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INFORMATION NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EC) No 715/2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information - Outcome of the European Parliament's proceedings (Brussels, 14 to 17 September 2020)

I. INTRODUCTION

The rapporteur, Esther de Lange (EPP, NL), presented a report consisting of 24 amendments (amendments 1-24) to the abovementioned proposal for a Regulation on behalf of the Committee on the Environment, Public Health and Food Safety.

In addition, the ECR group presented 5 amendments (amendments 25-29); and several MEPs of the EPP group presented 6 amendments (amendments 30-35).

II. VOTE

When it voted on 15 September 2020, the plenary adopted 24 amendments (1-24) to the proposal for a Regulation. No other amendments were adopted. The amendments adopted are set out in the annex.

At the end of the vote on 16 September 2020, the proposal was referred back to the Committee on the Environment, Public Health and Food Safety, pursuant to Rule 59(4) of the European Parliament's Rules of Procedure, thereby not bringing the Parliament's first reading to a close and opening the negotiations with the Council.

P9_TA-PROV(2020)0222

Type approval of motor vehicles (Real driving emissions) *I**

Amendments adopted by the European Parliament on 17 September 2020 on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 715/2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information (COM(2019)0208 – C9-0009/2019 – 2019/0101(COD))¹

(Ordinary legislative procedure: first reading)

Amendment 1

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) Regulation (EC) No 715/2007 requires new light-duty vehicles to comply with certain emission limits (Euro 5 and Euro 6 standards) and lays down additional requirements on access to vehicle repair and maintenance information. The specific technical provisions necessary to implement *that* Regulation were set out in Commission Regulation (EC) No 692/2008⁴ and subsequently, in Commission Regulation (EU) 2017/1151⁵.

Amendment

(2) Regulation (EC) No 715/2007 requires new light-duty vehicles to comply with certain emission limits (Euro 5 and Euro 6 standards) and lays down additional requirements on access to vehicle repair and maintenance information, ***as amended and further consolidated by Regulation (EU) 2018/858^{3a} which applies from 1 September 2020.*** The specific technical provisions necessary to implement Regulation ***(EC) No 715/2007*** were set out in Commission Regulation (EC) No 692/2008⁴ and subsequently, in Commission Regulation (EU) 2017/1151⁵.

^{3a} Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components

¹ The matter was referred back for interinstitutional negotiations to the committee responsible, pursuant to Rule 59(4), fourth subparagraph (A9-0139/2020).

and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC (OJ L 151, 14.6.2018, p. 1).

⁴ Commission Regulation (EC) No 692/2008 of 18 July 2008 implementing and amending Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information (OJ L 199, 28.7.2008, p. 1).

⁵ Commission Regulation (EU) 2017/1151 of 1 June 2017 supplementing Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information, amending Directive 2007/46/EC of the European Parliament and of the Council, Commission Regulation (EC) No 692/2008 and Commission Regulation (EU) No 1230/2012 and repealing Commission Regulation (EC) No 692/2008 (OJ L 175, 7.7.2017, p. 1).

⁴ Commission Regulation (EC) No 692/2008 of 18 July 2008 implementing and amending Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information (OJ L 199, 28.7.2008, p. 1).

⁵ Commission Regulation (EU) 2017/1151 of 1 June 2017 supplementing Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information, amending Directive 2007/46/EC of the European Parliament and of the Council, Commission Regulation (EC) No 692/2008 and Commission Regulation (EU) No 1230/2012 and repealing Commission Regulation (EC) No 692/2008 (OJ L 175, 7.7.2017, p. 1).

Amendment 2

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) The type-approval requirements relating to emissions from motor vehicles have been gradually and significantly tightened through the introduction and subsequent revision of Euro standards. While vehicles in general have delivered substantial emission reductions across the range of regulated pollutants, this was not the case for NO_x emissions from diesel engines or particles for gasoline direct injection engines, installed in particular in light-duty vehicles. Actions ***for correcting*** this situation are therefore needed.

Amendment

(3) The type-approval requirements relating to emissions from motor vehicles have been gradually and significantly tightened through the introduction and subsequent revision of Euro standards. While vehicles in general have delivered substantial emission reductions across the range of regulated pollutants, this was not the case for NO_x emissions from diesel engines or particles for gasoline direct injection engines, installed in particular in light-duty vehicles. Actions ***to correct*** this situation are therefore needed.

