

| Basic information   |                     |
|---|---------------------|
| <b>1994/0312(COD)</b><br>COD - Ordinary legislative procedure (ex-codecision procedure)<br>Directive  | Procedure completed |
| Air pollution: measures to be taken against emission of gaseous pollutants from diesel engines (amend. Directive 88/77/EEC)<br><br>Repealed by <a href="#">2003/0205(COD)</a><br><br><b>Subject</b><br><br>3.70.02 Atmospheric pollution, motor vehicle pollution |                     |

| Key players                   |                                     |  |                                      |                  |
|-------------------------------|-------------------------------------|--|--------------------------------------|------------------|
| European Parliament           | <b>Committee responsible</b>        |  | <b>Rapporteur</b>                    | <b>Appointed</b> |
|                               | <b>ENVI</b>                         | Environment, Public Health and Consumer Protection | JACKSON Caroline (PPE)               | 01/02/1995       |
|                               | <b>Former committee responsible</b> |  | <b>Former rapporteur</b>             | <b>Appointed</b> |
|                               | <b>ENVI</b>                         | Environment, Public Health and Consumer Protection | JACKSON Caroline (PPE)               | 01/02/1995       |
|                               | <b>Former committee for opinion</b> |  | <b>Former rapporteur for opinion</b> | <b>Appointed</b> |
|                               | <b>ECON</b>                         | Economic and Monetary Affairs, Industrial Policy   | KUCKELKORN Wilfried (PSE)            | 16/02/1995       |
|                               | <b>TRAN</b>                         | Transport and Tourism                              |                                      |                  |
| Council of the European Union | <b>Council configuration</b>        |  | <b>Meetings</b>                      | <b>Date</b>      |
|                               | Environment                         |  | 1861                                 | 1995-06-22       |
|                               | Environment                         |  | 1873                                 | 1995-10-06       |
|                               | Fisheries                           |  | 1899                                 | 1995-12-22       |
|                               | Industry                            |  | 1880                                 | 1995-11-07       |

| Key events |       |           |         |
|------------|-------|-----------|---------|
| Date       | Event | Reference | Summary |
|            |       |           |         |

|            |   |  |                         |
|------------|---|--|-------------------------|
| 14/12/1994 | Additional information                                  |  | <a href="#">Summary</a> |
| 16/12/1994 | Legislative proposal published                          | COM(1994)0559<br> | <a href="#">Summary</a> |
| 20/01/1995 | Committee referral announced in Parliament, 1st reading |  |                         |
| 22/06/1995 | Debate in Council                                       |  | <a href="#">Summary</a> |
| 08/09/1995 | Vote in committee, 1st reading                          |  | <a href="#">Summary</a> |
| 08/09/1995 | Committee report tabled for plenary, 1st reading        | <a href="#">A4-0203/1995</a>   |                         |
| 19/09/1995 | Debate in Parliament                                    |                   | <a href="#">Summary</a> |
| 03/10/1995 | Modified legislative proposal published                 | COM(1995)0461<br> | <a href="#">Summary</a> |
| 07/11/1995 | Council position published                              | <a href="#">10497/1/1995</a>   | <a href="#">Summary</a> |
| 16/11/1995 | Committee referral announced in Parliament, 2nd reading |  |                         |
| 28/11/1995 | Vote in committee, 2nd reading                          |  | <a href="#">Summary</a> |
| 22/12/1995 | Act approved by Council, 2nd reading                    |  | <a href="#">Summary</a> |
| 22/01/1996 | Final act signed  |  |                         |
| 22/01/1996 | End of procedure in Parliament                          |  |                         |
| 17/02/1996 | Final act published in Official Journal                 |  |                         |

