

Wednesday 12 December 2001

## 15. Emissions from two and three-wheel motor vehicles \*\*\*II

A5-0406/2001

**European Parliament legislative resolution on the Council common position with a view to the adoption of a European Parliament and Council directive on the reduction of the level of pollutant emissions from two and three-wheel motor vehicles and amending Directive 97/24/EC (7598/1/2001 – C5-0386/2001 – 2000/0136(COD))**

(Codecision procedure: second reading)

The European Parliament,

- having regard to the Council common position (7598/1/2001 – C5-0386/2001) <sup>(1)</sup>,
  - having regard to its position at first reading <sup>(2)</sup> on the Commission proposal to Parliament and the Council (COM(2000) 314) <sup>(3)</sup>,
  - having regard to the Commission's amended proposal (COM(2001) 145) <sup>(4)</sup>,
  - having regard to Article 251(2) of the EC Treaty,
  - having regard to Rule 80 of its Rules of Procedure,
  - having regard to the recommendation for second reading of the Committee on the Environment, Public Health and Consumer Policy (A5-0406/2001),
1. Amends the common position as follows;
  2. Instructs its President to forward its position to the Council and Commission.

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### Amendment 1

#### Recital 7

(7) Tricycles and quadricycles are equipped either with spark ignition or compression ignition engines; in line with emission limits for passenger cars, each category requires a separate set of limit values.

(7) Tricycles and quadricycles are equipped either with spark ignition or compression ignition (**diesel**) engines; in line with emission limits for passenger cars, each category requires a separate set of limit values. **Particulate emission limit values should be laid down for vehicles with compression ignition engines.**

### Amendment 2

#### Recital 9

(9) Member States should be allowed, by way of tax incentives, to expedite the placing on the market of vehicles which satisfy the requirements adopted at Community level and to promote more environmentally advanced technologies on the basis of **permissive** emission values; such incentives should

(9) Member States should be allowed, by way of tax incentives, to expedite the placing on the market of vehicles which satisfy the requirements adopted at Community level and to promote more environmentally advanced technologies on the basis of **mandatory** emission values; such incentives should

<sup>(1)</sup> OJ C 301, 26.10.2001, p. 43.

<sup>(2)</sup> OJ C 276, 1.10.2001, p. 135.

<sup>(3)</sup> OJ C 337 E, 28.11.2000, p. 140.

<sup>(4)</sup> OJ C 240 E, 28.8.2001, p. 146.

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satisfy certain conditions intended to avoid distortions of the internal market; this Directive does not affect the Member States' right to include emissions of pollutants and other substances in the basis for calculating road traffic taxes on two and three-wheel vehicles.

satisfy certain conditions intended to avoid distortions of the internal market; this Directive does not affect the Member States' right to include emissions of pollutants and other substances in the basis for calculating road traffic taxes on two and three-wheel vehicles.

Amendment 3

*Recital 9a (new)*

**(9a) Member States should be able to take measures to encourage the retrofitting of older two and three-wheel motor vehicles with emission-control devices and components. These measures should not result in discrimination against owners of older vehicles.**

Amendment 4

*Recital 11*

(11) It is necessary to establish a further stage of emission limits, comprising further substantial reductions with respect to the limit values for 2003; **such limit values can be developed in detail only when the current test cycle has been revised and after further study of the technical feasibility and emission-reduction potential of the technology.**

(11) It is necessary to establish a further stage of **mandatory** emission limits **with effect from 2006** comprising further substantial reductions with respect to the limit values for 2003.

Amendment 5

*Recital 11a (new)*

**(11a) In order to ensure compliance with emission limit values, conformity testing of in-service two and three-wheel motor vehicles (in-service tests) should be introduced from 1 January 2006. Specific requirements for the correct operation of emission-control devices during the normal life of two or three-wheel motor vehicles should be introduced, as from 1 January 2004 for up to five years or 30 000 km, whichever is the sooner, and as from 1 January 2006 for up to five years or 50 000 km, whichever is the sooner.**

Amendment 6

*Recital 11b (new)*

**(11b) It should also be ensured that operating conditions of two and three-wheel motor vehicles in use correspond to the settings for the test cycle and that no defeat devices or other by-pass arrangements are used.**

