

| Basic information   |                     |
|---|---------------------|
| <b>2007/0214(COD)</b><br><br>COD - Ordinary legislative procedure (ex-codecision procedure)<br>Regulation   | Procedure completed |
| Motor vehicles: type-approval of hydrogen-powered vehicles<br><br>Amending Directive 2007/46/EC <a href="#">2003/0153(COD)</a><br>Repealed by <a href="#">2018/0145(COD)</a>                  |                     |
| <b>Subject</b><br><br>3.20.06 Transport regulations, road safety, roadworthiness tests, driving licence<br>3.40.03 Motor industry, cycle and motorcycle, commercial and agricultural vehicles |                     |

| Key players                   |  |   |            |
|-------------------------------|--|---|------------|
| European Parliament           | Committee responsible                                  | Rapporteur                                    | Appointed  |
|                               | <b>IMCO</b> Internal Market and Consumer Protection    | WEISGERBER Anja (PPE-DE)                      | 21/11/2007 |
|                               | Committee for opinion                                  | Rapporteur for opinion                        | Appointed  |
|                               | <b>ENVI</b> Environment, Public Health and Food Safety | PETERLE Alojz (PPE-DE)                        | 20/12/2007 |
|                               | <b>ITRE</b> Industry, Research and Energy              | REMEK Vladimír (GUE/NGL)                      | 22/11/2007 |
| Council of the European Union | <b>TRAN</b> Transport and Tourism                      | The committee decided not to give an opinion. |            |
|                               | Council configuration                                  | Meetings                                      | Date       |
|                               | Employment, Social Policy, Health and Consumer Affairs | 2916  | 2008-12-16 |
| European Commission           | Commission DG  | Commissioner                                  |            |
|                               | Internal Market, Industry, Entrepreneurship and SMEs   | VERHEUGEN Günter                              |            |

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

|            |   |  |         |
|------------|---|--|---------|
| 10/10/2007 | Legislative proposal published                          | COM(2007)0593<br> | Summary |
| 25/10/2007 | Committee referral announced in Parliament, 1st reading |  |         |
| 27/05/2008 | Vote in committee, 1st reading                          |  | Summary |
| 30/05/2008 | Committee report tabled for plenary, 1st reading        | A6-0201/2008   |         |
| 03/09/2008 | Decision by Parliament, 1st reading                     | T6-0395/2008   | Summary |
| 03/09/2008 | Results of vote in Parliament                           |                   |         |
| 03/09/2008 | Debate in Parliament                                    |                   |         |
| 16/12/2008 | Act adopted by Council after Parliament's 1st reading   |  |         |
| 14/01/2009 | Final act signed  |  |         |
| 14/01/2009 | End of procedure in Parliament                          |  |         |
| 04/02/2009 | Final act published in Official Journal                 |  |         |

| Technical information      |  |
|----------------------------|--|
| Procedure reference        | 2007/0214(COD)   |
| Procedure type             | COD - Ordinary legislative procedure (ex-codecision procedure)   |
| Procedure subtype          | Legislation  |
| Legislative instrument     | Regulation   |
| Amendments and repeals     | Amending Directive 2007/46/EC <a href="#">2003/0153(COD)</a><br>Repealed by <a href="#">2018/0145(COD)</a> |
| Legal basis                | EC Treaty (after Amsterdam) EC 095   |
| Stage reached in procedure | Procedure completed  |
| Committee dossier          | IMCO/6/54802   |

| Documentation gateway   |   |              |            |         |
|---|---|--------------|------------|---------|
| European Parliament   |   |              |            |         |
| Document type   | Committee   | Reference    | Date       | Summary |
| Committee draft report  |   | PE402.916    | 07/03/2008 |         |
| Amendments tabled in committee                                  |   | PE404.740    | 09/04/2008 |         |
| Committee opinion   |  | PE402.734    | 08/05/2008 |         |
| Committee opinion   |  | PE402.744    | 21/05/2008 |         |
| Committee report tabled for plenary, 1st reading/single reading |   | A6-0201/2008 | 30/05/2008 |         |
| Text adopted by Parliament, 1st reading/single reading          |   | T6-0395/2008 | 03/09/2008 | Summary |

| Council of the EU |           |      |         |  |
|-------------------|-----------|------|---------|--|
| Document type     | Reference | Date | Summary |  |
|                   |           |      |         |  |

|                 |                |            |  |
|-----------------|----------------|------------|--|
| Draft final act | 03674/2008/LEX | 14/01/2009 |  |
|-----------------|----------------|------------|--|

