Basic information

2009/0173(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Emission performance standards for new light commercial vehicles Repealed by 2017/0293(COD) Amended by 2012/0191(COD) **Subject** 2.10.03 Standardisation, EC/EU standards and trade mark, certification, compliance 3.20.05 Road transport: passengers and freight 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	Rapporteur	Appointed
ENVI Environment, Public Health and Food Safety	CALLANAN Martin (ECR)	09/12/2009
	Shadow rapporteur WEISGERBER Anja (PPE)	

Committee for opinion	Rapporteur for opinion	Appointed
ITRE Industry, Research and Energy (Associated committee)	LANGEN Werner (PPE)	11/02/2010
TRAN Transport and Tourism	VLASÁK Oldřich (ECR)	09/11/2009

Council of the European Union

Council configuration	Meetings	Date
Competitiveness (Internal Market, Industry, Research and Space)	3049	2010-11-25
Transport, Telecommunications and Energy	3080	2011-03-31
Environment	3061	2010-12-20
Environment	3021	2010-06-11
Environment	3002	2010-03-15
Environment	2988	2009-12-22

European Commission	Commission DG	Commissioner
	Environment	POTOČNIK Janez

Key events

Date	Event	Reference	Summary
30/09/2009	Legislative proposal published	COM(2009)0593	Summary
24/11/2009	Committee referral announced in Parliament, 1st reading		
22/12/2009	Debate in Council		Summary
15/03/2010	Debate in Council		Summary
20/05/2010	Referral to associated committees announced in Parliament		
11/06/2010	Debate in Council		Summary
28/09/2010	Vote in committee, 1st reading		Summary
12/10/2010	Committee report tabled for plenary, 1st reading	A7-0287/2010	
25/11/2010	Debate in Council		Summary
20/12/2010	Debate in Council		Summary
15/02/2011	Decision by Parliament, 1st reading	T7-0053/2011	Summary
15/02/2011	Results of vote in Parliament		
15/02/2011	Debate in Parliament		
31/03/2011	Act adopted by Council after Parliament's 1st reading		
11/05/2011	Final act signed		
11/05/2011	End of procedure in Parliament		
31/05/2011	Final act published in Official Journal		

Technical information

Procedure reference	2009/0173(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Repealed by 2017/0293(COD) Amended by 2012/0191(COD)
Legal basis	Treaty on the Functioning of the European Union TFEU 192-p1
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/7/01506

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE441.042	22/04/2010	
Amendments tabled in committee		PE442.811	21/05/2010	
Amendments tabled in committee		PE442.834	21/05/2010	
Committee opinion	TRAN	PE439.089	27/05/2010	
Committee opinion	ITRE	PE439.327	28/06/2010	
Committee report tabled for plenary, 1st reading/single reading		A7-0287/2010	12/10/2010	
Text adopted by Parliament, 1st reading/single reading		T7-0053/2011	15/02/2011	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	00004/2011/LEX	11/05/2011	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2009)0593	30/09/2009	Summary
Document attached to the procedure	SEC(2009)1454	28/10/2009	
Document attached to the procedure	SEC(2009)1455	28/10/2009	
Commission response to text adopted in plenary	SP(2011)2217	16/03/2011	
Follow-up document	COM(2018)0073	19/02/2018	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0964/2010	14/07/2010	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act	
Regulation 2011/0510 OJ L 145 31.05.2011, p. 0001	Summary

Delegated acts	
Reference	**Subject**
2013/2771(DEA)	Examination of delegated act
2013/2790(DEA)	Examination of delegated act
2013/2795(DEA)	Examination of delegated act
2014/2590(DEA)	Examination of delegated act
2014/2622(DEA)	Examination of delegated act
2017/2716(DEA)	Examination of delegated act
2016/3046(DEA)	Examination of delegated act
2019/2621(DEA)	Examination of delegated act

Emission performance standards for new light commercial vehicles

2009/0173(COD) - 11/05/2011 - Final act

PURPOSE: to set emission performance standards for new light commercial vehicles. .

