to install an on-board diagnostic system (OBD I) which monitors for any electric circuit and electronics failure of the emission control system and which is triggered when the emission thresholds are being exceeded.

The proposal also requires, for certain subcategories of vehicles, the installation of an OBD II device to identify and report malfunctions and degradation of the emission control system.

The position of the European Parliament adopted at first reading under the ordinary legislative procedure underlines the need to clarify the exemption for vehicles of categories L1e and L2e from the OBD system of stage II requirement and to extend that exemption to light quadricycles (L6e category) and to the enduro (L3e-AxE) and trial (L3e-AxT) motorcycle sub-categories.

In addition, Article 30 of Regulation (EU) No 168/2013 requires that an EU type-approval certificate contains, as an attachment, the test results. In the interests of clarity, that provision should be amended in order to make clear that what is being referred to is the test results sheet .

The date of application of the Euro 5 emission limits for certain L-category vehicles (L6e-B, L2e-U, L3e-AxT and L3e-AxE) will need to be postponed from 2020 to 2024 to increase the cost-benefit ratio compared to the base line. Manufacturers of those vehicles, which are mainly SMEs, require more lead time to ensure that the transition towards zero emission powertrains, such as electrification, can be achieved in a cost effective way.

Two- or three-wheel vehicles and quadricycles: application of the Euro 5 step to the type-approval

PURPOSE: to adapt EU type-approval rules for a wide range of two, three or four-wheel light vehicles to take into account the latest scientific data.

LEGISLATIVE ACT: Regulation (EU) 2019/129 of the European Parliament and of the Council of 16 January 2019 amending [Regulation \(EU\) No 168/2013](#) as regards the application of the Euro 5 step to the type-approval of two- or three-wheel vehicles and quadricycles.

CONTENT: the new rules provide that type-approval tests shall be carried out after a higher number of kilometres travelled than in the past in order to obtain more reliable results from emission control systems.

The Commission concluded in the effect study that the mathematical durability procedure set out in point (c) of Article 23(3) of Regulation (EU) No 168/2013, whereby vehicles are tested after 100 km of use, does not reflect the real degradation of the emission control system of a vehicle during its lifetime. That method should no longer be used and should be phased out by 2025 to provide sufficient lead time to stakeholders to adapt.

For the period until 2025, the required accumulated distance travelled by the vehicle before it is tested should be raised to ensure that the test results are reliable.

The amending Regulation also extends the derogation from the obligation to install OBD II on-board diagnostic systems to new categories of light vehicles. OBD II on-board diagnostic systems are used to identify and report malfunctions and degradation of the emission control system.

The date of application of the Euro 5 emission limits for certain L-category vehicles (L6e-B, L2e-U, L3e-AxT and L3e-AxE) will need to be postponed from 2020 to 2024 to increase the cost-benefit ratio compared to the base line. In addition, manufacturers of those vehicles, which are mainly SMEs, require more lead time to ensure that the transition towards zero emission powertrains, such as electrification, can be achieved in a cost effective way.

The Regulation also extends the Commission's power to adopt delegated acts for a further five years.

ENTRY INTO FORCE: 20.2.2019.