Promotion of clean and energy-efficient road transport vehicles

2005/0283(COD) - 23/04/2009 - Final act

PURPOSE: to promote the market for clean and energy efficient vehicles in order to reduce pollutant emissions in the transport sector.

LEGISLATIVE ACT: Directive 2009/33/EC of the European Parliament and of the Council on the promotion of clean and energy-efficient road transport vehicles.

CONTENT: following a first reading agreement with the Parliament, the Council adopted this directive on the promotion of clean and energy-efficient road transport vehicles. The Directive aims to promote the market for clean and energy efficient vehicles and to improve the transport sector's contribution to fulfilling the EU's environment, climate and energy policies. It requires contracting authorities, contracting entities as well as certain operators to take into account lifetime energy and environmental impacts, including energy consumption and emissions of CO 2 and of certain pollutants, when purchasing road transport vehicles with the objectives of promoting and stimulating the market for clean and energy-efficient vehicles and improving the contribution of the transport sector to the environment, climate and energy policies of the Community.

Compared to the Commission's original proposal, the agreement reached between Parliament and Council redefines the scope of the Directive and introduces the requirement that authorities and operators take energy and environment impacts into account when purchasing a vehicle, while allowing the application of different options for meeting this requirement.

With regard to the scope, the Directive covers road transport vehicles purchased by contracting authorities and contracting entities, irrespective of whether such authorities and entities are public or private. Furthermore, the Directive covers the purchase of road transport vehicles used for performing public passenger transport services under a public service contract, leaving to Member States the freedom to exclude minor purchases with a view to avoiding an unnecessary administrative burden. In line with Directive 2007/46/EC and with a view to avoiding an undue administrative burden, Member States may exempt authorities and operators from the requirements laid down in the Directive when purchasing vehicles designed and constructed for special use.

Member States must ensure that, from 4 December 2010, all contracting authorities, contracting entities and operators within the scope of the Directive, when purchasing road transport vehicles, take into account the operational lifetime energy and environmental impacts, which must include at least the following: (a) energy consumption; (b) emissions of CO 2; and (c) emissions of NOx , NMHC and particulate matter.

Member States must then apply one of the following options:

(a) by setting technical specifications for energy and environmental performance in the documentation for the purchase of road transport vehicles on each of the impacts considered, as well as any additional environmental impacts; or

(b) by including energy and environmental impacts in the purchasing decision, whereby: ? in cases where a procurement procedure is applied, this shall be done by using these impacts as award criteria, and ? in cases where these impacts are monetised for inclusion in the purchasing decision, the methodology for the calculation of operational lifetime costs shall be used. The latter is set out in the text of the Directive.

The Commission must adapt to inflation and to technical progress the data for the calculation of the operational lifetime costs of road transport vehicles as set out in the text, in accordance with the regulatory procedure with scrutiny. It must facilitate and structure the exchange of knowledge and best practices between Member States on practices for promoting the purchase of clean and energy-efficient road transport vehicles by contracting authorities, contracting entities and operators.

Report: every 2 years, with effect from 4 December 2010, the Commission must prepare a report on the application of the Directive and on the actions taken by individual Member States to promote the purchase of clean and energy-efficient road transport vehicles. Those reports must particularly assess the options referred to above, and the need for further action. In those reports, the Commission must compare the nominal and relative numbers of vehicles purchased corresponding to the best market alternative in terms of lifetime energy and environmental impacts, within each of the categories of vehicles listed in Table 3 of the Annex (Lifetime mileage of road transport vehicles), to the overall market for these vehicles and estimate how the options have affected the market. The Commission must also present an evaluation of the methodology for the calculation of operational lifetime costs.

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TRANSPOSITION: 04/12/2010.