| Technical information             |  |
|-----------------------------------|--|
| <b>Procedure reference</b>        | 1994/0312(COD)   |
| <b>Procedure type</b>             | COD - Ordinary legislative procedure (ex-codecision procedure)       |
| <b>Procedure subtype</b>          | Legislation  |
| <b>Legislative instrument</b>     | Directive  |
| <b>Amendments and repeals</b>     | Repealed by <a href="#">2003/0205(COD)</a>                           |
| <b>Legal basis</b>                | Rules of Procedure EP 66_o-p4<br>EC Treaty (before Amsterdam) E 100A |
| <b>Stage reached in procedure</b> | Procedure completed  |
| <b>Committee dossier</b>          | ENVI/4/07255   |

| Documentation gateway   |           |   |            |                         |
|---|-----------|---|------------|-------------------------|
| European Parliament   |           |   |            |                         |
| Document type   | Committee | Reference   | Date       | Summary                 |
| Committee report tabled for plenary, 1st reading/single reading |           | <a href="#">A4-0203/1995</a><br><a href="#">OJ C 269 16.10.1995, p. 0011</a>      | 08/09/1995 |                         |
| Text adopted by Parliament, 1st reading/single reading          |           | <a href="#">T4-0393/1995</a><br><a href="#">OJ C 269 16.10.1995, p. 0057-0087</a> | 20/09/1995 | <a href="#">Summary</a> |
| Text adopted by Parliament, 2nd reading                         |           | <a href="#">T4-0600/1995</a><br><a href="#">OJ C 017 22.01.1996, p. 0036-0047</a> | 13/12/1995 | <a href="#">Summary</a> |

| <b>Council of the EU</b>                       |   |  |             |                |
|--|---|--|-------------|----------------|
| <b>Document type</b>                           |   | <b>Reference</b>   | <b>Date</b> | <b>Summary</b> |
| Council position                               |   | 10497/1/1995<br>OJ C 320 30.11.1995, p. 0021   | 07/11/1995  | Summary        |
| <b>European Commission</b>                     |   |  |             |                |
| <b>Document type</b>                           |   | <b>Reference</b>   | <b>Date</b> | <b>Summary</b> |
| Legislative proposal                           |   | COM(1994)0559<br><br>OJ C 389 31.12.1994, p. 0022 | 16/12/1994  | Summary        |
| Modified legislative proposal                  |   | COM(1995)0461<br><br>OJ C 309 21.11.1995, p. 0009 | 03/10/1995  | Summary        |
| Commission communication on Council's position |   | SEC(1995)1852<br>                                 | 13/11/1995  | Summary        |
| <b>Other institutions and bodies</b>           |   |  |             |                |
| <b>Institution/body</b>                        | <b>Document type</b>                              | <b>Reference</b>   | <b>Date</b> | <b>Summary</b> |
| EESC   | Economic and Social Committee:<br>opinion, report | CES0407/1995<br>OJ C 155 21.06.1995, p. 0010   | 27/04/1995  | Summary        |

| <b>Additional information</b> |                 |             |
|-------------------------------|-----------------|-------------|
| <b>Source</b>                 | <b>Document</b> | <b>Date</b> |
| European Commission           | EUR-Lex         |             |

| <b>Final act</b>   |
|--|
| Directive 1996/0001<br>OJ L 040 17.02.1996, p. 0001 <span style="float: right;">Summary</span> |

## **Air pollution: measures to be taken against emission of gaseous pollutants from diesel engines (amend. Directive 88/77/EEC)**

1994/0312(COD) - 13/12/1995 - Text adopted by Parliament, 2nd reading

The European Parliament approved the common position of the Council without amendment.

