

Basic information	
2003/0205(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Emission of gaseous pollutants from compression-ignition engines and from positive-ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles. Recast	
Repealing Directive 96/1/EC 1994/0312(COD) Repealing Directive 1999/96/EC 1997/0350(COD) Repealed by 2007/0295(COD) Amended by 2005/0282(COD)	
Subject 3.40.03 Motor industry, cycle and motorcycle, commercial and agricultural vehicles 3.70.02 Atmospheric pollution, motor vehicle pollution	

Key players			
European Parliament	Committee responsible ENVI Environment, Public Health, Consumer Policy	Rapporteur LANGE Bernd (PSE)	Appointed 02/12/2003
	Committee for opinion ITRE Industry, External Trade, Research, Energy	Rapporteur for opinion The committee decided not to give an opinion.	Appointed
Council of the European Union	Council configuration Agriculture and Fisheries	Meetings 2677	Date 2005-09-19
European Commission	Commission DG Internal Market, Industry, Entrepreneurship and SMEs		Commissioner

Key events			
Date	Event	Reference	Summary
05/09/2003	Legislative proposal published	COM(2003)0522 	Summary
08/10/2003	Committee referral announced in Parliament, 1st reading		
17/02/2004	Vote in committee, 1st reading		Summary

17/02/2004	Committee report tabled for plenary, 1st reading	A5-0057/2004	
09/03/2004	Decision by Parliament, 1st reading	T5-0149/2004	Summary
19/09/2005	Act adopted by Council after Parliament's 1st reading		
28/09/2005	Final act signed		
28/09/2005	End of procedure in Parliament		
20/10/2005	Final act published in Official Journal		

Technical information	
Procedure reference	2003/0205(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Recast
Legislative instrument	Directive
Amendments and repeals	Repealing Directive 96/1/EC 1994/0312(COD) Repealing Directive 1999/96/EC 1997/0350(COD) Repealed by 2007/0295(COD) Amended by 2005/0282(COD)
Legal basis	EC Treaty (after Amsterdam) EC 095
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/5/20154

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0057/2004	17/02/2004	
Text adopted by Parliament, 1st reading/single reading		T5-0149/2004 OJ C 102 28.04.2004, p. 0034-0271 E	09/03/2004	Summary
Council of the EU				
Document type	Reference	Date	Summary	
Draft final act	03617/1/2005	28/09/2005		
European Commission				
Document type	Reference	Date	Summary	
Legislative proposal	COM(2003)0522 	05/09/2003	Summary	
Other institutions and bodies				

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0091/2004 OJ C 108 30.04.2004, p. 0032-0034	28/01/2004	
EU	Implementing legislative act	32005L0078 OJ L 313 29.11.2005, p. 0001-0093	14/11/2005	Summary

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Final act
Directive 2005/0055 OJ L 275 20.10.2005, p. 0001-0163

Emission of gaseous pollutants from compression-ignition engines and from positive-ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles. Recast

2003/0205(COD) - 09/03/2004 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Bernd LANGE (PES, D) making some mainly technical amendments to the proposal. (Please see the document dated 17/02/04.) Parliament urged the Commission to take action to table a formal proposal to set new limit values for NOx and heavy commercial vehicle particulates. If appropriate, the Commission must investigate whether setting an additional limit for particulate levels and size is necessary, and, if so, include it in the proposal. In addition: -From 1 October 2005, for new types, and from 1 October 2006, for all types, type approvals granted to vehicles shall also require confirmation of the correct operation of the emission control devices during the normal life of the vehicle under normal conditions of use (conformity of in-service vehicles properly maintained and used). -Uniform access to OBD information must be provided for the purposes of testing, diagnosis, servicing and repair in keeping with the relevant provisions of Directive 70/220/EEC and provisions regarding replacement components ensuring compatibility with OBD systems.

Emission of gaseous pollutants from compression-ignition engines and from positive-ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles. Recast

2003/0205(COD) - 14/11/2005 - Implementing legislative act

LEGISLATIVE ACT : Commission Directive 2005/78/EC of 14 November 2005 implementing Directive 2005/55/EC of the European Parliament and of the Council 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 compression-ignition engines for use in vehicles, and the emission of gaseous pollutants from positive ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles and amending Annexes I, II, III, IV and VI thereto.