Amendment 3

Proposal for a regulation

Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) The 2019 Air Quality Report^{1a} published by the European Environment Agency (EEA) estimated that in 2016 long-term exposure to air pollution has been responsible to more than 506 000 premature deaths in the EU-28. The report also confirmed that road transport continued to be the primary source of NO_x emissions in the EU-28 in 2017, representing around 40 % of total EU NO_x emissions, and that around 80 % of the total NO_x emission from road transport is generated by diesel powered vehicles;

Amendment 4

**Proposal for a regulation
Recital 3 b (new)**

Text proposed by the Commission

Amendment

(3b) Access to vehicle repair and maintenance information for independent operators is crucial in order to re-establish consumer trust.

Amendment 5

**Proposal for a regulation
Recital 3 c (new)**

Text proposed by the Commission

Amendment

(3c) Recent violations of the existing legal framework by manufacturers, including violations of their legal obligations under Regulation (EC) No 715/2007, demonstrated the weaknesses of control and enforcement mechanisms. Consumers were left without satisfactory compensation, since even where compensation was granted, it often did not bring the vehicles into conformity with Euro 5 and 6 standards. Since the increasing number of diesel bans across European cities affect citizens' daily life, adequate compensation measures would be to equip non-compliant vehicles with the adapted exhaust treatment technology (hardware change) or, in the event that the consumer wished to exchange a purchased vehicle for a cleaner model, the offer of conversion premiums.

Amendment 6

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) As a result, the Commission developed a new methodology for testing vehicle emissions in real-driving conditions, the real-driving emissions (RDE) test procedure. The RDE test procedure was introduced by Commission Regulations (EU) 2016/427⁶ and (EU) 2016/646⁷, subsequently taken over into Regulation (EU) 2017/1151 and further improved by Commission **Regulation** (EU) 2017/1154⁸.

⁶ Commission Regulation (EU) 2016/427 of 10 March 2016 amending Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 6), OJ L 82, 31.3.2016, p. 1.

⁷ Commission Regulation (EU) 2016/646 of 20 April 2016 amending Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 6) (OJ L 109, 26.04.2016, p.1).

⁸ Commission Regulation (EU) 2017/1154 of 7 June 2017 amending Regulation (EU) 2017/1151 supplementing Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information, amending Directive 2007/46/EC of the European Parliament and of the Council, Commission Regulation (EC) No 692/2008 and Commission Regulation (EU) No 1230/2012 and repealing Regulation (EC) No 692/2008 and Directive 2007/46/EC of

Amendment

(5) As a result, the Commission developed a new methodology for testing vehicle emissions in real-driving conditions, the real-driving emissions (RDE) test procedure. The RDE test procedure was introduced by Commission Regulations (EU) 2016/427⁶ and (EU) 2016/646⁷, subsequently taken over into Regulation (EU) 2017/1151 and further improved by Commission **Regulations** (EU) 2017/1154⁸ **and (EU) 2018/1832^{8a}**.

⁶ Commission Regulation (EU) 2016/427 of 10 March 2016 amending Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 6) (OJ L 82, 31.3.2016, p. 1).

⁷ Commission Regulation (EU) 2016/646 of 20 April 2016 amending Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 6) (OJ L 109, 26.04.2016, p.1).

⁸ Commission Regulation (EU) 2017/1154 of 7 June 2017 amending Regulation (EU) 2017/1151 supplementing Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information, amending Directive 2007/46/EC of the European Parliament and of the Council, Commission Regulation (EC) No 692/2008 and Commission Regulation (EU) No 1230/2012 and repealing Regulation (EC) No 692/2008 and Directive 2007/46/EC of

the European Parliament and of the Council as regards real-driving emissions from light passenger and commercial vehicles (Euro 6), OJ L 175, 7.7.2017, p. 708.

the European Parliament and of the Council as regards real-driving emissions from light passenger and commercial vehicles (Euro 6) (OJ L 175, 7.7.2017, p. 708).

^{8a} Commission Regulation (EU) 2018/1832 of 5 November 2018 amending Directive 2007/46/EC of the European Parliament and of the Council, Commission Regulation (EC) No 692/2008 and Commission Regulation (EU) 2017/1151 for the purpose of improving the emission type approval tests and procedures for light passenger and commercial vehicles, including those for in-service conformity and real-driving emissions and introducing devices for monitoring the consumption of fuel and electric energy(OJ L 301, 27.11.2018, p. 1).