## **Air pollution: measures to be taken against emission of gaseous pollutants from diesel engines (amend. Directive 88/77/EEC)**

1994/0312(COD) - 22/01/1996 - Final act

**OBJECTIVE:** to grant low-powered diesel engines for use in commercial vehicles a derogation to the limit value of 0.15g/kWh for particle pollutants applicable from 1 September 1995 by virtue of Directive 91/542/EEC and to introduce a new statistical method for monitoring product conformity.  
**COMMUNITY MEASURE:** European Parliament and Council Directive 96/1/EC amending Directive 88/77/EEC on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous and particulate pollutants from diesel engines for use in vehicles.  
**SUBSTANCE:** the Directive sets a limit value of 0.25g/kWh until 30 September 1997, the date when the limit value of 0.15g/kWh will come into force.  
**ENTRY INTO FORCE:** 08/03/96. **DEADLINE FOR TRANSPOSITION:** 01/07/1996.

## **Air pollution: measures to be taken against emission of gaseous pollutants from diesel engines (amend. Directive 88/77/EEC)**

1994/0312(COD) - 27/04/1995 - Economic and Social Committee: opinion, report

In outlining its options for action, the Commission appeared to be facing a dilemma between total compliance with all EURO 2 limits, with correspondingly adverse consequences for the design of smaller commercial vehicles, and temporary abandonment of the complete reduction of particulate emission values for smaller diesel engines. In light of the present situation, it was difficult to decide whether the Commission had opted for the most appropriate line of action. The Commission's proposed new method for monitoring production conformity was to be warmly welcomed. It was technically reliable and standardised testing and engineering practices in this field. Since these commercial vehicles operated principally in urban areas and since particulate emissions constituted a particular health threat, the ESC expressly regretted that a transitional period of more than 4 years had had to be allowed for the attainment of the EURO 2 standard. It called on the Commission to examine once again, in conjunction with the industry and the relevant social interest groups, the possibility of ending the exceptional regime for small diesel engines before 30 September 2000. Since these new provisions were to apply to the 'type approval' of new engines from 1 October 1995, and bearing in mind the time required for completion of the relevant procedures, the Economic and Social Committee called for the rapid implementation of the Commission proposal.

## **Air pollution: measures to be taken against emission of gaseous pollutants from diesel engines (amend. Directive 88/77/EEC)**

1994/0312(COD) - 03/10/1995 - Modified legislative proposal

In its amended proposal, the Commission took over all the amendments tabled by the European Parliament at first reading. The amendments aimed to limit to two years, instead of the four years proposed by the Commission, the derogation to the Euro-2 standard granted for particulate emissions from low-powered diesel engines. As a result, the provisional standard proposed by the Commission for particulate emissions would not be established, thus preventing the industry from having to undergo two type-approval procedures within a short period of time.

## **Air pollution: measures to be taken against emission of gaseous pollutants from diesel engines (amend. Directive 88/77/EEC)**

1994/0312(COD) - 07/11/1995 - Council position

In its common position, the Council made three types of amendments to the Commission's proposal: - as regards the limit values, the Council adopted a position combining the key elements of the Commission's proposal and the EP's opinion: . the intermediate limit of 0.25 g/kWh (initially proposed by the Commission), . the proposal to reduce by two years the period during which this derogation should apply (as requested by the EP). The Council felt that, although vehicles with small engines could not currently respect the limit of 0.15 g/kWh established in Directive 91/542/EEC, current technology meant that they were nevertheless able to respect a stricter limit than that which applied until 30 September 1995 (0.61 g/kWh for new engines covered by the proposal) and that, in order to improve the environment, it was important to adopt the Commission's proposal to set a value of 0.25 g/kWh. Nonetheless, to give a signal to the industry, the Council followed Parliament's lead and reduced the period when the derogation would apply by two years. As a result, from 1 October 1997, the new engines would have to respect the limit of 0.15 g/kWh established in Directive 91/542/EEC. To improve coherence and legal presentation, the Council also moved point 2 of the Annex as proposed by the Commission; - the Council deleted the provisions relating to tax incentives since they would be virtually ineffective given the brief period during which they would be applied; - finally, the Council made corrections to the tables concerning the procedure verifying the conformity of production requirements (Annex I, Appendix 1, Table I.1.5 and Appendix 2, Table I.2.5).