CONTENT : This Directive amends Annexes I, II, III, IV and VI to Directive 2005/55/EC in accordance with Annex I to this Directive. In addition, measures for the implementation of Articles 3 and 4 of Directive 2005/55/EC are laid down in Annexes II to V to this Directive.

The main points are as follows:

-Directive 2005/55/ requires new heavy-duty engines and engines of new heavy-duty vehicles to comply with new technical requirements covering on-board diagnostic systems, durability and conformity of in-service vehicles which are properly maintained and used, from 1 October 2005. The technical provisions necessary to implement Articles 3 and 4 of that Directive are adopted.

-In order to ensure compliance with Article 5 of Directive 2005/55/EC, this Directive introduces requirements encouraging the proper use, as intended by the manufacturer, of new heavy-duty vehicles equipped with engines having an exhaust after-treatment system requiring the use of a consumable reagent to achieve the intended reduction of regulated pollutants. Measures

are introduced to ensure that the driver of such a vehicle is informed in good time if any on-vehicle supply of a consumable reagent is about to run out or if the reagent dosing activity does not take place. If the driver ignores such warnings, the engine performance should be modified until the driver replenishes the supply of the consumable reagent required for the efficient operation of the exhaust after-treatment system.

-Where engines within the scope of Directive 2005/55/EC require the use of a consumable reagent in order to achieve the emission limits for which those engines were granted type-approval, the Member States must take steps to ensure that such reagents are available on a geographically balanced basis. Member States should also encourage the use of such reagents.

-The Directive introduces requirements that will enable the Member States to monitor and ensure, at the time of the periodic technical inspection, that heavy-duty vehicles equipped with exhaust after-treatment systems requiring the use of a consumable reagent have been properly operated during the period preceding the inspection.

-Member States will be able to prohibit the use of any heavy-duty vehicle equipped with an exhaust after treatment system that requires the use of a consumable reagent in order to achieve the emission limits for which such vehicles were granted a type-approval if the exhaust after-treatment system does not actually consume the required reagent or if the vehicle does not carry the required reagent.

-Manufacturers of heavy-duty vehicles equipped with exhaust after-treatment systems requiring the use of a consumable reagent will inform their customers how such vehicles should properly be operated.

-The requirements of Directive 2005/55/EC relating to the use of defeat strategies are adapted to take account of technical progress. Requirements for multi-setting engines and for devices that can limit engine torque under certain operating conditions are also specified.

-Annexes III and IV to Directive 98/70/EC relating to the quality of petrol and diesel fuel and amending Council Directive 93/12/EEC require petrol and diesel motor fuels for sale throughout the Community to have a maximum sulphur content of 50 mg/kg from 1 January 2005. Motor fuels with a sulphur content of 10 mg/kg or less are increasingly available throughout the Community and Directive 98/70/EC requires such fuels to be available from 1 January 2009.

-The reference fuels used for the type-approval testing of engines against the emission limits specified in Annex I to Directive 2005/55/EC are therefore redefined in order to better reflect the sulphur content of the diesel fuels that are available on the market from 1 January 2005 and that are used by engines with advanced emission control systems. The Directive also redefines the liquefied petroleum gas (LPG) reference fuel to reflect progress in the market since 1 January 2005.

-Technical adaptations to the sampling and measurement procedures are made to enable the reliable and repeatable measurement of particulate mass emissions for compression-ignition engines that are granted a type approval according to the particulate limits specified in Annex I to Directive 2005/55/EC and for gas engines that are granted a type-approval according to the emission limits specified in that Annex.

-In view of the rapid technological progress in this area, this Directive will be reviewed by 31 December 2006, if necessary.

DATE OF TRANPOSITION : 8 November 2006

DATE OF APPLICATION : 9 November 2006.

ENTRY INTO FORCE : 15 December 2005.

