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From: General Secretariat of the Council
To: Delegations

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Subject: Proposal for a Regulation of the European Parliament and of the Council
setting CO2 emission performance standards for new heavy-duty vehicles
- General approach
= Delegations contributions

With a view to the meeting of the Council (Environment) on 20 December 2018, delegations will find attached a joint non-paper by the Finnish and the Swedish delegations on the above-mentioned proposal.

Non-paper on the proposal for a regulation setting CO₂ emission performance standards for new heavy-duty vehicles

These comments are without prejudice of our earlier comments or comments we might make in the future.

Finland and Sweden show appreciation for the new proposal from the Presidency on the issue of the EMS. Although the original text proposed by the Commission would have been a preferable option, it is important that a compromise text on the issue can be found.

Following on the arguments put forward earlier on the importance of EMS-combinations for our transport efficiency and the achievement of our climate targets, and recognizing the sensitivity of the issue for some Member States, and notwithstanding the right of every Member State not to allow EMS on their roads, Finland and Sweden believe that the formulation proposed by the Presidency in preamble 34 (in **yellow** below) should also be reflected in article 13.

The only adjustment needed to the text of the preamble as proposed by the Presidency is that the Commission “shall” make this assessment (usual operative formulation) instead of “should” (usual preamble formulation). In **red** below.

Article 13 Review and report

By 31 December 2022, the Commission shall submit a report to the European Parliament and the Council on the effectiveness of this Regulation, the CO₂ reduction target applicable from 2030 [...], the setting of CO₂ reduction targets to other types of heavy-duty vehicles including trailers and the introduction of binding emission reduction targets for 2035 and 2040 onwards for heavy-duty vehicles. That report shall also include an assessment of the effectiveness of the modalities addressing, in particular, **the CO₂ credit system and the appropriateness of prolonging the application of those modalities in 2030 and beyond.** **That assessment should shall** also include, strictly for the purpose of this Regulation, considerations of heavy-duty vehicles and vehicle combinations taking into account [...] weights and dimensions applicable to national transport, **for example modular and intermodal concepts, while also assessing possible transport safety and efficiency aspects, intermodal, environmental, infrastructural and rebound effects as well as the geographical situation of Member States.** **Furthermore the report shall assess the modalities addressing** zero- and low-

emission vehicles, [...] taking into account the targets set out in Directive 2009/33/EC¹, [...] **with a view to, from 2025 onwards, replacing the supercredit system as foreseen in Article 5 with an incentive mechanism based on setting appropriate benchmarks for the annual sales of zero- and low-emission heavy-duty vehicles.** Where appropriate, **this assessment shall** be accompanied by a proposal for amending this Regulation.

¹ Clean Vehicle Directive 2009/33/EC as amended by Directive .../.../EU