

Emission limits and type-approval for internal combustion engines for non-road mobile machinery

2014/0268(COD) - 14/09/2016 - Final act

PURPOSE: to adopt stricter emission limits for internal combustion engines for non-road mobile machinery.

LEGISLATIVE ACT: Regulation (EU) 2016/1628 of the European Parliament and of the Council on requirements relating to gaseous and particulate pollutant emission limits and type-approval for internal combustion engines for non-road mobile machinery, amending Regulations (EU) No 1024/2012 and (EU) No 167/2013, and amending and repealing Directive 97/68/EC.

CONTENT: the Regulation updates the current legislation (Directive 97/68/EC) which no longer corresponds to the most recent technological developments. It sets new requirements to reduce pollutant emissions from non-road mobile machinery engines. These requirements address air pollution at source to protect the health of EU citizens and the environment.

This Regulation seeks to ensure the good functioning of the internal market and to strengthen market surveillance while protecting human health and the environment. It also addresses competitiveness and compliance aspects, with the aim of removing obstacles to external trade by reducing the regulatory barriers that result from diverging emission requirements

Scope: the Regulation shall apply to **different categories** of internal combustion engines in non-road mobile machinery (NRMM), such as lawn mowers, bulldozers, diesel locomotives and inland waterway vessels, which will be divided into sub-categories according to the power of the engine.

Emission limits: for each category, it sets emission limits for carbon monoxide (CO), total hydrocarbons (HC) and oxides of nitrogen (NOx) and particulate matter (PM) and deadlines for implementing them, starting from 2018. The new emission limits will be applied to engines for non-road mobile machinery as well as for agricultural and forestry machinery.

Engines intended for export to third countries and use by the armed forces are not subject to the emission limits laid down in the Regulation.

Certain **exemptions** from the emission limit requirements are also provided for engines for use in potentially explosive atmospheres and for non-road mobile machinery that is exclusively used for the launch and recovery of lifeboats.

EU type-approval procedures: the Regulation lays down the requirements for EU type-approval. **Only engines which are in compliance** with the requirements on emission limits and the type-approval procedures will be allowed on the market. Manufacturers shall keep the EU type-approval **certificate** with its attachments and, where applicable, a copy of the statement of conformity at the disposal of the approval authorities for a period of **10 years** after the placing on the market of an engine.

Before an EU-type-approved motor is placed on the market, importers must ensure that the EU type-approval certificate is accompanied by its attachments.

An importer that has reason to believe or considers that an engine is not in conformity with this Regulation, and in particular that it does not correspond to its EU type-approval, **shall not place the engine on the market** until it has been brought into conformity.

Engine types and engine families shall be designed and fitted with emission control strategies in such a way as to **prevent tampering** to the extent possible.

ENTRY INTO FORCE: 6.10.2016.

APPLICATION: from 1.1.2017.

DELEGATED ACTS: the Commission may adopt delegated acts in respect of the monitoring of in-service emission performance, technical tests and measurement procedures, conformity of production, separate delivery of engine exhaust after-treatment systems, engines for field-testing, engines for use in explosive atmospheres, equivalence of engine EU type-approvals. The powers to adopt such delegated acts is conferred on the Commission for a period of **five years** (tacitly renewable) from 6 October 2016. The European Parliament or the Council shall have the right to object to a delegated act with a period of two months (extendable two months) from the date of notification of the act.