Basic information

2010/0301(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Air quality: provisions for tractors placed on the market under the flexibility scheme Amending Directive 2000/25/EC 1998/0247(COD) **Subject** 2.10.03 Standardisation, EC/EU standards and trade mark, certification, compliance 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	TATARELLA Salvatore (PPE)	18/11/2010

Committee for opinion	Rapporteur for opinion	Appointed
TRAN Transport and Tourism	SEHNALOVÁ Olga (S&D)	30/11/2010

Council of the European Union

Council configuration	Meetings	Date
Agriculture and Fisheries	3108	2011-07-19

European Commission

Commission DG	Commissioner
Internal Market, Industry, Entrepreneurship and SMEs	TAJANI Antonio

Key events

Date	Event	Reference	Summary
27/10/2010	Legislative proposal published	COM(2010)0607	Summary
10/11/2010	Committee referral announced in Parliament, 1st reading		
16/03/2011	Vote in committee, 1st reading		Summary
28/03/2011	Committee report tabled for plenary, 1st reading	A7-0091/2011	

23/06/2011	Decision by Parliament, 1st reading	T7-0294/2011	Summary
23/06/2011	Results of vote in Parliament		
19/07/2011	Act adopted by Council after Parliament's 1st reading		
13/09/2011	End of procedure in Parliament		
14/09/2011	Final act signed		
23/09/2011	Final act published in Official Journal		

Technical information

Procedure reference	2010/0301(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Amendments and repeals	Amending Directive 2000/25/EC 1998/0247(COD)
Legal basis	Treaty on the Functioning of the European Union TFEU 114-p1
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/7/04395

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE454.735	12/01/2011	
Amendments tabled in committee		PE458.787	22/02/2011	
Committee opinion	TRAN	PE456.855	15/03/2011	
Committee report tabled for plenary, 1st reading/single reading		A7-0091/2011	28/03/2011	
Text adopted by Parliament, 1st reading/single reading		T7-0294/2011	23/06/2011	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	00019/2011/LEX	13/09/2011	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2010)0607	27/10/2010	Summary

Document attached to the procedure	SEC(2010)1251	27/10/2010	
Document attached to the procedure	SEC(2010)1252	27/10/2010	
Commission response to text adopted in plenary	SP(2011)6334	14/07/2011	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	IT_SENATE	COM(2010)0607	17/12/2010	
Contribution	RO_SENATE	COM(2010)0607	14/01/2011	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0348/2011	16/02/2011	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Directive 2011/0072
OJ L 246 23.09.2011, p. 0001 Summary

Corrigendum to final act 32011L0072R(01)
OJ L 254 30.09.2011, p. 0022 Summary

Air quality: provisions for tractors placed on the market under the flexibility scheme

2010/0301(COD) - 23/06/2011 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 402 votes to 218, with 11 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council amending Directive 2000/25/EC as regards the provisions for tractors placed on the market under the flexibility scheme.

Parliament adopted its position at first reading under the ordinary legislative procedure.

The amendments adopted in plenary are the result of a compromise negotiated between the European Parliament and the Council.

A definition of "**flexibility scheme**" has been introduced in the proposal: it shall mean the exemption procedure by means of which a Member State permits the placing on the market and entry into service of a limited number of tractors in accordance with the requirements of the Directive.

A new provision stipulates that by way of derogation, Member States shall provide that, at the request of the tractor manufacturer, and on condition that the approval authority has granted the relevant permit for placing on the market in accordance with the procedures laid down in Annex IV, a limited number of tractors fitted with engines approved in accordance with the requirements of the emission limits stage immediately preceding the applicable one may enter into service.

The flexibility scheme shall begin when a **given stage** becomes applicable and shall have the same duration as the stage itself. The flexibility scheme shall, however, be restricted to the duration of Stage III B or to three years where no subsequent stage exists.

The resolution highlights the following points:

- the current global financial and economic crisis or any economic downturn should not lead to a lowering of environmental standards. This revision of Directive 2000/25/EC should therefore be considered to be exceptional. Furthermore, investments in environmentally friendly technologies are important for the promotion of future growth, jobs and health security;
- during Stage III B, the number of tractors that are placed on the market and that enter into service should, in each engine category, not exceed 40% of the number of tractors placed on the market by the tractor manufacturer in that engine category. The alternative option of allowing a fixed number of tractors to be placed on the market and to enter into service under the flexibility scheme should be adapted accordingly;
- manufacturers of tractors falling within the scope of this Directive should benefit from European financial support programmes or any relevant support programmes provided by Member States. Those support programmes may favour projects employing the best available technologies with the highest emission standards;
- current emission limits should be made more stringent, including with respect to ultrafine black carbon particles notably by introducing particulate number limits in future legislation if this is justified by relevant impact assessments.

Air quality: provisions for tractors placed on the market under the flexibility scheme

2010/0301(COD) - 14/09/2011 - Final act

PURPOSE: to contribute to the smooth functioning of the internal market for tractors while protecting human health and the environment.

LEGISLATIVE ACT: Directive 2011/72/EU of the European Parliament and of the Council amending Directive 2000/25/EC as regards the provisions for tractors placed on the market under the flexibility scheme.

