



Council of the  
European Union

Brussels, 31 October 2018  
(OR. en)

13654/18

LIMITE

CLIMA 193  
ENV 699  
TRANS 482  
MI 773  
CODEC 1824

---

---

Interinstitutional File:  
2017/0293(COD)

---

---

#### NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
No. prev. doc.:	12903/18
No. Cion doc.:	14217/1/17 REV 1 - COM(2017)676 final/2
Subject:	Proposal for a Regulation of the European Parliament and of the Council setting emission performance standards for new passenger cars and for new light commercial vehicles as part of the Union's integrated approach to reduce CO <sub>2</sub> emissions from light-duty vehicles and amending Regulation (EC) No 715/2007 (recast) = Preparation for the trilogue

#### I. INTRODUCTION

1. On 8 November 2017 the Commission submitted a proposal for a Regulation on setting new CO<sub>2</sub> emission standards for cars and vans. The aim of the proposal is inter alia to contribute to reaching the 30% reduction target by 2030 in the non-ETS sectors set by the European Council, as translated into the national targets in the Effort Sharing Regulation, and to achieving the objectives of the Paris Agreement.
2. The Economic and Social Committee delivered its opinion on 14 February 2018. The Committee of the Regions decided not to give an opinion.

3. In the European Parliament, Ms. Miriam DALLI (S&D, MT) was appointed as rapporteur for the proposal on behalf of the ENVI Committee. On 3 October 2018, the Parliament adopted 71 amendments to the proposal.
4. On 9 October 2018, the Council reached a general approach<sup>1</sup>.
5. On 10 October 2018, the first trilogue was held.
6. On 15 October 2018, the Environment Working Party (WPE) examined the Parliament's amendments.
7. Following the first trilogue, three Technical Meetings have been held, the latest on 26 October making progress on a number of issues in preparation of the second trilogue scheduled for 13 November 2018.

## **II. PRESIDENCY SUGGESTIONS IN VIEW OF THE TRILOGUE**

8. Following the examination of the Parliament's amendments at the Working Party and the technical discussions with the Parliament and the Commission, the second trilogue will focus on issues where it is assessed that progress can be achieved. In this context, the Presidency in particular proposes the following:

- a) Supporting measures (Light weighting, infrastructure, batteries et. al.) (Amendments 2, 4, 12 and 16):

The Commission has suggested more concise recitals on the issues of light weighting and measures to provide the enabling framework for the transition to zero- and low-emission vehicles. The Presidency suggests to accept these.

---

<sup>1</sup> Document 12903/18.

- b) Defeat devices (Amendments 32, 33, 34, 35 and 7) and reference to "emissions gap" (Amendment 6):

Given that the use of defeat devices are not considered feasible in the context of this Regulation, the Commission suggests instead to include in a recital a commitment in the context of developing a procedure for verifying the in-conformity testing to give consideration to detecting possible strategies of manufacturers through which a vehicle's CO<sub>2</sub> performance is artificially improved in the type approval test procedure. Further, it suggests to accommodate the Parliament with a recital more factually reflecting the report on the evaluation of the existing cars and vans legislation in relation of the issue of the "emissions gap". The Presidency believes these suggestions should be acceptable to the Council.

- c) N1 vehicles - reference mass ((Amendments 30, 31 and 18):

The Amendments as proposed by the Parliament would require a change in the Type Approval legislation which is not considered acceptable. Therefore, the Commission as a compromise has suggested a limited derogation for the sole purpose of including heavier zero emission N1 vehicles in the accounting towards meeting CO<sub>2</sub> standards and thus not affecting the Type Approval legislation. Given the limited scope of this derogation, the Presidency recommends to accept the suggestion.

- d) Just transition (Amendments AM 3, 21 and 41):

The Presidency suggests to accept the Commission's suggestion for a more concise and general recital covering the issue of just transition whereas the Parliament's amendments on earmarking of revenue from the excess premiums should be rejected. Apart from raising principle issues it is doubtful whether the text as drafted by the Parliament can be made operational in practice. Nevertheless, the Presidency would like to continue to at least explore the issue further with the Parliament and the Commission.

- e) Standards related to fuel and energy consumption measurement (Amendments 52 and 22 (part)):

In order to accommodate the Parliament's Amendment 52 on developing standards in relation to the measurements of fuel and energy consumption, the Presidency suggests to accept the Commission recital text referring to ongoing work.

- f) Car labelling (Amendments 55 and 9):

The Presidency suggests to accept these amendments in principle. The precise framing and wording of the issue is to be further discussed with the Parliament and the Commission.

9. As regards, Real-Drive Emission test (Amendments AMs 44, 47, 48, 49, 50, 51, 54 and 22 (part)), the Parliament's amendments inter alia call for applying a Real-Drive Emissions test for compliance from 2023, whereas no such test has yet been developed and there are doubts as to the feasibility of developing such a harmonised test. Therefore the Parliament amendments as drafted are not acceptable. However, also based on delegations' comments, the Presidency suggests to explore the issue further with the Parliament and the Commission.
10. As concerns the issue of Lifecycle analysis (Amendments 40 and 23), the Parliament suggests that manufacturers from 2025 shall report the CO<sub>2</sub> lifecycle emissions from cars and vans based on a harmonised methodology for data reporting to be developed by the Commission. Given strong doubts about the feasibility of the Parliament's suggestions, the amendments are not acceptable but the Presidency suggests to show a certain openness to discuss the issue further with the Parliament if it maintains its amendments.
11. On a number of issues, the Presidency suggests to oppose the Parliaments amendments. This concerns in particular the Parliament's call for having the procedures for verifying the in-service conformity of cars and vans adopted by a delegated act (Amendments 60 and 61).

12. As concerns the level of ambition (inter alia the 2025 and 2030 targets and the incentives for zero- and low-emission vehicles) and the review clause, the discussions at the trilogue will be limited to an exchange of views. The Presidency will therefore continue to base itself on the text of the general approach.
13. The proposed mandate for the second trilogue is set out in detail in the **fourth column** of the table contained in the Annex to this note.

### **III. CONCLUSION**

The Permanent Representatives Committee is invited to agree to the Presidency's suggestions as set out in the Annex (the four column table) to this note in view of the upcoming trilogue.

---

**Proposal for a  
REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL  
setting emission performance standards for new passenger cars and for new light commercial vehicles as part of the Union's integrated  
approach to reduce CO<sub>2</sub> emissions from light-duty vehicles and amending Regulation (EC) No 715/2007 (recast)**

<b>Commission proposal</b>	<b>EP Position Plenary vote 3/10/2018</b>	<b>Council Position General approach 9/10/2018</b>	<b>Comments/Suggestions</b>
THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,		THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1) thereof,		Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1) thereof,	
Having regard to the proposal from the European Commission,		Having regard to the proposal from the European Commission,	
After transmission of the draft legislative act to the national parliaments		After transmission of the draft legislative act to the national parliaments	
Having regard to the opinion of the European Economic and Social Committee,		Having regard to the opinion of the European Economic and Social Committee,	
Having regard to the opinion of the Committee of the Regions,		Having regard to the opinion of the Committee of the Regions,	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
Acting in accordance with the ordinary legislative procedure,		Acting in accordance with the ordinary legislative procedure,	
Whereas:		Whereas:	
<i>Recital 1</i>			
<p>(1) Regulation (EC) No 443/2009 of the European Parliament and of the Council<sup>1</sup> and Regulation (EU) No 510/2011 of the European Parliament and of the Council<sup>2</sup> have been substantially amended several times. Since further amendments are to be made, those Regulations should be recast in the interests of clarity.</p> <p><sup>1</sup> Regulation (EC) No 443/2009 of the European Parliament and of the Council of 23 April 2009 setting emission performance standards for new passenger cars as part of the Community's integrated approach to reduce CO2 emissions from light-duty vehicles (OJ L 140, 5.6.2009, p. 1).</p> <p><sup>2</sup> Regulation (EU) No 510/2011 of the European Parliament and of</p>		<p>(1) Regulation (EC) No 443/2009 of the European Parliament and of the Council<sup>1</sup> and Regulation (EU) No 510/2011 of the European Parliament and of the Council<sup>2</sup> have been substantially amended several times. Since further amendments are to be made, those Regulations should be recast in the interests of clarity.</p> <p><sup>1</sup> Regulation (EC) No 443/2009 of the European Parliament and of the Council of 23 April 2009 setting emission performance standards for new passenger cars as part of the Community's integrated approach to reduce CO2 emissions from light-duty vehicles (OJ L 140, 5.6.2009, p. 1).</p> <p><sup>2</sup> Regulation (EU) No 510/2011 of the European Parliament and of</p>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
the Council of 11 May 2011 setting emission performance standards for new light commercial vehicles as part of the Union's integrated approach to reduce CO2 emissions from light-duty vehicles (OJ L 145, 31.5.2011, p. 1).		the Council of 11 May 2011 setting emission performance standards for new light commercial vehicles as part of the Union's integrated approach to reduce CO2 emissions from light-duty vehicles (OJ L 145, 31.5.2011, p. 1).	
<b>Recital 2</b>			
(2) This Regulation should apply from 1 January 2020 in order to provide a coherent and efficient transition following the recast and repeal of Regulations (EC) No 443/2009 and (EU) No 510/2011. However, it is appropriate to maintain the CO <sub>2</sub> performance standards and the modalities for achieving them as set out in those Regulations without changes until 2024.		(2) This Regulation should apply from 1 January 2020 in order to provide a coherent and efficient transition following the recast and repeal of Regulations (EC) No 443/2009 and (EU) No 510/2011. However, it is appropriate to maintain the CO <sub>2</sub> performance standards and the modalities for achieving them as set out in those Regulations without changes until 2024.	
<b>Amendment 1</b> <b>Recital 3</b>			
(3) The European Strategy for Low-Emission Mobility <sup>3</sup> sets a clear ambition: by mid-century,	(3) <b><i>Transport is the only major sector in the Union where greenhouse gas emissions are still</i></b>	(3) The Commission's <u>Communication "A European Strategy for Low-Emission</u>	<u>Council:</u>  Maintain Council position



Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<p>greenhouse gas emissions from transport will need to be at least 60% lower than in 1990 and be firmly on the path towards zero. Emissions of air pollutants from transport that harm our health need to be drastically reduced without delay. Emissions from conventional combustion engines will need to further reduce after 2020. Zero- and low emission vehicles will need to be deployed and gain significant market share by 2030.</p> <p><sup>3</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions A European Strategy for Low-Emission Mobility (COM(2016) 501 final).</p>	<p><i>rising. In order to meet the Union's commitments made at the 21st Conference of the Parties to the United Nations Framework Convention on Climate Change (UNFCCC), held in Paris in 2015, the decarbonisation of the entire transport sector needs to be accelerated and greenhouse gas emissions from that sector should be firmly on the path towards zero-emission by mid-century.</i> Emissions of air pollutants from transport that <i>significantly</i> harm our health, <i>and the environment</i>, need <i>also</i> to be drastically reduced without delay. Emissions from conventional combustion engines will need to <i>be</i> further <i>reduced</i> after 2020. Zero- and low emission vehicles will need to be deployed and gain significant market share by 2030.</p>	<p>Mobility"<sup>3</sup> sets a clear ambition: by mid-century, greenhouse gas emissions from transport will need to be at least 60% lower than in 1990 and be firmly on the path towards zero. Emissions of air pollutants from transport that harm our health need to be drastically reduced without delay. Emissions from conventional combustion engines will need to further reduce after 2020. Zero- and low emission vehicles will need to be deployed and gain significant market share by 2030.</p> <p><sup>3</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions A European Strategy for Low-Emission Mobility (COM(2016) 501 final).</p>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<i>Recital 4</i>			
<p>(4) The Commissions Communications "Europe on the move"<sup>4</sup> and "Delivering on the European Strategy for low-emission mobility A European Union that protects the planet, empowers its consumers, and defends its industry and workers"<sup>5</sup> highlight that the CO<sub>2</sub> emissions standards for passenger cars and light commercial vehicles are a strong driver for innovation and efficiency and will contribute to strengthening competitiveness of the automotive industry and pave the way for zero and low-emission vehicles in a technology-neutral way.</p> <p><sup>4</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions [...]</p> <p><sup>5</sup> Communication from the Commission to the European</p>		<p>(4) The Commissions Communications "Europe on the move"<sup>4</sup> and "Delivering on the European Strategy for low-emission mobility A European Union that protects the planet, empowers its consumers, and defends its industry and workers"<sup>5</sup> highlight that the CO<sub>2</sub> emissions standards for passenger cars and light commercial vehicles are a strong driver for innovation and efficiency and will contribute to strengthening competitiveness of the automotive industry and pave the way for zero and low-emission vehicles in a technology-neutral way.</p> <p><sup>4</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions [...]</p> <p><sup>5</sup> Communication from the Commission to the European</p>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions [...]		Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: <u>"Delivering on low-emission mobility; A European Union that protects the planet, empowers its consumers and defends its industry and workers"</u> (COM(2017) 675 final).	
<b>Amendment 2</b> <b>Recital 4 a (new)</b>			
	<i>(4a) The development of research, supply, processing and production strategies into light-weight component construction developments is crucial for advancement in a low-carbon transition in the automotive sector. There is a growing body of research into natural-fibre raw materials and their composites as part of a wider emerging role for the bio-economy and the renewable, recyclable and sustainable products it can produce. Those developments need to be framed around an</i>		<u>Council:</u>  Accept Commission suggestion for a new recital 23a:  (23a) Sustainable light-weight components are important in reducing the energy consumption and CO2 emissions of new vehicles. Their further development and deployment should support the transition towards zero and low emission mobility.

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
	<i>understanding of the limitations concerning natural resources, land availability and hence the need to offering sustainable end-of-life solutions.</i>		
<p align="center"><b>Amendment 3</b> <b><i>Recital 4 b (new)</i></b></p>			
	<i>(4b) A socially acceptable and just transition towards zero-emission mobility by mid-century requires changes in the whole automotive value chain, taking into consideration the potential adverse effect on citizens and regions in all Member States. It is important to consider the social effects of the transition and to be proactive in addressing the implications on jobs. It is of paramount importance, therefore, that current measures are also accompanied by targeted programmes at Union, national and regional levels for re-skilling, up-skilling and redeployment of workers, as well as education and job-seeking initiatives in adversely</i>		<p><u>Council:</u></p> <p>Accept Commission suggestion for a new recital 10a:</p> <p>(10a) A socially acceptable and just transition towards zero-emission mobility should be ensured. It is therefore important to take into account the social effects of the transition throughout the whole automotive value chain and to address proactively the implications on employment. Targeted programmes at Union, national and regional levels are therefore to be considered for the re-skilling, up-skilling and redeployment of workers, as well as education and job-seeking initiatives in adversely</p>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
	<i>affected communities and regions conducted in close dialogue with the social partners and competent authorities.</i>		<p>affected communities and regions, in close dialogue with the social partners and competent authorities. As part of this transition, women's employment as well as equal opportunities in this sector should be strengthened.</p> <p><i>See also AMs 41 and 21 and Council text for Art 14 (1a)</i></p>
<p align="center"><b>Amendment 4</b> <b><i>Recital 4 c (new)</i></b></p>			
	<i>(4c) A successful transition to zero- emission mobility requires a common policy framework for vehicles, infrastructures, electricity grids, sustainable battery production, supply and recycling, where economic and employment incentives are working together across Union, national, regional and local levels and are supported by stronger Union funding instruments.</i>		<p><u>Council:</u></p> <p>Accept Commission suggestion for new recital 10b covering Amendments 4, 12 and 16:</p> <p>(10b) A successful transition to zero-emission mobility requires an integrated approach and the right enabling environment to stimulate innovation and maintain the Union's technological leadership in this sector. This includes public and private investments in research and innovation, the appropriate supply</p>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
			of zero-and low-emission vehicles, the roll-out of recharging and refuelling infrastructure, the integration into the energy systems, as well as the sustainable production, supply and recycling of batteries. This requires action at EU, national, regional and local levels.
<i>Recital 5</i>			
(5) This Regulation provides a clear pathway for CO <sub>2</sub> emissions reductions from the road transport sector and contributes to the binding target of at least a 40% domestic reduction in economy-wide greenhouse gas emissions by 2030 compared to 1990, as was endorsed in the Conclusions of the European Council of 23-24 October 2014, and approved as the Union Intended Nationally Determined Contribution under the Paris Agreement at the Environment Council meeting on 6 March 2015.		(5) This Regulation provides a clear pathway for CO <sub>2</sub> emissions reductions from the road transport sector and contributes to the binding target of at least a 40% domestic reduction in economy-wide greenhouse gas emissions by 2030 compared to 1990, as was endorsed in the Conclusions of the European Council of 23-24 October 2014, and approved as the Union Intended Nationally Determined Contribution under the Paris Agreement at the Environment Council meeting on 6 March 2015.	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<b>Amendment 5</b> <b><i>Recital 6</i></b>			
(6) The European Council Conclusions of October 2014 endorsed a greenhouse gas emissions reduction of 30% by 2030 compared to 2005 for the sectors that are not part of the European Union emissions trading system. Road transport provides a major contribution to the emissions of those sectors, and its emissions remain significantly above 1990 levels. If the road transport emissions increase further, it will offset reductions made by other sectors to combat climate change.	(6) Road transport emissions remain significantly above 1990 levels, <b><i>offsetting</i></b> reductions made by other sectors to combat climate change.	(6) The European Council Conclusions of October 2014 endorsed a greenhouse gas emissions reduction of 30% by 2030 compared to 2005 for the sectors that are not part of the European Union emissions trading system. Road transport provides a major contribution to the emissions of those sectors, and its emissions remain significantly above 1990 levels. If the road transport emissions increase further, it will offset reductions made by other sectors to combat climate change.	<u>Council:</u>  Maintain Council position
<b><i>Recital 6 a (new)</i></b>			
		(6a) <u>The Paris Agreement, inter alia, sets out a long-term goal in line with the objective to keep the global average temperature increase well below 2 °C above pre industrial levels and to pursue efforts to keep it to 1,5 °C above pre-industrial levels. In order to</u>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
		<u>meet this goal, further CO<sub>2</sub> emission reductions also for passenger cars and light commercial vehicles beyond 2030 will be necessary.</u>	
<i>Recital 7</i>			
(7) The European Council Conclusions of October 2014 highlighted the importance of reducing greenhouse gas emissions and risks related to fossil fuel dependency in the transport sector through a comprehensive and technology neutral approach for the promotion of emissions reduction and energy efficiency in transport, for electric transportation and for renewable energy sources in transport also after 2020.		(7) The European Council Conclusions of October 2014 highlighted the importance of reducing greenhouse gas emissions and risks related to fossil fuel dependency in the transport sector through a comprehensive and technology neutral approach for the promotion of emissions reduction and energy efficiency in transport, for electric transportation and for renewable energy sources in transport also after 2020.	



Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<i>Recital 8</i>			
<p>(8) Energy efficiency contributing to moderation of demand is one of the five mutually-reinforcing and closely interrelated dimensions of the Energy Union Strategy adopted on 25 February 2015, to give consumers in the Union secure, sustainable, competitive and affordable energy. The Energy Union Strategy states that, while all economic sectors must take steps to increase the efficiency of their energy consumption, transport has a huge energy efficiency potential, which can be realised also with a continued focus on tightening CO<sub>2</sub> emission standards for passenger cars and light commercial vehicles in a 2030 perspective.</p>		<p>(8) Energy efficiency contributing to moderation of demand is one of the five mutually-reinforcing and closely interrelated dimensions [...] <u>set out in the Commission's Communication on "The Energy Union Strategy"</u><sup>6</sup> [...], <u>in order</u> to give consumers in the Union secure, sustainable, competitive and affordable energy. The [...] <u>Communication</u> states that, while all economic sectors must take steps to increase the efficiency of their energy consumption, transport has a huge energy efficiency potential, which can be realised also with a continued focus on tightening CO<sub>2</sub> emission standards for passenger cars and light commercial vehicles in a 2030 perspective.</p> <p><sup>6</sup> <u>Communication from the Commission to the European Parliament, the Council, the European Economic and Social</u></p>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
		<u>Committee, the Committee of the Regions and the European Investment Bank: A Framework Strategy for a Resilient Energy Union with a Forward-Looking Climate Change Policy (COM(2015) 80 final).</u>	
<p align="center"><b>Amendment 6</b> <b><i>Recital 9</i></b></p>			
(9) An evaluation of Regulations (EC) No 443/2009 and (EU) No 510/2011 in 2015 concluded that those Regulations have been relevant, broadly coherent, and have generated significant emissions savings, whilst being more cost-effective than originally anticipated. They have also generated significant added value for the Union that could not have been achieved to the same extent through national measures.	(9) An evaluation of Regulations (EC) No 443/2009 and (EU) No 510/2011 in 2015 concluded that those Regulations have been relevant, broadly coherent, and have generated significant emissions savings, whilst being more cost-effective than originally anticipated. They have also generated significant added value for the Union that could not have been achieved to the same extent through national measures. <b><i>However, that evaluation also concluded that actual CO<sub>2</sub> savings achieved are considerably less than those suggested by the type-approval test performance and that</i></b>	(9) An evaluation of Regulations (EC) No 443/2009 and (EU) No 510/2011 in 2015 concluded that those Regulations have been relevant, broadly coherent, and have generated significant emissions savings, whilst being more cost-effective than originally anticipated. They have also generated significant added value for the Union that could not have been achieved to the same extent through national measures.	<p><u>Council:</u></p> <p>Accept Commission suggestion for rewording of Amendment 6:</p> <p>(9) An evaluation of Regulations (EC) No 443/2009 and (EU) No 510/2011 in 2015 concluded that those Regulations have been relevant, broadly coherent, and have generated significant emissions savings, whilst being more cost-effective than originally anticipated. They have also generated significant added value for the Union that could not have been achieved to the same extent through national measures.</p>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
	<i>the ‘emissions gap’ between type-approval test and real-world performance has considerably undermined the effectiveness of the CO<sub>2</sub> performance standards as well as consumers' trust in the potential fuel savings of new vehicles.</i>		<i>However, the benefits of those Regulations have been eroded due to the increasing discrepancy between the CO<sub>2</sub> emissions measured under the New European Driving Cycle (NEDC) and the CO<sub>2</sub> emissions emitted from vehicles driven under real-world conditions.</i>
<b>Recital 10</b>			
(10) It is therefore appropriate to pursue the objectives of those Regulations by setting new EU fleet-wide CO <sub>2</sub> reduction targets for passenger cars and light commercial vehicles for the period up to 2030. In defining the reduction levels, account has been taken of their effectiveness in delivering a cost-effective contribution to reducing emissions of the sectors covered by the Effort Sharing Regulation [...] by 2030, of the resulting costs and savings for society, manufacturers and vehicle users, as well as of their		(10) It is therefore appropriate to pursue the objectives of those Regulations by setting new EU fleet-wide CO <sub>2</sub> reduction targets for passenger cars and light commercial vehicles for the period up to 2030. In defining the reduction levels, account has been taken of their effectiveness in delivering a cost-effective contribution to reducing emissions of the sectors covered by the Effort Sharing Regulation [...] by 2030, of the resulting costs and savings for society, manufacturers and vehicle users, as well as of their	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
direct and indirect implications for employment, competitiveness and innovation and the co-benefits generated in terms of reduced air pollution and energy security.		direct and indirect implications for employment, competitiveness and innovation and the co-benefits generated in terms of reduced air pollution and energy security. <u>Considering that the market share and therefore the overall contribution of CO<sub>2</sub> emissions from passenger cars are significantly higher than those of light commercial vehicles, a differentiated approach between passenger cars and light commercial vehicles is considered appropriate.</u>	
<p align="center"><b>Amendment 7</b> <b><i>Recital 10 a (new)</i></b></p>			
	<i>(10a) In order to ensure the effectiveness of this Regulation, CO<sub>2</sub> emission reductions should be delivered under conditions encountered in normal vehicle operation and use. It is therefore appropriate to include a strict prohibition of defeat devices in this Regulation and to provide authorities with the means to</i>		<u>Council:</u>  See under Amendment 32