LEGISLATIVE ACT: Regulation (EU) No 510/2011 of the European Parliament and of the Council setting emission performance standards for new light commercial vehicles as part of the Union's integrated approach to reduce CO2 emissions from light-duty vehicles.

CONTENT: following a first reading agreement with the European Parliament the Council approved the first CO2 emission standards for small vans in the EU.

Objectives: the Regulation introduces a limit of 175g CO2/km for the average CO2 emissions from light commercial vehicles registered in the EU. This limit will apply to small vans of average mass while specific targets for individual vehicles will vary according to their weight. The target will be phased in between 2014 and 2017: in 2014, 70% of a manufacturer's fleet will have to comply with it, rising to 75% in 2015 and 80% in 2016. From 2017, full compliance will be required from carmakers.

In order to provide industry with planning certainty, a long-term target for CO2 emissions of light commercial vehicles in 2020 (147g CO2/km) has been included. The modalities for reaching the target are to be established by 1 January 2013 in a revision of the Regulation.

Super-credits: in calculating the average specific emissions of CO2, each new light commercial vehicle with specific emissions of CO2

of less than 50 g CO2/km shall be counted as:

- 3.5 light commercial vehicles in 2014,
- 3.5 light commercial vehicles in 2015,
- 2.5 light commercial vehicles in 2016,
- 1.5 light commercial vehicles in 2017,
- 1 light commercial vehicle from 2018.

For the duration of the super-credits scheme, the maximum number of new light commercial vehicles, with specific emissions of CO2 of less than 50 g CO2/km, to be taken into account in the application of the multipliers set out in the first paragraph shall not exceed 25 000 light commercial vehicles per manufacturer.

Specific emission target for alternative fuel light commercial vehicles: for the purpose of determining compliance by a manufacturer

with its specific emissions target, the specific emissions of CO2 of each light commercial vehicle which is designed to be capable of running on a mixture of petrol with 85 % bioethanol ('E85'), and which complies with relevant Union legislation or European technical standards, shall be reduced by 5 % by 31 December 2015 in recognition of the greater technological and emission reduction capability when running on biofuels. This reduction shall

apply only where at least 30 % of the filling stations in the Member State in which the light commercial vehicle is registered provide this type of alternative fuel complying with the sustainability criteria for biofuels set out in relevant Union legislation.

Excess emissions premium: to incentivise investment in new technologies, from 2014 onwards producers will have to pay a penalty if their fleet fails to meet the target. The penalty will depend on the amount by which manufacturers exceed the target:

- from 2014 until 2018: for excess emissions of more than 3 g CO2/km:((Excess emissions – 3 g CO2/km) × EUR 95 + EUR 45) × number of new light commercial vehicles;
- from 2019:(Excess emissions × EUR 95) × number of new light commercial vehicles.

Derogations for certain manufacturers: an application for a derogation from the specific emissions target may be made by a manufacturer of fewer than 22 000 new light commercial vehicles registered in the Union per calendar year.

Publication of performance of manufacturers: by 31 October 2013 and 31 October of each subsequent year, the Commission shall publish a list indicating whether each manufacturer has met the relevant target for the preceding calender year. :

Eco-innovation: upon application by a supplier or a manufacturer, CO2 savings achieved through the use of innovative technologies shall be considered. The total contribution of those technologies to reducing the specific emissions target of a manufacturer may be up to 7 g CO2 /km. The Commission shall adopt detailed provisions for a procedure to approve such innovative technologies by 31 December 2012.

Review and report: by 1 January 2013, the Commission shall complete a review of the specific emissions targets and of the derogations, with the aim of defining:

- subject to confirmation of its feasibility on the basis of updated impact assessment results, the modalities for reaching, by the year 2020, a long-term target of 147 g CO2/km in a cost-effective manner, and
- the aspects of the implementation of that target, including the excess emissions premium.

On the basis of such a review and its impact assessment, the Commission shall, if appropriate, make a proposal to amend this Regulation, in accordance with the ordinary legislative procedure.