Amendment 7

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) Regulation (EU) 2016/646⁹ introduced the dates of application of the RDE test procedure, as well as the compliance criteria for RDE. For that purpose, pollutant-specific conformity factors were *used* to take account of statistical and technical uncertainties of the measurements conducted by means of Portable Emission Measurement Systems (PEMS).

⁹ Commission Regulation (EU) 2016/646 of 20 April 2016 amending Regulation (EC) No 692/2008 as regards emissions

Amendment

(6) Regulation (EU) 2016/646⁹ introduced the dates of application of the RDE test procedure, as well as the compliance criteria for RDE. ***The introduction of the dates of application for passenger vehicles and light-duty vehicles was chosen in a yearly sequence to ensure timely planning for the manufacturers of each vehicle group.*** For that purpose, pollutant-specific conformity factors were *introduced*, to take account of statistical and technical uncertainties of the measurements conducted by means of Portable Emission Measurement Systems (PEMS).

⁹ Commission Regulation (EU) 2016/646 of 20 April 2016 amending Regulation (EC) No 692/2008 as regards emissions

from light passenger and commercial vehicles (Euro 6) (OJ L 109, 26.04.2016, p.1).

from light passenger and commercial vehicles (Euro 6) (OJ L 109, 26.04.2016, p.1).

Amendment 8

Proposal for a regulation Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) According to the EEA report from 2016, the gap between real-world and laboratory emissions was mainly due to three factors: an outdated test procedure, flexibilities in the current procedure and in-use factors which are driver dependent. A study is required in order to establish the margin that is due to the driving style and to the outside temperature. A clear distinction should be made between the CF, the device-related margin and the margin of the in-use factor which is driver- and temperature-dependent.

Amendment 9

Proposal for a regulation Recital 7

Text proposed by the Commission

Amendment

(7) On 13 December 2018, the General Court delivered judgment in Joined Cases T-339/16, T-352/16 and T-391/16²² concerning an action for annulment of Regulation (EU) 2016/646. The General Court annulled the part of Regulation (EU) 2016/646 which established the conformity factors used to assess compliance of RDE test results with the emission limits laid down in Regulation (EC) No 715/2007. The Court found that only the legislator

(7) On 13 December 2018, the General Court delivered judgment in Joined Cases T-339/16, T-352/16 and T-391/16²² concerning an action for annulment of Regulation (EU) 2016/646. The General Court annulled the part of Regulation (EU) 2016/646 which ***had*** established the conformity factors used to assess compliance of RDE test results with the emission limits laid down in Regulation (EC) No 715/2007. The Court found that

could introduce those conformity factors as they touched upon an essential element of Regulation (EC) No 715/2007.

only the legislator could introduce those conformity factors as they touched upon an essential element of Regulation (EC) No 715/2007 ***and “result in the de facto amendment of the limits on the emissions of oxides of nitrogen laid down for the Euro 6 standards, even though those limits are to apply to those tests”.***

Amendment 10

Proposal for a regulation Recital 8

Text proposed by the Commission

(8) The General Court ***did not question the technical justification of the conformity factors. Therefore, and given*** that at the current stage of technological development there is still a discrepancy between emissions measured in real driving and those measured in a laboratory, it is appropriate to introduce the conformity factors into Regulation (EC) No 715/2007.

Amendment

(8) The General Court ***raised doubts as to “whether the Commission’s reliance on possible statistical errors is well founded”, in particular as regards the temporary conformity factor of 2,1 and stated that “statistical uncertainties are corrected by representativeness of the sample or of the testing or by the volume of testing”. Moreover, as regards the introduced margin of technical uncertainty, the Court affirmed that “it is impossible to determine, following an RDE test, whether a vehicle being tested complies with the legal limits or is even close to them”. Any measurement equipment has a margin of technical uncertainty and PEMS equipment, given their use in more variable conditions, has been found to have a somewhat larger margin compared to non-mobile laboratory equipment even though this can in fact mean both over- and under-estimating emissions. Given*** that at the current stage of technological development there is still a discrepancy between emissions measured in real driving and those measured in a laboratory, it is appropriate to ***temporarily*** introduce conformity factors into Regulation (EC) No 715/2007.