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
	<i>ensure compliance with this prohibition.</i>		
<b>Recital 11</b>			
(11) A new test procedure for measuring CO <sub>2</sub> emissions from and fuel consumption of light duty vehicles, the Worldwide Harmonised Light Vehicles Test procedure (WLTP), set out in Commission Regulation (EU) 2017/1151 <sup>6</sup> , entered into force in 2017. This new test procedure will provide CO <sub>2</sub> emission and fuel consumption values that are more representative of real world conditions. It is therefore appropriate that the new CO <sub>2</sub> emission targets should be based on the CO <sub>2</sub> emissions determined on the basis of that test procedure. Considering however that WLTP-based CO <sub>2</sub> emissions will be available for target compliance purposes from 2021, it is appropriate that the new emissions performance standards should be		(11) As part of the implementation of Regulation (EC) No 715/2007 of the European Parliament and of the Council <sup>7</sup> , a new test procedure for measuring CO <sub>2</sub> emissions from and fuel consumption of light duty vehicles, the Worldwide Harmonised Light Vehicles Test procedure (WLTP), set out in Commission Regulation (EU) 2017/1151 <sup>8</sup> , entered into force in 2017. This [...] test procedure [...] provides CO <sub>2</sub> emission and fuel consumption values that are more representative of real world conditions. It is therefore appropriate that the new CO <sub>2</sub> emission targets should be based on the CO <sub>2</sub> emissions determined on the basis of that test procedure. Considering however that WLTP-based CO <sub>2</sub> emissions will be available for target compliance	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<p>defined as reduction levels set in relation to the 2021 average of the specific emissions targets applicable in that year.</p> <p><sup>6</sup> 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).</p>		<p>purposes from 2021, it is appropriate that the new emissions performance standards should be defined as reduction levels set in relation to the 2021 average of the specific emissions targets [...] <u>calculated on the basis of the CO<sub>2</sub> emissions measured for the purpose of the WLTP emissions test. In order to ensure the robustness and representativeness of the values used as the starting point for defining the reduction levels to be applied in 2025 and 2030, the conditions for performing those measurements are to be clarified as part of the implementation of Implementing Regulations (EU) 2017/1152 and (EU) 2017/1153<sup>9</sup>.</u></p> <p><sup>7</sup> <u>Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 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 (OJ L 171, 29.6.2007,</u></p>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
		<p>p. 1).  <sup>8</sup> 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).  <sup>9</sup> To be updated following adoption of the implementing regulations.</p>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<b>Amendment 8</b> <i>Recital 12</i>			
(12) It is important that the setting of CO <sub>2</sub> emissions reduction requirements continues to provide Union -wide predictability and planning security for vehicle manufacturers across their new car and light commercial vehicle fleets in the Union.	(12) [...]The setting of CO <sub>2</sub> emissions reduction requirements continues to provide Union -wide predictability and planning security for vehicle manufacturers across their new car and light commercial vehicle fleets in the Union.	(12) It is important that the setting of CO <sub>2</sub> emissions reduction requirements continues to provide Union -wide predictability and planning security for vehicle manufacturers across their new car and light commercial vehicle fleets in the Union.	<u>Council:</u>  Maintain Council position  (recast issue)
<b>Amendment 9</b> <i>Recital 12 a (new)</i>			
	<i>(12 a) The Commission's evaluation of Directive 1999/94/EC of the European Parliament and of the Council <sup>1a</sup> in 2016 identified a need for further clarification and simplification of the legislation, which could increase its relevance, effectiveness, efficiency and coherence. Commission Recommendation (EU) 2017/948<sup>1b</sup> aims to encourage a harmonised application of Directive 1999/94/EC. Nevertheless, better</i>		<u>Council:</u>  Accept Amendment in principle  <i>See also Amendment 55</i>



Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
	<p><i>designed and further harmonised Union requirements on car labelling that provide consumers with comparable, reliable and user friendly information about the benefits of low emission cars, including information concerning air pollutants and running costs in addition to CO<sub>2</sub> emissions and fuel consumption, could support the uptake of the most fuel efficient and environmentally friendly cars across the Union. The Commission should therefore review Directive 1999/94/EC no later than 31 December 2019 and put forward a relevant legislative proposal. Furthermore, similar to passenger cars, the sector of light commercial vehicles could also benefit from the introduction of such a fuel economy and CO<sub>2</sub> emissions label. Therefore, the Commission should also analyse those options for that sector, and where appropriate, put forward relevant legislative proposals.</i></p> <p><sup>1a</sup> <i>Directive 1999/94/EC of the</i></p>		

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
	<p><i>European Parliament and of the Council of 13 December 1999 relating to the availability of consumer information on fuel economy and CO2 emissions in respect of the marketing of new passenger cars (OJ L 12, 18.1.2000, p. 16).</i></p> <p><sup>1b</sup> Commission Recommendation (EU) 2017/948 of 31 May 2017 on the use of fuel consumption and CO2 emission values type-approved and measured in accordance with the World Harmonised Light Vehicles Test Procedure when making information available for consumers pursuant to Directive 1999/94/EC of the European Parliament and of the Council (OJ L 142, 2.6.2017, p. 100).</p>		

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<b>Amendment 10</b> <b>Recital 13</b>			
(13) Reduction levels for the Union-wide fleets of new passenger cars and light commercial vehicles should therefore be set for 2025 and for 2030, taking into account the vehicle fleet renewal time and the need for the road transport sector to contribute to the 2030 climate and energy targets. This stepwise approach also provides a clear and early signal for the automotive industry not to delay the market introduction of energy efficient technologies and zero- and low-emission vehicles.	(13) Reduction levels for the Union-wide fleets of new passenger cars and light commercial vehicles should be set for 2025 and for 2030, taking into account the vehicle fleet renewal time and the need for the road transport sector to contribute to the <b>Union</b> climate and energy targets <b>for 2030 and beyond</b> . This stepwise approach also provides a clear and early signal for the automotive industry not to delay the market introduction of energy efficient technologies and zero- and low-emission vehicles. <b><i>In addition, in order to sustain the momentum of emissions reduction beyond 2030, at least the same emissions-reduction trajectory should apply as of 1 January 2031 allowing for the continued decarbonisation of the sector in line with the commitments under the Paris Agreement.</i></b>	(13) Reduction levels for the Union-wide fleets of new passenger cars and light commercial vehicles should therefore be set for 2025 and for 2030, taking into account the vehicle fleet renewal time and the need for the road transport sector to contribute to the 2030 climate and energy targets. This stepwise approach also provides a clear and early signal for the automotive industry not to delay the market introduction of energy efficient technologies and zero- and low-emission vehicles.	<u>Council:</u>  Maintain Council position  <i>See also Amendment 56 and Council text for Article 14 (1a and b) and Recitals 6a and 42</i>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<i>Recital 13 a (new)</i>			
		<p><u>(13a) The CO2 emission performance standards set out in this Regulation apply to new passenger cars and light commercial vehicles. With regard to the existing fleet of light duty vehicles, including second-hand vehicles, additional measures aimed at reducing emissions may also be taken, inter alia, at national and EU level. For instance, measures may be taken to encourage a higher fleet renewal rate, in order to replace as fast as possible older, more emitting vehicles by more performant ones. Access to more affordable zero-and low-emission vehicles could stimulate consumer behaviour change and faster deployment of low emissions technologies.</u></p>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<p align="center"><b>Amendment 11</b> <b>Recital 14</b></p>			
<p>(14) While the Union is among the world's major producers of motor vehicles and demonstrates technological leadership in this sector, competition is increasing and the global automotive sector is changing rapidly through new innovations in electrified powertrains, and cooperative, connected and automated mobility. In order to retain its global competitiveness and access to markets, the Union needs a regulatory framework, including a particular incentive in the area of zero- and low-emission vehicles, which creates a large home market and supports technological development and innovation.</p>	<p>(14) While the Union is among the world's major producers of motor vehicles and demonstrates technological leadership in this sector, competition is increasing and the global automotive sector is changing rapidly through new innovations in electrified powertrains, and cooperative, connected and automated mobility. <b><i>If the Union industry engages late in the necessary energy transition in the transport sector, it risks losing its leading role.</i></b> In order to retain its global competitiveness and access to markets, the Union needs a regulatory framework, including a particular <b><i>policy mechanism</i></b> in the area of zero- and low-emission vehicles, which creates a large home market and supports technological development and innovation.</p>	<p>(14) While the Union is among the world's major producers of motor vehicles and demonstrates technological leadership in this sector, competition is increasing and the global automotive sector is changing rapidly through new innovations in electrified powertrains, and cooperative, connected and automated mobility. In order to retain its global competitiveness and access to markets, the Union needs a regulatory framework, including a particular incentive in the area of zero- and low-emission vehicles, which <u>contributes to creating</u> a large home market and supports technological development and innovation.</p>	<p><u>Council:</u></p> <p>Maintain Council position</p>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<p align="center"><b>Amendment 12</b> <i>Recital 14 a (new)</i></p>			
	<p><i>(14a) It will not be possible to achieve the long-term goal of entirely decarbonising the Union mobility without technological innovation and technical progress. With that in mind, and in the face of increased international competition, it is essential that the Union and Member States continue their efforts to explore and develop initiatives that promote the synergies possible in the sector, taking as a model the recent European Battery Alliance, and support public and private investment in research and innovation in the Union car industry in order to maintain the Union's technological leadership in that sector and to ensure the long-term sustainability of its industrial base, keeping it efficient and competitive on the world market.</i></p>		<p><u>Council:</u></p> <p>See under Amendment 4</p>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<b>Amendment 13</b> <b>Recital 15</b>			
(15) A dedicated incentive mechanism should be introduced to facilitate a smooth transition towards zero-emission mobility. This crediting mechanism should be designed so as to promote the deployment on the Union market of zero- and low-emission vehicles.	(15) A dedicated <i>policy</i> mechanism should be introduced to facilitate <i>and accelerate</i> a smooth transition towards zero-emission mobility. This crediting <i>and debiting</i> mechanism should be designed so as to promote the deployment on the Union market of zero- and low-emission vehicles <i>and to ensure investment certainty for the timely and adequate roll-out of the necessary charging infrastructure.</i>	(15) A dedicated incentive mechanism should be introduced to facilitate a smooth transition towards zero-emission mobility. This crediting mechanism should be designed so as to promote the deployment on the Union market of zero- and low-emission vehicles. <u>A specific transitional measure should be put in place to enable access to zero- and low-emission vehicles to consumers from Member States with low zero- and low-emission vehicles market penetration.</u>	<u>Council:</u>  Maintain Council position
<b>Amendment 14</b> <b>Recital 16</b>			
(16) Setting a benchmark for the share of zero- and low-emission vehicles in the EU fleet together with a well-designed mechanism for adjusting a manufacturer's specific CO <sub>2</sub> target based on the share of zero- and low-emission	(16) Setting <i>a strong</i> benchmark for the share of zero- and low-emission vehicles in the EU fleet together with a well-designed mechanism for adjusting a manufacturer's specific CO <sub>2</sub> target based on the share of zero- and	(16) Setting [...] benchmarks for the share of zero- and low-emission vehicles in the EU fleet together with a well-designed mechanism for adjusting a manufacturer's specific CO <sub>2</sub> target based on the share of zero- and low-emission	<u>Council:</u>  Maintain Council position

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
vehicles in the manufacturer's own fleet should provide a strong and credible signal for the development and deployment of such vehicles while still allowing for the further improvement of the efficiency of the conventional internal combustion engines.	low-emission vehicles in the manufacturer's own fleet should provide a strong and credible signal for the development, deployment <b>and marketing</b> of such vehicles while still allowing for the further improvement of the efficiency of the conventional internal combustion engines.	vehicles in the manufacturer's own fleet should provide a strong and credible signal for the development and deployment of such vehicles while still allowing for the further improvement of the efficiency of the conventional internal combustion engines.	
<p align="center"><b>Amendment 15</b> <b>Recital 17</b></p>			
(17) In determining the credits for the zero- and low-emission vehicles, it is appropriate to account for the difference in CO <sub>2</sub> emissions between the vehicles. The adjustment mechanism should ensure that a manufacturer exceeding the benchmark level would benefit from a higher specific CO <sub>2</sub> target. In order to ensure a balanced approach, limits should be set to the level of adjustment possible within that mechanism. This will provide for incentives, promoting a timely roll-out of recharging and refuelling	(17) In determining the <b>benchmarks</b> for the <b>share of</b> zero- and low-emission vehicles, it is appropriate to account for the difference in CO <sub>2</sub> emissions between the vehicles, The adjustment mechanism should ensure that a manufacturer exceeding the benchmark level would benefit from a higher specific CO <sub>2</sub> target, <b>whereas a manufacturer not achieving the benchmark would have to comply with a stricter CO<sub>2</sub> target.</b> In order to ensure a balanced approach, limits should be set to the level of	(17) In determining the credits for the zero- and low-emission vehicles, it is appropriate to account for the difference in CO <sub>2</sub> emissions between the vehicles. <u>As concerns passenger cars, the importance of low-emission vehicles, in particular plug-in hybrid vehicles, for the transition towards zero-emission vehicles should be appropriately recognised when determining the credits.</u> The adjustment mechanism should ensure that a manufacturer exceeding the benchmark level would benefit from a higher specific CO <sub>2</sub> target. In order to	<p><u>Council:</u></p> <p>Maintain Council position</p>



Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
infrastructure and yielding high benefits for consumers, competitiveness, and the environment.	adjustment possible within that mechanism. This will provide for incentives, promoting a timely roll-out of recharging and refuelling infrastructure and yielding high benefits for consumers, competitiveness, and the environment.	ensure a balanced approach, limits should be set to the level of adjustment possible within that mechanism. This will provide for incentives, promoting a timely roll-out of recharging and refuelling infrastructure and yielding high benefits for consumers, competitiveness, and the environment.	
<b>Amendment 16</b> <b><i>Recital 17 a (new)</i></b>			
	<b><i>(17 a) Timely and sufficient investments should be made in both the production and roll-out of zero- and low- emission vehicles and the overall supporting infrastructure that is required, including sustainable battery production, supply and recycling. Different support instruments at both Union and national level need to work together effectively, mobilising and incentivising significant public and private investment. Recharging and refuelling infrastructure needs to</i></b>		<u>Council:</u>  See under Amendment 4

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
	<i>be put in place quickly in order to provide confidence to consumers and business certainty for vehicle manufacturers. Union battery and battery cell manufacturing, if possible, located close to vehicle manufacturing sites, should therefore be supported.</i>		
<b>Recital 18</b>			
(18) The legislative framework for implementing the average new car and light commercial vehicle fleet target should ensure competitively neutral, socially equitable and sustainable reduction targets which take account of the diversity of European automobile manufacturers and avoid any unjustified distortion of competition between them.		(18) The legislative framework for implementing the average new car and light commercial vehicle fleet target should ensure competitively neutral, socially equitable and sustainable reduction targets which take account of the diversity of European automobile manufacturers and avoid any unjustified distortion of competition between them.	
<b>Recital 19</b>			
(19) In order to maintain the diversity of the market for passenger cars and light		(19) In order to maintain the diversity of the market for passenger cars and light	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
commercial vehicles and its ability to cater for different consumer needs, CO <sub>2</sub> targets should be defined according to the utility of the vehicles on a linear basis.		commercial vehicles and its ability to cater for different consumer needs, CO <sub>2</sub> targets should be defined according to the utility of the vehicles on a linear basis.	
Maintaining mass as the utility parameter is considered coherent with the existing regime. In order to better reflect the mass of vehicles used on the road, the parameter should be changed from mass in running order to the vehicle's test mass as specified in Regulation (EU) 2017/1151 of 1 June 2017 with effect from 2025.		Maintaining mass as the utility parameter is considered coherent with the existing regime. In order to better reflect the mass of vehicles used on the road, the parameter should be changed <u>with effect from 2025</u> from mass in running order to the vehicle's test mass as specified in <u>the WLTP test procedure adopted on the basis of Regulation [...] (EC) No 715/2007</u> .	
<b><i>Recital 20</i></b>			
(20) It should be avoided that the EU fleet-wide targets are altered due to changes in the average mass of the fleet. Changes in the average mass should therefore be reflected without delay in the specific emission target calculations, and the adjustments of the average mass value that is used to this end should		(20) It should be avoided that the EU fleet-wide targets are altered due to changes in the average mass of the fleet. Changes in the average mass should therefore be reflected without delay in the specific emission target calculations, and the adjustments of the average mass value that is used to this end should	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
therefore take place every two years with effect from 2025.		therefore take place every two years with effect from 2025.	
<i>Recital 21</i>			
(21) In order to distribute the emission reduction effort in a competitively neutral and fair way that reflects the diversity of the market for passenger cars and light commercial vehicles, and in view of the change in 2021 to WLTP-based specific emission targets, it is appropriate to determine the slope of the limit value curve on the basis of the specific emissions of all newly registered vehicles in that year, and to take into account the change in the EU fleet-wide targets between 2021, 2025 and 2030 with a view to ensuring an equal reduction effort of all manufacturers. With regard to light commercial vehicles, the same approach as that for car manufacturers should apply to manufacturers of lighter, car derived, vans, while for		(21) In order to distribute the emission reduction effort in a competitively neutral and fair way that reflects the diversity of the market for passenger cars and light commercial vehicles, and in view of the change in 2021 to WLTP-based specific emission targets, it is appropriate to determine the slope of the limit value curve on the basis of the specific emissions of all newly registered vehicles in that year, and to take into account the change in the EU fleet-wide targets between 2021, 2025 and 2030 with a view to ensuring an equal reduction effort of all manufacturers. With regard to light commercial vehicles, the same approach as that for car manufacturers should apply to manufacturers of lighter, car derived, vans, while for	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
manufacturers of vehicles falling within the heavier segments, a higher and fixed slope should be set for the whole target period.		manufacturers of vehicles falling within the heavier segments, a higher and fixed slope should be set for the whole target period.	
<b>Recital 22</b>			
(22) The aim of this Regulation is to create incentives for the automotive industry to invest in new technologies. This Regulation actively promotes eco-innovation and provides a mechanism that should be able to acknowledge future technological development.		(22) [...] <u>This Regulation [...] aims to achieve its objectives by, inter alia, creating</u> [...] incentives for the automotive industry to invest in new technologies. This Regulation actively promotes eco-innovation and provides a mechanism that should be able to acknowledge future technological development.	
Experience shows that eco-innovations have successfully contributed to the cost-effectiveness of Regulations (EC) No 443/2009 and (EU) No 510/2011 and to the reduction of real world CO <sub>2</sub> emissions. This modality should therefore be maintained and the scope should be extended to incentivise efficiency improvements in air-conditioning		Experience shows that eco-innovations have successfully contributed to the cost-effectiveness of Regulations (EC) No 443/2009 and (EU) No 510/2011 and to the reduction of real world CO <sub>2</sub> emissions. This modality should therefore be maintained and the scope should be extended to incentivise efficiency improvements in air-conditioning	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
systems.		systems.	
<p align="center"><b>Amendment 17</b> <i>Recital 23</i></p>			
(23) A balance should however be ensured between incentives given to eco-innovations and those technologies for which the emission reduction effect is demonstrated on the official test procedure. As a consequence, it is appropriate to maintain a cap on the eco-innovation savings that a manufacturer may take into account for target compliance purposes. The Commission should have the possibility to review the level of the cap, in particular, to take into account the effects of the change in the official test procedure. It is also appropriate to clarify how the savings should be calculated for target compliance purposes.	(23) A balance should however be ensured between incentives given to eco-innovations and those technologies for which the emission reduction effect is demonstrated on the official test procedure. As a consequence, it is appropriate to maintain a cap on the eco-innovation savings that a manufacturer may take into account for target compliance purposes. The Commission should have the possibility to review the level of the cap <b>and adjust it downwards</b> , in particular, to take into account the effects of the change in the official test procedure. It is also appropriate to clarify how the savings should be calculated for target compliance purposes.	(23) A balance should however be ensured between incentives given to eco-innovations and those technologies for which the emission reduction effect is demonstrated on the official test procedure. As a consequence, it is appropriate to maintain a cap on the eco-innovation savings that a manufacturer may take into account for target compliance purposes. The Commission should have the possibility to review the level of the cap, in particular, to take into account the effects of the change in the official test procedure. It is also appropriate to clarify how the savings should be calculated for target compliance purposes.	<p><u>Council:</u></p> <p>Maintain Council position</p> <p><i>Linked to Amendments 43, 44, 45 and 46</i></p>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<i>Recital 24</i>			
(24) Directive 2007/46/EC establishes a harmonised framework containing the administrative provisions and general technical requirements for approval of all new vehicles within its scope. The entity responsible for complying with this Regulation should be the same as the entity responsible for all aspects of the type-approval process in accordance with Directive 2007/46/EC and for ensuring conformity of production.		(24) Directive 2007/46/EC establishes a harmonised framework containing the administrative provisions and general technical requirements for approval of all new vehicles within its scope. The entity responsible for complying with this Regulation should be the same as the entity responsible for all aspects of the type-approval process in accordance with Directive 2007/46/EC and for ensuring conformity of production.	
<i>Recital 25</i>			
(25) For the purposes of type-approval, specific requirements apply for special-purpose vehicles, as defined in Annex II of Directive 2007/46/EC, and they should therefore be excluded from the scope of this Regulation.		(25) For the purposes of type-approval, specific requirements apply for special-purpose vehicles, as defined in Annex II of Directive 2007/46/EC, and they should therefore be excluded from the scope of this Regulation.	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<b>Amendment 18</b> <i>Recital 25 a (new)</i>			
	<i>(25a) In cases where for heavy light commercial vehicles of N1 category, Class III the inclusion of an electric battery might increase the weight of the vehicle to the extent that it is re-classified into N2 category, such a technical problem should be addressed.</i>		<u>Council:</u>  See under Amendment 30
<b>Recital 26</b>			
(26) It is not appropriate to use the same method to determine the emissions reduction targets for large-volume manufacturers as for small-volume manufacturers considered as independent on the basis of the criteria set out in this Regulation. Such small-volume manufacturers should have the possibility to apply for alternative emissions reduction targets relating to the technological potential of a given manufacturer's vehicles to reduce their specific emissions of CO <sub>2</sub> and consistent with the		(26) It is not appropriate to use the same method to determine the emissions reduction targets for large-volume manufacturers as for small-volume manufacturers considered as independent on the basis of the criteria set out in this Regulation. Such small-volume manufacturers should have the possibility to apply for alternative emissions reduction targets relating to the technological potential of a given manufacturer's vehicles to reduce their specific emissions of CO <sub>2</sub> and consistent with the	



Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
characteristics of the market segments concerned.		characteristics of the market segments concerned.	
<i>Recital 27</i>			
(27) In recognition of the disproportionate impact on the smallest manufacturers resulting from compliance with specific emissions targets defined on the basis of the utility of the vehicle, the high administrative burden of the derogation procedure, and the marginal resulting benefit in terms of CO <sub>2</sub> emissions reduction from the vehicles sold by those manufacturers, manufacturers responsible for fewer than 1 000 new passenger cars and new light commercial vehicles registered in the Union annually should be excluded from the scope of the specific emissions target and the excess emissions premium.		(27) In recognition of the disproportionate impact on the smallest manufacturers resulting from compliance with specific emissions targets defined on the basis of the utility of the vehicle, the high administrative burden of the derogation procedure, and the marginal resulting benefit in terms of CO <sub>2</sub> emissions reduction from the vehicles sold by those manufacturers, manufacturers responsible for fewer than 1 000 new passenger cars and new light commercial vehicles registered in the Union annually should be excluded from the scope of the specific emissions target and the excess emissions premium.	
However, where a manufacturer that is covered by an exemption nevertheless applies for and is granted a derogation, it is		However, where a manufacturer that is covered by an exemption nevertheless applies for and is granted a derogation, it is	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
appropriate that the manufacturer should be required to comply with that derogation target.		appropriate that the manufacturer should be required to comply with that derogation target.	
<i>Recital 28</i>			
(28) The procedure for granting derogations from the 95 g CO <sub>2</sub> /km fleet target to niche car manufacturers ensures that the reduction effort required by niche manufacturers is consistent with that of large volume manufacturers with regard to that target. However, experience shows that niche manufacturers have the same potential as large manufacturers to meet the CO <sub>2</sub> targets and with regard to the targets set from 2025 onwards it is not considered appropriate to distinguish between those two categories of manufacturers.		(28) The procedure for granting derogations from the 95 g CO <sub>2</sub> /km fleet target to niche car manufacturers ensures that the reduction effort required by niche manufacturers is consistent with that of large volume manufacturers with regard to that target. [...] <u>It is appropriate to continue to provide those manufacturers with the possibility of being granted a derogation also from the targets applicable from 2025 until 2030.</u>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<i>Recital 29</i>			
<p>(29) In determining the average specific emissions of CO<sub>2</sub> for all the new cars and new light commercial vehicles registered in the Union for which manufacturers are responsible, all cars and light commercial vehicles should be taken into account irrespective of their mass or other characteristics. Although Regulation (EC) No 715/2007 does not cover passenger cars and light commercial vehicles with a reference mass exceeding 2 610 kg and to which type approval is not extended in accordance with Article 2(2) of Regulation (EC) No 715/2007, the emissions for these vehicles should be measured in accordance with the same measurement procedure as specified for light duty vehicles in Commission Regulation (EC) No 692/2008<sup>7</sup>, Regulation (EU) 2017/1151, and in Commission Implementing Regulations (EU)</p>		<p>(29) In determining the average specific emissions of CO<sub>2</sub> for all the new cars and new light commercial vehicles registered in the Union for which manufacturers are responsible, all cars and light commercial vehicles should be taken into account irrespective of their mass or other characteristics. Although Regulation (EC) No 715/2007 does not cover passenger cars and light commercial vehicles with a reference mass exceeding 2 610 kg and to which type approval is not extended in accordance with Article 2(2) of <u>that</u> Regulation [...], the emissions for these vehicles should be measured in accordance with the same measurement procedures as specified for light duty vehicles pursuant to Regulation (EC) No 715/2007, notably the procedures set out in Commission Regulation (EC) No 692/2008<sup>10</sup> and in Regulation (EU) 2017/1151, and</p>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<p>2017/1152<sup>8</sup> and (EU) 2017/1153<sup>9</sup>. The resulting CO<sub>2</sub> emission values should be entered in the certificate of conformity of the vehicle in order to enable their inclusion in the monitoring scheme.</p> <p><sup>7</sup> 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).</p> <p><sup>8</sup> Commission Implementing Regulation (EU) 2017/1152 of 2 June 2017 setting out a methodology for determining the correlation parameters necessary for reflecting the change in the regulatory test procedure with regard to light commercial vehicles and amending Implementing Regulation (EU) No 293/2012</p>		<p><u>the correlation procedures adopted on the basis of Regulation (EC) No 443/2009 and (EU) No 510/2011, notably Commission Implementing Regulations (EU) 2017/1152<sup>11</sup> and (EU) 2017/1153<sup>12</sup>. The resulting CO<sub>2</sub> emission values should be entered in the certificate of conformity of the vehicle in order to enable their inclusion in the monitoring scheme.</u></p> <p><sup>10</sup> 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).</p> <p><sup>11</sup> Commission Implementing Regulation (EU) 2017/1152 of 2 June 2017 setting out a methodology for determining the correlation parameters necessary</p>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<p>(OJ L 175, 7.7.2017, p. 644).  <sup>9</sup> Commission Implementing Regulation (EU) 2017/1153 of 2 June 2017 setting out a methodology for determining the correlation parameters necessary for reflecting the change in the regulatory test procedure and amending Regulation (EU) No 1014/2010 (OJ L 175, 7.7.2017, p. 679).</p>		<p>for reflecting the change in the regulatory test procedure with regard to light commercial vehicles and amending Implementing Regulation (EU) No 293/2012 (OJ L 175, 7.7.2017, p. 644).  <sup>12</sup> Commission Implementing Regulation (EU) 2017/1153 of 2 June 2017 setting out a methodology for determining the correlation parameters necessary for reflecting the change in the regulatory test procedure and amending Regulation (EU) No 1014/2010 (OJ L 175, 7.7.2017, p. 679).</p>	
<i>Recital 30</i>			
(30) The specific emissions of CO <sub>2</sub> of completed light commercial vehicles should be allocated to the manufacturer of the base vehicle.		(30) The specific emissions of CO <sub>2</sub> of completed light commercial vehicles should be allocated to the manufacturer of the base vehicle.	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<i>Recital 31</i>			
(31) Consideration should be given to the specific situation of manufacturers of light commercial vehicles producing incomplete vehicles that are type approved in multiple stages. While those manufacturers are responsible for meeting the CO <sub>2</sub> emission targets, they should have the possibility to predict with reasonable certainty the CO <sub>2</sub> emissions of the completed vehicles. The Commission should ensure that those needs are appropriately reflected in Regulation (EU) 2017/1151.		(31) Consideration should be given to the specific situation of manufacturers of light commercial vehicles producing incomplete vehicles that are type approved in multiple stages. While those manufacturers are responsible for meeting the CO <sub>2</sub> emission targets, they should have the possibility to predict with reasonable certainty the CO <sub>2</sub> emissions of the completed vehicles. The Commission should ensure that those needs are appropriately reflected in <u>the implementing measures adopted pursuant to Regulation [...] (EC) No 715/2007</u> .	
<i>Recital 32</i>			
(32) In order to provide for flexibility for the purposes of meeting their targets under this Regulation, manufacturers may agree to form a pool on an open, transparent and non-discriminatory		(32) In order to provide for flexibility for the purposes of meeting their targets under this Regulation, manufacturers may agree to form a pool on an open, transparent and non-discriminatory	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
basis. An agreement to form a pool should not exceed five years but may be renewed. Where manufacturers form a pool, they should be deemed to have met their targets under this Regulation provided that the average emissions of the pool as a whole do not exceed the specific emissions target for the pool.		basis. An agreement to form a pool should not exceed five years but may be renewed. Where manufacturers form a pool, they should be deemed to have met their targets under this Regulation provided that the average emissions of the pool as a whole do not exceed the specific emissions target for the pool.	
<i>Recital 33</i>			
(33) The possibility for manufacturers to form pools has proven a cost-effective way to achieve compliance with the CO <sub>2</sub> emissions targets, in particular facilitating compliance for those manufacturers that produce a limited range of vehicles. In order to improve the competitive neutrality, the Commission should have the powers to clarify the conditions on which independent manufacturers may form a pool in order to allow them to be placed in a position equivalent to connected		(33) The possibility for manufacturers to form pools has proven a cost-effective way to achieve compliance with the CO <sub>2</sub> emissions targets, in particular facilitating compliance for those manufacturers that produce a limited range of vehicles. In order to improve the competitive neutrality, the Commission should have the powers to clarify the conditions on which independent manufacturers may form a pool in order to allow them to be placed in a position equivalent to connected	

<b>Commission proposal</b>	<b>EP Position Plenary vote 3/10/2018</b>	<b>Council Position General approach 9/10/2018</b>	<b>Comments/Suggestions</b>
undertakings.		undertakings.	
<i><b>Recital 34</b></i>			
(34) A robust compliance mechanism is necessary in order to ensure that the targets under this Regulation are met.		(34) A robust compliance mechanism is necessary in order to ensure that the targets under this Regulation are met.	
<i><b>Recital 35</b></i>			
(35) It is also essential for achieving the CO <sub>2</sub> reductions required under this Regulation, that the emissions of vehicles in use are in conformity with the CO <sub>2</sub> values determined at type approval. It should therefore be possible for the Commission to take into account in the calculation of the average specific emissions of a manufacturer any systemic non-conformity found by type approval authorities with regard to the CO <sub>2</sub> emissions of vehicles in use.		(35) It is also essential for achieving the CO <sub>2</sub> reductions required under this Regulation, that the emissions of vehicles in use are in conformity with the CO <sub>2</sub> values determined at type approval. It should therefore be possible for the Commission to take into account in the calculation of the average specific emissions of a manufacturer any systemic non-conformity found by type approval authorities with regard to the CO <sub>2</sub> emissions of vehicles in use.	



Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<i>Recital 36</i>			
(36) In order to be in position to take such measures the Commission should have the powers to prepare and implement a procedure for verifying the in-service conformity of the CO <sub>2</sub> emissions of light duty vehicles placed on the market. For that purpose Regulation (EC) No 715/2007 should be amended.		(36) In order to be in position to take such measures the Commission should have the powers to prepare and implement a procedure for verifying the in-service conformity of the CO <sub>2</sub> emissions of light duty vehicles placed on the market. For that purpose Regulation (EC) No 715/2007 should be amended.	
<b>Amendment 20</b> <i>Recital 37</i>			
(37) The specific emissions of CO <sub>2</sub> from new passenger cars and light commercial vehicles are measured on a harmonised basis in the Union according to the methodology laid down in Regulation (EC) No 715/2007. To minimise the administrative burden of this Regulation, compliance should be measured by reference to data on registrations of new cars and light commercial vehicles in the Union collected by Member States and reported to the	(37) The specific emissions of CO <sub>2</sub> from new passenger cars and light commercial vehicles are measured on a harmonised basis in the Union according to the methodology laid down in Regulation (EC) No 715/2007. To minimise the administrative burden of this Regulation, compliance should be measured by reference to data on registrations of new cars and light commercial vehicles in the Union collected by Member States and reported to the	(37) The specific emissions of CO <sub>2</sub> from new passenger cars and light commercial vehicles are measured on a harmonised basis in the Union according to the methodology laid down in Regulation (EC) No 715/2007. To minimise the administrative burden of this Regulation, compliance should be measured by reference to data on registrations of new cars and light commercial vehicles in the Union collected by Member States and reported to the	<u>Council:</u>  Maintain Council position  (recast issue)

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
Commission. To ensure the consistency of the data used to assess compliance, the rules for the collection and reporting of this data should be harmonised as far as possible. The competent authorities' responsibility to provide correct and complete data should therefore be clearly stated as well as the need for an effective cooperation between those authorities and the Commission in addressing data quality issues.	Commission. To ensure the consistency of the data used to assess compliance, the rules for the collection and reporting of this data should be harmonised [...]. The competent authorities' responsibility to provide correct and complete data should therefore be clearly stated as well as the need for an effective cooperation between those authorities and the Commission in addressing data quality issues.	Commission. To ensure the consistency of the data used to assess compliance, the rules for the collection and reporting of this data should be harmonised as far as possible. The competent authorities' responsibility to provide correct and complete data should therefore be clearly stated as well as the need for an effective cooperation between those authorities and the Commission in addressing data quality issues.	
<b>Amendment 21</b> <b><i>Recital 38</i></b>			
(38) Manufacturers' compliance with the targets under this Regulation should be assessed at Union level. Manufacturers whose average specific emissions of CO <sub>2</sub> exceed those permitted under this Regulation should pay an excess emissions premium with respect to each calendar year. The amounts of the excess emissions premium should be considered as revenue for the general budget of the Union.	(38) Manufacturers' compliance with the targets under this Regulation should be assessed at Union level. Manufacturers whose average specific emissions of CO <sub>2</sub> exceed those permitted under this Regulation should pay an excess emissions premium with respect to each calendar year. The amounts of the excess emissions premium should be considered as revenue for the general budget of the Union <b>and</b>	(38) Manufacturers' compliance with the targets under this Regulation should be assessed at Union level. Manufacturers whose average specific emissions of CO <sub>2</sub> exceed those permitted under this Regulation should pay an excess emissions premium with respect to each calendar year. The amounts of the excess emissions premium should be considered as revenue for the general budget of the Union.	<u>Council:</u>  Amendments 21 and 41 on earmarking not acceptable. To be discussed further  <i>See Commission suggestion under Amendment 3 and Council text for Art 14 (1a)</i>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
	<i>be used to contribute to a just transition towards zero-emission mobility. Those amounts should also be used to complement targeted programmes for re-skilling, up-skilling and education of workers affected by structural changes in the automotive sector, and for reallocation of labour and job-seeking initiatives in close dialogue with social partners, communities and competent authorities in the regions affected by the transition of jobs.</i>		
<b>Recital 39</b>			
(39) Any national measure that Member States may maintain or introduce in accordance with Article 193 of the Treaty on the Functioning of the European Union (TFEU) should not, in consideration of the purpose of and procedures established in this Regulation, impose additional or more stringent penalties on manufacturers who fail to meet		(39) Any national measure that Member States may maintain or introduce in accordance with Article 193 of the Treaty on the Functioning of the European Union (TFEU) should not, in consideration of the purpose of and procedures established in this Regulation, impose additional or more stringent penalties on manufacturers who fail to meet	

<b>Commission proposal</b>	<b>EP Position Plenary vote 3/10/2018</b>	<b>Council Position General approach 9/10/2018</b>	<b>Comments/Suggestions</b>
their targets under this Regulation.		their targets under this Regulation.	
<b><i>Recital 40</i></b>			
(40) This Regulation should be without prejudice to the full application of Union competition rules.		(40) This Regulation should be without prejudice to the full application of Union competition rules.	
<b>Amendment 22 <i>Recital 41</i></b>			
(41) The effectiveness of the targets set out in this Regulation in reducing CO <sub>2</sub> emissions in reality is strongly dependent on the representativeness of the official test procedure. In accordance with the Opinion of the Scientific Advice Mechanism (SAM) <sup>10</sup> and the recommendation of the European Parliament, following its inquiry into emission measurements in the automotive sector <sup>11</sup> , a mechanism should be put in place to assess the real world representativeness of vehicle CO <sub>2</sub> emissions and energy consumption values determined in accordance	(41) The effectiveness of the targets set out in this Regulation in reducing CO <sub>2</sub> emissions in reality is strongly dependent on the representativeness of the official test procedure. In accordance with the Opinion of the Scientific Advice Mechanism (SAM) <sup>23</sup> and the recommendation of the European Parliament, following its inquiry into emission measurements in the automotive sector <sup>24</sup> , a mechanism should be put in place to assess the real world representativeness of vehicle CO <sub>2</sub> emissions and energy consumption values determined in accordance	(41) The effectiveness of the targets set out in this Regulation in reducing CO <sub>2</sub> emissions in reality is strongly dependent on the representativeness of the official test procedure. In accordance with the Opinion of the Scientific Advice Mechanism (SAM) <sup>13</sup> and the recommendation of the European Parliament, following its inquiry into emission measurements in the automotive sector <sup>14</sup> , a mechanism should be put in place to assess the real world representativeness of vehicle CO <sub>2</sub> emissions and energy consumption values determined in accordance	<p><u>Council:</u></p> <p>Part of Amendment that relates to RDE not acceptable.</p> <p>Accept Commission suggestion for amendments to recital 41 based on Amendment 22 and covering Amendment 52:</p> <p>(41) The effectiveness of the targets set out in this Regulation in reducing CO<sub>2</sub> emissions in reality is strongly dependent on the representativeness of the official test procedure. In accordance with the Opinion of the Scientific</p>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<p>with Regulation (EU) 2017/1151. The Commission should have the powers to ensure the public availability of such data, and, where necessary, develop the procedures needed for identifying and collecting the data required for performing such assessments.</p> <p><sup>10</sup> High Level Group of Scientific Advisors, Scientific Opinion 1/2016 "Closing the gap between light-duty vehicle real-world CO<sub>2</sub> emissions and laboratory testing"</p> <p><sup>11</sup> European Parliament recommendation of 4 April 2017 to the Council and the Commission following the inquiry into emission measurements in the automotive sector (2016/2908(RSP))</p>	<p>with Regulation (EU) 2017/1151. <b><i>The most reliable way to ensure the real world representativeness of type-approval values is by introducing a real-world CO<sub>2</sub> emissions test. Therefore, the Commission should, by means of delegated acts, and with consideration of the appropriateness of using PEMS, develop the real-world CO<sub>2</sub> emissions test and introduce it at the latest two years after the date of application of this Regulation. However, until that test becomes applicable, compliance with this Regulation should be ensured by using data from the fuel consumption meters reported by manufacturers and coupled with a limit, set for each manufacturer in 2021 as a percentage difference that is not to be exceeded.</i></b> The Commission should have the powers to ensure the public availability of <b><i>fuel consumption</i></b> data, and <b><i>to</i></b> develop the procedures needed for <b><i>reporting such</i></b> data required for performing such</p>	<p>with [...] <u>the WLTP test procedure adopted on the basis of Regulation (EC) No 715/2007</u>. The Commission should have the powers to ensure the public availability of such data, <u>whilst providing for the protection of any personal data</u>, and, where necessary, develop the procedures needed for identifying and collecting the data required for performing such assessments.</p> <p><sup>13</sup> High Level Group of Scientific Advisors, Scientific Opinion 1/2016 "Closing the gap between light-duty vehicle real-world CO<sub>2</sub> emissions and laboratory testing"</p> <p><sup>14</sup> European Parliament recommendation of 4 April 2017 to the Council and the Commission following the inquiry into emission measurements in the automotive sector (2016/2908(RSP))</p>	<p>Advice Mechanism (SAM)<sup>23</sup> and the recommendation of the European Parliament, following its inquiry into emission measurements in the automotive sector<sup>24</sup>, a mechanism should be put in place to assess the real world representativeness of vehicle CO<sub>2</sub> emissions and energy consumption values determined in accordance with [...] <u>the WLTP test procedure adopted on the basis of Regulation (EC) No 715/2007</u>. <b><i>The most reliable way to assess the real world representativeness of type-approval values is by using data from the on-board fuel and/or energy consumption monitoring devices. Whilst providing for the protection of any personal data, the Commission should have the powers to ensure the public availability of <b>fuel and energy consumption</b> data, and <b>to</b> develop the procedures needed for <b>reporting such</b> data required for performing such assessments. <b>It is moreover appropriate, in order to ensure the availability of fuel and energy</b></i></b></p>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
	<p>assessments. <i>The Commission should take appropriate measures in case of manufacturers' non-compliance with the real-world CO<sub>2</sub> emissions requirements under this Regulation.</i></p> <p><sup>10</sup> High Level Group of Scientific Advisors, Scientific Opinion 1/2016 "Closing the gap between light-duty vehicle real-world CO<sub>2</sub> emissions and laboratory testing".</p> <p><sup>11</sup> European Parliament recommendation of 4 April 2017 to the Council and the Commission following the inquiry into emission measurements in the automotive sector (2016/2908(RSP)).</p>		<p><i>consumption data from battery electric vehicles and vehicles with power trains using gaseous fuels, including hydrogen, that the work on standardisation of the fuel and/or energy consumption monitoring devices for those powertrains will be pursued without delay as part of the implementation of Regulation (EU) 2017/1151.</i></p> <p>RDE issue to be discussed further</p>
<p align="center"><b>Amendment 23</b> <b><i>Recital 41 a (new)</i></b></p>			
	<p><i>(41a) Currently, there is no harmonised way to assess life-cycle emissions from light commercial vehicles. It is appropriate that the Commission provide such analysis by the end of 2026 to present a</i></p>		<p><u>Council:</u></p> <p>Amendment not acceptable</p> <p><i>See also AM 40</i></p>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
	<p><i>broad picture of carbon emissions from the light commercial vehicles sector. For that purpose, the Commission should develop, by means of delegated acts, a common Union methodology for the consistent data reporting, as from 2025, by manufacturers of the lifecycle CO<sub>2</sub> emissions of all fuel types and vehicle powertrains they put on the market. Such methodology should also be in line with the relevant ISO standards and account for the global warming potential (GWP) of vehicle's well-to-tank, tank-to-wheel, production and end-of-life emissions. The analysis by the Commission should be based on the data reported by manufacturers as well as any other available relevant data.</i></p>		

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<b>Amendment 80</b> <b>Recital 42</b>			
(42) In 2024 it is foreseen to review the progress achieved under the [Effort Sharing Regulation and Emissions Trading System Directive]. It is therefore appropriate to assess the effectiveness of this Regulation in that same year to allow a coordinated and coherent assessment of the measures implemented under all these instruments.	(42) It is appropriate to assess the effectiveness of this Regulation <b><i>in 2023 in order</i></b> to allow a <b><i>timely, transparent,</i></b> coordinated and coherent assessment of <b><i>its implementation and the progress made towards achieving the set targets within the set timeline, also in relation to progress achieved under the Effort Sharing Regulation and Emissions Trading System Directive.</i></b>	(42) In <u>2023</u> it is foreseen to review the progress achieved under the [Effort Sharing Regulation and Emissions Trading System Directive]. It is therefore appropriate to <u>comprehensively</u> assess the effectiveness of this Regulation in that same year to allow a coordinated and coherent assessment of the measures implemented under all these instruments. <u>In this review the Commission should also identify a clear pathway for further CO<sub>2</sub> emission reductions for passenger cars and light commercial vehicles beyond 2030 in order to significantly contribute to achieving the long-term goal of the Paris Agreement. Where appropriate, the report on this review should be accompanied by a proposal for amending this Regulation.</u>	<u>Council:</u>  Maintain Council position  Editorial correction: In <u>2024</u> it is foreseen to review the progress achieved under the [Effort Sharing Regulation and Emissions Trading System Directive]. It is [...] appropriate to <u>comprehensively</u> assess the effectiveness of this Regulation in [...] <b>2023</b> to allow a coordinated and coherent assessment of the measures implemented under all these instruments. <u>In this review the Commission should also identify a clear pathway for further CO<sub>2</sub> emission reductions for passenger cars and light commercial vehicles beyond 2030 in order to significantly contribute to achieving the long-term goal of the Paris Agreement. Where appropriate, the report on this review should be accompanied by a proposal for</u>



Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
			<u>amending this Regulation.</u>
<b><i>Recital 43</i></b>			
(43) Regulations (EC) No 443/2009 and (EU) No 510/2011 should be repealed with effect from 1 January 2020.		(43) Regulations (EC) No 443/2009 and (EU) No 510/2011 should be repealed with effect from 1 January 2020.	
<b><i>Recital 44</i></b>			
(44) In order to ensure uniform conditions for the implementation of this Regulation , implementing powers should be conferred on the Commission.		(44) In order to ensure uniform conditions for the implementation of this Regulation , implementing powers should be conferred on the Commission.	
<b><i>Recital 45</i></b>			
(45) The implementing powers relating to Articles 6(8), 7(7) and (8), 8(3), 11(2), 12(3) and 14(3) should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council <sup>12</sup> .  <sup>12</sup> Regulation (EU) No 182/2011		[...] The implementing powers relating to [...] <u>the specification of detailed conditions for pooling arrangements, procedures for monitoring and reporting of data on average emissions as well as procedures for taking into account deviations found in the CO<sub>2</sub> emissions of vehicles when</u>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<p>of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p.13).</p>		<p><u>calculating the average specific emissions of a manufacturer, determination of the means for collecting excess emissions premiums, procedures to approve the innovative technologies or innovative technology packages achieving CO<sub>2</sub> savings, measures allowing the monitoring and assessment of the real world representativeness of the CO<sub>2</sub> emission and energy consumption values determined in accordance with the WLTP test procedure and [...] determination of the correlation parameters necessary in order to reflect any change in the regulatory test procedure for the measurement of specific CO<sub>2</sub> emissions</u> should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>15</sup>.</p> <p><sup>15</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms</p>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
		for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p.13).	
<b>Amendment 24</b> <b>Recital 46</b>			
(46) In order to amend or supplement non-essential elements of the provisions of this Regulation the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending Annexes II and III as regards data requirements and data parameters, supplementing the rules on the interpretation of the eligibility criteria for derogations from the specific emissions targets, on the content of applications for a derogation and on the content and assessment of programmes for the reduction of specific emissions of CO <sub>2</sub> , adjusting the figure of M <sub>0</sub> and TM <sub>0</sub> , referred to in Article 13, the 7 g CO <sub>2</sub> /km cap referred to in	(46) In order to amend or supplement non-essential elements of the provisions of this Regulation the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending Annexes II and III as regards data requirements and data parameters, <b><i>establishing the requirements to ensure compliance with the prohibition of defeat devices and the required content of the extended documentation package referred to in Article 4(3c), establishing the rules and procedures for reporting life-cycle emissions referred to in Article 7(8a)</i></b> , supplementing the rules on the interpretation of the eligibility	(46) In order to amend [...] non-essential elements of the provisions of this Regulation the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union (TFEU) should be delegated to the Commission in respect of amending Annexes II and III as regards data requirements and data parameters, [...], adjusting the figures of M <sub>0</sub> and TM <sub>0</sub> , [...] <u>and of the 7 g CO<sub>2</sub>/km cap [...]</u> <u>for the total contributions of innovative technologies</u> , and [...] <u>adapting the formulae [...]</u> <u>for calculating the specific emission targets to reflect the change in the regulatory test procedure</u> . <u>In order to supplement non-essential elements of the provisions of this Regulation the</u>	To be adapted to the final agreement  <i>See also AMs 57, 58 and 59</i>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<p>Article 11, and the adjustment of the formulae in Annex I referred to in Article 14(3). It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making<sup>13</sup>. 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 should systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p> <p><sup>13</sup> OJ L 123, 12.5.2016, p. 1.</p>	<p>criteria for derogations from the specific emissions targets, on the content of applications for a derogation and on the content and assessment of programmes for the reduction of specific emissions of CO<sub>2</sub>, adjusting the figure of M0 and TM0, referred to in Article 13, the 7 g CO<sub>2</sub>/km cap referred to in Article 11, <i>developing a real-world CO<sub>2</sub> emissions test referred to in Article 12(1a)</i> and the adjustment of the formulae in Annex I referred to in Article 14(3). It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. 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</p>	<p><u>power to adopt acts in accordance with Article 290 of the TFEU should be delegated to the Commission in respect of supplementing the rules on the interpretation of the eligibility criteria for derogations for certain manufacturers from the specific emissions targets, on the content of the applications for a derogation, [...] on the content and assessment of programmes for the reduction of specific emissions of CO<sub>2</sub> with respect to certain manufacturers, and for setting out the calculation formulae of the derogation targets for niche manufacturers.</u> It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making<sup>16</sup>. In particular, to ensure equal participation in the preparation of delegated acts, the</p>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
	experts should systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	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.  <sup>16</sup> OJ L 123, 12.5.2016, p. 1.	
<b>Recital 47</b>			
(47) Since the objective of this Regulation, namely the establishment of CO <sub>2</sub> emissions performance requirements for new passenger cars and new light commercial vehicles, cannot be achieved by the Member States, and can therefore, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of		(47) Since the objective of this Regulation, namely the establishment of CO <sub>2</sub> emissions performance requirements for new passenger cars and new light commercial vehicles, cannot be <u>sufficiently</u> achieved by the Member States, [...] <u>but can rather</u> , by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective,		proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective,	
HAVE ADOPTED THIS REGULATION:			
<b>Amendment 25</b> <b>Article 1, paragraph 1</b>			
<p><i>Article 1</i> <i>Subject matter and objectives</i></p> <p>1. This Regulation establishes CO<sub>2</sub> emissions performance requirements for new passenger cars and for new light commercial vehicles in order to ensure the proper functioning of the internal market .</p>	<p><i>Article 1</i> <i>Subject matter and objectives</i></p> <p>1. This Regulation establishes CO<sub>2</sub> emissions performance requirements for new passenger cars and for new light commercial vehicles in order to <b><i>achieve the Union's climate targets and to comply with its climate commitments at international level, in a manner which is consistent with</i></b> the proper functioning of the internal market.</p>	<p><i>Article 1</i> <i>Subject matter and objectives</i></p> <p>1. This Regulation establishes CO<sub>2</sub> emissions performance requirements for new passenger cars and for new light commercial vehicles <u>to contribute to fulfilling the Union's target of reducing its greenhouse gas emissions [...] as laid down in Regulation (EU) No 2018/...[Effort Sharing Regulation]</u> and to achieving the <u>objectives of the Paris Agreement</u> and to ensure the proper functioning of the internal market.</p>	<p><u>Council:</u></p> <p>Amendment similar to Council changes but preference for Council text</p>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<p>2. From 1 January 2020, this Regulation sets an EU fleet-wide target of 95 g CO<sub>2</sub>/km for the average emissions of new passenger cars and an EU fleet-wide target of 147 g CO<sub>2</sub>/km for the average emissions of new light commercial vehicles registered in the Union, as measured until 31 December 2020 in accordance with Regulation (EC) No 692/2008 together with Implementing Regulations (EU) 2017/1152 and (EU) 2017/1153, and, from 1 January 2021 measured in accordance with Regulation (EU) 2017/1151.</p>		<p>2. From 1 January 2020, this Regulation sets an EU fleet-wide target of 95 g CO<sub>2</sub>/km for the average emissions of new passenger cars and an EU fleet-wide target of 147 g CO<sub>2</sub>/km for the average emissions of new light commercial vehicles registered in the Union, as measured until 31 December 2020 in accordance with Regulation (EC) No 692/2008 together with Implementing Regulations (EU) 2017/1152 and (EU) 2017/1153, and, from 1 January 2021 measured in accordance with Regulation (EU) 2017/1151.</p>	
<p>3. This Regulation will until 31 December 2024 be complemented by additional measures corresponding to a reduction of 10 g CO<sub>2</sub>/km as part of the Union's integrated approach referred to in the 2007 Communication from the Commission to the Council and the European Parliament<sup>14</sup>.</p> <p><sup>14</sup> Communication from the</p>		<p>3. This Regulation will until 31 December 2024 be complemented by additional measures corresponding to a reduction of 10 g CO<sub>2</sub>/km as part of the Union's integrated approach referred to in the 2007 Communication from the Commission to the Council and the European Parliament<sup>14</sup>.</p> <p><sup>14</sup> Communication from the</p>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
Commission to the Council and the European Parliament of 7 February 2007 Results of the review of the Community Strategy to reduce CO <sub>2</sub> emissions from passenger cars and light-commercial vehicles (COM(2007) 19 final).		Commission to the Council and the European Parliament of 7 February 2007 Results of the review of the Community Strategy to reduce CO <sub>2</sub> emissions from passenger cars and light-commercial vehicles (COM(2007) 19 final).	
<b>Amendment 26</b> <i>Article 1, paragraph 4</i>			
4. From 1 January 2025 the following EU fleet-wide targets shall apply:	4. From 1 January 2025 the following EU fleet-wide targets shall apply:	4. From 1 January 2025 the following EU fleet-wide targets shall apply:	
(a) for the average emissions of the new passenger car fleet, an EU fleet-wide target equal to a 15% reduction of the average of the specific emissions targets in 2021 determined in accordance with point 6.1.1 of Part A of Annex I;	(a) for the average emissions of the new passenger car fleet, an EU fleet-wide target equal to a <b>20 %</b> reduction of the average of the specific emissions targets in 2021 determined in accordance with point 6.1.1 of Part A of Annex I;	(a) for the average emissions of the new passenger car fleet, an EU fleet-wide target equal to a 15% reduction of the average of the specific emissions targets in 2021 determined in accordance with point 6.1.1 of Part A of Annex I;	<u>Council:</u>  Maintain Council position
(b) for the average emissions of the new light commercial vehicles fleet, an EU fleet-wide target equal to a 15% reduction	(b) for the average emissions of the new light commercial vehicles fleet, an EU fleet-wide target equal to a <b>20 %</b>	(b) for the average emissions of the new light commercial vehicles fleet, an EU fleet-wide target equal to a 15% reduction	<u>Council:</u>  Maintain Council position



Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
of the average of the specific emissions targets in 2021 determined in accordance with point 6.1.1 of Part B of Annex I;	reduction of the average of the specific emissions targets in 2021 determined in accordance with point 6.1.1 of Part B of Annex I;	of the average of the specific emissions targets in 2021 determined in accordance with point 6.1.1 of Part B of Annex I;	
<p align="center"><b>Amendment 27</b>  <i>Article 1, paragraph 4, subparagraph 1 a (new)</i></p>			
	<p><i>From 1 January 2025, a benchmark equal to a 20 % market share of the sales of new passenger cars and new light commercial vehicles in 2025, shall apply to the share of zero- and low-emission vehicles, which shall be determined in accordance with point 6.3 of Part A of Annex I and point 6.3 of Part B of Annex I respectively.</i></p>		<p><u>Council:</u></p> <p>Amendment not acceptable</p> <p><i>See also AMs 98 and 67</i></p> <p><i>For recitals, see AMs 11, 13, 14 and 15</i></p>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<b>Amendments 81 and 95</b> <i>Article 1, paragraph 5</i>			
5. From 1 January 2030 the following targets shall apply:	5. From 1 January 2030 the following targets shall apply:	5. From 1 January 2030 the following targets shall apply:	
(a) for the average emissions of the new passenger car fleet, an EU fleet-wide target equal to a 30% reduction of the average of the specific emissions targets in 2021 determined in accordance with point 6.1.2 of Part A of Annex I;	(a) for the average emissions of the new passenger car fleet, an EU fleet-wide target equal to a <b>40 %</b> reduction of the average of the specific emissions targets in 2021 determined in accordance with point 6.1.2 of Part A of Annex I;	(a) for the average emissions of the new passenger car fleet, an EU fleet-wide target equal to a [...] <u>35 %</u> reduction of the average of the specific emissions targets in 2021 determined in accordance with point 6.1.2 of Part A of Annex I;	<u>Council:</u>  Maintain Council position
(b) for the average emissions of the new light commercial vehicles fleet, an EU fleet-wide target equal to a 30% reduction of the average of the specific emissions targets in 2021 determined in accordance with point 6.1.2 of Part B of Annex I.	(b) for the average emissions of the new light commercial vehicles fleet, an EU fleet-wide target equal to a <b>40 %</b> reduction of the average of the specific emissions targets in 2021 determined in accordance with point 6.1.2 of Part B of Annex I.	(b) for the average emissions of the new light commercial vehicles fleet, an EU fleet-wide target equal to a 30% reduction of the average of the specific emissions targets in 2021 determined in accordance with point 6.1.2 of Part B of Annex I.	<u>Council:</u>  Maintain Council position

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<p align="center"><b>Amendment 96</b>  <i>Article 1, paragraph 5, subparagraph 1 a (new)</i></p>			
	<p><i>From 1 January 2030, a benchmark equal to a 35 % market share of the sales of new passenger cars and new light commercial vehicles in 2030 shall apply to the share of zero- and low-emission vehicles, which shall be determined in accordance with point 6.3 of Part A of Annex I and point 6.3 of Part B of Annex I respectively.</i></p>		<p><u>Council:</u></p> <p>Maintain Council position (see Council text in Annex I, Part A, point 6.3)</p> <p><i>See also AMs 98 and 99</i></p> <p><i>For recitals, see AMs 11, 13, 14 and 15</i></p>
<p align="center"><b>Article 2</b></p>			
<p align="center"><i>Article 2</i> <i>Scope</i></p> <p>1. This Regulation shall apply to the following motor vehicles :</p>		<p align="center"><i>Article 2</i> <i>Scope</i></p> <p>1. This Regulation shall apply to the following motor vehicles :</p>	
<p>(a) category M<sub>1</sub> as defined in Annex II to Directive 2007/46/EC ('passenger cars') which are registered in the Union for the first time and</p>		<p>(a) category M<sub>1</sub> as defined in Annex II to Directive 2007/46/EC ('passenger cars') which are registered in the Union for the first time and</p>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
which have not previously been registered outside the Union ('new passenger cars');		which have not previously been registered outside the Union ('new passenger cars');	
<b>Amendment 30</b> <b>Article 2, paragraph 1, point b</b>			
(b) category N <sub>1</sub> as defined in Annex II to Directive 2007/46/EC with a reference mass not exceeding 2 610 kg and category N <sub>1</sub> to which type-approval is extended in accordance with Article 2(2) of Regulation (EC) No 715/2007 ('light commercial vehicles') which are registered in the Union for the first time and which have not previously been registered outside the Union ('new light commercial vehicles').	(b) category N <sub>1</sub> as defined in Annex II to Directive 2007/46/EC with a reference mass not exceeding 2610 kg and to vehicles of category N <sub>1</sub> to which type-approval is extended in accordance with Article 2(2) of Regulation (EC) No 715/2007 ('light commercial vehicles') which are registered in the Union for the first time and which have not previously been registered outside the Union ('new light commercial vehicles'). <b><i>The Commission, in accordance with the objectives of this Regulation, is empowered to update, if necessary, the limit of the reference mass (2 610 kg) for light commercial vehicles using</i></b>	(b) category N <sub>1</sub> as defined in Annex II to Directive 2007/46/EC with a reference mass not exceeding 2 610 kg and category N <sub>1</sub> to which type-approval is extended in accordance with Article 2(2) of Regulation (EC) No 715/2007 ('light commercial vehicles') which are registered in the Union for the first time and which have not previously been registered outside the Union ('new light commercial vehicles').	<u>Council:</u>  Accept Commission suggestion covering Amendments 30, 31 and 18 (recital):  Article 2(1)(b)  “(b) category N1 as defined in Annex II to Directive 2007/46/EC with a reference mass not exceeding 2610 kg and to vehicles of category N1 to which type-approval is extended in accordance with Article 2(2) of Regulation (EC) No 715/2007 ('light commercial vehicles') which are registered in the Union for the first time and which have not previously been registered outside the Union ('new light commercial vehicles'). <b><i>In the case of zero emission</i></b>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
	<i>alternative fuels that require additional weight due to powertrains and energy storage systems (e.g. batteries) which are heavier than those used in conventional vehicles.</i>		<i>vehicles of category N1 with a reference mass exceeding 2610 kg, or 2840 kg as the case may be, they shall for the purposes of this Regulation and without prejudice to Directive 2007/46/EC and Regulation (EC) No 715/2007, be counted as N1 vehicles, if the excess reference mass is due only to the mass of the energy storage system.</i>
2. A previous registration outside the Union made less than three months before registration in the Union shall not be taken into account.		2. A previous registration outside the Union made less than three months before registration in the Union shall not be taken into account.	
3. This Regulation shall not apply to special purpose vehicles as defined in point 5 of Part A to Annex II to Directive 2007/46/EC.		3. This Regulation shall not apply to special purpose vehicles as defined in point 5 of Part A to Annex II to Directive 2007/46/EC.	
4. Article 4, Article 7 (4)(b) and (c), Article 8 and Article 9(1)(a) and (c) shall not apply to a manufacturer which, together with all of its connected undertakings, is		4. Article 4, Article 7 (4)(b) and (c), Article 8 and Article 9(1)(a) and (c) shall not apply to a manufacturer which, together with all of its connected undertakings, is	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
responsible for fewer than 1 000 new passenger cars or for fewer than 1 000 new light commercial vehicles registered in the Union in the previous calendar year, unless that manufacturer applies for and is granted a derogation in accordance with Article 10.		responsible for fewer than 1 000 new passenger cars or for fewer than 1 000 new light commercial vehicles registered in the Union in the previous calendar year, unless that manufacturer applies for and is granted a derogation in accordance with Article 10.	
<p align="center"><b>Amendment 31</b> <i>Article 2, paragraph 4 a (new)</i></p>			
	<p><i>4a. This Regulation shall apply to alternatively fuelled vehicles with a maximum authorised mass above 3 500 kg but not exceeding 4 250 kg, provided that the mass in excess of 3 500 kg is exclusively due to the excess of mass of the propulsion system in comparison with the propulsion system of a vehicle of the same dimensions equipped with a conventional internal combustion engine with positive ignition or compression ignition.</i></p>		<p><u>Council:</u></p> <p>See under Amendment 30</p>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<i>Article 3</i>			
<i>Article 3</i> <i>Definitions</i>  1. For the purposes of this Regulation, the following definitions shall apply:		<i>Article 3</i> <i>Definitions</i>  1. For the purposes of this Regulation, the following definitions shall apply:	
<b>Amendment 32</b> <i>Article 3, paragraph 1, point n a (new)</i>			
	<i>(na) 'defeat device' means an element of design which senses temperature, vehicle speed, engine speed (RPM), transmission gear, manifold vacuum or any other parameter for the purpose of activating, modulating, delaying or deactivating the operation of any system or part of a system that increases CO<sub>2</sub> emissions under conditions which may reasonably be expected to be encountered in normal vehicle operation and use.</i>		<u>Council:</u>  Accept Commission suggestion for amended recital 36 covering Amendments 32, 33, 34, 35 and 7:  (36) In order to be in <i>a</i> position to take such measures the Commission should have the powers to prepare and implement a procedure for verifying the in-service conformity of the CO <sub>2</sub> emissions of light duty vehicles placed on the market. <i>In developing that procedure, particular consideration should be given to identifying methods,</i>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
			<i>including the use of data from on-board fuel and/or energy consumption monitoring devices, for detecting strategies through which a vehicle's CO<sub>2</sub> performance is artificially improved in the type approval test procedure.</i> For that purpose Regulation (EC) No 715/2007 should be amended.
(a) 'average specific emissions of CO <sub>2</sub> ' means, in relation to a manufacturer, the average of the specific emissions of CO <sub>2</sub> of all new passenger cars or of all new light commercial vehicles of which it is the manufacturer;		(a) 'average specific emissions of CO <sub>2</sub> ' means, in relation to a manufacturer, the average of the specific emissions of CO <sub>2</sub> of all new passenger cars or of all new light commercial vehicles of which it is the manufacturer;	
(b) 'certificate of conformity' means the certificate referred to in Article 18 of Directive 2007/46/EC;		(b) 'certificate of conformity' means the certificate referred to in Article 18 of Directive 2007/46/EC;	
(c) 'completed vehicle' means a light commercial vehicle where		(c) 'completed vehicle' means a light commercial vehicle where	



<b>Commission proposal</b>	<b>EP Position Plenary vote 3/10/2018</b>	<b>Council Position General approach 9/10/2018</b>	<b>Comments/Suggestions</b>
type-approval is granted following completion of a process of multi-stage type-approval in accordance with Directive 2007/46/EC;		type-approval is granted following completion of a process of multi-stage type-approval in accordance with Directive 2007/46/EC;	
(d) ‘complete vehicle’ means any light commercial vehicle which does not need to be completed in order to meet the relevant technical requirements of Directive 2007/46/EC;		(d) ‘complete vehicle’ means any light commercial vehicle which does not need to be completed in order to meet the relevant technical requirements of Directive 2007/46/EC;	
(e) ‘base vehicle’ means any light commercial vehicle which is used at the initial stage of a multi-stage type-approval process;		(e) ‘base vehicle’ means any light commercial vehicle which is used at the initial stage of a multi-stage type-approval process;	
(f) ‘manufacturer’ means the person or body responsible to the approval authority for all aspects of the EC type-approval procedure in accordance with Directive 2007/46/EC and for ensuring conformity of production;		(f) ‘manufacturer’ means the person or body responsible to the approval authority for all aspects of the EC type-approval procedure in accordance with Directive 2007/46/EC and for ensuring conformity of production;	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
(g) ‘mass in running order ’ means the mass of the passenger car or light commercial vehicle with bodywork in running order as stated in the certificate of conformity and defined in section 2.6 of Annex I to Directive 2007/46/EC;		(g) ‘mass in running order ’ means the mass of the passenger car or light commercial vehicle with bodywork in running order as stated in the certificate of conformity and defined in section 2.6 of Annex I to Directive 2007/46/EC;	
(h) ‘specific emissions of CO <sub>2</sub> ’ means the CO <sub>2</sub> emissions of a passenger car or a light commercial vehicle measured in accordance with Regulation (EC) No 715/2007 and its implementing Regulations and specified as the CO <sub>2</sub> mass emission (combined) in the certificate of conformity of the vehicle. For passenger cars or light commercial vehicles which are not type-approved in accordance with Regulation (EC) No 715/2007, ‘specific emissions of CO <sub>2</sub> ’ means the CO <sub>2</sub> emissions measured in accordance with the same measurement procedure as specified in		(h) ‘specific emissions of CO <sub>2</sub> ’ means the CO <sub>2</sub> emissions of a passenger car or a light commercial vehicle measured in accordance with Regulation (EC) No 715/2007 and its implementing Regulations and specified as the CO <sub>2</sub> mass emission (combined) in the certificate of conformity of the vehicle. For passenger cars or light commercial vehicles which are not type-approved in accordance with Regulation (EC) No 715/2007, ‘specific emissions of CO <sub>2</sub> ’ means the CO <sub>2</sub> emissions measured <u>pursuant to Regulation (EC) No 715/2007, notably</u> in accordance with the	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
Regulation (EC) No 692/2008 until 31 December 2020, and from 1 January 2021 in Regulation (EU) 2017/1151, or in accordance with procedures adopted by the Commission to establish the CO <sub>2</sub> emissions for such vehicles;		same measurement procedure as specified in Regulation (EC) No 692/2008 until 31 December 2020, and from 1 January 2021 in Regulation (EU) 2017/1151, or in accordance with procedures adopted by the Commission to establish the CO <sub>2</sub> emissions for such vehicles;	
(i) ‘footprint’ means the average track width multiplied by the wheelbase as stated in the certificate of conformity and defined in Sections 2.1 and 2.3 of Annex I to Directive 2007/46/EC;		(i) ‘footprint’ means the average track width multiplied by the wheelbase as stated in the certificate of conformity and defined in Sections 2.1 and 2.3 of Annex I to Directive 2007/46/EC;	
(j) ‘specific emissions target’ means, in relation to a manufacturer, the annual target determined in accordance with Annex I or, if the manufacturer is granted a derogation in accordance with Article 10 the specific emissions target determined according to that derogation;		(j) ‘specific emissions target’ means, in relation to a manufacturer, the annual target determined in accordance with Annex I or, if the manufacturer is granted a derogation in accordance with Article 10 the specific emissions target determined according to that derogation;	

<b>Commission proposal</b>	<b>EP Position Plenary vote 3/10/2018</b>	<b>Council Position General approach 9/10/2018</b>	<b>Comments/Suggestions</b>
(k) 'EU fleet-wide target' means the average CO <sub>2</sub> emissions of all new passenger cars or all new light commercial vehicles to be achieved in a given period;		(k) 'EU fleet-wide target' means the average CO <sub>2</sub> emissions of all new passenger cars or all new light commercial vehicles to be achieved in a given period;	
(l) 'test mass' means the test mass of a passenger car or light commercial vehicle as stated in the certificate of conformity and as defined in point 3.2.25 of Annex XXI to Regulation (EU) 2017/1151;		(l) 'test mass' means the test mass of a passenger car or light commercial vehicle as stated in the certificate of conformity and as defined in point 3.2.25 of Annex XXI to Regulation (EU) 2017/1151;	
(m) 'zero- and low-emission vehicle' means a passenger car or a light commercial vehicle with tailpipe emissions from zero up to 50 g CO <sub>2</sub> /km, as determined in accordance with Regulation (EU) 2017/1151.		(m) 'zero- and low-emission vehicle' means a passenger car or a light commercial vehicle with tailpipe emissions from zero up to 50 g CO <sub>2</sub> /km, as determined in accordance with Regulation (EU) 2017/1151.	
(n) 'payload' means the difference between the technically permissible maximum laden mass pursuant to Annex II to Directive 2007/46/EC and the mass of the vehicle.		(n) 'payload' means the difference between the technically permissible maximum laden mass pursuant to Annex II to Directive 2007/46/EC and the mass of the vehicle.	