The Commission shall, if appropriate, submit a proposal to the European Parliament and to the Council by 2014, to include in the Regulation vehicles in category N2 and M2 as defined in Annex II to Directive 2007/46/EC with a reference mass not exceeding 2 610 kg and vehicles to which type-approval is extended in accordance with Article 2(2) of Regulation (EC) No 715/2007, with a view to achieving the long- term target from 2020.

The Commission shall by 2014, following an impact assessment, publish a report on the availability of data on footprint and payload and their use as utility parameters for determining specific emissions targets and, if appropriate, submit a proposal to the European Parliament and to the Council.

ENTRY INTO FORCE: 03/06/2011.

DELEGATED ACTS: the Commission is empowered to adopt delegated acts in order to make technical amendments to the Regulation. The power to adopt delegated acts shall be conferred on the Commission for a period of five years from 3 June 2011 (automatically extended for periods of an identical duration, unless the European Parliament or the Council revokes it.) The European Parliament or the Council may object to a delegated act within a period of two months from the date of notification (that period shall be extended by two months.) If either the European Parliament or the Council objects to the delegated act, it shall not enter into force.

Emission performance standards for new light commercial vehicles

2009/0173(COD) - 15/03/2010

The Council discussed the proposed regulation setting CO2 emission standards for light commercial vehicles. The draft regulation complements Regulation (EC) No 443/2009 on CO2 emission limits for new passenger cars. The proposal would provide for a limit for the average CO2 emissions from new light commercial vehicles at 175g CO2/km, phased in from 2014 to 2016. It would also set a long-term target of 135g CO2/km for 2020 and oblige manufacturers to pay penalties if their fleet fails to meet the objective.

Ministers were asked to comment on the following questions:

- Do you agree with the proposed long-term target of 135g CO2/km to be met in 2020 and subject to a review that will confirm its viability?

There was broad support for a long-term target subject to confirmation of its viability through an impact assessment, since this would give planning certainty and competitive advantages to industry as well as ensure lower emissions. In addition, a group of delegations highlighted its importance for reducing carbon dioxide emissions in sectors not covered by the EU emissions trading scheme and insisted on the ambition of the draft law. Some delegations asked to include minibuses and heavier vans in its scope. Others argued that an objective of 135g CO2/km was difficult to achieve by 2020 and asked for more time, given the length of investment cycles in the automotive sector.

- Do you consider that the flexibility mechanisms included in this proposal are appropriate to ensure the balance between the need to reduce CO2 emissions and the feasibility of the objectives of this legislation?

Several ministers asked for the phase-in of the target between 2014 and 2016 to be eliminated so as to cut emissions faster. Others requested that its introduction be extended until 2017 in order to take account of the industry's product development cycles. The derogation for low-volume manufacturers was in principle supported.

- Is the level of penalties of this proposal adequate to ensure the dissuasive objective of this regulation, maintaining the necessary level of ambition?

Some participants objected to the structure of the penalties, considering it too complicated and not sufficiently dissuasive. Another group of ministers felt that penalties are too high and should be aligned with the parallel legislation on carbon dioxide emissions from passenger cars.

Emission performance standards for new light commercial vehicles

2009/0173(COD) - 15/02/2011 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 534 votes to 117, with 15 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council setting emission performance standards for new light commercial vehicles as part of the Community's integrated approach to reduce CO2 emissions from light-duty vehicles.

Parliament’s adopted its position at first reading under the ordinary legislative procedure. The amendments adopted in plenary are the result of a compromise agreed between the European Parliament and the Council. They amend the Commission’s proposal as follows:

Long-term objective: under the terms of the compromise, the Regulation sets a target of **147 g CO2/km** from 2020 - subject to confirmation of its feasibility - for the average emissions of new light commercial vehicles registered in the Community.

Specific emission targets:the amended text provides that, where the specific emissions of the completed vehicle are not available, the manufacturer of the base vehicle shall use the specific emissions of the base vehicle for determining its average specific emissions of CO2.

