Basic information

1995/0209(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Air pollution: measures to be taken against emission of gaseous pollutants from internal combustion engines Repealed by 2014/0268(COD) Amended by 2000/0336(COD) Amended by 2002/0304(COD) Amended by 2010/0195(COD) **Subject** 3.70.02 Atmospheric pollution, motor vehicle pollution	

Key players

European Parliament

Former committee responsible	Former rapporteur	Appointed
ENVI Environment, Public Health and Consumer Protection		
ENVI Environment, Public Health and Consumer Protection	COLLINS Kenneth D. (PSE)	18/03/1997

Former committee for opinion	Former rapporteur for opinion	Appointed
BUDG Budgets		
ECON Economic and Monetary Affairs, Industrial Policy	The committee decided not to give an opinion.	
TRAN Transport and Tourism		

Council of the European Union

Council configuration	Meetings	Date
Agriculture and Fisheries	2025	1997-07-22
Agriculture and Fisheries	1985	1997-01-20
Environment	1939	1996-06-26
Environment	1905	1996-03-04
Health	2056	1997-12-04

Key events

Date	Event	Reference	Summary
20/12/1994	Additional information		Summary
06/09/1995	Legislative proposal published	COM(1995)0350	Summary
18/09/1995	Committee referral announced in Parliament, 1st reading		
18/10/1995	Vote in committee, 1st reading		
04/03/1996	Debate in Council		
20/01/1997	Council position published	10201/1/1996	Summary
18/02/1997	Committee referral announced in Parliament, 2nd reading		
15/04/1997	Vote in committee, 2nd reading		Summary
15/04/1997	Committee recommendation tabled for plenary, 2nd reading	A4-0136/1997	
13/05/1997	Debate in Parliament		Summary
22/07/1997	Parliament's amendments rejected by Council		Summary
11/11/1997	Formal meeting of Conciliation Committee		Summary
11/11/1997	Final decision by Conciliation Committee		Summary
18/11/1997	Joint text approved by Conciliation Committee co-chairs	3629/1997	
04/12/1997	Decision by Council, 3rd reading		
11/12/1997	Report tabled for plenary, 3rd reading	A4-0413/1997	
15/12/1997	Debate in Parliament		
16/12/1997	Final act signed		
16/12/1997	End of procedure in Parliament		
27/02/1998	Final act published in Official Journal		

Technical information

Procedure reference	1995/0209(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Amendments and repeals	Repealed by 2014/0268(COD) Amended by 2000/0336(COD) Amended by 2002/0304(COD) Amended by 2010/0195(COD)
Legal basis	Rules of Procedure EP 52-p1 EC Treaty (before Amsterdam) E 100A
Stage reached in procedure	Procedure completed
Committee dossier	CODE/4/09215

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Text adopted by Parliament, 1st reading/single reading		T4-0494/1995 OJ C 308 20.11.1995, p. 0020-0029	25/10/1995	Summary
Committee recommendation tabled for plenary, 2nd reading		A4-0136/1997 OJ C 150 19.05.1997, p. 0003	15/04/1997	
Text adopted by Parliament, 2nd reading		T4-0218/1997 OJ C 167 02.06.1997, p. 0014-0022	13/05/1997	Summary
Report tabled for plenary by Parliament delegation to Conciliation Committee, 3rd reading		A4-0413/1997 OJ C 014 19.01.1998, p. 0006	11/12/1997	
Text adopted by Parliament, 3rd reading		T4-0601/1997 OJ C 014 19.01.1998, p. 0017-0025	16/12/1997	Summary

Council of the EU

Document type	Reference	Date	Summary
Council position	10201/1/1996 OJ C 123 21.04.1997, p. 0001	20/01/1997	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1995)0350 OJ C 328 07.12.1995, p. 0001	06/09/1995	Summary
Commission communication on Council's position	SEC(1997)0134	29/01/1997	Summary
Commission opinion on Parliament's position at 2nd reading	COM(1997)0354	09/07/1997	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0245/1996 OJ C 153 28.05.1996, p. 0002	28/02/1996	Summary
CSL/EP	Joint text approved by Conciliation Committee co-chairs	3629/1997	18/11/1997	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Directive 1997/0068
OJ L 059 27.02.1998, p. 0001 Summary

Air pollution: measures to be taken against emission of gaseous pollutants from internal combustion engines