#### European Commission

| Document type                                  | Reference  | Date       | Summary                 |
|--|--|------------|-------------------------|
| Legislative proposal                           | COM(2007)0593<br> | 10/10/2007 | <a href="#">Summary</a> |
| Document attached to the procedure             | SEC(2007)1301<br> | 10/10/2007 |                         |
| Document attached to the procedure             | SEC(2007)1302<br> | 10/10/2007 |                         |
| Commission response to text adopted in plenary | SP(2008)6073   | 17/10/2008 |                         |

#### Other institutions and bodies

| Institution/body | Document type                                     | Reference                    | Date       | Summary |
|------------------|---|------------------------------|------------|---------|
| EESC             | Economic and Social Committee:<br>opinion, report | <a href="#">CES1186/2008</a> | 09/07/2008 |         |

#### Additional information

| Source               | Document                | Date |
|----------------------|-------------------------|------|
| National parliaments | IPEX                    |      |
| European Commission  | <a href="#">EUR-Lex</a> |      |

#### Final act

Regulation 2009/0079  
OJ L 035 04.02.2009, p. 0032

[Summary](#)

## Motor vehicles: type-approval of hydrogen-powered vehicles

2007/0214(COD) - 14/01/2009 - Final act

PURPOSE:to incorporate hydrogen vehicles of categories M and N in the EU whole vehicle type approval framework.

LEGISLATIVE ACT: Regulation (EC) No 79/2009 of the European Parliament and of the Council on type-approval of hydrogen-powered motor vehicles, and amending Directive 2007/46/EC.

CONTENT: the text underlines that hydrogen is considered as a clean way of powering vehicles for the future, on the way towards a pollution-free economy based on the reuse of raw materials and on renewable energy resources, as vehicles propelled with hydrogen emit neither carbon-based pollutants nor greenhouse gases.

Since hydrogen is an energy vector and not an energy source, the climate-policy value of hydrogen power depends on the source from which the hydrogen is obtained. Care should therefore be taken that hydrogen fuel is produced in a sustainable manner, as far as possible from renewable energy resources, so that the overall environmental balance of introducing hydrogen as a fuel for motor vehicles is positive.

Following the agreement reached at first reading with the European Parliament, the Regulation establishes requirements for the type-approval of motor vehicles with regard to hydrogen propulsion and for the type-approval of hydrogen components and hydrogen systems. It also establishes requirements for the installation of such components and systems.

For the purposes of this Regulation, 'hydrogen-powered vehicle' shall mean any motor vehicle that uses hydrogen as fuel to propel the vehicle.

**This Regulation shall apply to:**

- hydrogen-powered vehicles of categories M and N, as defined in Section A of Annex II to Directive 2007/46/EC, including impact protection and the electric safety of such vehicles;
- hydrogen components designed for motor vehicles of categories M and N, as listed in Annex I;
- hydrogen systems designed for motor vehicles of categories M and N, including new forms of hydrogen storage or usage.

**Manufacturers** shall ensure that hydrogen components and systems are designed in such a way that they can be installed in accordance with the requirements of Annex VI on the requirements for the installation of hydrogen components and systems.

From a technical point of view, the Commission shall adopt specific implementing measures which will contain more precise technical requirements to vehicles and their hydrogen systems. Those measures shall be adopted in accordance with the regulatory procedure with scrutiny.

The Commission shall be empowered to: (i) establish the requirements and test procedures relating to new forms of hydrogen storage or usage, additional hydrogen components and the propulsion system; (ii) establish specific procedures, tests and requirements with regard to the impact protection of hydrogen-powered vehicles and integrated system safety requirements.

The Regulation provides for transitional periods to allow vehicle manufacturers sufficient time.

The text underlines that **innovative small vehicles**, designated under EC type-approval legislation as L category vehicles, are considered as early users of hydrogen as a fuel. The Commission should, no later than 1 January 2010, evaluate the possibility of regulating the type-approval of hydrogen L category vehicles.

ENTRY INTO FORCE: 24/02/2009.

APPLICATION: from 24/02/2011, with the exception of certain measures which shall apply from the date of entry into force of this Regulation or from 24/02/2012.

## **Motor vehicles: type-approval of hydrogen-powered vehicles**

2007/0214(COD) - 03/09/2008 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted, by 644 votes to 2 with 11 abstentions, a legislative resolution amending the proposal for a regulation of the European Parliament and of the Council on type-approval of hydrogen powered motor vehicles and amending Directive 2007/46/EC. The report had been tabled for consideration in plenary by Anja **WEISGERBER** (EPP-ED/DE) on behalf of the Committee on the Internal Market and Consumer Protection. The amendments were the result of a compromise between Parliament and Council.

