

Proposal for a Directive of the European Parliament and of the Council amending Council Directive 70/220/EEC concerning measures to be taken against air pollution by emissions from motor vehicles

(2000/C 365 E/23)

(Text with EEA relevance)

COM(2000) 487 final — 2000/0211(COD)

(Submitted by the Commission on 6 September 2000)

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,

Having regard to the opinion of the Economic and Social Committee,

Acting in accordance with the procedure laid down in Article 251 of the Treaty,

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 vehicles ⁽¹⁾, as last amended by Commission Directive 1999/102/EC ⁽²⁾ 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 ⁽³⁾, as last amended by Directive 98/91/EC of the European Parliament and of the Council ⁽⁴⁾.
- (2) Directive 70/220/EEC, as amended by Directive 98/69/EC ⁽⁵⁾, introduced specific emission limits for carbon monoxide and hydrocarbons in combination with a new test to measure those emissions at low temperatures in order to adapt the behaviour of the emission control system of vehicles of category M₁ and category N₁ class I with positive-ignition engines to the ambient conditions experienced in practice.
- (3) The Commission have determined appropriate low temperature emission limits for vehicles of category N₁ class II and III with positive-ignition engines. It is now also appropriate to include within the scope of the low temperature test vehicles of category M₁ with positive-ignition engines designed to carry more than six occupants and vehicles of category M₁ with positive-ignition engines whose maximum mass exceeds 2 500 kg, which were previously excluded.

(4) Due to their emission characteristics, it is appropriate to exempt vehicles with positive-ignition engines that run only on gas fuel (LPG or NG) from the low temperature test. Vehicles where the petrol system is fitted for emergency purposes or starting only and where the petrol tank cannot contain more than 15 litres of petrol, should be regarded as vehicles that can only run on a gaseous fuel.

(5) It is appropriate to align the test for low temperature emissions with the test for emissions at a normal ambient temperature. The test at low temperature is therefore restricted to vehicles of category M and N with a maximum mass not exceeding 3 500 kg.

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

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Annexes I and VII to Directive 70/220/EEC are amended in accordance with the Annex to this Directive.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 June 2001. They shall forthwith inform the Commission thereof.

When Member States adopt those provisions, they shall contain a reference to this Directive or shall be accompanied by such reference at 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 texts of the main provisions of the national law that they adopt in the field governed by this Directive.

Article 3

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

Article 4

This Directive is addressed to the Member States.

⁽¹⁾ OJ L 76, 6.4.1970, p. 1.

⁽²⁾ OJ L 334, 28.12.1999, p. 43.

⁽³⁾ OJ L 42, 23.2.1970, p. 1.

⁽⁴⁾ OJ L 11, 16.1.1999, p. 25.

⁽⁵⁾ OJ L 350, 28.12.1998, p. 1.

ANNEX

AMENDMENTS TO ANNEX I TO DIRECTIVE 70/220/EEC

1. Section 5.3.5. is modified as follows:

Footnote ⁽¹⁾ is deleted.

2. Section 5.3.5.1. is replaced by the following:

'5.3.5.1. This test must be carried out on all vehicles of category M₁ and N₁ equipped with a positive-ignition engine except such vehicles that only run on a gaseous fuel (LPG or NG). Vehicles that can be fuelled with both petrol and a gaseous fuel, but where the petrol system is fitted for emergency purposes or starting only and of which the petrol tank cannot contain more than 15 litres of petrol will be regarded for the Type VI test as vehicles that can only run on a gaseous fuel.

Vehicles which can be fuelled with petrol and either LPG or NG shall be tested in the test Type VI on petrol only.

From 1 January 2002, this section is applicable to new types of vehicles of category M₁ and N₁ class I, except vehicles designed to carry more than six occupants and vehicles whose maximum mass exceeds 2 500 kg.

From 1 January 2003, this section is applicable to new types of vehicles of category M₁ class II and III and vehicles designed to carry more than six occupants and vehicles whose maximum mass exceeds 2 500 kg.'

3. The table in section 5.3.5.2. is replaced by the following table:

Test temperature 266 K (-7 °C)			
Category	Class	Mass of carbon monoxide (CO) L ₁ (g/km)	Mass of hydrocarbons (HC) L ₂ (g/km)
M ₁ ⁽¹⁾	—	15	1,8
N ₁ ⁽²⁾	I	15	1,8
	II	27	3,2
	III	34	4,0

⁽¹⁾ Except vehicles designed to carry more than six occupants and vehicles whose maximum mass exceeds 2 500 kg.

⁽²⁾ And those category M₁ vehicles which are specified in note 1.

AMENDMENTS TO ANNEX VII TO DIRECTIVE 70/220/EEC

4. The first sentence of section 1 is modified as follows:

'1. This Annex applies only to vehicles with positive-ignition engines as defined in section 5.3.5. of Annex I.'

5. The first sentence of section 2.1.1 is modified as follows:

'2.1.1. This chapter deals with the equipment needed for low ambient temperature exhaust emission tests on vehicles equipped with positive-ignition engines, as defined in section 5.3.5. of Annex I.'

6. Footnote (1) in section 4.3.3. is deleted.