## **Air pollution: measures to be taken against emission of gaseous pollutants from diesel engines (amend. Directive 88/77/EEC)**

1994/0312(COD) - 20/09/1995 - Text adopted by Parliament, 1st reading/single reading

In adopting the report by Mrs Caroline JACKSON, the European Parliament approved the proposal. It called for the limit for particulate emissions to be set at 0.15 g/kWh (instead of 0.25 g/kWh) and applied in 1997 (instead of 1999, as proposed by the Commission).

## **Air pollution: measures to be taken against emission of gaseous pollutants from diesel engines (amend. Directive 88/77/EEC)**

1994/0312(COD) - 13/11/1995 - Commission communication on Council's position

In its opinion on the Council's common position, the Commission approved the text adopted by the delegations since it retained the main aspects of the amended proposal and satisfied the general objective of the directive, despite the fact that, in its opinion, the introduction of the limit value of 0.25 g/kWh during a short transitional period would entail a very heavy administrative burden in return for a very minor impact on the environment in real terms.

## **Air pollution: measures to be taken against emission of gaseous pollutants from diesel engines (amend. Directive 88/77/EEC)**

1994/0312(COD) - 22/12/1995

Under the codecision procedure - Parliament having approved the Council's common position - the Council adopted the Directive, the Swedish delegation voting against.

## **Air pollution: measures to be taken against emission of gaseous pollutants from diesel engines (amend. Directive 88/77/EEC)**

1994/0312(COD) - 22/06/1995

Pending Parliament's opinion the Council held a debate on the proposals amending Directives 70/220/EEC and 88/77/EEC and providing for: - firstly, an extension of the special arrangements for small diesel engines until 30 September 1999, by prescribing a reduction in the limit value for particulate emissions to 0.25 g/kWh (instead of the current 0.61 g/kWh), on the grounds that those engines cannot yet meet the 0.15 g/kWh limit to be complied with from 1 October 1995 under Directive 91/542/EEC; - secondly, a statistical method to check production conformity. The debate brought out the main problems posed by the proposals, which relate to tax incentives, limit values and possible exemptions. The Permanent Representatives Committee will expedite examination of the dossier in the light of Parliament's opinion.

## **Air pollution: measures to be taken against emission of gaseous pollutants from diesel engines (amend. Directive 88/77/EEC)**

1994/0312(COD) - 16/12/1994 - Legislative proposal

This proposal seeks to amend Directive 88/77/EEC on the approximation of the laws of the Member States relating to the measures to be taken against the emission of pollutants from diesel engines for use in vehicles. It forms part of the type approval procedure for motor vehicles and their trailers set out in framework directive 70/156/EEC. With the current state of the art, most diesel engines with net power of less than 85 kW will be unable to comply by 1995 with the extremely strict limit value for particulate emissions laid down in Directive 91/542/EEC for the second stage. In order to slash particulate emissions from these vehicles from October 1995 onwards, it is proposed: - not to apply the limit value for particulate emissions laid down in Directive 91/542/EEC to low-powered diesel engines with a swept volume of less than 0.7 dm<sup>3</sup> and a rating of over 3000 min until 1999; - to allow Member States to grant tax incentives in order to encourage the sale of vehicles which comply with Community requirements in order to speed up the fast application of lower particulate emission standards by diesel engines with net power of less than 85 kW; - to introduce new provisions on conformity of production: type approval of all types of vehicles with a diesel engine, certificate of conformity issued by the manufacturer or his distributor containing a marking composed of a type approval number preceded by the abbreviation for the country which issued the EEC type approval, the engine manufacturer's production or marketing trademark and the manufacturer's commercial description. It will only be possible to market, sell and use vehicles and engines which comply with the provisions of this directive in the Member States. The provisions of the directive will need to be adapted to technical progress and new requirements introduced for a second stage with a view to reducing emissions of gaseous pollutants.