

## I

*(Information)*

## COUNCIL

## COMMON POSITION (EC) No 47/2000

adopted by the Council on 10 October 2000

**with a view to adopting Directive 2000/.../EC of the European Parliament and of the Council of ... amending Council Directive 70/220/EEC concerning measures to be taken against air pollution by emissions from motor vehicles**

(2000/C 329/01)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community and in particular Article 95 thereof,

Having regard to the proposal from the Commission<sup>(1)</sup>,

Having regard to the opinion of the Economic and Social Committee<sup>(2)</sup>,

Acting in accordance with the procedure laid down in Article 251 of the Treaty<sup>(3)</sup>,

Whereas:

(1) Council Directive 70/220/EEC of 20 March 1970 on the approximation of the laws of the Member States on measures to be taken against air pollution by emissions from motor vehicles<sup>(4)</sup>, is one of the separate directives

under the type-approval procedure laid down by Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers<sup>(5)</sup>.

(2) Directive 70/220/EEC lays down the specifications for the testing of emissions of the motor vehicles falling within its scope. In view of the recent experience gained and the rapidly developing state of the art of on-board diagnostic systems, it is appropriate to adapt those specifications accordingly.

(3) On-board diagnostics (OBD) is at a less developed stage for vehicles equipped with positive-ignition engines which run permanently or part-time on liquefied petroleum gas (LPG) or natural gas (NG) and cannot be required on such new types of vehicles before 2003.

<sup>(1)</sup> OJ C ...

<sup>(2)</sup> OJ C ...

<sup>(3)</sup> Opinion of the European Parliament of 17 May 2000 (not yet published in the Official Journal), Council Common Position of 10 October 2000 and Decision of the European Parliament of ... (not yet published in the Official Journal).

<sup>(4)</sup> OJ L 76, 6.4.1970, p. 1. Directive as last amended by Commission Directive 1999/102/EC (OJ L 334, 28.12.1999, p. 43).

<sup>(5)</sup> OJ L 42, 23.2.1970, p. 1. Directive as last amended by Directive 98/91/EC of the European Parliament and of the Council (OJ L 11, 16.1.1999, p. 25).

(4) Directive 70/220/EEC should be amended accordingly,

HAVE ADOPTED THIS DIRECTIVE:

*Article 1*

In Annex I to Directive 70/220/EEC, Section 8.1 shall be replaced by the following:

**‘8.1. Vehicles with positive-ignition engines**

*8.1.1. Petrol-fuelled engines*

With effect from 1 January 2000 for new types and from 1 January 2001 for all types, vehicles of category M<sub>1</sub> — except vehicles the maximum mass of which exceeds 2 500 kg — and vehicles of category N<sub>1</sub> class I, must be fitted with an OBD system for emission control in accordance with Annex XI.

With effect from 1 January 2001 for new types and from 1 January 2002 for all types, vehicles of category N<sub>1</sub> classes II and III and vehicles of category M<sub>1</sub>, the maximum mass of which exceeds 2 500 kg, must be fitted with an OBD system for emission control in accordance with Annex XI.

*8.1.2. LPG and natural gas-fuelled vehicles*

With effect from 1 January 2003 for new types and from 1 January 2004 for all types, vehicles of category M<sub>1</sub> — except vehicles the maximum mass of which exceeds 2 500 kg — and vehicles of category N<sub>1</sub> class I, running permanently or part-time on either LPG or natural gas fuel, must be fitted with an OBD system for emission control in accordance with Annex XI.

With effect from 1 January 2006 for new types and from 1 January 2007 for all types, vehicles of category N<sub>1</sub> classes II and III and vehicles of category M<sub>1</sub>, the maximum mass of which exceeds 2 500 kg, running permanently or part-time on either LPG or natural gas fuel, must be fitted with an OBD system for emission control in accordance with Annex XI.’

*Article 2*

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by ...(\*). They shall forthwith inform the Commission thereof.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of domestic law which they adopt in the field covered by this Directive.

*Article 3*

This Directive shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

*Article 4*

This Directive is addressed to the Member States.

Done at ...

*For the European Parliament*

*For the Council*

*The President*

*The President*

(\*) Twelve months after the date of entry into force of this Directive.

## STATEMENT OF THE COUNCIL'S REASONS

### I. INTRODUCTION

1. On 14 February 2000, the Commission presented a proposal based on Article 95 of the Treaty concerning measures to be taken against air pollution by emissions from motor vehicles<sup>(1)</sup>.
2. The European Parliament approved the Commission proposal in its first reading opinion on 17 May 2000<sup>(2)</sup>.
3. The Economic and Social Committee delivered its opinion on 24 May 2000<sup>(3)</sup>.
4. On 10 October 2000, the Council adopted its Common Position in accordance with Article 251 of the Treaty.

### II. OBJECTIVE

5. The objective of the proposal is to amend Directive 70/220/EEC<sup>(4)</sup> to provide for dates from which on-board diagnostic (OBD) systems are mandatory on passenger cars and light commercial vehicles that have positive-ignition engines and which use alternative fuels such as liquefied petroleum gas (LPG) or natural gas (NG).

### III. ANALYSIS OF THE COMMON POSITION

6. The Council examined the Commission proposal which it amended slightly to stipulate that existing models in category  $M_1 \leq 2\,500$  kg and vehicles in category  $N_1$  class I must be fitted with an OBD system as from 1 January 2004.

The Council considers that installing an OBD system to monitor permanently the compliance of emissions from a vehicle in road use with the standards laid down at the time of its manufacture will allow early detection of any malfunction in vehicles' anti-pollution equipment. The earlier introduction of the OBD system (1 January 2004 instead of 1 January 2006) will therefore help reduce pollutant emissions.

The Common Position is also aligned on the date from which existing models in category  $M_1 \leq 2\,500$  kg with a compression-ignition engine must also be fitted with an OBD system (1 January 2004)<sup>(5)</sup>.

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<sup>(1)</sup> OJ C ... .

<sup>(2)</sup> OJ C ... .

<sup>(3)</sup> OJ C ... .

<sup>(4)</sup> OJ 76, 6.4.1970, p. 1.

<sup>(5)</sup> OJ L 334, 28.12.1999, p. 43.