

Air quality: provisions for tractors placed on the market under the flexibility scheme

2010/0301(COD) - 27/10/2010 - Legislative proposal

PURPOSE: to contribute to the smooth functioning of the internal market for tractors while protecting human health and the environment.

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

BACKGROUND: Directive 2000/25/EC on action to be taken against the emission of gaseous and particulate pollutants by engines intended to power agricultural and forestry tractors.

The current stage of emission limits applicable for type approval of the majority of compression ignition engines is referred to as Stage III A.

The directive provides that those limits will be replaced by the more stringent Stage III B limits, entering into force progressively as of 1 January 2011 with regard to the placing on the market and from 1 January 2010 as regards the type approval for those engines.

The transition to Stage III B involves a step change in technology requiring significant implementation costs for re-designing the engines and for developing advanced technical solutions. This transition stipulated by the legislator in 2005 coincides with the economic recession in the sector concerned which makes it difficult for the industry to bear the implementation costs necessary in order to adapt to the new legal requirements.

Directive 2000/25/EC provides for a flexibility scheme to allow tractor manufacturers to purchase, in the period between two emission stages, a limited quantity of engines that do not comply with the current emission limit values, but are approved to the nearest previous stage of emission limits.

In order to provide a temporary relief to industry when moving to the next stage, it is necessary to adapt the conditions for applying the flexibility scheme.

IMPACT ASSESSMENT: the proposal takes into account a Technical Review of the Directive 97/68/EC by the Joint Research Centre (JRC) which includes, inter alia, an evaluation of the need to amend the provisions of the flexibility scheme; an Impact Assessment study by an external consultant to assess the impacts of the proposed policy options as laid down in the draft Technical Review of JRC, and a complementary study on the impacts of the options of the Technical Review of JRC, including consequences of an amendment of the flexibility scheme for SMEs.

LEGAL BASIS: Article 114 of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: this proposal addresses the situation that manufacturers face difficulties to get Stage III B compliant engines approved and place them on the market due to delays in the design of new engines and the unexpected financial crisis. It is proposed to modify the provisions of the flexibility scheme to mitigate the effects from the transition of emission Stages III A to III B by extending its application while maintaining the entry into force of the exhaust emission limit Stage III B to preserve the objective of the Directive to reduce emissions of gaseous and particulate pollutants in the European Union.

More specifically, the aim of this Directive is to amend Directive 2000/25/EC as follows: an increase of the percentage of the number of engines placed on the market under the flexibility scheme in each engine category from 20% to 50% of the tractor manufacturer's annual sales of equipment and an adaptation of the maximum number of engines that may be placed on the market under the flexibility scheme as an optional alternative, in the period between emission Stage III A to emission Stage III B. This measure will expire on 31 December 2013.

BUDGETARY IMPLICATION: This proposal has no implication for the EU budget.