For the purpose of determining each manufacturer's average specific emissions of CO2, the following percentages of each manufacturer's new light commercial vehicles registered in the relevant year shall be taken into account:

- 70% in 2014,
- 75% in 2015,
- 80% in 2016,
- 100% from 2017 onwards.

Super-credits:in calculating the average specific emissions of CO2, each new light commercial vehicle with specific emissions of CO2 of less than 50 g CO2/km shall be counted as:

- 3.5 light commercial vehicles in 2014,
- 3.5 light commercial vehicles in 2015,
- 2.5 light commercial vehicles in 2016,
- 1.5 light commercial vehicles in 2017,
- 1 light commercial vehicle from 2018.

For the duration of the super-credits scheme, the maximum number of new light commercial vehicles, with specific emissions of CO2 of less than 50g CO2 /km, to be taken into account in the application of the multipliers set out above shall not exceed 25 000 light commercial vehicles per manufacturer.

Specific emission target for alternative fuel vehicles: for the purpose of determining compliance by a manufacturer with its specific emissions target, the specified emissions of CO2 of each light commercial vehicle which is designed to be capable of running on a mixture of petrol with 85% bioethanol (‘E85’), and which complies with relevant Union legislation or European technical standards, **shall be reduced by 5% by 31 December 2015** in recognition of the greater technological and emission reduction capability when running on biofuels.

This reduction shall apply only where at least 30% of the filling stations in the Member State in which the light commercial vehicle is registered provide this type of alternative fuel complying with the sustainability criteria for biofuels set out in relevant Union legislation.

Excess Emissions Premium: in respect of the period from 1 January to 31 December 2014 and every calendar year thereafter, the Commission shall impose an excess emissions premium on a manufacturer or pool manager, as appropriate, where a manufacturer's average specific emissions of CO2 exceed its specific emissions target.

The excess emissions premium under paragraph 1 shall be calculated using the following formula:

- **from 2014 to 2018**: for excess emissions of more than 3g CO2/km:((Excess emissions – 3) × EUR 95 + EUR 45) × number of new light commercial vehicles;
- **from 2019**:(Excess emissions × **EUR 95**) × number of new light commercial vehicles.

Publication of performance of manufacturers: from 31 October 2015, the list published in accordance with the regulation shall also indicate whether the manufacturer has complied with the requirements the specific emissions targets with respect to the preceding calendar year.

Eco-innovation: the Commission shall, by 31 December 2012 at the latest, adopt detailed provisions for a procedure to approve such innovative technologies.

Review and report: by 1 January 2013, the Commission shall complete a review of the specific emissions targets and of the derogations provided for in the Regulation, with the aim of defining, subject to confirmation of its feasibility on the basis of updated impact assessment results, the modalities for reaching, by the year 2020, a long-term target of 147g CO2 /km.

The Commission shall, if appropriate, submit a proposal to the European Parliament and to the Council by 2014, to include in this Regulation vehicles in category N2 and M2 as defined in Annex II to Directive 2007/46/EC with a reference mass not exceeding 2 610 kg and vehicles to which type-approval is extended in accordance with Article 2(2) of Regulation (EC) No 715/2007, with a view to achieving the long-term target from 2020.

By 31 December 2011, the Commission shall set up a procedure to obtain representative values of CO 2 emissions, fuel efficiency and mass of completed vehicles while ensuring that the manufacturer of the base vehicle has timely access to the mass and to the specific emissions of CO 2 of the completed vehicle.

By 31 October 2016, and every three years thereafter, the Commission shall amend Annex I (Specific CO2 Emission Targets) to adjust the figure M 0 , referred to therein, to the average mass of new light commercial vehicles in the previous three calendar years.

Those adjustments shall take effect for the first time on **1 January 2018** and every three years thereafter.

The Commission shall, moreover, include light commercial vehicles in the review of the procedures for measuring CO 2 emissions in accordance with Article 13(3) of Regulation (EC) No 443/2009.