The main amendments were as follows :

- "**hydrogen powered vehicle**" means any motor vehicle that uses hydrogen as fuel to propel the vehicle. The Commission had defined it as any motor vehicle that uses pure hydrogen or a mixture of hydrogen and natural gas as fuel to propel the vehicle;
- the Commission must adopt certain implementing measures. These include the detailed rules for labelling or other means of clear and rapid identification of the vehicle as set out in Annex VI point 16, which states that labels or other means of identification shall be used to **indicate to rescue services that the vehicle is powered by hydrogen** and that liquid or compressed (gaseous) hydrogen is used. These measures must be adopted in accordance with the regulatory procedure with scrutiny;
- the Commission may adopt certain other implementing measures, including specification for the requirements relating to, inter alia, the use of pure hydrogen or a mixture of hydrogen and natural gas/biomethane; and impact protection of the vehicle with regard to the integrity of hydrogen components and systems. Those measures must also be adopted in accordance with the regulatory procedure with scrutiny;
- Parliament made some amendments to the annexes, particularly Annex I (list of components subject to type-approval) and Annex VI (requirements for the installation of hydrogen components and systems) Hydrogen leakage detection sensors are subject to type-approval.

Members inserted some **new recitals** into the text:

- the CARS 21 High Level Group final report stated that efforts with a view to increasing international harmonisation of motor vehicle regulations should be maintained where appropriate, with a view to involve the key vehicle markets and to extend harmonisation to areas not yet covered, notably both in the framework of the 1958 and the 1998 Agreements of the UNECE. In line with this recommendation, the Commission should continue to support the development of internationally harmonised requirements for motor vehicles under the auspices of UNECE. In particular, if a Global Technical Regulation (GTR) on hydrogen and fuel cell vehicles is adopted, the Commission should consider the possibility of adapting the requirements of this Regulation to those of that GTR;
- hydrogen mixtures could be used as a transition fuel towards the use of pure hydrogen, to facilitate the introduction of hydrogen powered vehicles in countries where there is a good natural gas infrastructure. The Commission should therefore develop requirements for the use of mixtures of hydrogen and natural gas/biomethane, especially a mixing ratio of hydrogen and gas which takes account of technical feasibility and environmental benefits;

- owing to the characteristics of the fuel, hydrogen powered vehicles may require a specific treatment from rescue services. It is, therefore, necessary to lay down requirements for the clear and rapid identification of such vehicles to inform those services of the fuel stored on board the vehicle. Whilst the identification should be fit for purpose it should, as far as possible, avoid being of a nature that is likely to concern the public;
- hydrogen powered vehicles are unlikely to be successful on the market unless adequate filling station infrastructure is available in Europe. The Commission should therefore look into suitable measures to support **the establishment of a Europe-wide filling-station network** for hydrogen powered vehicles;
- innovative small vehicles, designated under EC type-approval legislation as L category vehicles, are considered as early adopters of hydrogen as a fuel. This is because introducing hydrogen for these vehicles requires less effort, as the technical challenge and level of investment required is not as high as with cars. The Commission should, no later than 1 January 2010, evaluate the possibility of regulating the type-approval of hydrogen L category vehicles.

## **Motor vehicles: type-approval of hydrogen-powered vehicles**

2007/0214(COD) - 10/10/2007 - Legislative proposal

**PURPOSE:** to incorporate hydrogen vehicles of categories M1, M2, M3 and N1, N2, N3 in the EU whole vehicle type approval framework.

**PROPOSED ACT:** Regulation of the European Parliament and of the Council.

**BACKGROUND:** hydrogen is not a source of energy but a promising energy carrier. The use of hydrogen as fuel for road vehicles offers an environmentally friendly solution for mobility. At present, hydrogen powered vehicles are not included in the European Community vehicle type-approval framework. This situation results in a fragmented internal market of these vehicles, which discourages the introduction of this environmentally friendly technology.

Furthermore, hydrogen is a substance that has different characteristics from conventional fuels that are used for vehicle propulsion. In order to realise the environmental benefits associated with the use of hydrogen vehicles, the share of these in the total vehicle fleet should be increased.

The proper functioning of the single market in the European Union requires common standards regarding the approval of hydrogen powered vehicles. At the same time, since there are perceived safety issues with using hydrogen for vehicle propulsion, it should be ensured that hydrogen systems are as safe as conventional propulsion technologies.

**CONTENT:** the proposal foresees the amendment of the Framework Directive 2007/46/EC in order to include hydrogen vehicles in the approval procedure. It specifies technical requirements to be applied for the type-approval of hydrogen components (hydrogen containers and hydrogen components other than containers) included in the hydrogen system in order to ensure that hydrogen related components are working in a proper and safe way. In addition, it includes requirements for the type-approval of vehicles with regard to the installation of hydrogen components or systems in vehicles. The proposal foresees the amendment of separate type-approval Directives and Regulations in order to include specific requirements for hydrogen powered vehicles.