Amendment 11

Proposal for a regulation Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) The European Parliament's resolution of 28 March 2019 on recent developments in the 'Dieselgate' scandal welcomed the ruling of the General Court, and explicitly asked the Commission not to introduce any new conformity factor in order to ensure Euro 6 standards are not further diluted and are instead met under normal conditions of use, as originally provided for in Regulation (EC) No 715/2007.

Amendment 12

Proposal for a regulation Recital 9

Text proposed by the Commission

Amendment

(9) In order to allow manufacturers to comply with the Euro 6 emission limits in the context of RDE test procedure, the compliance criteria for RDE should be introduced in two steps. During the first step, upon the request of the manufacturer, a temporary conformity factor should apply, while as a second step only the final conformity factor should be used. The Commission should ***keep under review the final conformity factors*** in light of technical progress.

(9) In order to allow manufacturers to comply with the Euro 6 emission limits in the context of ***the*** RDE test procedure, the compliance criteria for RDE should be introduced in two steps. During the first step, upon the request of the manufacturer, a temporary conformity factor should apply, while as a second step only the final conformity factor should be used. ***The final conformity factor should apply during a transition period and include a margin expressing the additional measurement uncertainty linked with the introduction of the PEMS.*** The Commission should ***continuously assess that conformity factor*** in light of technical progress ***and annually adjust it downwards on the basis of scientific evidence, the improved accuracy of the***

measuring procedure and technical progress of the PEMS. The conformity factor should be gradually lowered and cease to apply by 30 September 2022.

Amendment 13

Proposal for a regulation
Recital 9 a (new)

(9a) The Commission should establish by June 2021 at the latest more stringent requirements for PEMS measuring equipment that could be used for RDE tests. The standards established should, where possible, take into account any relevant elements of standardisation developed by CEN based on the best available PEMS equipment.

Amendment 14

Proposal for a regulation
Recital 9 b (new)

Text proposed by the Commission

Amendment

(9b) It is important to emphasise that while this proposal deals with the conformity factor, the issue of the emission limit standards is to be dealt with in the context of the forthcoming post-Euro 6 proposal. In order to ensure swift progress towards the adoption of the future (post - Euro 6) emission limit values and improved air quality for Union citizens, it is essential that the Commission present, where appropriate, a legislative proposal to that effect as soon as possible and at the latest by June 2021, as announced in its communication of 11 December 2019 on "The European Green Deal", which highlights the need to shift

to sustainable and smart mobility and ensure a pathway towards zero-emission mobility. No conformity factors should be used in the implementation of the post-Euro 6 standards.

Amendment 15

Proposal for a regulation

Recital 9 c (new)

Text proposed by the Commission

Amendment

(9c) In order to encourage the producers to have a proactive, pro-environmental attitude, the new technological innovations meant to absorb NO_x should be tested, quantified and considered in the subsequent revision of Euro standards.

Amendment 16

Proposal for a regulation Recital 10

Text proposed by the Commission

(10) The Treaty of Lisbon introduced the possibility for the legislator to delegate power to the Commission to adopt non-legislative acts of general application to supplement or amend certain non-essential elements of a legislative act. The measures which can be covered by delegations of powers, as referred to in Article 290(1) *TFEU*, correspond in principle to those covered by the regulatory procedure with scrutiny established by Article 5a of Council Decision 1999/468/EC¹¹. It is therefore necessary to adapt to Article 290 TFEU the provisions of Regulation (EC) No 715/2007 which provide for the use of the regulatory procedure with scrutiny.

¹¹ Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).

Amendment

(10) The Treaty of Lisbon introduced the possibility for the legislator to delegate power to the Commission to adopt non-legislative acts of general application to supplement or amend certain non-essential elements of a legislative act. The measures which can be covered by delegations of powers, as referred to in Article 290(1) *of the Treaty on the Functioning of the European Union (TFEU)*, correspond in principle to those covered by the regulatory procedure with scrutiny established by Article 5a of Council Decision 1999/468/EC¹¹. It is therefore necessary to adapt to Article 290 TFEU the provisions of Regulation (EC) No 715/2007 which provide for the use of the regulatory procedure with scrutiny.

¹¹ Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).