Exercise of the delegation:in order to ensure uniform conditions for the implementation of this Regulation, in particular for i) the adoption of detailed rules for the monitoring and reporting of average emissions, namely the collection, registration, presentation, transmission, calculation and communication of data on average emissions, and the application of the requirements set out in Annex II, as well as for ii) the adoption of detailed arrangements for the collection of excess emissions premiums and of detailed provisions for the procedure to approve innovative technologies, **implementing powers** should be conferred on the Commission.

The Commission should be empowered to adopt **delegated acts** in accordance with Article 290 TFEU to i) amend the monitoring and reporting requirements laid down in Annex II in the light of the experience of the application of this Regulation, ii) adjust the figure of M 0 referred to in Annex I to the average mass of new light commercial vehicles in the previous three calendar years, iii) establish rules regarding the interpretation of the eligibility criteria for derogations, on the content of applications for a derogation and on the content and assessment of programmes for the reduction of specific emissions of CO2, as well as iv) adapt the formulae set out in Annex I in order to reflect any change in the regulatory test procedure for the measurement of specific CO2 emissions.

Emission performance standards for new light commercial vehicles

2009/0173(COD) - 30/09/2009 - Legislative proposal

PURPOSE: to set emission performance standards for new light commercial vehicles as part of the Community's integrated approach to reduce CO2 emissions from light-duty vehicles.

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

BACKGROUND: Light commercial vehicles are mainly used by businesses, including small and medium enterprises and currently light commercial vehicles make up around 12% of the fleet. The average reduction of CO2 emissions over 2002-2007 for light commercial vehicles amounted to 0.4-0.5% per year, and these very limited improvements in fuel efficiency have been offset by the increase in demand for transport and vehicle size.

While the EU as a whole has reduced its emissions of greenhouse gases (GHG) by approximately 9% over the 1990- 2007 period and emissions have been declining in non-transport sectors, the CO2 emissions from transport have increased by 29%. Despite significant improvements in vehicle motor technology, in particular in fuel efficiency which also means lower CO2 emissions, demand for transport and vehicle size has increased and progress has been too slow in view of the overall Community objective of average new passenger car emissions of 120 g CO2/km.

Adopting Community targets for new light commercial vehicles is necessary to prevent fragmentation in the internal market resulting from the adoption of different measures at Member State level. Furthermore, setting CO2emission standards for new light commercial vehicles is necessary to prevent a risk of regulatory gap resulting from certain overlap between the registrations for passenger cars and light commercial vehicles. Furthermore, on 28 June 2007 the Council invited the Commission to come forward with a proposal on the improvement of fuel efficiency from light commercial vehicles. Lastly, it is important to encourage the automotive sector to invest in new technologies.

The proposal will put in place a concrete measure to deliver on the targets and will therefore strengthen the EU's leadership position on climate change in the run-up to the United Nations Climate Conference in Copenhagen in December 2009.

IMPACT ASSESSMENT: the impact assessment investigated **five main options**:

- **Options 1 and 2**: to define a linear curve giving the CO2value to be achieved by a given vehicle as a function of its "utility" (mass) so that the average of the new light commercial vehicles in (1) 2012 and (2) 2013-2015 would deliver the 175 g CO2/km target.
- **Options 3 and 4:** based on the same target (175 g CO2/km) and years (respectively. 2012 and 2013-2015), but on the basis of a linear curve defining the CO2 value to be achieved as a function of an alternative "utility", namely pan area.
- **Option 5:** to require manufacturers to deliver a set percentage reduction corresponding to the reduction needed to achieve the 175 g CO2/km target in 2012-2015 compared to the 2007 situation.

The impact assessment considered different flexibility mechanisms, including fleet averaging and pooling, as well as a compliance mechanism. In addition to the five policy options, several levels of the long-term target (ranging from 160 to 125 g CO2/km for year 2020) were analysed.