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Amendment 7

*Recital 11c (new)*

**(11c) As two and three-wheel motor vehicles produce an increasing proportion of total CO<sub>2</sub> emissions from transport sources, CO<sub>2</sub> emissions and/or the fuel consumption of two and three-wheel motor vehicles should be established as soon as possible and incorporated in the Community strategy for reducing road-transport CO<sub>2</sub> emissions.**

Amendment 8

*Article 2, paragraph 2, subparagraph 2*

**For the type I test for mopeds, the limit values set out in the second row of the Table in Chapter 5, Annex I, Section 2.2.1.1.3 to Directive 97/24/EC shall be used.**

For the type I test, the limit values set out in row A of the Table in Chapter 5, Annex II, Section 2.2.1.1.5 to Directive 97/24/EC shall be used.

For the type I test **for motorcycles and tricycles**, the limit values set out in rows A of the Table in Chapter 5, Annex II, Section 2.2.1.1.5 to Directive 97/24/EC shall be used.

Amendment 9

*Article 2, paragraph 3, subparagraph 2*

**For the type I test for mopeds, the limit values set out in the second row of the Table in Chapter 5, Annex I, Section 2.2.1.1.3 to Directive 97/24/EC shall be used.**

For the type I test, the limit values set out in row A of the Table in Chapter 5, Annex II, Section 2.2.1.1.5 to Directive 97/24/EC shall be used.

For the type I test **for motorcycles and tricycles**, the limit values set out in rows A of the Table in Chapter 5, Annex II, Section 2.2.1.1.5 to Directive 97/24/EC shall be used.

Amendment 10

*Article 2a (new)***Article 2a**

**1. With effect from 1 January 2006, Member States shall refuse to grant EC type-approval pursuant to Article 4(1) of Directive 92/61/EEC for a new vehicle type on grounds relating to measures to be taken against air pollution, if it fails to comply with the provisions of Directive 97/24/EC.**

**For the type I test, the limit values set out in rows B of the Table in Chapter 5, Annex II, Section 2.2.1.1.5 to Directive 97/24/EC shall be used.**

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2. *With effect from 1 January 2007, Member States shall:*

- (a) *consider certificates of conformity which accompany new vehicles pursuant to Directive 92/61/EEC as no longer valid, and*
- (b) *refuse the registration, sale or entry into service of new vehicles which are not accompanied by a certificate of conformity in accordance with Directive 92/61/EEC,*

*on grounds relating to the measures to be taken against air pollution, if the vehicles fail to comply with the provisions of Directive 97/24/EC.*

*For the type I test, the limit values set out in rows B of the Table in Chapter 5, Annex II, Section 2.2.1.1.5 to Directive 97/24/EC shall be used.*

3. *For vehicle types of which no more than 5 000 units are sold annually in the European Union, the date shall be 1 January 2008.*

Amendment 11

Article 3, paragraph 1, point (b)

(b) they shall apply to all new vehicles offered for sale on the market of a Member State which comply with the **permissive** limit values set out in row B of the Table in Chapter 5, Annex II, Section 2.2.1.1.5 of Directive 97/24/EC, **as amended by this Directive.**

(b) they shall apply to all new vehicles offered for sale on the market of a Member State which comply **in advance** with the **mandatory** limit values set out in rows B of the Table in Chapter 5, Annex II, Section 2.2.1.1.5 of Directive 97/24/EC. **They shall end on the date for the mandatory application of the emission limit values for new vehicles laid down in Article 2a(2) of this Directive.**

Amendment 12

Article 3, paragraph 2a (new)

**2a. Member States may inter alia offer fiscal or financial incentives for the retrofitting of older two and three-wheel motor vehicles, if they thereby meet the limit values contained in this Directive or in the earlier version of Directive 97/24/EC.**

Amendment 13

Article 3a (new)

**Article 3a**

**1. Type-approvals shall also confirm the correct operation of emission-control devices during the normal life of two and three-wheel motor vehicles:**

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- (a) *as from 1 January 2004 for new vehicle types and as from 1 January 2005 for all vehicle types for up to five years or 30 000 km, whichever is the sooner;*
- (b) *as from 1 January 2006 for new vehicle types and as from 1 January 2007 for all vehicle types for up to five years or 50 000 km, whichever is the sooner.*
2. *The Commission shall propose supplementary provisions to the European Parliament and the Council by 31 December 2002.*

Amendment 14

Article 3b (new)