<b>Commission proposal</b>	<b>EP Position Plenary vote 3/10/2018</b>	<b>Council Position General approach 9/10/2018</b>	<b>Comments/Suggestions</b>
2. For the purposes of this Regulation ‘a group of connected manufacturers’ means a manufacturer and its connected undertakings. In relation to a manufacturer, ‘connected undertakings’ means:		2. For the purposes of this Regulation ‘a group of connected manufacturers’ means a manufacturer and its connected undertakings. In relation to a manufacturer, ‘connected undertakings’ means:	
(a) undertakings in which the manufacturer has, directly or indirectly:		(a) undertakings in which the manufacturer has, directly or indirectly:	
(i) the power to exercise more than half the voting rights; or		(i) the power to exercise more than half the voting rights; or	
(ii) the power to appoint more than half the members of the supervisory board, board of management or bodies legally representing the undertaking; or		(ii) the power to appoint more than half the members of the supervisory board, board of management or bodies legally representing the undertaking; or	
(iii) the right to manage the undertaking's affairs;		(iii) the right to manage the undertaking's affairs;	
(b) undertakings which directly or indirectly have, over the manufacturer, the rights or		(b) undertakings which directly or indirectly have, over the manufacturer, the rights or	

<b>Commission proposal</b>	<b>EP Position Plenary vote 3/10/2018</b>	<b>Council Position General approach 9/10/2018</b>	<b>Comments/Suggestions</b>
powers listed in point (a);		powers listed in point (a);	
(c) undertakings in which an undertaking referred to in point (b) has, directly or indirectly, the rights or powers listed in point (a);		(c) undertakings in which an undertaking referred to in point (b) has, directly or indirectly, the rights or powers listed in point (a);	
(d) undertakings in which the manufacturer together with one or more of the undertakings referred to in points (a), (b) or (c), or in which two or more of the latter undertakings, jointly have the rights or powers listed in point (a);		(d) undertakings in which the manufacturer together with one or more of the undertakings referred to in points (a), (b) or (c), or in which two or more of the latter undertakings, jointly have the rights or powers listed in point (a);	
(e) undertakings in which the rights or the powers listed in point (a) are jointly held by the manufacturer or one or more of its connected undertakings referred to in points (a) to (d) and one or more third parties.		(e) undertakings in which the rights or the powers listed in point (a) are jointly held by the manufacturer or one or more of its connected undertakings referred to in points (a) to (d) and one or more third parties.	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<i>Article 4</i>			
<p><i>Article 4</i> <i>Specific emissions targets</i></p> <p>1. The manufacturer shall ensure that its average specific emissions of CO<sub>2</sub> do not exceed the following specific emissions targets:</p>		<p><i>Article 4</i> <i>Specific emissions targets</i></p> <p>1. The manufacturer shall ensure that its average specific emissions of CO<sub>2</sub> do not exceed the following specific emissions targets:</p>	
<p>(a) for calendar year 2020, the specific emissions target determined in accordance with points 1 and 2 of Part A of Annex I in the case of passenger cars, or points 1 and 2 of Part B of Annex I in the case of light commercial vehicles, or where a manufacturer is granted a derogation under Article 10, in accordance with that derogation;</p>		<p>(a) for calendar year 2020, the specific emissions target determined in accordance with points 1 and 2 of Part A of Annex I in the case of passenger cars, or points 1 and 2 of Part B of Annex I in the case of light commercial vehicles, or where a manufacturer is granted a derogation under Article 10, in accordance with that derogation;</p>	
<p>(b) for each calendar year from 2021 until 2024, the specific emissions target determined in accordance with points 3 and 4</p>		<p>(b) for each calendar year from 2021 until 2024, the specific emissions target determined in accordance with points 3 and 4</p>	

<b>Commission proposal</b>	<b>EP Position Plenary vote 3/10/2018</b>	<b>Council Position General approach 9/10/2018</b>	<b>Comments/Suggestions</b>
of Parts A or B of Annex I as appropriate or, where a manufacturer is granted a derogation under Article 10 , in accordance with that derogation and point 5 of Parts A or B of Annex I;		of Parts A or B of Annex I as appropriate or, where a manufacturer is granted a derogation under Article 10 , in accordance with that derogation and point 5 of Parts A or B of Annex I;	
(c) for each calendar year, starting from 2025, the specific emissions targets determined in accordance with point 6.3 of Parts A or B of Annex I.		(c) for each calendar year, starting from 2025, the specific emissions targets determined in accordance with point 6.3 of Parts A or B of Annex I.	
2. In the case of light commercial vehicles, where the specific emissions of the completed vehicle are not available, the manufacturer of the base vehicle shall use the specific emissions of the base vehicle for determining its average specific emissions of CO <sub>2</sub> .		2. In the case of light commercial vehicles, where the specific emissions of the completed vehicle are not available, the manufacturer of the base vehicle shall use the specific emissions of the base vehicle for determining its average specific emissions of CO <sub>2</sub> .	
3. For the purposes of determining each manufacturer's average specific emissions of CO <sub>2</sub> , the following percentages of each manufacturer's new passenger cars registered in the relevant year shall		3. For the purposes of determining each manufacturer's average specific emissions of CO <sub>2</sub> , the following percentages of each manufacturer's new passenger cars registered in the relevant year shall	



Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
be taken into account:		be taken into account:	
– 95 % in 2020,		– 95 % in 2020,	
– 100 %from 2021 onwards.		– 100 %from 2021 onwards.	
<b>Amendment 33</b> <i>Article 4, paragraph 3 a (new)</i>			
	<b>3a.</b> <i>The manufacturer shall equip vehicles so that the systems and components likely to affect emissions are designed, constructed and assembled so as to enable the passenger cars or the light commercial vehicles of the manufacturer, in normal use, to comply with the specific emission targets and other requirements pursuant to this Regulation and its implementing measures.</i>		<u>Council:</u>  See under Amendment 32
<b>Amendment 34</b> <i>Article 4, paragraph 3 b (new)</i>			
	<b>3b.</b> <i>The use of defeat devices shall be prohibited. The prohibition shall not apply where:</i> <b>(a)</b> <i>the need for the device is justified in terms of protecting</i>		<u>Council:</u>  See under Amendment 32

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
	<p><i>the engine against damage or accident and for the safe operation of the vehicle;</i></p> <p><i>(b) the device does not function beyond the requirements of engine starting; or</i></p> <p><i>(c) the conditions are substantially included in the test procedures referred to under Article 1.</i></p>		
<p align="center"><b>Amendment 35</b> <i>Article 4, paragraph 3 c (new)</i></p>			
	<p><i>3c. In order for the approval authorities to be able to assess compliance with paragraphs 3a and 3b of this Article, the manufacturer shall provide an extended documentation package. The Commission is empowered to adopt a delegated act in accordance with Article 16 to supplement this Regulation with requirements to ensure compliance with the prohibition of defeat devices and the required content of the extended documentation package.</i></p>		<p><u>Council:</u></p> <p>See under Amendment 32</p>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<i>Article 5</i>			
<p><i>Article 5</i> <i>Super-credits</i> <i>for 95 g CO<sub>2</sub>/km target</i></p> <p>In calculating the average specific emissions of CO<sub>2</sub>, each new passenger car with specific emissions of CO<sub>2</sub> of less than 50 g CO<sub>2</sub>/km shall be counted as: 2 passenger cars in 2020, 1,67 passenger cars in 2021, 1,33 passenger cars in 2022, 1 passenger car from 2023,</p>		<p><i>Article 5</i> <i>Super-credits</i> <i>for 95 g CO<sub>2</sub>/km target</i></p> <p>In calculating the average specific emissions of CO<sub>2</sub>, each new passenger car with specific emissions of CO<sub>2</sub> of less than 50 g CO<sub>2</sub>/km shall be counted as: 2 passenger cars in 2020, 1,67 passenger cars in 2021, 1,33 passenger cars in 2022, 1 passenger car from 2023,</p>	
<p>for the year in which it is registered in the period from 2020 to 2022, subject to a cap of 7,5 g CO<sub>2</sub>/km over that period for each manufacturer and subject to Article 5 of Implementing Regulation (EU) 2017/1153.</p>		<p>for the year in which it is registered in the period from 2020 to 2022, subject to a cap of 7,5 g CO<sub>2</sub>/km over that period for each manufacturer [...] <u>as calculated in accordance with</u> Article 5 of Implementing Regulation (EU) 2017/1153.</p>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<i>Article 6</i>			
<p><i>Article 6</i> <i>Pooling</i></p> <p>1. Manufacturers , other than manufacturers which have been granted a derogation under Article 10, may form a pool for the purposes of meeting their obligations under Article 4.</p>		<p><i>Article 6</i> <i>Pooling</i></p> <p>1. Manufacturers , other than manufacturers which have been granted a derogation under Article 10, may form a pool for the purposes of meeting their obligations under Article 4.</p>	
<p>2. An agreement to form a pool may relate to one or more calendar years, provided that the overall duration of each agreement does not exceed five calendar years, and must be entered into on or before 31 December in the first calendar year for which emissions are to be pooled. Manufacturers which form a pool shall file the following information with the Commission:</p>		<p>2. An agreement to form a pool may relate to one or more calendar years, provided that the overall duration of each agreement does not exceed five calendar years, and must be entered into on or before 31 December in the first calendar year for which emissions are to be pooled. Manufacturers which form a pool shall file the following information with the Commission:</p>	
<p>(a) the manufacturers who will be included in the pool;</p>		<p>(a) the manufacturers who will be included in the pool;</p>	

<b>Commission proposal</b>	<b>EP Position Plenary vote 3/10/2018</b>	<b>Council Position General approach 9/10/2018</b>	<b>Comments/Suggestions</b>
(b) the manufacturer nominated as the pool manager who will be the contact point for the pool and will be responsible for paying any excess emissions premium imposed on the pool in accordance with Article 8;		(b) the manufacturer nominated as the pool manager who will be the contact point for the pool and will be responsible for paying any excess emissions premium imposed on the pool in accordance with Article 8;	
(c) evidence that the pool manager will be able to fulfil the obligations under point (b)		(c) evidence that the pool manager will be able to fulfil the obligations under point (b)	
(d) the category of vehicles registered as M <sub>1</sub> or N <sub>1</sub> , for which the pool shall apply.		(d) the category of vehicles registered as M <sub>1</sub> or N <sub>1</sub> , for which the pool shall apply.	
3. Where the proposed pool manager fails to meet the requirement to pay any excess emissions premium imposed on the pool in accordance with Article 8 , the Commission shall notify the manufacturers.		3. Where the proposed pool manager fails to meet the requirement to pay any excess emissions premium imposed on the pool in accordance with Article 8 , the Commission shall notify the manufacturers.	
4. Manufacturers included in a pool shall jointly inform the Commission of any change of pool manager or of its financial status, in so far as this may affect its ability		4. Manufacturers included in a pool shall jointly inform the Commission of any change of pool manager or of its financial status, in so far as this may affect its ability	

<b>Commission proposal</b>	<b>EP Position Plenary vote 3/10/2018</b>	<b>Council Position General approach 9/10/2018</b>	<b>Comments/Suggestions</b>
to meet the requirement to pay any excess emissions premium imposed on the pool in accordance with Article 8 and of any changes to the membership of the pool or the dissolution of the pool.		to meet the requirement to pay any excess emissions premium imposed on the pool in accordance with Article 8 and of any changes to the membership of the pool or the dissolution of the pool.	
5. Manufacturers may enter into pooling arrangements provided that their agreements comply with Articles 101 and 102 TFEU and that they allow open, transparent and non-discriminatory participation on commercially reasonable terms by any manufacturer requesting membership of the pool. Without prejudice to the general applicability of Union competition rules to such pools, all members of a pool shall in particular ensure that neither data sharing nor information exchange may occur in the context of their pooling arrangement, except in respect of the following information:		5. Manufacturers may enter into pooling arrangements provided that their agreements comply with Articles 101 and 102 TFEU and that they allow open, transparent and non-discriminatory participation on commercially reasonable terms by any manufacturer requesting membership of the pool. Without prejudice to the general applicability of Union competition rules to such pools, all members of a pool shall in particular ensure that neither data sharing nor information exchange may occur in the context of their pooling arrangement, except in respect of the following information:	
(a) the average specific emissions of CO <sub>2</sub> ;		(a) the average specific emissions of CO <sub>2</sub> ;	

<b>Commission proposal</b>	<b>EP Position Plenary vote 3/10/2018</b>	<b>Council Position General approach 9/10/2018</b>	<b>Comments/Suggestions</b>
(b) the specific emissions target;		(b) the specific emissions target;	
(c) the total number of vehicles registered.		(c) the total number of vehicles registered.	
6. Paragraph 5 shall not apply where all the manufacturers included in the pool are part of the same group of connected manufacturers.		6. Paragraph 5 shall not apply where all the manufacturers included in the pool are part of the same group of connected manufacturers.	
7. Except where notification is given under paragraph 3, the manufacturers in a pool in respect of which information is filed with the Commission shall be considered as one manufacturer for the purposes of meeting their obligations under Article 4. Monitoring and reporting information in respect of individual manufacturers as well as any pools will be recorded, reported and made available in the central register referred to in Article 7(4).		7. Except where notification is given under paragraph 3, the manufacturers in a pool in respect of which information is filed with the Commission shall be considered as one manufacturer for the purposes of meeting their obligations under Article 4. Monitoring and reporting information in respect of individual manufacturers as well as any pools will be recorded, reported and made available in the central register referred to in Article 7(4).	
8. The Commission may specify the detailed conditions that shall apply for a pooling arrangement set		8. The Commission may specify the detailed conditions that shall apply for a pooling arrangement set	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
up pursuant to paragraph 5 by way of implementing acts to be adopted in accordance with the examination procedure referred to in Article 15(2).		up pursuant to paragraph 5 by way of implementing acts to be adopted in accordance with the examination procedure referred to in Article 15(2).	
<b>Amendment 36</b> <i>Article 7, paragraph 1</i>			
<p style="text-align: center;"><i>Article 7</i> <i>Monitoring and reporting of average emissions</i></p> <p>1. For each calendar year, each Member State shall record information for each new passenger car and each new light commercial vehicle registered in its territory in accordance with Parts A of Annexes II and III. This information shall be made available to the manufacturers and their designated importers or representatives in each Member State. Member States shall make every effort to ensure that reporting bodies operate in a transparent manner. Each Member State shall ensure that the specific emissions of</p>	<p style="text-align: center;"><i>Article 7</i> <i>Monitoring and reporting of average emissions</i></p> <p>1. For each calendar year, each Member State shall record information for each new passenger car and each new light commercial vehicle registered in its territory in accordance with Parts A of Annexes II and III. This information shall be made available to the manufacturers and their designated importers or representatives in each Member State. Member States shall [...] ensure that reporting bodies operate in a transparent manner. Each Member State shall ensure that the specific emissions of CO<sub>2</sub> of</p>	<p style="text-align: center;"><i>Article 7</i> <i>Monitoring and reporting of average emissions</i></p> <p>1. For each calendar year, each Member State shall record information for each new passenger car and each new light commercial vehicle registered in its territory in accordance with Parts A of Annexes II and III. This information shall be made available to the manufacturers and their designated importers or representatives in each Member State. Member States shall make every effort to ensure that reporting bodies operate in a transparent manner. Each Member State shall ensure that the specific emissions of</p>	<p><u>Council:</u></p> <p>Maintain Council position</p> <p>(Recast issue)</p>



<b>Commission proposal</b>	<b>EP Position Plenary vote 3/10/2018</b>	<b>Council Position General approach 9/10/2018</b>	<b>Comments/Suggestions</b>
CO <sub>2</sub> of passenger cars which are not type-approved in accordance with Regulation (EC) No 715/2007 are measured and recorded in the certificate of conformity.	passenger cars which are not type-approved in accordance with Regulation (EC) No 715/2007 are measured and recorded in the certificate of conformity.	CO <sub>2</sub> of passenger cars which are not type-approved in accordance with Regulation (EC) No 715/2007 are measured and recorded in the certificate of conformity.	
2. By 28 February of each year, each Member State shall determine and transmit to the Commission the information listed in Parts A of Annexes II and III in respect of the preceding calendar year. The data shall be transmitted in accordance with the format specified in Part B of Annex II and Part C of Annex III.		2. By 28 February of each year, each Member State shall determine and transmit to the Commission the information listed in Parts A of Annexes II and III in respect of the preceding calendar year. The data shall be transmitted in accordance with the format specified in Part B of Annex II and Part C of Annex III.	
3. On request from the Commission, a Member State shall also transmit the full set of data collected pursuant to paragraph 1.		3. On request from the Commission, a Member State shall also transmit the full set of data collected pursuant to paragraph 1.	
4. The Commission shall keep a central register of the data reported by Member States under this Article and by 30 June of each year shall provisionally calculate the following for each manufacturer:		4. The Commission shall keep a central register of the data reported by Member States under this Article and by 30 June of each year shall provisionally calculate the following for each manufacturer:	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
(a) the average specific emissions of CO <sub>2</sub> in the preceding calendar year;		(a) the average specific emissions of CO <sub>2</sub> in the preceding calendar year;	
(b) the specific emissions target in the preceding calendar year;		(b) the specific emissions target in the preceding calendar year;	
(c) the difference between its average specific emissions of CO <sub>2</sub> in the preceding calendar year and its specific emissions target for that year.		(c) the difference between its average specific emissions of CO <sub>2</sub> in the preceding calendar year and its specific emissions target for that year.	
The Commission shall notify each manufacturer of its provisional calculation for that manufacturer. The notification shall include data for each Member State on the number of new passenger cars and of new light commercial vehicles registered and their specific emissions of CO <sub>2</sub> .		The Commission shall notify each manufacturer of its provisional calculation for that manufacturer. The notification shall include data for each Member State on the number of new passenger cars and of new light commercial vehicles registered and their specific emissions of CO <sub>2</sub> .	
<p align="center"><b>Amendment 37</b>  <i>Article 7, paragraph 4, subparagraph 3</i></p>			
The register shall be publicly available.	The register shall be publicly available, <i>including in digital format</i> .	The register shall be publicly available.	<u>Council:</u>  Maintain Council position

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
			(Recast issue and EEA register is already in digital format)
<p align="center"><b>Amendment 38</b> <i>Article 7, paragraph 5, subparagraph 1</i></p>			
5. Manufacturers may, within three months of being notified of the provisional calculation under paragraph 4, notify the Commission of any errors in the data, specifying the Member State in which it considers that the error occurred.	5. Manufacturers <i>shall</i> , within three months of being notified of the provisional calculation under paragraph 4, notify the Commission of any errors in the data, specifying the Member State in which it considers that the error occurred.	5. Manufacturers may, within three months of being notified of the provisional calculation under paragraph 4, notify the Commission of any errors in the data, specifying the Member State in which it considers that the error occurred.	<p><u>Council:</u></p> <p>Maintain Council position</p> <p>(Recast issue)</p>
The Commission shall consider any notifications from manufacturers and shall, by 31 October, either confirm or amend the provisional calculations under paragraph 4.		The Commission shall consider any notifications from manufacturers and shall, by 31 October, either confirm or amend the provisional calculations under paragraph 4.	
6. Member States shall designate a competent authority for the collection and communication of the monitoring data in accordance with this Regulation and shall inform the Commission of the competent authority designated.		6. Member States shall designate a competent authority for the collection and communication of the monitoring data in accordance with this Regulation and shall inform the Commission of the competent authority designated.	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
The competent authorities shall ensure the correctness and completeness of the data transmitted to the Commission, and shall appoint a contact person that shall be available to respond quickly to requests from the Commission to address errors and omissions in the transmitted datasets.		The competent authorities shall ensure the correctness and completeness of the data transmitted to the Commission, and shall [...] <u>provide a contact point</u> that shall be available to respond quickly to requests from the Commission to address errors and omissions in the transmitted datasets.	
7. The Commission shall adopt detailed rules on the procedures for monitoring and reporting of data under paragraphs 1 to 7 and on the application of Annex II by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2).		7. The Commission shall adopt detailed rules on the procedures for monitoring and reporting of data under paragraphs 1 to 7 and on the application of Annex II by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2).	
The Commission shall be empowered to adopt delegated acts in accordance with Article 16 in order to amend the data requirements and data parameters set out in Annex II and III.		<u>7a.</u> The Commission shall be empowered to adopt delegated acts in accordance with Article 16 in order to amend the data requirements and data parameters set out in Annex II and III.	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
8. Type approval authorities shall without delay report to the Commission deviations found in the CO <sub>2</sub> emissions of vehicles in service as compared to those values indicated in the certificates of conformity as a result of verifications performed in accordance with the procedure referred to in [Article 11a] of Regulation (EC) No 715/2007.		8. Type approval authorities shall without delay report to the Commission deviations found in the CO <sub>2</sub> emissions of vehicles in service as compared to those values indicated in the certificates of conformity as a result of verifications performed in accordance with the procedure referred to in [Article 11a] of Regulation (EC) No 715/2007.	
The Commission shall take those deviations into account for the purpose of calculating the average specific emissions of a manufacturer.		The Commission shall take those deviations into account for the purpose of calculating the average specific emissions of a manufacturer.	
<p align="center"><b>Amendment 39</b> <i>Article 7, paragraph 8, subparagraph 3</i></p>			
The Commission may adopt detailed rules on the procedures for reporting such deviations and for taking them into account in the calculation of the average specific emissions. Those procedures shall be adopted by way of implementing acts in accordance with the	The Commission <b><i>shall</i></b> adopt detailed rules on the procedures for reporting such deviations and for taking them into account in the calculation of the average specific emissions. Those procedures shall be adopted by way of implementing acts in accordance with the	The Commission [...] <u>shall</u> adopt detailed rules on the procedures for reporting such deviations and for taking them into account in the calculation of the average specific emissions. Those procedures shall be adopted by way of implementing acts in accordance with the	Agreed – identical text