1995/0209(COD) - 28/02/1996 - Economic and Social Committee: opinion, report

The Committee welcomes the Commission proposal which aims at reducing the pollution caused by non-road machinery and underlines the fact that this is the first Directive proposed by the European Union to tackle this problem. The Committee however hopes that it will receive proposals for machinery which is not covered by this directive. Since the market for this kind of engine is immense and involves numerous applications, the Committee recognises that it is in the industry's interest for the sector to be regulated and harmonized with legislation in force in the USA as soon as possible, so that certificates are recognized in both areas. The Committee believes that the Commission should make moves to secure mutual recognition of the certificates issued by the USA's and EU's respective authorities. The Committee would encourage the use of alternative, environmentally friendly and biodegradable fuels, given that tests have shown that for every litre of eco-diesel consumed, 2.3 kg less of CO2 are discharged into the environment. Monitoring should be the responsibility of the authorities in the Member States who grant the approval concerned; they should also take measures to ensure that they are kept informed of any changes to the contents of an "approval" file; in addition, they should ensure that production conformity is actually checked.

Air pollution: measures to be taken against emission of gaseous pollutants from internal combustion engines

1995/0209(COD) - 29/01/1997 - Commission communication on Council's position

The Commission considered that the amendments made by the Council were compatible with the objective of the directive and therefore supported the common position.

Air pollution: measures to be taken against emission of gaseous pollutants from internal combustion engines

1995/0209(COD) - 13/05/1997 - Text adopted by Parliament, 2nd reading

In adopting the recommendation for second reading by Mr Ken COLLINS (PSE, UK), the European Parliament modified the common position of the Council. The amendments adopted concerned commitology: Parliament advocated the advisory committee procedure. The amendments concerning economic instruments and tax incentives were rejected.

Air pollution: measures to be taken against emission of gaseous pollutants from internal combustion engines

1995/0209(COD) - 16/12/1997 - Final act

OBJECTIVE: to reduce atmospheric pollution caused by the engines of non-road mobile machinery (excluding agricultural or forestry tractors) by setting permissible emission standards for them. COMMUNITY MEASURE: European Parliament and Council Directive 97/68/EC on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery. SUBSTANCE: the Directive sets limit values for emissions of particulate pollutants, nitrogen oxides (NOx), hydrocarbons (HC) and carbon monoxide (CO), and institutes an approval procedure for engines to be installed in non-road mobile mchinery. The European Parliament and the Council are to decide by the end of 2000 on a proposal to be submitted by the Commission before the end of 1999 to further reduce emission limits. ENTRY INTO FORCE: 19/03/1998 DEADLINE FOR TRANSPOSITION: 30/06/1998

Air pollution: measures to be taken against emission of gaseous pollutants from internal combustion engines

1995/0209(COD) - 06/09/1995 - Legislative proposal

OBJECTIVE: - The proposal for a directive aims to introduce viable measures for reducing emissions from non-road mobile machinery (excluding agricultural and forestry tractors). This fits in with the implementation of the Fifth Action Programme on the Environment and is part of a global strategy which is aimed at reducing emissions of volatile organic compounds and nitrogen oxides in the European Union. SUBSTANCE: - The proposal introduces an approval procedure for the engines of non-road mobile machinery (for example, excavators, fork-lift trucks and grading machines); - The approval criteria are based on emissions of atmospheric pollutants, such as particulates, nitrogen oxides, hydrocarbons and carbon monoxide; - In order give industry time to comply with the new measures, the proposal provides for the emissions to be progressively reduced in two stages: stage I lasting from June 1997 to December 1998 and stage II from June 2001 to December 2003; - The approval procedures being proposed are based on those which Community legislation applies to on-road engines and machinery. However, the administrative actions are limited by the introduction of a system of self-certification for manufacturers, designed to ensure that their products comply within the set deadlines, and a type approval system which allows engines to be classified according to category; - Administrative control is limited to the evaluation of manufacturers' reports, the introduction of spot-checks on product compliance and engine numbering; - The Commission view was that by stage II, emissions from non-road vehicles would be reduced by 67% for particulates, 29% for hydrocarbons and 42% for nitrogen oxides.