**Article 3b**

1. *With effect from 1 January 2006, for new two and three-wheel motor vehicle types, and from 1 January 2007 for all vehicle types, type-approvals granted to vehicles shall also require confirmation of the correct operation of emission-control devices during the normal life of the vehicle under normal conditions of use (conformity of in-service vehicles properly maintained and used).*
2. *The Commission shall propose supplementary provisions to the European Parliament and the Council by 31 December 2002.*

*Such provisions shall include inter alia:*

- (a) *criteria for carrying out checks,*
- (b) *criteria for selecting the vehicles to be tested,*
- (c) *criteria for carrying out the tests,*
- (d) *rules to eliminate possible errors,*
- (e) *the criterion that there shall be no charge for the owner/holder of the vehicle.*

Amendment 15

Article 3c (new)

**Article 3c**

1. *With effect from 1 January 2004, for motorcycles and tricycles with an engine capacity of over 150 cc, Member States:*
- (a) *may no longer grant EC type-approval, and*
- (b) *shall refuse national type-approval,*

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*on grounds relating to CO<sub>2</sub> emissions and fuel consumption, if the emission and fuel consumption values are not established pursuant to Council Directive 80/1268/EEC<sup>(1)</sup>, as amended by Commission Directive 93/116/EC<sup>(2)</sup>.*

2. *With effect from 1 January 2005 Member States shall:*

*(a) consider certificates of conformity which accompany new motorcycles with an engine capacity of over 150 cc pursuant to Directive 92/61/EEC as no longer valid, and*

*(b) refuse the registration, sale or entry into service of new vehicles which are not accompanied by a certificate of conformity in accordance with Directive 92/61/EEC,*

*on grounds relating to CO<sub>2</sub> emissions and fuel consumption, if the emission and fuel consumption values are not established pursuant to Directive 80/1268/EEC as amended by Directive 93/116/EC.*

<sup>(1)</sup> OJ L 375, 31.12.1980, p. 36.

<sup>(2)</sup> OJ L 329, 30.12.1993, p. 39.

#### Amendment 16

*Article 4, paragraph 1, subparagraph 1, introduction*

1. The Commission shall consider **a** further **tightening** of the emission standards of vehicles falling within the scope of this Directive, taking into account:

1. The Commission shall consider further **development** of the emission standards of vehicles falling within the scope of this Directive, taking into account:

#### Amendment 17

*Article 4, paragraph 2*

2. The Commission shall, not later than 31 December 2002, submit to the Committee for Adaptation to Technical Progress a proposal setting out a test method for the measurement of particulate emissions **from compression ignition engines and two-stroke spark ignition engines**, to be applied to new type-approvals from 1 January 2004.

2. The Commission shall, not later than 31 December 2002, submit to the Committee for Adaptation to Technical Progress a proposal setting out a test method for the measurement of particulate emissions **in accordance with paragraph 1(e)**, to be applied to new type-approvals from 1 January 2004.

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## Amendment 18

Article 4, paragraph 3, point (a)

- |  |  |
|--|--|
| <p>(a) <b>a new dedicated test cycle</b> to be used <b>for measurement of emissions</b> in the Type I test and mandatory emission limit values for <b>motorcycles, including</b> particulate emissions <b>for compression ignition engines and two-stroke spark-ignition engines</b>, to be applied from 2006;</p> | <p>(a) <b>mandatory emission limit values</b> to be used in the Type I test for <b>tricycles and quadricycles for stage B from 2006</b> and mandatory emission limit values for particulate emissions <b>in accordance with paragraph 1(e)</b>, to be applied from 2006;</p> |
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## Amendment 19

Article 4, paragraph 3, point (b)

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|---|--|
| <p>(b) an obligation to measure specific CO<sub>2</sub> emissions in type approval;</p> | <p>(b) an obligation to measure specific CO<sub>2</sub> emissions in type approval <b>in accordance with Article 3c. The Commission shall also submit proposals for the inclusion of two and three-wheel motor vehicles in the Community strategy for reducing transport CO<sub>2</sub> emissions (agreement to reduce average CO<sub>2</sub> emissions, labelling, tax incentives);</b></p> |
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## Amendment 20

Article 4, paragraph 3, point (c)

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|---|--|
| <p>(c) provisions on durability requirements;</p> | <p>(c) provisions on durability requirements <b>to be applied from 1 January 2004 in accordance with Article 3a;</b></p> |
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## Amendment 21

Article 4, paragraph 3, point (ca) (new)

- (ca) **requirements to include conformity testing on in-service vehicles (in-service tests) in the type-approval procedure for two or three-wheel motor vehicles with effect from 1 January 2006 pursuant to Article 3b and, by analogy, to European Parliament and Council Directive 98/69/EC of 13 October 1998 relating to measures to be taken against air pollution by emissions from motor vehicles and amending Council Directive 70/220/EEC<sup>(1)</sup>;**

<sup>(1)</sup> OJ L 350, 28.12.1998, p. 1.