CONTENT: the adoption of the new directive which amends Directive 2000/25/EC follows an agreement at first reading with the European Parliament.

Directive 2000/25/EC provided that the emission limits applicable in 2010 for type approval of the majority of compression ignition engines, referred to as Stage III A, were to be replaced by the more stringent Stage III B limits, entering into force progressively as from 1 January 2011 with regard to the placing on the market, and from 1 January 2010 as regards the type-approval for those engines. Stage IV, providing for emission limits more stringent than Stage III B, will enter into force progressively as of 1 January 2013 as regards the type-approval for those engines and as of 1 January 2014 with regard to the placing on the market. **The transition to Stage III B involves a step change in technology** requiring significant implementation costs for re-designing the engines and for developing advanced technical solutions.

Directive 2000/25/EC provides for **a flexibility scheme** to allow tractor manufacturers to purchase, during a given stage, a limited number of engines that do not comply with emission limits applicable during that stage.

The new Directive aims to **allow manufacturers of tractors to adapt to the new technological requirements relating to engines** in order to comply with exhaust emission limits, by strengthening the flexibility mechanism provided for in Directive 2000/25/EC.

A new provision on the flexibility scheme stipulates that, **by derogation**, Member States shall provide that, at the request of the tractor manufacturer, and on condition that the approval authority has granted the relevant permit for placing on the market in accordance with the procedures laid down in Annex IV, a limited number of tractors fitted with engines approved in accordance with the requirements of the emission limits stage immediately preceding the applicable one may enter into service.

The flexibility scheme shall begin **when a given stage becomes applicable** and shall have the same duration as the stage itself. The flexibility scheme shall, however, be restricted to the duration of Stage III B or to three years where no subsequent stage exists.

The Directive states that the current global financial and economic crisis or any economic downturn should not lead to a lowering of environmental standards. This revision of Directive 2000/25/EC should therefore be considered to be exceptional.

ENTRY INTO FORCE: 13/10/2011.

TRANSPOSITION: 24/09/2011.

Air quality: provisions for tractors placed on the market under the flexibility scheme

2010/0301(COD) - 27/10/2010 - Legislative proposal

PURPOSE: to contribute to the smooth functioning of the internal market for tractors while protecting human health and the environment.

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

BACKGROUND: Directive 2000/25/EC on action to be taken against the emission of gaseous and particulate pollutants by engines intended to power agricultural and forestry tractors.

The current stage of emission limits applicable for type approval of the majority of compression ignition engines is referred to as Stage III A.

The directive provides that those limits will be replaced by the more stringent Stage III B limits, entering into force progressively as of 1 January 2011 with regard to the placing on the market and from 1 January 2010 as regards the type approval for those engines.

The transition to Stage III B involves a step change in technology requiring significant implementation costs for re-designing the engines and for developing advanced technical solutions. This transition stipulated by the legislator in 2005 coincides with the economic recession in the sector concerned which makes it difficult for the industry to bear the implementation costs necessary in order to adapt to the new legal requirements.

Directive 2000/25/EC provides for a flexibility scheme to allow tractor manufacturers to purchase, in the period between two emission stages, a limited quantity of engines that do not comply with the current emission limit values, but are approved to the nearest previous stage of emission limits.

In order to provide a temporary relief to industry when moving to the next stage, it is necessary to adapt the conditions for applying the flexibility scheme.

IMPACT ASSESSMENT: the proposal takes into account a Technical Review of the Directive 97/68/EC by the Joint Research Centre (JRC) which includes, inter alia, an evaluation of the need to amend the provisions of the flexibility scheme; an Impact Assessment study by an external consultant to assess the impacts of the proposed policy options as laid down in the draft Technical Review of JRC, and a complementary study on the impacts of the options of the Technical Review of JRC, including consequences of an amendment of the flexibility scheme for SMEs.

LEGAL BASIS: Article 114 of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: this proposal addresses the situation that manufacturers face difficulties to get Stage III B compliant engines approved and place them on the market due to delays in the design of new engines and the unexpected financial crisis. It is proposed to modify the provisions of the flexibility scheme to mitigate the effects from the transition of emission Stages III A to III B by extending its application while maintaining the entry into force of the exhaust emission limit Stage III B to preserve the objective of the Directive to reduce emissions of gaseous and particulate pollutants in the European Union.

More specifically, the aim of this Directive is to amend Directive 2000/25/EC as follows: an increase of the percentage of the number of engines placed on the market under the flexibility scheme in each engine category from 20% to 50% of the tractor manufacturer’s annual sales of equipment and an adaptation of the maximum number of engines that may be placed on the market under the flexibility scheme as an optional alternative, in the period between emission Stage III A to emission Stage III B. This measure will expire on 31 December 2013.

BUDGETARY IMPLICATION: This proposal has no implication for the EU budget.

Air quality: provisions for tractors placed on the market under the flexibility scheme

2010/0301(COD) - 14/09/2011 - Corrigendum to final act

PURPOSE: Corrigendum to Directive 2011/72/EU of the European Parliament and of the Council of 14 September 2011 amending Directive 2000/25 /EC as regards the provision for tractors placed on the market under the flexibility scheme.

The corrigendum relates to the date of the transposition of the Directive: this is fixed as **24 September 2012** (instead of 24 September 2011).