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Basic information	
<p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation</p> <p>2019/0101(COD)</p>	Awaiting Parliament's position in 1st reading
<p>Motor vehicles: type approval with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and access to repair and maintenance information</p> <p>Amending Regulation 2007/715 <a href="#">2005/0282(COD)</a></p> <p>Subject</p> <p>2.10.03 Standardisation, EC/EU standards and trade mark, certification, compliance</p> <p>3.20.06 Transport regulations, road safety, roadworthiness tests, driving licence</p> <p>3.40.03 Motor industry, cycle and motorcycle, commercial and agricultural vehicles</p> <p>3.70.02 Atmospheric pollution, motor vehicle pollution</p>	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 <a href="#">Environment, Public Health and Food Safety</a> (Associated committee)	 <a href="#">DE LANGE Esther</a>	10/09/2019
		Shadow rapporteur	
		 <a href="#">DALLI Miriam</a>	
		 <a href="#">SOLÍS PÉREZ Susana</a>	
		 <a href="#">LIMMER Sylvia</a>	
	 <a href="#">EICKHOUT Bas</a>		
	 <a href="#">ZALEWSKA Anna</a>		
	 <a href="#">KONEČNÁ Kateřina</a>		
	Committee for opinion	Rapporteur for opinion	Appointed
	 <a href="#">Industry, Research and Energy</a>	The committee decided not to give an opinion.	
	 <a href="#">Internal Market and Consumer Protection</a> (Associated committee)		18/07/2019
	 <a href="#">CAVAZZINI Anna</a>		
	 <a href="#">Transport and Tourism</a>		29/07/2019
		 <a href="#">SCHULZE Sven</a>	
Council of the European Union European Commission	Commission DG <a href="#">Mobility and Transport</a>	Commissioner BIEŃKOWSKA Elżbieta	

## Key events

14/06/2019	Legislative proposal published	<a href="#">COM(2019)0208</a>	Summary
15/07/2019	Committee referral announced in Parliament, 1st reading/single reading		
19/12/2019	Referral to associated committees announced in Parliament		
14/07/2020	Vote in committee, 1st reading/single reading		
20/07/2020	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A9-0139/2020</a>	Summary

## Forecasts

16/09/2020	Vote in plenary scheduled
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## Technical information

Procedure reference	2019/0101(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Regulation 2007/715 <a href="#">2005/0282(COD)</a>
Legal basis	Treaty on the Functioning of the EU TFEU 114
Mandatory consultation of other institutions	<a href="#">European Economic and Social Committee</a>
Stage reached in procedure	Awaiting Parliament's position in 1st reading
Committee dossier	ENVI/9/00533

## Documentation gateway

Legislative proposal		<a href="#">COM(2019)0208</a>	14/06/2019	EC	Summary
Economic and Social Committee: opinion, report		<a href="#">CES3042/2019</a>	25/09/2019	ESC	
Committee draft report		<a href="#">PE644.883</a>	18/12/2019	EP	
Amendments tabled in committee		<a href="#">PE646.951</a>	30/01/2020	EP	
Committee opinion	IMCO	<a href="#">PE643.178</a>	19/02/2020	EP	
Committee opinion	TRAN	<a href="#">PE644.889</a>	19/02/2020	EP	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A9-0139/2020</a>	20/07/2020	EP	Summary

## 2019/0101(COD) - 14/06/2019 Legislative proposal

PURPOSE: to establish rules on motor vehicle emissions in order to control the emissions of motor vehicles to achieve the fundamental air quality objectives.

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: [Regulation \(EC\) No 715/2007](#) requires new light-duty vehicles to comply with certain emission limits (Euro 5 and Euro 6 standards) and lays down additional requirements on access to vehicle repair and maintenance information.

Successive Euro emission standards have led to very significant drops in emissions of exhaust particles both in terms of mass (PM) and in terms of numbers (PN) and other pollutants such as hydrocarbons (HC) and carbon monoxide (CO).

However, NO<sub>x</sub> emissions--and in particular nitrogen dioxide (NO<sub>2</sub>) emissions--from road transport have not been reduced as much as expected with the introduction of Euro standards since 1991.

To deal with high on-road emissions from passenger vehicles, where a significant discrepancy with the laboratory testing was observed in recent years, the Commission developed the Real Driving Emissions (RDE) test procedure, which applies from 1 September 2017.

In December 2018, the Court annulled certain provisions of EU legislation relating to emissions tests under real driving conditions. In its judgment, the General Court did not question the technical necessity of the compliance factors, but considered that the Commission had exceeded its implementing powers by setting the RDE compliance factors under the comitology procedure and not under the ordinary legislative procedure. It therefore cancelled the part of [Regulation \(EU\) 2016/646](#) that establishes the compliance factors.

