

Transitional provisions of certain machinery fitted with engines in the power range between 56kW and 130kW, and above 300kW in order to address the impact of COVID-19 crisis

2021/0129(COD) - 18/05/2021 - Legislative proposal

PURPOSE: to extend the dates of application of certain transitional provisions of Regulation (EU) 2016/1628 on emission limits and type-approval for non-road mobile machinery to address the effects of the COVID-19 crisis.

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 \(EU\) 2016/1628](#) of the European Parliament and of the Council lays down requirements relating to emission limits for gaseous and particulate pollutants and EU type-approval procedures for various categories of engines for non-road mobile machinery.

In response to the COVID-19 pandemic, [Regulation \(EU\) 2020/1040](#) of the European Parliament and of the Council amending Regulation (EU) 2016/1628 was adopted. The aim of this Regulation was to postpone certain deadlines that manufacturers could no longer meet without sustaining serious economic damage due to the unexpected disruptions in the supply chain. This concerned machinery that use so-called 'transition engines' in the power range <56kW and >130kW, and whose production had to be completed by 30 June 2020 and placing on the market by 31 December 2020. Under the amended Regulation (EU) 2016/1628, manufacturers were provided with an additional 12 months to produce and place on the market the machinery fitted with those engines.

However, due to the continued supply chain and production disruptions caused by the COVID-19 second and third waves, manufacturers will not be able to meet the 2021 deadlines applicable to the machinery fitted with transition engines in the power range between 56kW and 130kW, and above 300kW without sustaining serious economic damage.

The Commission therefore considers it necessary to postpone the deadlines to avoid that transition engines can no longer be fitted in the machinery in time and are then scrapped.

CONTENT: in view of the current situation and to ensure legal certainty and to avoid possible market disruption, the Commission proposes to extend certain transitional provisions of Regulation (EU) 2016/1628 for the construction and placing on the market of machinery equipped with certain transition engines.

The extension of the relevant periods should be 6 months for the production of machinery equipped with these engines and 9 months for the placing on the market.