## Amendment 22

Article 4, paragraph 3, point (d)

- |   |  |
|---|--|
| <p>(d) a new set of limit values (stage III) for mopeds, including particulate emissions <b>from two-stroke spark emission engines</b>, to be applied from 2006. The provisions on durability requirements and the obligation to measure specific CO<sub>2</sub> emissions in type approval will also be applied to mopeds.</p> | <p>(d) a new set of limit values (stage III) for mopeds, including particulate emissions <b>in accordance with paragraph 1(e)</b>, to be applied from 2006. The provisions on durability requirements and the obligation to measure specific CO<sub>2</sub> emissions in type approval will also be applied to mopeds.</p> |
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## Amendment 23

## Article 4, paragraph 4

4. The Commission shall submit proposals to the European Parliament and Council, **containing *inter alia* provisions on in-use compliance and, if appropriate,** inspection and maintenance, OBD and evaporative emission control.

4. The Commission shall submit proposals to the European Parliament and Council **concerning** inspection and maintenance, OBD and evaporative emission control.

**The Commission shall also ensure that only replacement and retrofit parts for exhaust systems which comply with Directive 97/24/EC and this Directive are placed on the market. The issuing of type-approval must be sufficiently verifiable and the data on the type-approvals issued must be quickly, efficiently and transparently retrievable and traceable in a European data system.**

## Amendment 24

## ANNEX, POINT 1, POINT (c)

## Chapter 5, Annex II, Section 2.2.1.1.5 (Directive 97/24/EC)

2.2.1.1.5. Subject to the requirements for 2.2.1.1.6, the test must be repeated three times. The resulting masses of gaseous emissions obtained in each test must be less than the limits shown in the table below (row A):

2.2.1.1.5. Subject to the requirements for 2.2.1.1.6, the test must be repeated three times. The resulting masses of gaseous emissions obtained in each test must be less than the limits shown in the table below (rows A **for 2003 and rows B for 2006**):

## Common position of the Council

	Class	Mass of carbon monoxide (CO)	Mass of hydrocarbons (HC)	Mass of oxides of nitrogen (NO <sub>x</sub> )
		L <sub>1</sub> (g/km)	L <sub>2</sub> (g/km)	L <sub>3</sub> (g/km)
Limit values for motorcycles (two-wheel) for type approval and conformity of production				
A (2003)	I (< 150 cc)	5,5	1,2	0,3
	II (≥ 150 cc)	5,5	1,0	0,3
B (*)	I (< 150 cc) (UDC cold) (1)	2,0	0,8	0,15
	II (≥ 150 cc) (test cycle provided for in Directive 98/69/EC) (2)	2,0	0,3	0,15
Limit values for tricycles and quadricycles for type approval and conformity of production (positive ignition)				
A (2003)	All	7,0	1,5	0,4
Limit values for tricycles and quadricycles for type approval and conformity of production (compression ignition)				
A (2003)	All	2,0	1,0	0,65

(\*) The values in row B are permissive and applicable for the purposes of Article 3 of Directive /.../.../EC.

(1) Test cycle: test cycle provided for in this Directive without warming up, starting temperature 20-30 °C (similar to that in Directive 98/69/EC).

(2) Type I test procedure provided for in Directive 98/69/EC.