CONTENT: the proposal is a follow-up of the Community Strategy to reduce CO2 emissions from light-duty vehicles and complements Regulation (EC) No 443/2009 (which sets CO2 emission performance standards for new passenger cars). **It aims to reduce the impact of light-duty vehicles on the climate by ensuring that, from 1 July 2013, the average specific emissions of new light commercial vehicles registered in the Community do not exceed 175 g CO2/km.** This target will be phased in gradually from 1 January 2014 onwards with **full compliance of the new light commercial fleet from 201**6.

The starting date for the CO2emissions standard for light commercial vehicles is consistent with the timeframe of the adoption by the Commission of the proposal for a regulation setting similar standards for passenger cars as of 2012. This indicates entry into force of the standard for light commercial vehicles from 2014.

Further to the inclusion of the long-term target of 95 g/km as of 2020 in Regulation (EC) No 443/2009, this proposal sets a target of 135 g/km for light commercial vehicles to be achieved from 2020 subject to confirmation of its feasibility on the basis of updated impact assessment results.

The key aspects of the proposal are:

- it will apply to light commercial vehicles of category N1, with a reference mass not exceeding 2610kg and vehicles to which type-approval is extended in accordance with Regulation (EC) No 715/2007. N2 and M2 vehicles with a reference mass meeting the above criteria will be included for monitoring purposes and their full inclusion in the scheme will be considered during a review;
- it sets targets for the specific emissions of CO2from new light commercial vehicles in the Community as a function of their mass. The targets will apply to the average specific emissions of CO2in g/km for new light commercial vehicles for each manufacturer which are registered in the EU in each calendar year. Manufacturers may form a pool in order to meet their targets. Where two or more manufacturers form a pool, the pool will be treated as if it is one manufacturer for the purposes of determining its compliance with the targets;
- it includes incentives for early market deployment of low emitting light commercial vehicles by granting them super-credits on an interim basis;
- it includes provisions to promote eco-innovations (i.e. CO2-reducing technologies that are not captured by the test-cycle during which CO2 emissions are measured). Under this provision up to 7 g/km can be deducted from the average of a manufacturer’s specific CO2emissions for innovative technologies which reduce emissions, based on independently verified data;
- Member States will be obliged to collect data on the new light commercial vehicles registered in their territory and to report this data to the Commission for the purposes of assessing compliance with the targets;
- if a manufacturer fails to meet its target, it will be required to pay an excess emissions premium. The premium will be calculated by multiplying the number of g CO2/km by which the manufacturer exceeded its target by the number of vehicles newly registered and by the excess emissions premium calculated as a function of the year and distance to target.

The targets under the Regulation are established on the basis of the best knowledge currently available regarding, in particular, the likely fleet evolution between now and 2014 in respect of the 'autonomous weight increase'.

BUDGETARY IMPLICATIONS: the implementation of the proposed Regulation will be carried out together with that of Regulation (EC) No 443/2009 on CO2from passenger cars as both share many features like, for example, the monitoring of manufacturers' performance against their CO2reduction targets and, where necessary, the administration of excess emissions premiums provided for in the legislation.

Expenditure already foreseen under the **LIFE+** programme is considered sufficient, in particular because of the limited size of the market for light commercial vehicles compared to that for passenger cars. Therefore, this new proposal for CO2emissions from light-duty vehicles **would not require additional financial resources**.

Emission performance standards for new light commercial vehicles

2009/0173(COD) - 20/12/2010

The Council discussed the proposed CO2 emission standards for light vans.

Ministers endorsed the outcome of informal negotiations between the presidency and the European Parliament for an agreement at first reading.

The agreed text introduces a limit of 175g CO2/km for the average CO2 emissions from new light vans registered in the EU. This target will apply to a small van of average mass while specific targets for individual vehicles would vary according to their weight. The objective will be phased in between 2014 and 2017.

In order to give planning certainty to industry, a long-term target for CO2 emissions of light commercial vehicles in 2020 has been included. Council and Parliament agreed on a target of **147g CO2/km**. The modalities for reaching the target are to be established in a revision of the regulation by **1 January 2013**.