Amendment 17

Proposal for a regulation Recital 11

Text proposed by the Commission

(11) In order to contribute to the achievement of the Union's air quality objectives and to reduce vehicle emissions, the power to adopt acts in accordance with Article 290 *of the Treaty on the*

Amendment

(11) In order to contribute to the achievement of the Union's air quality objectives and to reduce vehicle emissions, the power to adopt acts in accordance with Article 290 *TFEU* should be delegated to

Functioning of the European Union (TFUE) should be delegated to the Commission in respect of the detailed rules on the specific procedures, tests and requirements for type approval. That delegation should include supplementing Regulation (EC) No 715/2007 by such revised rules as well as the test cycles used to measure emissions; the requirements for the implementation of the prohibition on the use of defeat devices that reduce the effectiveness of emission control systems; ***the measures necessary for the implementation of the obligation of a manufacturer to provide unrestricted and standardised access to vehicle repair and maintenance information***; the adoption of a revised measurement procedure for particulates. The delegation should further include amending Regulation (EC) No 715/2007 for the purposes of revising the ***final*** conformity factors downwards to reflect technical progress in PEMS and recalibrating the particulate mass based limit values and introducing particle ***number based*** limit values. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations are conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council ***should*** receive all documents at the same time as Member States' experts, and their experts systematically ***should*** have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

the Commission in respect of the detailed rules on the specific procedures, tests and requirements for type approval. That delegation should include supplementing Regulation (EC) No 715/2007 by such revised rules as well as the test cycles used to measure emissions; the requirements for the implementation of the prohibition on the use of defeat devices that reduce the effectiveness of emission control systems; ***and*** the adoption of a revised measurement procedure for particulates.

Notwithstanding the short gap between the entry into force of this Regulation and the repeal of the provisions on repair and maintenance information (RMI) by Regulation (EU) 2018/858, for the purposes of legal certainty and to ensure that all options are available to the legislator, the delegation should also include the measures necessary for the implementation of the obligation of a manufacturer to provide unrestricted and standardised access to vehicle repair and maintenance information. The delegation should further include amending Regulation (EC) No 715/2007 for the purposes of revising the conformity factors downwards to reflect ***improved quality of the measuring procedure or*** technical progress in PEMS and recalibrating the particulate mass based limit values and introducing particle ***number-based*** limit values. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations are conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016^{1a}. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment 18

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point a

Regulation (EC) No 715/2007

Article 4 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Those obligations include **meeting** the emission limits set out in Annex I. For the purposes of determining compliance with the Euro 6 emission limits set out in Table 2 of Annex I, the emission values determined during any valid Real Driving Emissions (RDE) test shall be divided by the applicable conformity factor set out in Table 2a of Annex I. The result shall remain below the Euro 6 emission limits set out in Table 2 of that Annex.

Amendment

Those obligations include **complying with** the emission limits set out in Annex I. For the purposes of determining compliance with the Euro 6 emission limits set out in Table 2 of Annex I, the emission values determined during any valid Real Driving Emissions (RDE) test shall be divided by the applicable conformity factor **as** set out in Table 2a of Annex I. The result shall remain below the Euro 6 emission limits set out in Table 2 of that Annex. ***The conformity factor shall be gradually lowered through annual downward revisions, based on assessments by the JRC. The conformity factor shall cease to apply by 30 September 2022.***

Amendment 19

Proposal for a regulation

Article 1 – paragraph 1 – point 4 – point a

Regulation (EC) No 715/2007

Article 5 – paragraph 1

Text proposed by the Commission

Amendment

1. The manufacturer shall equip vehicles so that the components likely to affect emissions are designed, constructed and assembled so as to enable the vehicle, in normal use, to comply with this Regulation.;

1. The manufacturer shall equip vehicles so that the components likely to affect emissions are designed, constructed and assembled so as to enable the vehicle, in normal use, to comply with this Regulation. ***The manufacturer shall also guarantee the reliability of the pollution control devices and shall aim to reduce the risk of theft of these devices or tampering therewith.***

Amendment 20

Proposal for a regulation

Article 1 – paragraph 1 – point 6

Regulation (EC) No 715/2007

Article 8 – paragraph 1

Text proposed by the Commission

The Commission is empowered to adopt delegated acts in accordance with Article 14a in order to supplement Articles 6 and 7. This shall include the definition and updating of technical specifications relating to the way in which OBD and vehicle repair and maintenance information shall be provided, with special attention being paid to the specific needs of SMEs.

