

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

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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 NO_x 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 NO₂ in addition to that for total NO_x, if appropriate. The limit for NO₂ 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.