Air pollution: measures to be taken against emission of gaseous pollutants from internal combustion engines

1995/0209(COD) - 20/01/1997 - Council position

On the basis of recent research carried out in the context of the Auto-Oil-Programme the common position modifies the initial proposal in terms of strengthening environmental protection through the introduction of more severe emission limit values for nitrogen oxides (NOx) in stage II. It also takes into account the need to introduce into the Community standards which are more compatible with the standards implemented (or under implementation) in third countries which are important trading partners. In the same spirit it introduces a new article providing for a possible further reduction of emission limit values to be decided upon by the end of the year 2000, on the basis of technical and environmental considerations. The deadline demanded by the national administrations for the implementation of the directive necessitated changes in the date for entry into force. However, the common position makes provision for a tight time schedule for national implementation allowing for the original timetable for the implementation of Stage II to remain unchanged despite the fact that the period of stability between Stage I and Stage II has thus been shortened. The main changes to the text cover the following areas: - future initiative to extend the scope of the Directive to gasoline engines; - the need for equivalent legislation on emissions from agricultural and forestry tractor engines; - the willingness to harmonize considerably the emission standards for compression ignition engines in order to strengthen them; - consolidation of the definition of non-road mobile machinery which includes transportable industrial equipment; - clarification that the test engine for type-approval has to be provided by the applicant; - time span for obligatory record keeping by the manufacturers with respect to engines produced in compliance with the Directive reduced from 30 to 20 years; - acceptance of type-approvals according to Directive 88/77/EEC as being equivalent to the proposed Directive has been restricted to Stage I. Stage II, as amended by the common position, is more stringent than Stage B of Directive 88/77/EEC; - inclusion of a provision in order to prevent possible refusals of placing on the market of engines which meet the requirements of the Directive. It should be noted that the article setting out the conditions for the granting of possible economic instruments and tax incentives has been deleted. With regard to the timetable, the date for initial acceptance of type approvals by Member States has changed from 31 December 1996 to 31 December 1997.The dates for the obligatory compliance of category A and B engines at the stage of type-approval were changed accordingly to 31 December 1997. In addition the dates for the obligatory compliance of category A, B and C engines at the stage of placing on the market had to be adapted in order to provide sufficient time to carry out the necessary approval testing and certification. The granting of a two year postponement of the obligatory compliance date related to the placing on the market of engines built prior to this date has been made optional. The common position also provides clarification of the responsibility of type-approval authorities in cases of engines covered by this Directive for the first time. It provides for the Commission to be assisted by the committee established under Directive 92/53/EEC relating to the type-approval of motor vehicles and their trailers instead of the Committee established in accordance with the Directive on ambient air quality assessment and management. There is a change of the Committee procedure from I to II(b). Lastly, there is provision for a new proposal to be prepared by the end of 1999 reviewing the standards for compression ignition engines (Stage III).

Air pollution: measures to be taken against emission of gaseous pollutants from internal combustion engines

1995/0209(COD) - 16/12/1997 - Text adopted by Parliament, 3rd reading

In adopting the report by Mr Kenneth COLLINS (PSE, UK) Parliament approved the joint text, approved by the Conciliation Committee, on the Directive on non-road mobile machinery.

Air pollution: measures to be taken against emission of gaseous pollutants from internal combustion engines

1995/0209(COD) - 22/07/1997

The Council was unable to accept all the European Parliament's second reading amendments to its common position on the proposal for a Directive on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery. The Conciliation Committee will therefore be convened.

Air pollution: measures to be taken against emission of gaseous pollutants from internal combustion engines

1995/0209(COD) - 25/10/1995 - Text adopted by Parliament, 1st reading/single reading

Parliament approved the proposal for a directive in accordance with the procedure laid down in Article 143 of its Rules of Procedure (adoption without debate).

Air pollution: measures to be taken against emission of gaseous pollutants from internal combustion engines

1995/0209(COD) - 09/07/1997 - Commission opinion on Parliament's position at 2nd reading

The European Commission accepts the amendment of the European Parliament on the reference to the "modus vivendi" concerning measures for the implementation of acts drawn up in co-decision and amends its proposal accordingly. However, it cannot accept those amendments which refer to commitology. In principle, the Commission is in favour of Parliament's proposal, which recommends recourse to a consultative committee. Nevertheless, in order that adoption might take place within a reasonable period of time, the Commission has, at the Council's request, accepted a committee of type IIb).

Air pollution: measures to be taken against emission of gaseous pollutants from internal combustion engines

1995/0209(COD) - 26/06/1996

The Council reached unanimous political agreement on the common position. Formal adoption of the common position would take place after the text had been finalised and it would then be referred to Parliament for a second reading under the codecision procedure. Unlike the Commission’s proposal, the common position no longer provided for a Community framework for tax incentives that could be introduced by the Member States.