The annulment is of a partial nature and the RDE test procedure remains in force and must still be conducted at type-approval.

To avoid legal uncertainty on the type approvals already granted since 1 September 2017, the General Court delays the effects of the annulment by a maximum period of 12 months, (i.e. 23 February 2020) to give time to the Commission to implement the judgment.

The need to adopt the current proposal results directly from the Judgement of the General Court and its swift adoption is vital in order to avoid legal uncertainty on the type approvals already granted since 1 September 2017 as well as on the future type-approvals.

CONTENT: in response to a ruling by the General Court, the Commission proposes to reinsert certain aspects of Real Driving Emissions testing (RDE) into legislation to be adopted by the European Parliament and Council. In doing so, the Commission aims to provide legal certainty to national authorities, industry and consumers.

In order to avoid imposing an undue burden on manufacturers who have already designed their vehicles taking into account the previously adopted RDE procedure, the Commission proposes to reinsert the conformity factors for new car models of 2.1 until 2020 and the already revised technical margin of error of 1.43 after 2020 through the legislative procedure requested by the General Court. The Commission has kept the conformity factors unaltered in order to ensure stability for national authorities and the automotive sector.

In addition, the Commission also proposes that the legislator empowers the Commission to annually review downwards the conformity factors set out by the legislator, in order to reflect the progress in accuracy of the portable measuring equipment. This will allow to gradually reduce even further the emissions of nitrogen oxides (NO<sub>x</sub>) under real driving.

## 2019/0101(COD) - 20/07/2020 Committee report tabled for plenary, 1st reading/single reading

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The Committee on the Environment, Public Health and Food Safety adopted the report by Esther de LANGE (EPP, NL) on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 715/2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information.

The Committee on the Internal Market and Consumer Protection, exercising its prerogatives as an associated committee, also gave its opinion on this report.

The legislative proposal concerns the introduction of conformity factors used to assess the compliance of the vehicle with the Euro 6 emission limits laid down in EU legislation when performing a Real Driving Emissions tests (RDE). This proposal follows the judgment of the General Court of the European Union in December 2018 according to which conformity factors for registration by type of vehicle in accordance with Regulation (EC) No 715/2007 of the European Parliament and of the Council should not have been introduced through comitology but through the ordinary legislative procedure.

The committee recommended that the European Parliaments position adopted at first reading under the ordinary legislative procedure should amend the Commission proposal as follows:

### Conformity factors

Members proposed to reinstate conformity factors consisting of the requirements of the vehicle to comply with the binding emission limits set out in Regulation (EC) No 715/2007 and a margin of error resulting from statistical and technical uncertainties in portable emission measurement systems (PEMS). The report introduces amendments to clarify that the conformity factor consists of the emission limits and the device-related error margin.

The Commission may adopt delegated acts by 1 June 2021 at the latest to complete the Regulation in order to:

- adapt the procedures, tests and requirements, as well as the test cycles used to measure emissions so as to properly reflect emissions under real driving conditions under normal use, including temperature and boundary conditions,
- adapt the procedures, tests and requirements as well as the test cycles used to measure emissions in order to adequately reflect real driving emissions under normal conditions of use, including inter alia temperature and boundary conditions;
- lower the zero response drift and addressing hazardous spikes in particles resulting from filter cleaning, taking into account any relevant elements of standardisation developed by CEN and based on best available equipment.

Post-Euro 6 proposal

In order to ensure swift progress towards the adoption of the future (post - Euro 6) emission limit values and improved air quality for Union citizens, Members called on the Commission present, where appropriate, a legislative proposal to that effect as soon as possible and at the latest by June 2021, as announced in its European Green Deal.

In order to encourage the producers to have a proactive, pro-environmental attitude, the new technological innovations meant to absorb NOx shall be tested, quantified and considered in the subsequent revision of Euro standards.

#### Diesel vehicles

Members highlighted that following recent violations of the existing legal framework by manufacturers, consumers have not been satisfactorily compensated. Even in cases where compensation has been granted, vehicles have rarely been brought into line with Euro 5 and Euro 6 standards.

Since the increasing number of diesel bans across European cities affect citizens daily life, Members suggested adequate compensation measures would be the equipment of non-compliant vehicles with the adapted exhaust treatment technology (hardware change) or, in the event that the consumer wished to exchange a purchased vehicle for a cleaner model, the offer of conversion premiums.