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
examination procedure referred to in Article 15(2).	examination procedure referred to in Article 15(2).	examination procedure referred to in Article 15(2).	
<p align="center"><b>Amendment 40</b> <i>Article 7, paragraph 8 a (new)</i></p>			
	<p><i>8a. From 1 January 2025 onwards manufacturers shall report to the Commission, based on a harmonised Union methodology, the lifecycle CO<sub>2</sub> emissions of all new passenger cars and light commercial vehicles they put on the market as from that date. For that purpose, the Commission shall adopt, no later than 31 December 2022, delegated acts in accordance with Article 16 in order to supplement this Regulation by specifying detailed rules on the procedures for reporting the full lifecycle CO<sub>2</sub> emissions of all fuel types and vehicle powertrains registered on the Union market.</i></p> <p><i>No later than 31 December 2026, the Commission shall submit a report to the European Parliament and the Council with an analysis</i></p>		<p><u>Council:</u></p> <p>Amendment not acceptable</p> <p><i>See also AM 23 (recital)</i></p>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
	<i>of the overall life-cycle emissions from new light duty vehicles in the Union, including an analysis of options for possible regulatory measures, in order to better direct future policy efforts in emissions cuts in the sector. That analysis shall be made publicly available.</i>		
9. Member States shall also collect and report data, in accordance with this Article, on registrations of vehicles in categories M <sub>2</sub> and N <sub>2</sub> as defined in Annex II to Directive 2007/46/EC with a reference mass not exceeding 2 610 kg and vehicles to which type approval is extended in accordance with Article 2(2) of Regulation (EC) No 715/2007.		9. Member States shall also collect and report data, in accordance with this Article, on registrations of vehicles in categories M <sub>2</sub> and N <sub>2</sub> as defined in Annex II to Directive 2007/46/EC with a reference mass not exceeding 2 610 kg and vehicles to which type approval is extended in accordance with Article 2(2) of Regulation (EC) No 715/2007.	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<i>Article 8</i>			
<p><i>Article 8</i> <i>Excess emissions premium</i></p> <p>1. In respect of each calendar year , the Commission shall impose an excess emissions premium on a manufacturer or pool manager, as appropriate, where a manufacturer's average specific emissions of CO<sub>2</sub> exceed its specific emissions target.</p>		<p><i>Article 8</i> <i>Excess emissions premium</i></p> <p>1. In respect of each calendar year , the Commission shall impose an excess emissions premium on a manufacturer or pool manager, as appropriate, where a manufacturer's average specific emissions of CO<sub>2</sub> exceed its specific emissions target.</p>	
<p>2. The excess emissions premium under paragraph 1 shall be calculated using the following formula:</p>		<p>2. The excess emissions premium under paragraph 1 shall be calculated using the following formula:</p>	
<p>(Excess emissions × EUR 95) × number of newly registered vehicles.</p>		<p>(Excess emissions × EUR 95) × number of newly registered vehicles.</p>	
<p>For the purposes of this Article the following definitions shall apply:</p>		<p>For the purposes of this Article the following definitions shall apply:</p>	
<p>– ‘excess emissions’ means the positive number of grams per kilometre by which a</p>		<p>– ‘excess emissions’ means the positive number of grams per kilometre by which a</p>	



Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<p>manufacturer's average specific emissions of CO<sub>2</sub>, taking into account CO<sub>2</sub> emissions reductions due to innovative technologies approved in accordance with Article 11 , exceeded its specific emissions target in the calendar year or part thereof to which the obligation under Article 4 applies, rounded to the nearest three decimal places, and</p>		<p>manufacturer's average specific emissions of CO<sub>2</sub>, taking into account CO<sub>2</sub> emissions reductions due to innovative technologies approved in accordance with Article 11 , exceeded its specific emissions target in the calendar year or part thereof to which the obligation under Article 4 applies, rounded to the nearest three decimal places, and</p>	
<p>– ‘number of newly registered vehicles’ means the number of new passenger cars or new light commercial vehicles counted separately of which it is the manufacturer and which were registered in that period according to the phase-in criteria as set out in Article 4(3).</p>		<p>– ‘number of newly registered vehicles’ means the number of new passenger cars or new light commercial vehicles counted separately of which it is the manufacturer and which were registered in that period according to the phase-in criteria as set out in Article 4(3).</p>	
<p>3. The Commission shall determine the means for collecting excess emissions premiums under paragraph 1 by means of implementing acts. Those</p>		<p>3. The Commission shall determine the means for collecting excess emissions premiums under paragraph 1 by means of implementing acts. Those</p>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2).		implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2).	
<p align="center"><b>Amendment 41</b> <i>Article 8, paragraph 4</i></p>			
4. The amounts of the excess emissions premium shall be considered as revenue for the general budget of the Union.	4. The amounts of the excess emissions premium shall be considered as revenue for the general budget of the Union. <i>Those amounts shall be used to complement Union and national measures, in close cooperation with social partners, to promote skill formation and reallocation of workers in the automotive sector in all affected Member States, in particular in the regions and the communities most affected by the transition, in order to contribute to a just transition towards zero-emission mobility.</i>	4. The amounts of the excess emissions premium shall be considered as revenue for the general budget of the Union.	<p><u>Council:</u></p> <p>Amendments 21 and 41 on earmarking not acceptable. To be discussed further</p> <p><i>See Commission suggestion under Amendment 3 and Council text for Art 14 (1a)</i></p>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<i>Article 9</i>			
<p><i>Article 9</i> <i>Publication of performance of manufacturers</i></p> <p>1. By 31 October of each year, the Commission shall publish by means of implementing acts a list indicating:</p>		<p><i>Article 9</i> <i>Publication of performance of manufacturers</i></p> <p>1. By 31 October of each year, the Commission shall publish by means of implementing acts a list indicating:</p>	
(a) for each manufacturer, its specific emissions target for the preceding calendar year;		(a) for each manufacturer, its specific emissions target for the preceding calendar year;	
(b) for each manufacturer, its average specific emissions of CO <sub>2</sub> in the preceding calendar year;		(b) for each manufacturer, its average specific emissions of CO <sub>2</sub> in the preceding calendar year;	
(c) the difference between the manufacturer's average specific emissions of CO <sub>2</sub> in the preceding calendar year and its specific emissions target in that year;		(c) the difference between the manufacturer's average specific emissions of CO <sub>2</sub> in the preceding calendar year and its specific emissions target in that year;	

<b>Commission proposal</b>	<b>EP Position Plenary vote 3/10/2018</b>	<b>Council Position General approach 9/10/2018</b>	<b>Comments/Suggestions</b>
(d) the average specific emissions of CO <sub>2</sub> for all new passenger cars and new light commercial vehicles registered in the Union in the previous calendar year;		(d) the average specific emissions of CO <sub>2</sub> for all new passenger cars and new light commercial vehicles registered in the Union in the previous calendar year;	
(e) the average mass in running order for all new passenger cars and new light commercial vehicles registered in the Union in the preceding calendar year until 31 December 2020;		(e) the average mass in running order for all new passenger cars and new light commercial vehicles registered in the Union in the preceding calendar year until 31 December 2020;	
(f) the average test mass of all new passenger cars and new light commercial vehicles registered in the Union in the preceding calendar year.		(f) the average test mass of all new passenger cars and new light commercial vehicles registered in the Union in the preceding calendar year.	
2. The list published under paragraph 1 shall also indicate whether the manufacturer has complied with the requirements of Article 4 with respect to the preceding calendar year.		2. The list published under paragraph 1 shall also indicate whether the manufacturer has complied with the requirements of Article 4 with respect to the preceding calendar year.	
3. The list referred to in paragraph 1 shall, for the publication by 31 October 2022,		3. The list referred to in paragraph 1 shall, for the publication by 31 October 2022,	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
indicate the following:		indicate the following:	
(a) the 2025 and 2030 EU fleet-wide targets referred to in Article 1(4) and (5) calculated by the Commission in accordance with points 6.1.1 and 6.1.2 of Parts A and B of Annex I;		(a) the 2025 and 2030 EU fleet-wide targets referred to in Article 1(4) and (5) calculated by the Commission in accordance with points 6.1.1 and 6.1.2 of Parts A and B of Annex I;	
(b) the values for $a_{2021}$ , $a_{2025}$ and $a_{2030}$ calculated by the Commission in accordance with point 6.2 of Parts A and B of Annex I.		(b) the values for $a_{2021}$ , $a_{2025}$ and $a_{2030}$ calculated by the Commission in accordance with point 6.2 of Parts A and B of Annex I.	
<i>Article 10</i>			
<p><i>Article 10</i> <i>Derogations for certain manufacturers</i></p> <p>1. An application for a derogation from the specific emissions target calculated in accordance with Annex I may be made by a manufacturer of fewer than 10 000 new passenger cars or</p>		<p><i>Article 10</i> <i>Derogations for certain manufacturers</i></p> <p>1. An application for a derogation from the specific emissions target calculated in accordance with Annex I may be made by a manufacturer of fewer than 10 000 new passenger cars or</p>	

<b>Commission proposal</b>	<b>EP Position Plenary vote 3/10/2018</b>	<b>Council Position General approach 9/10/2018</b>	<b>Comments/Suggestions</b>
22 000 new light commercial vehicles registered in the Union per calendar year, and which:		22 000 new light commercial vehicles registered in the Union per calendar year, and which:	
(a) is not part of a group of connected manufacturers; or		(a) is not part of a group of connected manufacturers; or	
(b) is part of a group of connected manufacturers that is responsible in total for fewer than 10 000 new passenger cars or 22 000 new light commercial vehicles registered in the Union per calendar year; or		(b) is part of a group of connected manufacturers that is responsible in total for fewer than 10 000 new passenger cars or 22 000 new light commercial vehicles registered in the Union per calendar year; or	
(c) is part of a group of connected manufacturers but operates its own production facilities and design centre.		(c) is part of a group of connected manufacturers but operates its own production facilities and design centre.	
2. A derogation applied for under paragraph 1 may be granted for a maximum period of five calendar years renewable. An application shall be made to the Commission and shall include:		2. A derogation applied for under paragraph 1 may be granted for a maximum period of five calendar years, <u>which is</u> renewable. An application shall be made to the Commission and shall include:	

<b>Commission proposal</b>	<b>EP Position Plenary vote 3/10/2018</b>	<b>Council Position General approach 9/10/2018</b>	<b>Comments/Suggestions</b>
(a) the name of, and contact person for, the manufacturer;		(a) the name of, and contact person for, the manufacturer;	
(b) evidence that the manufacturer is eligible for a derogation under paragraph 1;		(b) evidence that the manufacturer is eligible for a derogation under paragraph 1;	
(c) details of the passenger cars or light commercial vehicles which it manufactures including the test mass and specific emissions of CO <sub>2</sub> of those passenger cars or light commercial vehicles; and		(c) details of the passenger cars or light commercial vehicles which it manufactures including the test mass and specific emissions of CO <sub>2</sub> of those passenger cars or light commercial vehicles; and	
(d) a specific emissions target consistent with its reduction potential, including the economic and technological potential to reduce its specific emissions of CO <sub>2</sub> and taking into account the characteristics of the market for the type of passenger car or light commercial vehicle manufactured.		(d) a specific emissions target consistent with its reduction potential, including the economic and technological potential to reduce its specific emissions of CO <sub>2</sub> and taking into account the characteristics of the market for the type of passenger car or light commercial vehicle manufactured.	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<b>Amendment 42</b> <i>Article 10, paragraph 3</i>			
3. Where the Commission considers that the manufacturer is eligible for a derogation applied for under paragraph 1 and is satisfied that the specific emissions target proposed by the manufacturer is consistent with its reduction potential, including the economic and technological potential to reduce its specific emissions of CO <sub>2</sub> , and taking into account the characteristics of the market for the type of light commercial vehicle manufactured, the Commission shall grant a derogation to the manufacturer. The application shall be submitted at the latest by 31 October of the first year in which the derogation shall apply.	3. Where the Commission considers that the manufacturer is eligible for a derogation applied for under paragraph 1 and is satisfied that the specific emissions target proposed by the manufacturer is consistent with its reduction potential, including the economic and technological potential to reduce its specific emissions of CO <sub>2</sub> , and taking into account the characteristics of the market for the type of <i>passenger car or</i> light commercial vehicle manufactured, the Commission shall grant a derogation to the manufacturer. The application shall be submitted at the latest by 31 October of the first year in which the derogation shall apply.	3. Where the Commission considers that the manufacturer is eligible for a derogation applied for under paragraph 1 and is satisfied that the specific emissions target proposed by the manufacturer is consistent with its reduction potential, including the economic and technological potential to reduce its specific emissions of CO <sub>2</sub> , and taking into account the characteristics of the market for the type of <u>passenger car or</u> light commercial vehicle manufactured, the Commission shall grant a derogation to the manufacturer. The application shall be submitted at the latest by 31 October of the first year in which the derogation shall apply.	Agreed – identical texts
4. An application for a derogation from the specific emissions target calculated in accordance with points 1 to 4 of Part A of Annex I may be made by		4. An application for a derogation from the specific emissions target calculated in accordance with points 1 to 4 <u>and point 6.3</u> of Part A of Annex I may	



Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
a manufacturer which is responsible, together with all of its connected undertakings, for between 10 000 and 300 000 new passenger cars registered in the Union per calendar year.		be made by a manufacturer which is responsible, together with all of its connected undertakings, for between 10 000 and 300 000 new passenger cars registered in the Union per calendar year.	
Such application may be made by a manufacturer in respect of itself or in respect of itself together with any of its connected undertakings. An application shall be made to the Commission and shall include:		Such application may be made by a manufacturer in respect of itself or in respect of itself together with any of its connected undertakings. An application shall be made to the Commission and shall include:	
(a) all of the information referred to in paragraphs 2(a) and (c) including, where relevant, information about any connected undertakings;		(a) all of the information referred to in paragraphs 2(a) and (c) including, where relevant, information about any connected undertakings;	
(b) a target which is a 45 % reduction on the average specific emissions of CO <sub>2</sub> in 2007 or, where a single application is made in respect of a number of connected undertakings, a 45 % reduction on the average of those undertakings' average specific		(b) <u>in relation to applications referring to points 1 to 4 of Part A of Annex I</u> , a target which is a 45 % reduction on the average specific emissions of CO <sub>2</sub> in 2007 or, where a single application is made in respect of a number of connected undertakings, a 45 % reduction	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
emissions of CO <sub>2</sub> in 2007.		on the average of those undertakings' average specific emissions of CO <sub>2</sub> in 2007;	
<i>Article 10, paragraph 4 c (new)</i>			
		<p>(c) <u>in relation to applications referring to point 6.3 of Part A of Annex I the following details:</u></p> <p>(i) <u>a target applicable in the calendar years 2025 to 2029 which is the reduction specified in Article 1(4)(a) on the target calculated in accordance with point (b) of this paragraph taking into account the CO<sub>2</sub> emissions measured pursuant to Regulation (EU) 2017/1151;</u></p> <p>(ii) <u>a target applicable in the calendar year 2030 which is the reduction specified in Article 1(5)(a) on the target calculated in accordance with point (b) of this</u></p>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
		<u>paragraph taking into account the CO<sub>2</sub> emissions measured pursuant to Regulation (EU) 2017/1151.</u>	
Where information on a manufacturer's average specific emissions of CO <sub>2</sub> does not exist for the year 2007, the Commission shall determine an equivalent reduction target based upon the best available CO <sub>2</sub> emissions reduction technologies deployed in passenger cars of comparable mass and taking into account the characteristics of the market for the type of car manufactured. This target shall be used by the applicant for the purposes of point (b).		Where information on a manufacturer's average specific emissions of CO <sub>2</sub> does not exist for the year 2007, the Commission shall determine an equivalent reduction target based upon the best available CO <sub>2</sub> emissions reduction technologies deployed in passenger cars of comparable mass and taking into account the characteristics of the market for the type of car manufactured. This target shall be used by the applicant for the purposes of point (b).	
The Commission shall grant a derogation to the manufacturer where it is demonstrated that the criteria for the derogation referred to in this paragraph have been met.		The Commission shall grant a derogation to the manufacturer where it is demonstrated that the criteria for the derogation referred to in this paragraph have been met.	
5. A manufacturer which is subject to a derogation in		5. A manufacturer which is subject to a derogation in	

<b>Commission proposal</b>	<b>EP Position Plenary vote 3/10/2018</b>	<b>Council Position General approach 9/10/2018</b>	<b>Comments/Suggestions</b>
accordance with this Article shall notify the Commission immediately of any change which affects or may affect its eligibility for a derogation.		accordance with this Article shall notify the Commission immediately of any change which affects or may affect its eligibility for a derogation.	
6. Where the Commission considers, whether on the basis of a notification under paragraph 5 or otherwise, that a manufacturer is no longer eligible for the derogation, it shall revoke the derogation with effect from 1 January of the next calendar year and shall notify the manufacturer thereof.		6. Where the Commission considers, whether on the basis of a notification under paragraph 5 or otherwise, that a manufacturer is no longer eligible for the derogation, it shall revoke the derogation with effect from 1 January of the next calendar year and shall notify the manufacturer thereof.	
7. Where the manufacturer does not attain its specific emissions target, the Commission shall impose the excess emissions premium on the manufacturer, as set out in Article 8.		7. Where the manufacturer does not attain its specific emissions target, the Commission shall impose the excess emissions premium on the manufacturer, as set out in Article 8.	
8. The Commission shall be empowered to adopt delegated acts in accordance with Article 16 laying down rules to supplement paragraphs 1 to 7 of this Article, as regards the interpretation of the eligibility criteria for derogations,		8. The Commission shall be empowered to adopt delegated acts in accordance with Article 16 laying down rules to supplement paragraphs 1 to 7 of this Article, as regards the interpretation of the eligibility criteria for derogations,	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
the content of the applications, and the content and assessment of programmes for the reduction of specific emissions of CO <sub>2</sub> .		the content of the applications, and the content and assessment of programmes for the reduction of specific emissions of CO <sub>2</sub> . <u>The Commission shall also be empowered to adopt delegated acts in accordance with Article 16 to amend Part A of Annex I for the purpose of setting out the calculation formulae of the derogation targets referred to in paragraph 4(c).</u>	
<p>9. Applications for a derogation, including the information supporting it, notifications under paragraph 5, revocations under paragraph 6 and any imposition of an excess emissions premium under paragraph 7 and measures adopted pursuant to paragraph 8, shall be made publicly available, subject to Regulation (EC) No 1049/2001 of the European Parliament and of the Council<sup>15</sup>.</p> <p><sup>15</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of</p>		<p>9. Applications for a derogation, including the information supporting it, notifications under paragraph 5, revocations under paragraph 6 and any imposition of an excess emissions premium under paragraph 7 and measures adopted pursuant to paragraph 8, shall be made publicly available, subject to Regulation (EC) No 1049/2001 of the European Parliament and of the Council<sup>15</sup>.</p> <p><sup>15</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of</p>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).		30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).	
<b>Article 11</b>			
<p><i>Article 11</i> <i>Eco-innovation</i></p> <p>1. Upon application by a supplier or a manufacturer, CO<sub>2</sub> savings achieved through the use of innovative technologies or a combination of innovative technologies ('innovative technology packages') shall be considered.</p>		<p><i>Article 11</i> <i>Eco-innovation</i></p> <p>1. Upon application by a supplier or a manufacturer, CO<sub>2</sub> savings achieved through the use of innovative technologies or a combination of innovative technologies ('innovative technology packages') shall be considered.</p>	
<p><b>Amendment 43</b> <b>Article 11, paragraph 1, subparagraph 2</b></p>			
Such technologies shall be taken into consideration only if the methodology used to assess them is capable of producing verifiable, repeatable and comparable results.	Such technologies shall be taken into consideration only if the methodology used to assess them is capable of producing verifiable, repeatable and comparable results,	Such technologies shall be taken into consideration only if the methodology used to assess them is capable of producing verifiable, repeatable and comparable results.	<p><u>Council:</u></p> <p>Maintain Council position</p> <p><i>See also AMs 44, 45, 46 and 17</i></p>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
	<i>and only until the WLTP-measured value is not complemented or replaced by other data that are more representative of real-world emissions.</i>		
<p align="center"><b>Amendment 44</b>  <i>Article 11, paragraph 1, subparagraph 3 a (new)</i></p>			
	<i>3a. Within 12 months of the approval of an innovative technology or innovative technology package, the supplier or the manufacturer of such approved innovative technology or package shall provide evidence based on results from real-driving emission tests on production vehicles to validate the contribution of such technology or package.</i>		<p><u>Council:</u></p> <p>Amendments 22, 44, 47, 48, 49, 50, 51 and 54 related to RDE not acceptable. To be discussed further</p>
The total contribution of those technologies to reducing the average specific emissions of a manufacturer may be up to 7 g CO <sub>2</sub> /km.		The total contribution of those technologies to reducing the average specific emissions of a manufacturer may be up to 7 g CO <sub>2</sub> /km.	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<p align="center"><b>Amendment 45</b>  <b>Article 11, paragraph 1, subparagraph 4</b></p>			
The Commission may adjust the cap with effect from 2025 onwards. Those adjustments shall be performed by means of delegated acts in accordance with Article 16.	The Commission may adjust the cap <b>downwards</b> with effect from 2025 onwards. Those adjustments shall be performed by means of delegated acts in accordance with Article 16.	The Commission may adjust the cap with effect from 2025 onwards <u>to take into account technological developments</u> . Those adjustments shall be performed by means of delegated acts in accordance with Article 16.	<p><u>Council:</u></p> <p>Maintain Council position</p> <p><i>See also AMs 43, 44, 46 and 17</i></p>
2. The Commission shall adopt, by means of implementing acts, detailed provisions for a procedure to approve the innovative technologies or innovative technology packages referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2) of this Regulation. Those detailed provisions shall be based on the following criteria for innovative technologies:		2. The Commission shall adopt, by means of implementing acts, detailed provisions for a procedure to approve the innovative technologies or innovative technology packages referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2) of this Regulation. Those detailed provisions shall be based on the following criteria for innovative technologies:	
(a) the supplier or manufacturer must be accountable for the CO <sub>2</sub> savings achieved through		(a) the supplier or manufacturer must be accountable for the CO <sub>2</sub> savings achieved through	



Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
the use of the innovative technologies;		the use of the innovative technologies;	
(b) the innovative technologies must make a verified contribution to CO <sub>2</sub> reduction;		(b) the innovative technologies must make a verified contribution to CO <sub>2</sub> reduction;	
(c) the innovative technologies must not be covered by the standard test cycle CO <sub>2</sub> measurement;		(c) the innovative technologies must not be covered by the standard test cycle CO <sub>2</sub> measurement;	
<p align="center"><b>Amendment 46</b> <i>Article 11, paragraph 2, point d</i></p>			
(d) the innovative technologies must not be covered by mandatory provisions due to complementary additional measures complying with the 10 g CO <sub>2</sub> /km reduction referred to in Article 1 or be mandatory under other provisions of Union law. With effect from 1 January 2025, this criterion shall not apply with regard to efficiency improvements for air conditioning systems.	(d) the innovative technologies must not be covered by mandatory provisions due to complementary additional measures complying with the 10 g CO <sub>2</sub> /km reduction referred to in Article 1 or be mandatory under other provisions of Union law. With effect from 1 January 2025, this criterion shall not apply with regard to efficiency improvements for air conditioning <i>and heating</i> systems.	(d) the innovative technologies must not be covered by mandatory provisions due to complementary additional measures complying with the 10 g CO <sub>2</sub> /km reduction referred to in Article 1 or be mandatory under other provisions of Union law. With effect from 1 January 2025, this criterion shall not apply with regard to efficiency improvements for air conditioning systems.	<p><u>Council:</u></p> <p>Maintain Council position</p> <p>(Heating is already covered)</p> <p><i>See also AMs 43, 44, 45 and 17</i></p>

<b>Commission proposal</b>	<b>EP Position Plenary vote 3/10/2018</b>	<b>Council Position General approach 9/10/2018</b>	<b>Comments/Suggestions</b>
<p>3. A supplier or a manufacturer who applies for a measure to be approved as an innovative technology or innovative technology package shall submit a report, including a verification report undertaken by an independent and certified body, to the Commission. In the event of a possible interaction of the measure with another innovative technology or innovative technology package already approved, the report shall mention that interaction and the verification report shall evaluate to what extent that interaction modifies the reduction achieved by each measure.</p>		<p>3. A supplier or a manufacturer who applies for a measure to be approved as an innovative technology or innovative technology package shall submit a report, including a verification report undertaken by an independent and certified body, to the Commission. In the event of a possible interaction of the measure with another innovative technology or innovative technology package already approved, the report shall mention that interaction and the verification report shall evaluate to what extent that interaction modifies the reduction achieved by each measure.</p>	
<p>4. The Commission shall attest the reduction achieved on the basis of the criteria set out in paragraph 2.</p>		<p>4. The Commission shall attest the reduction achieved on the basis of the criteria set out in paragraph 2.</p>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<b>Amendment 47</b> <b>Article 12, paragraph 1</b>			
<p><i>Article 12</i> <i>Real world CO<sub>2</sub> emissions and energy consumption</i></p> <p>1. The Commission shall monitor and assess the real world representativeness of the CO<sub>2</sub> emission and energy consumption values determined in accordance with Regulation (EU) 2017/1151. It shall ensure that the public is informed of how that representativeness evolves over time.</p>	<p><i>Article 12</i> <i>Real world CO<sub>2</sub> emissions and energy consumption</i></p> <p>1. The Commission shall monitor and assess the real world representativeness of the CO<sub>2</sub> emission and energy consumption values determined in accordance with Regulation (EU) 2017/1151. [...]</p>	<p><i>Article 12</i> <i>Real world CO<sub>2</sub> emissions and energy consumption</i></p> <p>1. The Commission shall monitor and assess the real world representativeness of the CO<sub>2</sub> emission and energy consumption values determined [...] pursuant to <u>Regulation (EC) No 715/2007</u>. It shall ensure that the public is informed of how that representativeness evolves over time.</p>	<p><u>Council:</u></p> <p>Amendments 22, 44, 47, 48, 49, 50, 51 and 54 related to RDE not acceptable. To be discussed further</p>
<b>Amendment 48</b> <b>Article 12, paragraph 1 a (new)</b>			
	<p><b><i>1a. In order to ensure the representativeness referred to in paragraph 1, compliance with this Regulation shall be measured, from 1 January 2023, by means of a real-world CO<sub>2</sub> emissions test. The Commission shall adopt delegated acts in accordance with</i></b></p>		<p><u>Council:</u></p> <p>Amendments 22, 44, 47, 48, 49, 50, 51 and 54 related to RDE not acceptable. To be discussed further</p>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
	<i>Article 16, at the latest two years after the date of application of this Regulation, in order to supplement this Regulation by developing the real-world CO<sub>2</sub> emissions test using PEMS.</i>		
<p align="center"><b>Amendment 49</b>  <i>Article 12, paragraph 1 b (new)</i></p>			
	<i>1b. Until the real-world CO<sub>2</sub> emissions test becomes applicable, compliance with this Regulation shall be measured on the basis of data from fuel consumption meters and subject to a limit set for each manufacturer in 2021 as a percentage difference, that is not to be exceeded, between that data and the manufacturer's specific CO<sub>2</sub> emissions that is measured for the purpose of type approval certification procedures initiated from 2021 onwards in accordance with Regulation (EC) No 715/2007.</i>		<p><u>Council:</u></p> <p>Amendments 22, 44, 47, 48, 49, 50, 51 and 54 related to RDE not acceptable. To be discussed further</p>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<p align="center"><b>Amendment 50</b> <i>Article 12, paragraph 1 c (new)</i></p>			
	<p><i>1c. Where a manufacturer's specific CO<sub>2</sub> emissions exceed the limit set in paragraph 1b, the specific CO<sub>2</sub> emission target for that manufacturer, which is used for the purpose of compliance with this Regulation, shall be adjusted by the exceedance identified.</i></p>		<p><u>Council:</u> Amendments 22, 44, 47, 48, 49, 50, 51 and 54 related to RDE not acceptable. To be discussed further</p>
<p align="center"><i>Article 12, paragraph 2</i></p>			
<p>2. For that purpose, the Commission shall ensure the availability, from manufacturers or national authorities, as the case may be, of robust non-personal data on real world CO<sub>2</sub> emissions and energy consumption of passenger cars and light commercial vehicles.</p>		<p>2. For that purpose, the Commission shall ensure [...] <u>that the following parameters relating to real world CO<sub>2</sub> emissions and energy consumption of passenger cars and light commercial vehicles are made available at regular intervals to the Commission, starting from 1 January 2021, from manufacturers, national authorities or through direct data transfer from vehicles, as the case may be:</u></p> <p>(a) <u>vehicle identification number;</u></p> <p>(b) <u>fuel and/or electric energy consumed;</u></p>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
		<p>(c) <u>total distance travelled;</u></p> <p>(d) <u>for externally chargeable hybrid electric vehicles, the fuel and electric energy consumed and the distance travelled distributed over the different driving modes.</u></p> <p><u>The Commission shall process the data received to create an anonymised and aggregated dataset for the purposes of paragraph 1.</u></p> <p><u>The vehicle identification numbers shall be used only for the purpose of the data processing and shall not be retained longer than needed for that purpose.</u></p>	
<p align="center"><b>Amendment 51</b> <i>Article 12, paragraph 2 a (new)</i></p>			
	<p><b>2a. The Commission shall ensure that the public is informed of how the real world representativeness referred to in paragraph 1 evolves over time.</b></p>		<p><u>Council:</u></p> <p>Amendments 22, 44, 47, 48, 49, 50, 51 and 54 related to RDE not acceptable. To be discussed further</p>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<b>Amendment 52</b> <i>Article 12, paragraph 2 b (new)</i>			
	<b>2b.</b> <i>Where appropriate accuracy standards for on-board fuel consumption measurement equipment are not available, the Commission shall mandate work to agree the technical standards and introduce them into Union law no later than 1 January 2020.</i>		<u>Council:</u>  See under Amendment 22
<b>Amendment 53</b> <i>Article 12, paragraph 3</i>			
3. The Commission may adopt the measures referred to in this Article by means of implementing acts in accordance with the examination procedure referred to in Article 15(2).	3. The Commission <b><i>shall, by means of implementing acts, adopt detailed rules on the procedures for reporting data from fuel consumption meters. Those</i></b> implementing acts <b><i>shall be adopted</i></b> in accordance with the examination procedure referred to in Article 15(2).	3. The Commission [...] <u>shall adopt the [...] detailed procedure for collecting and processing the data</u> referred to in [...] <u>paragraph 2</u> by means of implementing acts in accordance with the examination procedure referred to in Article 15(2).	<u>Council:</u>  Amendment similar to Council text but preference for Council text

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<i>Article 13</i>			
<p><i>Article 13</i> <i>Adjustment of <math>M_0</math> and <math>TM_0</math></i></p> <p>1. The figures <math>M_0</math> and <math>TM_0</math> referred to in Parts A and B of Annex I shall be adjusted as follows:</p>		<p><i>Article 13</i> <i>Adjustment of <math>M_0</math> and <math>TM_0</math></i></p> <p>1. The figures <math>M_0</math> and <math>TM_0</math> referred to in Parts A and B of Annex I shall be adjusted as follows:</p>	
<p>(a) by 31 October 2020, the figure <math>M_0</math> in points 1 to 5 of Part A of Annex I shall be adjusted to the average mass in running order of new passenger cars in the previous three calendar years 2017, 2018, and 2019. That new <math>M_0</math> value shall apply from 1 January 2022 until 31 December 2024;</p>		<p>(a) by 31 October 2020, the figure <math>M_0</math> in points 1 to 5 of Part A of Annex I shall be adjusted to the average mass in running order of new passenger cars in the previous three calendar years 2017, 2018, and 2019. That new <math>M_0</math> value shall apply from 1 January 2022 until 31 December 2024;</p>	
<p>(b) by 31 October 2022, the figure <math>M_0</math> in points 1 to 5 of Part B of Annex I shall be adjusted to the average mass in running order of new light commercial vehicles in the previous three calendar years 2019, 2020 and</p>		<p>(b) by 31 October 2022, the figure <math>M_0</math> in points 1 to 5 of Part B of Annex I shall be adjusted to the average mass in running order of new light commercial vehicles in the previous three calendar years 2019, 2020 and</p>	



<b>Commission proposal</b>	<b>EP Position Plenary vote 3/10/2018</b>	<b>Council Position General approach 9/10/2018</b>	<b>Comments/Suggestions</b>
2021. That new $M_0$ shall apply in 2024;		2021. That new $M_0$ shall apply in 2024;	
(c) by 31 October 2022, the indicative $TM_0$ for 2025 shall be determined as the respective average test mass of new passenger cars and new light commercial vehicles in 2021;		(c) by 31 October 2022, the indicative $TM_0$ for 2025 shall be determined as the respective average test mass of new passenger cars and new light commercial vehicles in 2021;	
(d) by 31 October 2024, and every second year thereafter, the figures $TM_0$ in Parts A and B of Annex I shall be adjusted to the respective average test mass of new passenger cars and new light commercial vehicles in the preceding two calendar years starting with 2022 and 2023. The new respective $TM_0$ shall apply from 1 January of the calendar year following the date of the adjustment.		(d) by 31 October 2024, and every second year thereafter, the figures $TM_0$ in Parts A and B of Annex I shall be adjusted to the respective average test mass of new passenger cars and new light commercial vehicles in the preceding two calendar years starting with 2022 and 2023. The new respective $TM_0$ shall apply from 1 January of the calendar year following the date of the adjustment.	
2. The Commission shall, by means of delegated acts, adopt the measures referred to in paragraph 1 in accordance with Article 16.		2. The Commission shall, by means of delegated acts, adopt the measures referred to in paragraph 1 in accordance with Article 16.	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<p align="center"><b>Amendment 82</b> <b>Article 14, paragraph 1</b></p>			
<p align="center"><i>Article 14</i> <i>Review and report</i></p> <p>1. The Commission shall in 2024 submit a report to the European Parliament and the Council on the effectiveness of this Regulation, where appropriate, accompanied by a proposal for amending the Regulation. This report will consider, inter alia, the real world representativeness of the CO<sub>2</sub> emission and energy consumption values determined in accordance with Regulation (EU) 2017/1151, the deployment on the Union market of zero- and low-emission vehicles and the roll-out of recharging and refuelling infrastructure reported under Directive 2014/94/EU of the European Parliament and of the Council<sup>16</sup>.</p> <p><sup>16</sup> Directive 2014/94/EU of the European Parliament and of the</p>	<p align="center"><i>Article 14</i> <i>Review and report</i></p> <p>1. The Commission shall in <b>2023</b> submit a report to the European Parliament and the Council on the effectiveness of this Regulation, where appropriate, accompanied by a proposal for amending <b>this</b> Regulation. <b>That</b> report <b>shall</b> consider, inter alia, the real world representativeness of the CO<sub>2</sub> emission and energy consumption values determined in accordance with Regulation (EU) 2017/1151, the deployment on the Union market of zero- and low-emission vehicles, <b>in particular with respect to light commercial vehicles</b>, the roll-out of recharging and refuelling infrastructure reported under Directive 2014/94/EU of the European Parliament and of the Council<sup>29</sup>, <b>the impact of this Regulation on consumers, particularly those on</b></p>	<p align="center"><i>Article 14</i> <i>Review and report</i></p> <p>1. The Commission shall in 2023 <u>thoroughly review</u> [...] the effectiveness of this Regulation [...], <u>including the functioning of the incentive mechanism for zero- and low-emission vehicles and other aspects of this Regulation and</u> [...] <u>submit a report to the European Parliament and to the Council with the result of this review.</u></p>	<p><u>Council:</u></p> <p>Maintain Council position</p>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
Council of 22 October 2014 on the deployment of alternative fuels infrastructure (OJ L 307, 28.10.2014, p. 1)	<p><i>low and medium incomes. This report shall also consider options to incentivise the uptake of advanced low-carbon fuels, including biogas and synthetic fuels produced with renewable energy.</i></p> <p><sup>29</sup> Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure (OJ L 307, 28.10.2014, p. 1)</p>		
<i>Article 14, paragraph 1 a (new)</i>			
		<p><u>1a.</u> In [...] the report referred to in paragraph 1 [...] the Commission shall consider, inter alia, the real world representativeness of the CO<sub>2</sub> emission and energy consumption values determined [...] pursuant to Regulation (EC) No 715/2007, the deployment on the Union market of zero- and low-emission vehicles and the roll-out of recharging and refuelling infrastructure reported</p>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
		<p>under Directive 2014/94/EU of the European Parliament and of the Council<sup>19</sup>, <u>including their financing, [...] the potential contribution of the use of synthetic and advanced alternative fuels produced with renewable energy to emission reductions, the emissions reduction actually observed at the existing fleet level, the feasibility of pooling between passenger cars and light-commercial vehicles, the effects of the transitional measure in Annex I, A 6.3, as well as aspects to further facilitate an economically viable and socially fair transition towards clean, competitive and affordable mobility in the Union. The Commission shall also identify a clear pathway for further CO<sub>2</sub> emission reductions for passenger cars and light commercial vehicles beyond 2030 in order to significantly [...] contribute to achieving the long-term goal of the Paris Agreement.</u></p> <p><sup>19</sup> Directive 2014/94/EU of the European Parliament and of the</p>	<p><i>See also AMs 41, 3 and 21</i></p> <p><i>See also AM 56 and 10 and Council text for Article 14 (1b) and Recitals 6a and 42</i></p>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
		Council of 22 October 2014 on the deployment of alternative fuels infrastructure (OJ L 307, 28.10.2014, p. 1)	
<i>Article 14, paragraph 1 b (new)</i>			
		<u>1b. The report referred to in paragraph 1 shall, where appropriate, be accompanied by a proposal for amending this Regulation, in particular [...] the possible revision of the EU fleet-wide targets for 2030 in light of the elements mentioned in paragraph 1a and the introduction of binding emission reduction targets for 2035 and 2040 onwards for passenger cars and light-duty vehicles. The Commission shall consult Member States during the review and, where appropriate, when developing an amendment.</u>	<i>See also AMs 56 and 10 and Council text for Article 14 (1a ) and Recitals 6a and 42</i>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<b>Amendment 54</b> <i>Article 14, paragraph 2</i>			
2. The Commission shall take into account the assessments performed pursuant to Article 12 and may, where appropriate, review the procedures for measuring CO <sub>2</sub> emissions as set out under Regulation (EC) No 715/2007. The Commission shall, in particular, make appropriate proposals to adapt those procedures to reflect adequately the real world CO <sub>2</sub> emissions of cars and light commercial vehicles.	2. The Commission shall take into account the assessments performed pursuant to Article 12 and may, where appropriate, review the procedures for measuring CO <sub>2</sub> emissions as set out under Regulation (EC) No 715/2007. The Commission shall, in particular, make appropriate proposals to adapt those procedures to reflect adequately the real world CO <sub>2</sub> emissions of cars and light commercial vehicles, <b><i>including using PEMS and remote-sensing.</i></b>	2. The Commission shall take into account the assessments performed pursuant to Article 12 and may, where appropriate, review the procedures for measuring CO <sub>2</sub> emissions as set out under Regulation (EC) No 715/2007. The Commission shall, in particular, make appropriate proposals to adapt those procedures to reflect adequately the real world CO <sub>2</sub> emissions of cars and light commercial vehicles.	<u>Council:</u>  Amendments 22, 44, 47, 48, 49, 50, 51 and 54 related to RDE not acceptable. To be discussed further
3. The Commission shall, by means of implementing acts, determine the correlation parameters necessary in order to reflect any change in the regulatory test procedure for the measurement of specific CO <sub>2</sub> emissions referred to in Regulation (EC) No 715/2007 and Regulation (EC) No 692/2008 and, where applicable, Regulation (EU) 2017/1151. Those		3. The Commission shall, by means of implementing acts, determine the correlation parameters necessary in order to reflect any change in the regulatory test procedure for the measurement of specific CO <sub>2</sub> emissions referred to in Regulation (EC) No 715/2007 and Regulation (EC) No 692/2008 and, where applicable, Regulation (EU) 2017/1151. Those	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2) of this Regulation.		implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2) of this Regulation.	
The Commission shall be empowered to adopt delegated acts in accordance with Article 16 in order to adapt the formulae set out in Annex I, using the methodology adopted pursuant to the first subparagraph, while ensuring that reduction requirements of comparable stringency for manufacturers and vehicles of different utility are required under the old and new test procedures.		The Commission shall be empowered to adopt delegated acts in accordance with Article 16 in order to adapt the formulae set out in Annex I, using the methodology adopted pursuant to the first subparagraph, while ensuring that reduction requirements of comparable stringency for manufacturers and vehicles of different utility are required under the old and new test procedures.	
<p align="center"><b>Amendment 55</b> <i>Article 14, paragraph 3 a (new)</i></p>			
	<p><b>3a. By 31 December 2019, the Commission shall review Directive 1999/94/EC and, where appropriate, submit a relevant legislative proposal in order to provide consumers with accurate, robust and comparable information on the fuel</b></p>		<p><u>Council:</u></p> <p>Accept Amendment in principle</p> <p><i>See also AM 9 (recital)</i></p>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
	<p><i>consumption, CO<sub>2</sub> emissions and air pollutant emissions of new passenger cars placed on the market.</i></p> <p><i>Within the context of the review referred to in the first subparagraph, the Commission shall also evaluate the options for introducing a fuel economy and CO<sub>2</sub> emissions label for new light commercial vehicles, and, where appropriate, submit a relevant legislative proposal to that end.</i></p>		
<i>Article 14, paragraph 3 a (new)</i>			
		<p><u>3a.</u> The Commission shall be empowered to adopt delegated acts in accordance with Article 16 in order to adapt the formulae set out in Annex I, using the methodology adopted pursuant to [...] <u>paragraph 3 of this Article</u>, while ensuring that reduction requirements of comparable stringency for manufacturers and vehicles of different utility are required under the old and new test procedures.</p>	



Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<p align="center"><b>Amendment 56</b> <i>Article 14, paragraph 3 b (new)</i></p>			
	<p><b>3b. The Commission shall, where appropriate, submit a legislative proposal to the European Parliament and the Council in order to set additional emissions reduction targets for new passenger cars and new light commercial vehicles from 1 January 2031 with a view to maintaining at least the emissions-reduction trajectory achieved in the period up to 2030.</b></p>		<p><u>Council:</u></p> <p>Amendment not acceptable</p> <p><i>See Council text for Article 14 (1a and b) and Recitals 6a and 42</i></p> <p><i>See also AM 10</i></p>
<p align="center"><b>Article 15, paragraph 1</b></p>			
<p align="center"><i>Article 15</i> <i>Committee procedure</i></p> <p>1. The Commission shall be assisted by the Energy Union Committee established by [Article 37] of [Regulation (EU) [...]] of the European Parliament and of the Council<sup>17</sup>. That committee shall be a committee</p>		<p align="center"><i>Article 15</i> <i>Committee procedure</i></p> <p>1. The Commission shall be assisted by the [...] <u>Climate Change</u> Committee established by [Article 37] of [Regulation (EU) [...]] of the European Parliament and of the Council<sup>21</sup>. That committee shall be a committee</p>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<p>within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>18</sup>.</p> <p><sup>17</sup> Regulation (EU) [...] of the European Parliament and the Council on the Governance of the Energy union (OJ L ...,...).</p> <p><sup>18</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).</p>		<p>within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>9</sup>.</p> <p><sup>20</sup> Regulation (EU) [...] of the European Parliament and the Council on the Governance of the Energy union (OJ L ...,...).</p> <p><sup>21</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).</p>	
<p>2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.</p>		<p>2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.</p>	
<p>3. Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall</p>		<p>3. Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall</p>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
apply.		apply.	
<p align="center"><b>Amendment 57</b> <b>Article 16, paragraph 1</b></p>			
<p align="center"><i>Article 16</i> <i>Exercise of the delegation</i></p> <p>1. The power to adopt delegated acts referred to in the second subparagraph of Article 7(7), Article 10(8), the fourth subparagraph of Article 11(1), Article 13(2) and the second subparagraph of Article 14(3) shall be conferred on the Commission for an indeterminate period of time from [the date of entry into force of this Regulation].</p>	<p align="center"><i>Article 16</i> <i>Exercise of the delegation</i></p> <p>1. The power to adopt delegated acts referred to in <b>Article 4(3c)</b>, the second subparagraph of Article 7(7), <b>Article 7 (8a)</b>, Article 10(8), the fourth subparagraph of Article 11(1), <b>Article 12(1a)</b>, Article 13(2) and the second subparagraph of Article 14(3) shall be conferred on the Commission for an indeterminate period of time from [the date of entry into force of this Regulation].</p>	<p align="center"><i>Article 16</i> <i>Exercise of the delegation</i></p> <p>1. The power to adopt delegated acts referred to in [...] Article 7(7a), Article 10(8), the fourth subparagraph of Article 11(1), Article 13(2) and [...] Article 14(3a) shall be conferred on the Commission for [...] <u>a period of six years</u> from [the date of entry into force of this Regulation]. <u>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the six-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</u></p>	<p>To be adapted to the final agreement</p> <p><i>See also AMs 58, 59 and 24</i></p>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<b>Amendment 58</b> <i>Article 16, paragraph 2</i>			
2. The delegation of power referred to in the second subparagraph of Article 7(7), Article 10(8), the fourth subparagraph of Article 11(1), Article 13(2) and the second subparagraph of Article 14(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	2. The delegation of power referred to in <b>Article 4(3c)</b> , the second subparagraph of Article 7(7), <b>Article 7(8a)</b> , Article 10(8), the fourth subparagraph of Article 11(1), <b>Article 12(1a)</b> , Article 13(2) and the second subparagraph of Article 14(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	2. The delegation of power referred to in [...] Article 7(7a), Article 10(8), the fourth subparagraph of Article 11(1), Article 13(2) and [...] Article 14(3a) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	To be adapted to the final agreement  <i>See also AMs 57, 59 and 24</i>
3. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.		3. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<b>Amendment 59</b> <i>Article 16, paragraph 4</i>			
4. A delegated act adopted pursuant to the second subparagraph of Article 7(7), Article 10(8), the fourth subparagraph of Article 11(1), Article 13(2) and the second subparagraph of Article 14(3) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	4. A delegated act adopted pursuant to <b>Article 4(3c)</b> , the second subparagraph of Article 7(7), <b>Article 7(8a)</b> , Article 10(8), the fourth subparagraph of Article 11(1), <b>Article 12(1a)</b> , Article 13(2) and the second subparagraph of Article 14(3) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	4. A delegated act adopted pursuant to [...] Article 7(7a), Article 10(8), the fourth subparagraph of Article 11(1), Article 13(2) and the [...] Article 14(3a) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	To be adapted to the final agreement  <i>See also AMs 57, 58 and 24</i>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<i>Article 17</i>			
<p><i>Article 17</i> <i>Amendment to</i> <i>Regulation (EC) No 715/2007</i></p> <p>The following Article 11a shall be inserted in Regulation (EC) No 715/2007:</p>		<p><i>Article 17</i> <i>Amendment to</i> <i>Regulation (EC) No 715/2007</i></p> <p>The following Article 11a shall be inserted in Regulation (EC) No 715/2007:</p>	
<p><i>"Article 11a</i> <b>In-service conformity of CO<sub>2</sub> emissions and fuel consumption</b></p>		<p><i>"Article 11a</i> <b>In-service conformity of CO<sub>2</sub> emissions and fuel consumption</b></p>	
<p>1. Subject to the adoption and entry into force of the procedures referred to in paragraph 2, type approval authorities shall, on the basis of appropriate and representative samples, verify that vehicles that have entered into service and for which they granted type approval conform to the CO<sub>2</sub> emission and fuel consumption values recorded in the certificates of conformity.</p>		<p>1. Subject to the adoption and entry into force of the procedures referred to in paragraph 2, type approval authorities shall, on the basis of appropriate and representative samples, verify that vehicles that have entered into service and for which they granted type approval conform to the CO<sub>2</sub> emission and fuel consumption values recorded in the certificates of conformity.</p>	