To incentivise investment in new technologies, from 2014 producers have to pay a penalty if their fleet fails to meet the objective. As in the legislation for cars, the premium depends on how far manufacturers exceed the target. **A maximum penalty of EUR 95 per car for exceeding the target has been agreed**.

The agreed text will be confirmed by the European Parliament at an upcoming plenary session and adopted formally by the Council after legal-linguistic revision.

Emission performance standards for new light commercial vehicles

2009/0173(COD) - 22/12/2009

The presidency reported to the Council on progress concerning a draft regulation setting emission performance standards for new light commercial vehicles.

The Working Party on the Environment examined the proposal. However, further detailed discussions within the Working Party will be necessary.

In general, most delegations welcomed the proposal to set CO2 emission performance standards for new light commercial vehicles to complement the passenger cars Regulation and to contribute to the 5% emissions reduction target for activities falling outside the Emissions Trading Scheme. There is also considerable support for the initial target of 175g CO2/km, but differing views about the timing of its introduction.

There are also some differences of view concerning the details of the proposal, such as the following:

Impact assessment: a number of delegations raised concerns regarding the data used, particularly since it was collected before the current economic difficulties affecting the sector. Long-term objective There is broad support for the setting of a long-term objective, but differing views on the proposed figure (with some expressing concerns about its feasibility and others supporting an even stricter target).

Scope and derogations: delegations welcomed the proposed initial scope followed by a review and the aim of avoiding loopholes. There was also broad support for the proposed derogations for low volume manufacturers whereby the producers would receive individual targets.

Utility parameter: most delegations have welcomed the use of mass in running order as the most appropriate utility parameter, but some are in favour of using alternative parameters.

Excess emissions premium: some delegations have expressed doubts about the proposed level of the premium, as it is higher than in the passenger cars regulation. Other delegations favour a simpler approach, without a phase-in of premiums on top of the phase-in of the short-term target itself.

Multi-stage vehicles: this a key concern for several delegations. The Commission has undertaken to provide additional information.

Emission performance standards for new light commercial vehicles

2009/0173(COD) - 11/06/2010

The presidency briefed the Council on **progress** with the draft regulation setting CO2 emissions standards for light commercial vehicles.

In general, delegations welcomed the proposal to set CO2 emission performance standards for new light commercial vehicles to complement the passenger cars Regulation and to contribute, by year 2020, to the 5% of the total EU reduction effort for activities falling outside the Emissions Trading Scheme.

Long-term target: almost all delegations recognised the importance of long term targets for the automobile industry. However, Member States have different views on the way this long term target should be integrated in legislation: some would like to inscribe the objective of 135 g CO2/km in 2020 already in the text as proposed by the Commission, others consider this value to be too ambitious and not attainable in 2020, another group would like to determine this value only after the review. A couple of Member States would like to review the long term target only downwards and one delegation proposed to express this value in a percentage and not in grams.

Scope: some delegations have serious doubts about the possible inclusion of the vehicles of categories N2 and M2, while others consider more appropriate to thoroughly study this possibility.

Transitional period: some delegations asked for a longer transitional period for the entry into force of the regulation (one more year), others on the contrary would prefer to have a shorter period or no phase-in at all. One delegation asked for a stricter short term target (less than 175 g CO2/km) and another one proposed that this target should be attained already in 2012.

Flexibility mechanism: on the flexibility mechanisms offered by the proposed legislation, some delegations are supportive of the provisions on eco-innovation and super-credits and others consider that they

are over generous and not necessary for light-commercial vehicles. One delegation would like to see in the text incentives to vehicles running on biofuels, similar to those given in Article 6 by the Regulation 443/2009.

Utility parameter: a couple of delegations suggested that transport capacity should be taken into account in the targets to avoid that a significant decrease in the carrying capacity of vans results in the use of more vehicles or heavier vehicles for the same transport performance.