Amendment

The Commission is empowered to adopt delegated acts in accordance with Article 14a in order to supplement Articles 6 and 7. This shall include the definition and updating of technical specifications relating to the way in which OBD and vehicle repair and maintenance information shall be provided, with special attention being paid to the specific needs of SMEs, ***micro-enterprises and self-employed operators.***

Amendment 21

Proposal for a regulation

Article 1 – paragraph 1 – point 7 – point b

Regulation (EC) No 715/2007

Article 10 – paragraph 4 – subparagraph 2

Text proposed by the Commission

The compliance with the Euro 6 limit values shall, during any valid RDE test, be determined by taking into account the pollutant-specific conformity factor set out in Table 2a of Annex I in accordance with the second subparagraph of Article 4(1).

Amendment

The compliance with the Euro 6 limit values shall, during any valid RDE test, be determined by taking into account the pollutant-specific conformity factor set out in Table 2a of Annex I, in accordance with the second subparagraph of Article 4(1).

The conformity factor shall be gradually lowered through annual downward revisions based on assessments by the JRC. The conformity factor shall cease to apply by 30 September 2022.

Amendment 22

Proposal for a regulation

Article 1 – paragraph 1 – point 7 – point b

Regulation (EC) No 715/2007

Article 10 – paragraph 5 – subparagraph 2

Text proposed by the Commission

The compliance with the Euro 6 limit values shall, during any valid RDE test, be determined by taking into account the pollutant-specific conformity factor set out in Table 2a of Annex I in accordance with the second subparagraph of Article 4(1).

Amendment

The compliance with the Euro 6 limit values shall, during any valid RDE test, be determined by taking into account the pollutant-specific conformity factor set out in Table 2a of Annex I, in accordance with the second subparagraph of Article 4(1).

The conformity factor shall be gradually lowered through annual downward revisions based on assessments by the JRC. The conformity factor shall cease to apply by 30 September 2022.

Amendment 23

Proposal for a regulation

Article 1 – paragraph 1 – point 10

Regulation (EC) No 715/2007

Article 14 – paragraph 3 and paragraph 3 a (new)

Text proposed by the Commission

3. The Commission **is empowered to** adopt delegated acts in accordance with Article 14a:

(a) supplementing this Regulation in order to adapt the procedures, tests and requirements as well as the test cycles used to measure emissions in order to adequately reflect real driving emissions;

(b) amending this Regulation in order to adapt to technical progress the pollutant-specific **final** conformity factors set out in Table 2a to Annex I.

Amendment

3. The Commission **shall** adopt **no later than 1 June 2021** delegated acts in accordance with Article 14a supplementing this Regulation in order to adapt the procedures, tests and requirements as well as the test cycles used to measure emissions in order to adequately reflect real driving emissions ***under normal conditions of use, including inter alia temperature and boundary conditions, lowering the zero response drift and addressing hazardous spikes in particles resulting from filter cleaning, taking into account any relevant elements of standardisation developed by CEN and based on best available equipment.***

3a. The Commission is empowered to adopt delegated acts in accordance with Article 14a amending this Regulation in order to adapt to technical progress ***and review downwards*** the pollutant-specific conformity factors set out in Table 2a to Annex I.

Amendment 24

Proposal for a regulation

Annex – paragraph 1

Regulation (EC) No 715/2007

Annex I – table 2a – row 2

Text proposed by the Commission

CF pollutant- final ⁽²⁾	1,43	1,5	-	-	-
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⁽²⁾ CF pollutant-final is the conformity factor used to determine compliance with the Euro 6 emission limits by taking into account the technical uncertainties linked with the **use** of the Portable Emission Measurement Systems (PEMS).

Amendment

CF pollutant- final ⁽²⁾	1 + margin (margin =0,32*)	1 + margin (margin =0,5*)	-	-	-
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**** to be revised downwards at least annually on the basis of regular assessments of the Joint Research Centre***

⁽²⁾ CF pollutant-final is the conformity factor used to determine compliance with the Euro 6 emission limits ***under a transitional period*** by taking into account the ***additional*** technical ***measurement*** uncertainties linked with the ***introduction*** of the Portable Emission Measurement Systems (PEMS). ***It is expressed as 1 + a margin of measurement uncertainty. By 30 September 2022 the margin shall be zero, and the conformity factor shall cease to apply.***