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<p align="center"><b>Amendment 60</b>  <i>Article 17, paragraph 1, Article 11a – paragraph 2</i></p>			
2. The Commission shall adopt implementing acts in accordance with Article 15 in order to determine the procedures for verifying the in-service conformity of light duty vehicles in respect of the certified CO <sub>2</sub> and fuel consumption values."	2. The Commission shall adopt <i>delegated</i> acts in accordance with Article <i>14a</i> in order to determine the procedures for verifying the in-service conformity of light duty vehicles in respect of the certified CO <sub>2</sub> and fuel consumption values.	2. The Commission shall adopt implementing acts in accordance with Article 15 (2) in order to determine the procedures for verifying the in-service conformity of light duty vehicles in respect of the certified CO <sub>2</sub> and fuel consumption values."	<p><u>Council:</u></p> <p>Maintain Council position</p>
<p align="center"><b>Amendment 61</b>  <i>Article 17, paragraph 1 a (new)</i></p>			
	<p><i>The following Article is inserted:</i>  <i>“Article 14a</i>  <i>Exercise of the delegation</i>  <i>1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.</i>  <i>2. The power to adopt delegated acts referred to in Article 11a(2) shall be conferred on the Commission for a period of five years from ... [date of entry into force of this amending</i></p>		<p><u>Council:</u></p> <p>Amendment not acceptable</p>

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
	<p><i>Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i></p> <p><i>3. The delegation of power referred to in Article 11a(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.</i></p> <p><i>4. Before adopting a delegated act, the Commission shall consult experts designated by each</i></p>		



Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
	<p><i>Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law Making*.</i></p> <p><i>5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.</i></p> <p><i>6. A delegated act adopted pursuant to Article 11a(2) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.</i></p> <p><i>* OJ L 123, 12.5.2016, p. 1.”.</i></p>		

Commission proposal	EP Position Plenary vote 3/10/2018	Council Position General approach 9/10/2018	Comments/Suggestions
<i>Article 18</i>			
<p><i>Article 18</i> <i>Repeal</i></p> <p>Regulations (EC) No 443/2009 and (EU) No 510/2011 are repealed with effect from 1 January 2020.</p>		<p><i>Article 18</i> <i>Repeal</i></p> <p>Regulations (EC) No 443/2009 and (EU) No 510/2011 are repealed with effect from 1 January 2020.</p>	
<p>References to the repealed Regulations shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex V.</p>		<p>References to the repealed Regulations shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex V.</p>	
<i>Article 19</i>			
<p><i>Article 19</i> <i>Entry into force</i></p> <p>This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i>.</p>		<p><i>Article 19</i> <i>Entry into force</i></p> <p>This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i>.</p>	
<p>It shall apply from 1 January 2020.</p>		<p>It shall apply from 1 January 2020.</p>	

<b>Commission proposal</b>	<b>EP Position Plenary vote 3/10/2018</b>	<b>Council Position General approach 9/10/2018</b>	<b>Comments/Suggestions</b>
This Regulation shall be binding in its entirety and directly applicable in all Member States.		This Regulation shall be binding in its entirety and directly applicable in all Member States.	

---

**ANNEXES**  
**to the proposal for a**  
**Regulation of the European Parliament and of the Council**  
**setting emission performance standards for new passenger cars and new light commercial vehicles as part of the Union's integrated approach**  
**to reduce CO<sub>2</sub> emissions from light-duty vehicles and amending Regulation (EC) No 715/2007 (recast)**

Commission proposal	EP Position	Council Position	Comments/Suggestions
<i>Annex I, part A, point 6.0 (new)</i> <i>EU fleet-wide target<sub>2021</sub></i>			
		<p><u>6.0. EU fleet-wide target<sub>2021</sub></u></p> <p><u>EU fleet-wide target<sub>2021</sub> is the average, weighted by the number of newly registered cars, of the reference-values<sub>2021</sub> determined for each individual manufacturer for which a specific emissions target applies in accordance with point 4.</u></p> <p><u>The reference-value<sub>2021</sub> shall be determined, for each manufacturer, as follows:</u></p>	

Commission proposal	EP Position	Council Position	Comments/Suggestions
		$\text{reference-value}_{2021} = \text{WLTP}_{\text{CO}_2, \text{measured}} \cdot \left( \frac{\text{NEDC}_{2020\text{target}}}{\text{NEDC}_{\text{CO}_2}} \right) + a [(\text{M}_{\text{Ø}2021} - \text{M}_0) - (\text{M}_{\text{Ø}2020} - \text{M}_0, 2020)]$	
		<p>Where,</p> <p><u>WLTP<sub>CO<sub>2</sub>,measured</sub></u>  is the average, for each manufacturer, of the measured CO<sub>2</sub> emissions combined of each new passenger car registered in 2020 as determined and reported in accordance with Article 7(a)(1)(b) of Implementing Regulation (EU) 2017/1153;</p>	
		<p><u>NEDC<sub>2020target</sub></u> and <u>NEDC<sub>CO<sub>2</sub></sub></u>  are as defined in point 3;</p>	
		<p><u>M<sub>Ø2021</sub></u>  is the average of the mass in running order of the new registered passenger cars of the manufacturer in 2021 in kilograms (kg);</p>	
		<p><u>M<sub>0</sub></u>  is <u>1379.88<sup>24</sup></u></p> <p><sup>24</sup> also as set out in point 4.</p>	
		<p><u>a, M<sub>Ø2020</sub>, M<sub>0,2020</sub></u>  are as defined in point 4.</p>	

Commission proposal	EP Position	Council Position	Comments/Suggestions
<p align="center"><b><i>Annex I, part A, point 6.1.1</i></b>  <b>EU fleet-wide target 2025 - 2029</b></p>			
<p>6.1.1.EU fleet-wide target for 2025 to 2029</p> <p>EU fleet-wide target<sub>2025</sub> = EU fleet-wide target<sub>2021</sub> · (1 - reduction factor<sub>2025</sub>)</p> <p>Where,</p>		<p>6.1.1.EU fleet-wide target for 2025 to 2029</p> <p>EU fleet-wide target<sub>2025</sub> = EU fleet-wide target<sub>2021</sub> · (1 - reduction factor<sub>2025</sub>)</p> <p>Where,</p>	
<p>EU fleet-wide target<sub>2021</sub>  is the average, weighted on the number of newly registered cars of each individual manufacturer, of the specific emissions targets determined for each individual manufacturer in 2021 in accordance with point 4</p>		<p>EU fleet-wide target<sub>2021</sub>  <u>[...] as defined in point 6.0.</u></p>	
<p>Reduction factor<sub>2025</sub>  is the reduction specified in Article 1(4)(a)</p>		<p>Reduction factor<sub>2025</sub>  is the reduction specified in Article 1(4)(a)</p>	

Commission proposal	EP Position	Council Position	Comments/Suggestions
<p align="center"><i>Annex I, part A, point 6.1.2</i>  <b>EU fleet-wide target for 2030 onwards</b></p>			
<p>6.1.2. EU fleet-wide target for 2030 onwards</p> <p>EU fleet-wide target<sub>2030</sub> = EU fleet-wide target<sub>2021</sub> · (1 - reduction factor<sub>2030</sub>)</p> <p>Where,</p>		<p>6.1.2. EU fleet-wide target for 2030 onwards</p> <p>EU fleet-wide target<sub>2030</sub> = EU fleet-wide target<sub>2021</sub> · (1 - reduction factor<sub>2030</sub>)</p> <p>Where,</p>	
<p>EU fleet-wide target<sub>2021</sub>  is the average, weighted on the number of newly registered cars of each individual manufacturer, of the specific emissions targets determined for each individual manufacturer in 2021 in accordance with point 4</p>		<p>EU fleet-wide target<sub>2021</sub>  [...] <u>as defined in point 6.0.</u></p>	
<p>Reduction factor<sub>2030</sub>  is the reduction specified in Article 1(5)(a)</p>		<p>Reduction factor<sub>2030</sub>  is the reduction specified in Article 1(5)(a)</p>	

Commission proposal	EP Position	Council Position	Comments/Suggestions
<p align="center"><b>Amendment 62</b>  <b><i>Annex I, part A, point 6.3, paragraph 1 a (new)</i></b>  <b>The specific emissions target from 2025 onwards</b></p>			
	<p><i>For the purpose of the calculation of this formula, the specific emissions target of 2021 as defined in point 4 shall be corrected to take into account the difference between the measured WLTP CO<sub>2</sub> emissions and the declared WLTP CO<sub>2</sub> emissions.</i></p> <p><i>For new entrants, the Commission is empowered to adopt delegated acts in accordance with Article 16 in order to amend this Regulation by developing a formula in order to calculate the relevant specific emission target of 2021 for each manufacturer.</i></p>		<p><u>Council:</u></p> <p>Amendment contains same idea as corresponding Council text for new point 6.0 but preference for Council text</p> <p><i>See also AMs 65 and 68 and Council text for recital 11</i></p>



Commission proposal	EP Position	Council Position	Comments/Suggestions
<p align="center"><b>Amendment 63</b>  <b>Annex I, part A, point 6.3, paragraph 3, subparagraph 2</b></p>			
<p>ZLEV factor is (1+y-x), unless this sum is larger than 1.05 or lower than 1.0 in which case the ZLEV factor shall be set to 1.05 or 1.0 as the case may be</p> <p>Where,</p> <p>y is the share of zero- and low-emission vehicles in the manufacturer's fleet of newly registered passenger cars calculated as the total number of zero- and low-emission vehicles, where each of them is counted as ZLEV<sub>specific</sub> in accordance with the formula below, divided by the total number of passenger cars registered in the relevant calendar year</p> $ZLEV_{specific} = 1 - \left( \frac{\text{specific emissions}}{50} \right)$	<p><b><i>For the period 2025 to 2029,</i></b>  ZLEV factor is (1+y-x), unless this sum is larger than 1.05, in which case the ZLEV factor shall be set to 1.05; <b><i>if this sum is between 1.0 and 0.98, the ZLEV factor shall be set to 1.0; if this sum is lower than 0.95, the ZLEV factor shall be set to 0.95;</i></b></p> <p><b><i>From 2030 onwards, ZLEV factor</i></b>  <b><i>is (1+y-x), unless this sum is larger than 1.05 or lower than 0.95 in which case the ZLEV factor shall be set to 1.05 or 0.95 as the case may be</i></b></p>	<p>ZLEV factor is (1+y-x), unless this sum is larger than 1.05 or lower than 1.0 in which case the ZLEV factor shall be set to 1.05 or 1.0 as the case may be</p> <p>Where,</p> <p>y is the share of zero- and low-emission vehicles in the manufacturer's fleet of newly registered passenger cars calculated as the total number of zero- and low-emission vehicles, where each of them is counted as ZLEV<sub>specific</sub> in accordance with the formula below, divided by the total number of passenger cars registered in the relevant calendar year</p> $ZLEV_{specific} = 1 - \left( \frac{\text{specific emissions} \cdot 0,5}{50} \right)$ <p><u>For newly registered passenger cars in Member States with a share of zero- and low-emission vehicles in their fleet below</u></p>	<p><u>Council:</u></p> <p>Maintain Council position</p> <p><i>For recitals, see AMs 11, 13, 14 and 15</i></p>

Commission proposal	EP Position	Council Position	Comments/Suggestions
		<p>60% of the EU average in the year 2021<sup>25</sup>,  <u>ZLEVspecific shall, until and including</u>  <u>2030, be calculated as follows:</u></p> $ZLEV_{specific} = \left( 1 - \left( \frac{specific\ emissions \cdot 0,5}{50} \right) \right) \cdot 2$ <p><sup>25</sup> <u>Calculated as the total number of</u>  <u>zero and low emission vehicles registered</u>  <u>in 2021 divided by the total number of</u>  <u>newly registered passenger cars.</u></p>	
<p align="center"><b>Amendment 98</b>  <i>Annex I, part A, point 6.3, paragraph 4, subparagraph 3</i></p>			
x is <b>15%</b> in the years 2025 to 2029 and <b>30%</b> in 2030 onwards.	x is <b>20 %</b> in the years 2025 to 2029 and <b>35 %</b> in 2030 onwards.	x is 15% in the years 2025 to 2029 and [...] <u>35 %</u> [...] <u>from</u> 2030 onwards.	<p><u>Council:</u></p> <p>Maintain Council position</p>

Commission proposal	EP Position	Council Position	Comments/Suggestions
<p align="center"><i>Annex I, part B, point 6.0 (new)</i>  <b>EU fleet-wide target<sub>2021</sub></b></p>			
		<p><u>6.0. EU fleet-wide target<sub>2021</sub></u></p> <p><u>The EU fleet-wide target<sub>2021</sub></u>  <u>is the average, weighted by the</u>  <u>number of newly registered light</u>  <u>commercial vehicles, of the</u>  <u>reference-values<sub>2021</sub> determined for</u>  <u>each individual manufacturer for</u>  <u>which a specific emissions target</u>  <u>applies in accordance with point 4.</u></p> <p><u>The reference-value<sub>2021</sub> shall be</u>  <u>determined, for each manufacturer, as</u>  <u>follows:</u>  reference-value<sub>2021</sub> = WLTP<sub>CO2,measured</sub> ·  <math display="block">\left( \frac{NEDC_{2020target}}{NEDC_{CO2}} \right) + a [(M_{\emptyset 2021} - M_0) - (M_{\emptyset 2020} - M_0, 2020)]</math></p>	
		<p><u>Where,</u></p> <p><u>WLTP<sub>CO2,measured</sub></u>  <u>is the average, for each manufacturer,</u>  <u>of the measured CO<sub>2</sub> emissions</u>  <u>combined of each new light</u>  <u>commercial vehicle registered in 2020</u>  <u>as determined and reported in</u>  <u>accordance with Article 7(a)(1)(b) of</u></p>	

Commission proposal	EP Position	Council Position	Comments/Suggestions
		<u>Implementing Regulation (EU) 2017/1152;</u>	
		<u>NEDC<sub>2020target</sub> and NEDC<sub>CO2</sub></u> <u>are as defined in point 3;</u>	
		<u>M<sub>02021</sub></u> <u>is the average of the mass in running</u> <u>order of the new registered light</u> <u>commercial vehicles of the</u> <u>manufacturer in 2021 in kilograms</u> <u>(kg);</u>	
		<u>M<sub>0</sub></u> <u>is the value M<sub>0</sub> as defined in point 4</u> <u>for the year 2021;</u>	
		<u>a, M<sub>02020</sub>, M<sub>0,2020</sub></u> <u>are as defined in point 4.</u>	

Commission proposal	EP Position	Council Position	Comments/Suggestions
<p align="center"><i>Annex I, part B, point 6.1.1</i>  <b>EU fleet-wide target from 2025 to 2029</b></p>			
<p>6.1.1. EU fleet-wide target for 2025 to 2029</p> <p>EU fleet-wide target<sub>2025</sub> = EU fleet-wide target<sub>2021</sub> · (1 - reduction factor<sub>2025</sub>)</p> <p>Where,</p>		<p>6.1.1. EU fleet-wide target for 2025 to 2029</p> <p>EU fleet-wide target<sub>2025</sub> = EU fleet-wide target<sub>2021</sub> · (1 - reduction factor<sub>2025</sub>)</p> <p>Where,</p>	
<p>EU fleet-wide target<sub>2021</sub>  is the average, weighted on the number of newly registered light commercial vehicles of each individual manufacturer, of the specific emissions targets determined for each individual manufacturer in 2021 in accordance with point 4</p>		<p>EU fleet-wide target<sub>2021</sub>  [...] <u>as defined in point 6.0.</u></p>	
<p>Reduction factor<sub>2025</sub>  is the reduction specified in Article 1(4)(b)</p>		<p>Reduction factor<sub>2025</sub>  is the reduction specified in Article 1(4)(b)</p>	

Commission proposal	EP Position	Council Position	Comments/Suggestions
<p align="center"><i>Annex I, part B, point 6.1.2</i>  <b>EU fleet-wide target for 2030 onwards</b></p>			
<p>6.1.2. EU fleet-wide target for 2030 onwards</p> <p>EU fleet-wide target<sub>2030</sub> = EU fleet-wide target<sub>2021</sub> · (1 - reduction factor<sub>2030</sub>)</p> <p>Where,</p>		<p>6.1.2. EU fleet-wide target for 2030 onwards</p> <p>EU fleet-wide target<sub>2030</sub> = EU fleet-wide target<sub>2021</sub> · (1 - reduction factor<sub>2030</sub>)</p> <p>Where,</p>	
<p>EU fleet-wide target<sub>2021</sub>  is the average, weighted on the number of newly registered light commercial vehicles of each individual manufacturer, of the specific emissions targets determined for each individual manufacturer in 2021 in accordance with point 4</p>		<p>EU fleet-wide target<sub>2021</sub>  [...] <u>as defined in point 6.0.</u></p>	
<p>Reduction factor<sub>2030</sub>  is the reduction specified in Article 1(5)(b)</p>		<p>Reduction factor<sub>2030</sub>  is the reduction specified in Article 1(5)(b)</p>	

Commission proposal	EP Position	Council Position	Comments/Suggestions
<p align="center"><b>Amendment 65</b>  <b><i>Annex I, part B, point 6.3.1, paragraph 1 a (new)</i></b>  <b>Specific emissions targets from 2025 to 2029</b></p>			
	<p><i>For the purpose of the calculation of this formula, the specific emissions target of 2021 as defined in point 4 shall be corrected to take into account the difference between the measured WLTP CO<sub>2</sub> emissions and the declared WLTP CO<sub>2</sub> emissions.</i></p> <p><i>For new entrants, the Commission is empowered to adopt delegated acts in accordance with Article 16 in order to amend this Regulation by developing a formula to calculate the relevant specific emission target of 2021 for each manufacturer.</i></p>		<p><u>Council:</u></p> <p>Amendment contains same idea as corresponding Council text for new point 6.0 but preference for Council text</p> <p><i>See also AMs 62 and 68 and Council text for recital 11</i></p>

Commission proposal	EP Position	Council Position	Comments/Suggestions
<p align="center"><b>Amendment 66</b>  <i>Annex I, part B, point 6.3.1, paragraph 3, subparagraph 3</i></p>			
ZLEV factor is (1+y-x), unless this sum is larger than 1.05 or lower than 1.0 in which case the ZLEV factor shall be set to 1.05 or 1.0 as the case may be	ZLEV factor is (1+y-x), unless this sum is larger than 1.05, in which case the ZLEV factor shall be set to 1.05; <i>if this sum is between 1.0 and 0.98, the ZLEV factor shall be set to 1.0; if this sum is lower than 0.95, the ZLEV factor shall be set to 0.95.</i>	ZLEV factor is (1+y-x), unless this sum is larger than 1.05 or lower than 1.0 in which case the ZLEV factor shall be set to 1.05 or 1.0 as the case may be	<p><u>Council:</u></p> <p>Maintain Council position</p> <p><i>For recitals, see AMs 11, 13, 14 and 15</i></p>
<p align="center"><b>Amendment 67</b>  <i>Annex I, part B, point 6.3.1, paragraph 4, subparagraph 3</i></p>			
x is 15%	x is <b>20 %</b>	x is 15%	<p><u>Council:</u></p> <p>Maintain Council position</p> <p><i>For recitals, see AMs 11, 13, 14 and 15</i></p>



Commission proposal	EP Position	Council Position	Comments/Suggestions
<p align="center"><b>Amendment 68</b>  <i>Annex I, part B, point 6.3.2, paragraph 1 a (new)</i>  <b>Specific emissions targets from 2030 onwards</b></p>			
	<p><i>For the purpose of the calculation of this formula, the specific emissions target of 2021 as defined in point 4 shall be corrected to take into account the difference between the measured WLTP CO<sub>2</sub> emissions and the declared WLTP CO<sub>2</sub> emissions.</i></p> <p><i>For new entrants, the Commission is empowered to adopt delegated acts in accordance with Article 16 in order to amend this Regulation by developing a formula to calculate the relevant specific emission target of 2021 for each manufacturer.</i></p>		<p><u>Council:</u></p> <p>Amendment contains same idea as corresponding Council text for new point 6.0 but preference for Council text</p> <p><i>See also AMs 62 and 65 and Council text for recital 11</i></p>

Commission proposal	EP Position	Council Position	Comments/Suggestions
<p align="center"><b>Amendment 69</b>  <i>Annex I, part B, point 6.3.2, paragraph 3, subparagraph 3</i></p>			
ZLEV factor is (1+y-x), unless this sum is larger than 1.05 or lower than 1.0 in which case the ZLEV factor shall be set to 1.05 or 1.0 as the case may be	ZLEV factor is (1+y-x), unless this sum is larger than 1.05 or lower than <b>0.95</b> in which case the ZLEV factor shall be set to 1.05 or <b>0.95</b> as the case may be	ZLEV factor is (1+y-x), unless this sum is larger than 1.05 or lower than 1.0 in which case the ZLEV factor shall be set to 1.05 or 1.0 as the case may be	<p><u>Council:</u></p> <p>Maintain Council position</p> <p><i>For recitals, see AMs 11, 13, 14 and 15</i></p>
<p align="center"><b>Amendment 99</b>  <i>Annex I, part B, point 6.3.2, paragraph 4, subparagraph 3</i></p>			
x is 30%	x is <b>35 %</b>	x is 30%	<p><u>Council:</u></p> <p>Maintain Council position</p> <p><i>For recitals, see AMs 11, 13, 14 and 15</i></p>