Emission of gaseous pollutants from compression-ignition engines and from positive-ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles. Recast

2003/0205(COD) - 28/09/2005 - Final act

PURPOSE: to introduce common technical requirements concerning gaseous and particulate emissions for all types of vehicles.

LEGISLATIVE ACT: Directive 2005/55/EC of the European Parliament and of the Council 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 compression-ignition engines for use in vehicles and the emission of gaseous pollutants from positive-ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles.

CONTENT: For the sake of clarity the European Commission is recasting Directive 88/77 under one new Directive and, at the same time, incorporating the provisions of related Directives into this new Directive. The related Directives being recast are 91/542, 1999/96 and 2001/27.

The recast Directive states that Member States are allowed to grant neither EC type, nor national type approval, to vehicles, which fail to conform to the provisions set out in the recast Directive. Manufacturers must be able to demonstrate that their vehicles comply with the new limit values for a useful life. All vehicles relating to the provisions of this Directive must be equipped with on-board diagnostic systems to monitor, for example a catalyst or diesel particulate filter. Tax incentives are only allowed in cases where vehicles comply with this Directive and any such incentives must be compatible with overall Treaty provisions. The Commission will review new emission limits applicable to heavy-duty vehicles and engines in respect of pollutants that are as yet unregulated. In addition, the Commission will submit new proposals on further NOx and particulate emissions for heavy-duty vehicles.

ENTRY INTO FORCE: 9 November 2005.

TRANSPOSITION: 9 November 2006.

Emission of gaseous pollutants from compression-ignition engines and from positive-ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles. Recast

2003/0205(COD) - 05/09/2003 - Legislative proposal

PURPOSE : to recast Directive 88/77/EEC and to strengthen Community requirements aimed at limiting polluting emissions from new heavy-duty engines for use in vehicles. PROPOSED ACT : Directive of the European Parliament and of the Council. CONTENT : Directive 88/77/EEC has undergone four amendments. The Commission feels that it is appropriate to increase the legibility of Directive 88/77/EEC by recasting it at a time when the European Community is about to embrace new members. Directive 88/77/EEC will therefore be repealed by this Directive. The existing annexes laid down in Directive 88/77/EEC and the amendments necessary to introduce certain new technical requirements are therefore recast according to the Inter-Institutional Agreement of 28 November 2001 between the European Parliament, the Council and the Commission on a more structured use of the recasting technique for legal acts. In addition, there are new technical requirements and procedures: - for assessing the durability of heavy-duty engine emission control systems over periods of defined useful life; - for assessing the in-service conformity of heavy-duty engine emission control systems over defined useful life period appropriate for the vehicle in which the engine is installed; and - new technical requirements for on-board diagnostic (OBD) systems for new heavy-duty vehicles and engines. The Commission proposes that the useful-life or durability periods for engines to be fitted into category N1, N2, N3, M2 and M3 vehicles be defined as follows: - for engines to be fitted into vehicles of category N1, the useful-life period is defined as 100 000 km or five years, whichever is the sooner; - for engines to be fitted into vehicles of category N2 and M2, the useful-life period is defined as 200 000 km or six years, whichever is the sooner; - for engines to be fitted into vehicles of category N3 and M3, the useful-life period is defined as 500 000 km or seven years, whichever is the sooner. The requirement to demonstrate emission compliance over the applicable useful-life period will take affect from 1 October 2005 for new type-approvals and 1 October 2006 for all type-approvals. In addition, the proposal introduces a split level approach. It constitutes an effort to improve the efficiency of the decision-making process and simplify the proposed legislation. The European Parliament and the Council can focus more on the political direction and content whilst leaving the Commission with the task of adopting the appropriate requirements that would implement such political direction and content. To this end, a "split-level approach" has been followed in this proposal, where the proposal and adoption of legislation will be made according to two different, but parallel, routes: - on the one hand, the fundamental provisions would be laid down by the European Parliament and the Council in a Directive based on Article 251 of the Treaty through the co-decision procedure (the 'co-decision proposal'); - on the other hand, the technical specifications implementing the fundamental provisions would be laid down in a Directive adopted by the Commission with the assistance of a regulatory committee (the 'comitology proposal').