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	Class	Mass of carbon monoxide (CO)	Mass of hydrocarbons (HC)	Mass of oxides of nitrogen (NO <sub>x</sub> )
		L <sub>1</sub> (g/km)	L <sub>2</sub> (g/km)	L <sub>3</sub> (g/km)
Limit values for motorcycles (two-wheel) for type approval and conformity of production				
A (2003)	I (< 150 cc)	5,5	1,2	0,3
	II (≥ 150 cc)	5,5	1,0	0,3
B (2006)	I (< 150 cc) (UDC cold) <sup>(1)</sup>	2,0	0,8	0,15
	II (≥ 150 cc) (UDC+EUDC cold) <sup>(2)</sup>	2,0	0,3	0,15
Limit values for tricycles and quadricycles for type approval and conformity of production (positive ignition)				
A (2003)	All	7,0	1,5	0,4
Limit values for tricycles and quadricycles for type approval and conformity of production (compression ignition)				
A (2003)	All	2,0	1,0	0,65

<sup>(1)</sup> Test cycle: ECE R40 (with emissions measured for all 6 modes – sampling starts at T=0).<sup>(2)</sup> Test cycle: ECE R40+EUDC (emissions measured from all modes – sampling starts at T=0), with the maximum speed of 120 km/h.

## Amendment 27

## ANNEX, POINT 1, POINT (c)

Chapter 5, Annex II, Section 2.2.1.1.5.1a (new) (Directive 97/24/EC)

**2.2.1.1.5.1a.** When testing for compliance with the limit values in rows B for 2006 for motorcycles with a permitted maximum speed of 110 km/h, the maximum speed for the extra-urban driving cycle will be restricted to 90 km/h.

## Amendment 25

## ANNEX, POINT 1, POINT (k)

Chapter 5, Annex II, Appendix 1, Section 6.1.3a (new) (Directive 97/24/EC)

**6.1.3a.** When testing for compliance with the limit values in row BI (Table, Section 2.2.1.1.5) the following shall apply:

prior to the initiation of the test, a flow of air of variable speed is directed at the motorcycle or tricycle. The ventilation system must include a mechanism controlled by the speed of the bench roller so that, in the range from 10 km/h to 50 km/h, the linear air speed at the blower outlet is equal to the relative speed of the roller with an approximation of 10%. For roller speeds below 10 km/h, the air speed may be zero. The end section of the blower device must have the following characteristics:

- (i) surface area of at least 0,4 m<sup>2</sup>;
- (ii) lower edge between 0,15 and 0,20 m above ground level;
- (iii) distance from the leading edge of the motorcycle or motor tricycle between 0,3 and 0,45 m;

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Amendment 26

ANNEX, POINT 1, POINT (m)

Chapter 5, Annex II, Appendix 1, Section 7.2.1a (new) (Directive 97/24/EC)

**7.2.1a. When testing for compliance with the limit values in row BI (Table, Section 2.2.1.1.5), the following shall apply:**

**Once the engine is started the procedures described in 7.2.2-7.2.5 shall be carried out simultaneously.**

## 16. Determination of Member States' payments to VAT-based own resource \*\*\*II

A5-0431/2001

**European Parliament legislative resolution on the Common Position adopted by the Council with a view to the adoption of a European Parliament and Council regulation amending Council Regulation (EC) No 2223/96 as concerns the use of ESA 95 in the determination of Member States' payments to the VAT-based own resource (8793/1/2001 – C5-0385/2001 – 2000/0241(COD))**

(Codecision procedure: second reading)

*The European Parliament,*

- having regard to the Council common position (8793/1/2001 – C5-0385/2001) <sup>(1)</sup>,
  - having regard to its position at first reading <sup>(2)</sup> on the Commission proposal to Parliament and the Council (COM(2000) 583) <sup>(3)</sup>,
  - having regard to Article 251(2) of the EC Treaty,
  - having regard to Rule 78 of its Rules of Procedure,
  - having regard to the recommendation for second reading of the Committee on Budgets (A5-0431/2001),
1. Approves the common position;
  2. Notes that the act is adopted in accordance with the common position;
  3. Notes the commitment of the Commission to provide Parliament early each year with a working document concerning the state of play regarding the collection of own resources, the forecasted level of own resources for the next financial year and topical problems related to the own resources system;
  4. Instructs its President to sign the act with the President of the Council pursuant to Article 254(1) of the EC Treaty;
  5. Instructs its Secretary-General duly to sign the act and, in agreement with the Secretary-General of the Council, to have it published in the Official Journal of the European Communities;
  6. Instructs its President to forward its position to the Council and Commission.

<sup>(1)</sup> OJ C 307, 31.10.2001, p. 1.

<sup>(2)</sup> 'Texts Adopted', 3.4.2001, Item 5.

<sup>(3)</sup> OJ C 29 E, 30.1.2001, p. 266.