Multistage vehicles: with regards to the inclusion of the multistage vehicles into the scope of the regulation, it seems that almost all delegations are in favour, nevertheless there are some key points that have to be solved, i.e., which is the best temporary solution until the development of the final method, whom is responsible for the emission of the completed vehicle, and how to define the most representative final value of CO2 for these vehicles (taking into account the need to modify the framework type-approval Directive).

Penalties: the level of penalties was considered excessively high by some Member States that would prefer to align the excess emissions premium with the regulation on CO2 emissions from passenger cars. Some Member States are in favour of the Commission's proposal and others have underlined the importance of an effective system that strikes an appropriate balance between a deterrent effect against non-compliance and competitiveness, based on the marginal CO2 abatement costs through vehicle technology for light-commercial vehicles.

Emission performance standards for new light commercial vehicles

2009/0173(COD) - 25/11/2010

The Council took note of the progress made by the Commission (16961/10) in the implementation of the EU strategy on clean and energy-efficient vehicles adopted on 25 May 2010 (*Doc 10151/10*).

In this regard, the Council also took note of a joint declaration signed by the Belgian, Bulgarian, German, French, Irish, Lithuanian, Portuguese, Slovenian and Spanish delegations on the promotion of electric cars in Europe (*Doc 14028/10*).

Emission performance standards for new light commercial vehicles

2009/0173(COD) - 19/02/2018 - Follow-up document

The Commission presented a report on the exercise of the delegation conferred on the Commission pursuant to Regulation (EU) No 510/2011 setting emission performance standards for new light commercial vehicles as part of the Union's integrated approach to reduce CO2 emissions from light-duty vehicles.

Regulation (EU) No 510/2011 empowers the Commission to adopt delegated acts, with a view to:

- amending Annex II and adopt detailed rules for monitoring and reporting of data on average emissions;
- supplementing the Regulation, *inter alia*, on the interpretation of the eligibility criteria for derogations, on the content of applications, and on the content and assessment of programmes for the reduction of specific CO2 emissions;
- amending Annex I by 31 October 2016 (and every three years thereafter) to adjust the figure M0 to the average mass of light commercial vehicles in the previous three years;
- amending Annex I, to adapt the formulae to determine the indicative specific CO2 emissions of light commercial vehicles.

Under this Regulation, the Commission has the **power to adopt delegated acts for a period of five years, running from 3 June 2011**. The delegation of power is tacitly extended for periods of an identical duration, unless the European Parliament or the Council revoke it.

So far, the Commission has adopted delegated acts to **define and amend rules for monitoring and reporting of data on average emissions**, in particular laying down details on the information to be provided by manufacturers that wish to apply for emission derogation and adjusting the target calculation formulae and mass values in Annex I and II to the Regulation.

Since the entry into force of Regulation (EU) No 510/2011, the Commission has adopted two delegated acts accordingly:

- Commission Delegated Regulation (EU) No 205/2012 which amends Annex II to the Vans Emissions Regulation as regards the information to be provided by Member States;
- Commission Delegated Regulation (EU) No 404/2014 which supplements Regulation (EU) No 510/2011 as regards the information to be provided by Member States. Its main objective is to adapt the rules on reporting requirements to the new method for determining CO2 emissions for multi-stage vehicles;
- Commission Delegated Regulation (EU) No 114/2013 supplementing Regulation (EU) No 510/2011 with regard to rules for the application for a derogation from the specific CO2 emissions targets for new light commercial vehicles;
- two Delegated acts (Commission Delegated Regulation (EU) No 1047/2013 and Commission Delegated Regulation (EU) No 482/2014 for the purpose of correcting the baseline average CO2 specific emissions for two small volume manufacturers:
- Commission Delegated Regulation (EU) No 2017/748 in order to take into account the evolution of the mass of new light commercial vehicles registered in the EU;
- Commission Delegated Regulation (EU) 2017/1499 amending Annexes I and II to Regulation (EU) No 510/2011 for the purpose of adapting them to the change in the regulatory test procedure for the measurement of CO2 from light commercial vehicles.

No objections have been raised as a result of the scrutiny of those acts by the European Parliament and the Council.