

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(90) 493 final - SYN 240

Brussels, 19 October 1990

Amendment to the proposal for a

## COUNCIL DIRECTIVE

### **AMENDING DIRECTIVE 70/220/EEC ON THE APPROXIMATION OF THE LAWS OF THE MEMBER STATES RELATING TO MEASURES TO BE TAKEN AGAINST AIR POLLUTION BY EMISSIONS FROM MOTOR VEHICLES**

(presented by the Commission pursuant to Article 149(3)  
of the EEC-Treaty)

EXPLANATORY MEMORANDUM

A. On 2 February 1990 the Commission sent to the Council a proposal for a directive amending Directive 70/220/EEC on the approximation of the laws of the Member States relating to measures to be taken against air pollution by emissions from motor vehicles.

On 12 September 1990 the European Parliament approved the proposal on first reading subject to 35 amendments.

The Commission has accepted 16 of the amendments, which it has agreed to incorporate in an appropriate fashion in an amended proposal.

B. The Commission therefore proposes to amend its proposal as follows:

1. A drafting amendment is made in the fifth recital.

2. Sharing Parliament's concern that an increase in vehicle registrations will result in an increase in exhaust gas emissions, the Commission proposes inserting a new recital after the seventh recital to establish a link between the standards proposed and the development of road traffic.

3. A number of amendments relate to matters which are not directly covered by the proposal for a directive but which concern additional legislative initiatives on aspects such as:

- evaporation losses in the process of storage and distribution;
- fuel quality;
- retrofitting of exhaust gas cleaning devices;
- financial incentives for the scrapping of older cars and the retrofitting of exhaust gas cleaning devices;
- roadworthiness testing of existing cars;

- financial support for research into new propulsion techniques and fuels;
- the limitation of CO<sub>2</sub> emissions from motor vehicles;
- tougher emission standards for certain categories of vehicles not covered by the directive.

It is proposed to confirm the Commission's support or commitment in this connection in eight new recitals to be added after the existing recitals.

4. The other amendments accepted by the Commission concern the technical provisions of the proposed directive.

4.1 Acting on Parliament's opinion that only the 80 000 km durability test should be adopted, the Commission proposes an addition to the sixth recital, amendments to Annex I (point 5.3.5) and Annex X (point 1.9) and the deletion of Annex VII (30 000 km durability test).

4.2 In order to meet Parliament's request that the test cycle at top speed reduced to 90 km/h be deleted, the Commission proposes a time limit for using this test cycle so that from 1 July 1994 the type-approval test for any new type of car ("M1 category) will be exclusively based on the 120 km/h driving cycle. It is proposed that this amendment be incorporated in a new paragraph 4 to be added to Article 2 of the directive.

4.3 Having accepted in principle Parliament's request that an oxygen sensor in a catalytic converter system must remain operational in all engine operating conditions, the Commission proposes making an addition to the provisions of Annex I, point 5.1.1.

4.4 To act on Parliament's wish to ensure that all components of the future European standards are as stringent as the American standards, the Commission proposes reducing the limit values for particulate emissions from diesel cars to a level based on a comparative study of the future European test with the American test. This entails an amendment to the third column of the tables of limit values in points 5.3.2.4 and 7.1.1.1 in Annex I.

4.5 To go at least part of the way towards meeting Parliament's concern about tolerances for conformity checking, the Commission proposes a time limit for the transitional provisions for cars below 1.4 litres type-approved in accordance with Directive 89/458/EEC (point 8.4 of Annex I).

4.6 The deletion of Annex VII (see point 4.1 above) necessitates renumbering the annexes to the proposed directive.

AMENDMENTS TO THE PROPOSAL FOR A COUNCIL DIRECTIVE  
AMENDING DIRECTIVE 70/220/EEC ON THE  
APPROXIMATION OF THE LAWS OF THE MEMBER STATES  
RELATING TO MEASURES TO BE TAKEN AGAINST AIR POLLUTION  
BY EMISSIONS BY MOTOR VEHICLES

The fifth recital is to be amended to read as follows:

"Whereas the work undertaken by the Commission in that sphere has shown that the Community has available, or is currently perfecting, technologies which allow a drastic reduction of the limit values in question for all engine sizes;"

The following is to be added at the end of the sixth recital:

"Whereas the durability test should be based on 80 000 km driven and should be carried out using a procedure involving vehicles which are actually driven on a test track or roller test bench;"

The following new recital is to be added after the seventh recital:

"Whereas the new standards and the test procedure should be laid down in the light of future developments in traffic in the European Community; whereas completion of the internal market is likely to lead to an increase in vehicle registrations, which will result in an increase in exhaust gas emissions;"

The following new recitals are to be added after the last recital:

"Whereas the Commission shall submit, no later than 31 December 1990, a proposal for a directive on the measures to reduce evaporation losses at every stage in the process of storage and distribution of motor fuels;

Whereas there is also an urgent need to improve significantly the quality of fuel at filling stations;

Whereas the introduction of tougher standards would also be speeded up if the Member States introduced a system to encourage purchasers of new vehicles to have their old vehicles scrapped or, as far as possible, recycled;

Whereas it is desirable that the Member States take measures to ensure that, as far as possible, older vehicles are fitted with exhaust gas cleaning devices;

Whereas the environmental impact of the tougher standards would be greatly increased and speeded up if the Member States were to grant, after 31 December 1992, tax incentives for the purchase and installation on vehicles already in service of equipment which will ensure that the standards set out in this directive are complied with;

Whereas, acting by a qualified majority on a proposal from the Commission, the Council shall adopt the measures to be taken by the Member States in order to ensure that regular roadworthiness tests are carried out to determine the

efficiency, in terms of emissions and operation, of the equipment fitted to all motor vehicles;

Whereas the constant increase in environmental pollution caused by the rapid increase in traffic in the Community necessitates not only the adoption of limit values and tougher standards but also the development of alternative propulsion systems and transport concepts; whereas the Community should take steps to provide financial support for research and development for alternative transport concepts, propulsion systems and fuels;

Whereas, therefore, in order to maximise the impact of the standards set out in this directive, the Council, acting by a qualified majority on a proposal from the Commission, shall decide before 31 December 1992 on measures designed to:

- limit CO<sub>2</sub> emissions,
- adapt the emission standards (and the associated tests) for vehicles not covered by this directive, including all commercial vehicles,
- lay down regular inspections and procedures for replacing, repairing or maintaining the equipment fitted in order to meet the values laid down,
- implement a research and development programme to encourage the marketing of clean vehicles and fuels."

The following new paragraph is to be added after paragraph 3 of Article 2:

4. "As from 1 July 1994 the type I test for category M<sub>1</sub> vehicles shall be carried out exclusively by means of a combination of the elementary urban cycle defined in Annex III, appendix 1.2, and the extra-urban cycle defined in Annex III, appendix 1.3 (top speed: 120 km/h)".

Annex I

## Point 5.1.1

The following is to be added at the end:

"If an oxygen sensor is used in the catalytic converter system, steps must be taken to ensure that the stoichiometric air-fuel ratio ( $\lambda$ ) is maintained when a certain speed is reached or when accelerating.

However, temporary variations in this ratio are permissible if they also occur during the test defined in points 5.3.1 and 7.1.1 respectively, or if these variations are necessary for safe driving and for the correct operation of the engine and of components which affect pollutant emissions or if these variations are necessary for cold starting."

**Point 5.3.1.4 (Table):**

Third column (mass of particulates): "0.19" to be replaced by "0.14"

**Point 7.1.1.1 (Table):**

Third column (mass of particulates): "0.24" to be replaced by "0.18"

**Point 5.3.5. (Type V test):**

Point 5.3.5.1 to read as follows:

"5.3.5.1 This test should be carried out on all vehicles referred to in Section 1, with the exception of those vehicles referred to in 8.1. The test represents an aging test of 80 000 km driven in accordance with the programme described in Annex VII on a test track, on the road or on a roller test bench."

Point 5.3.5.2, first sentence to read as follows:

"5.3.5.2 Notwithstanding the requirements of 5.3.5.1, a manufacturer may choose to have the deterioration factors from the following table used as an alternative to testing to 5.3.5.1."

Point 8.4 to read as follows:

"8.4 For the checking of conformity of vehicles type-approved in accordance with the provisions of Directive 70/220/EEC as last amended by Directive 89/458/EEC, the provisions of Directive 89/458/EEC remain applicable until 31 December 1994."

Annex VII (aging test of 30 000 km)

This annex is to be deleted.

The numbering of the following annexes is to be changed as follows:

Annex VIII becomes Annex VII (aging test of 80 000 km)  
 Annex IX becomes Annex VIII (reference fuels)  
 Annex X becomes Annex IX (EEC type-approval certificate)

Annex IX (EEC type-approval certificate)

**Point 1.9**

Type V, durability, first indent:  
- durability type: delete "30 000 km".

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# DOCUMENTS

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