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**WORKING DOCUMENT**

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| From:<br>To: | General Secretariat of the Council<br>Working Party on Land Transport |
| N° Cion doc.: | 17016/1/25 REV1 + ADD1 REV1 + ADD2 |
| Subject: | Proposal for a Regulation of the European Parliament and of the Council on clean corporate vehicles<br>- Comments from Finland |

Delegations will find, attached, questions from **Finland** on the above-mentioned proposal.

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# Clean Corporate Fleets – written comments from Finland

Finland remains supportive of the proposal's overarching objectives and sees value in establishing a harmonized EU-level framework. We support the overall objective of the proposal to accelerate the uptake of zero- and low-emission vehicles in corporate fleets and acknowledges the importance of the corporate segment for the wider market transition. Finland views the proposal's ambition level as appropriate.

This being said, clarification would support coherent and effective further drafting and would in our view improve legal certainty, avoid implementation challenges and ensure consistency with other EU legislation. Finland stands ready to engage constructively in the continued examination of the proposal.

1. Scope and horizontal effects

   We see it important that the proposal is thoroughly evaluated together with especially the Clean Vehicles Directive (CVD – 2019/1161). The proposal applies to the period after 2030, similar to the CVD, but with more ambitious minimum shares for zero- and low-emission vehicles. As the proposal excludes public bodies while CVD directly regulates them, it would be beneficial to clarify in the recitals how these two frameworks are intended to coexist in the next decade, in particular to avoid pressure to revise public-sector targets upward via this proposal's logic.

   A recital could be added to clarify that this Regulation does not apply to public authorities or public bodies, to avoid any reinterpretation of CVD obligations. The following could be added to the recitals:

   ➔ **This Regulation should be without prejudice to Directive (EU) 2019/1161 and should not be interpreted so as to extend or implicitly increase obligations for public authorities or public bodies beyond what is laid down in that Directive**.

   We stress that the regulations should avoid any overlapping between existing or future EU regulation. Possible interlinkages and overlapping should be evaluated with care.

2. Definitions (Article 2)

   Definition of '*new vehicle*': It would be helpful to clarify whether "new vehicle" covers vehicles previously registered outside the EU but first registered within the Union. This point could be addressed in the recitals:

   ➔ **For the purposes of this Regulation, 'new vehicle' refers exclusively to a vehicle that has not been previously registered in any country outside the Union and is being registered within the Union for the first time.**

   Definitions of *'car'* and '*van'* (M1 and N1 categories): Finland notes, as was stated in the Working Party by other Member States, that M1 and N1 categories could include certain special-purpose vehicles (e.g. ambulances, armoured vehicles, or N1G off-road vehicles). It would be helpful to

clarify in the recitals that such vehicles are not intended to fall within the scope. We suggest the following to be added to the recitals:

➔ **In applying the definitions of categories M1 and N1 pursuant to Regulation (EU) 2018/858, special-purpose vehicles falling within those categories — such as ambulances, armored vehicles, public sector vehicles that fall within the scope and other vehicles designed for specific operational tasks — shall not be considered within the scope of this Regulation.**

Definition of '*corporate vehicle*' – leasing and registration practices: Finland sees merit in clarifying the definitions of "corporate vehicle" and "large undertaking", taking into consideration leasing cars and vans. This should also note cases where owner, holder and actual user are different legal entities. The definitions as it is, creates potential gaps in data availability for monitoring. There is also the possibility of circumvention for example by registering business-use vehicles in natural persons' names. The Commission noted in the Working Party that the definitions and for example possible double counting is not a concern since targets apply to Member States rather than companies. Nevertheless, Finland considers that greater clarity in the recital would avoid ambiguity and promote consistent implementation across Member States.

We do agree that the proposal should not create unnecessary administrative burden and thus Member State level reporting obligations are preferred compared to company level obligations.

3. Financial support provisions (Article 4) and delegated powers (Article 5):

   We are still scrutinizing this article and its effects. We note that the proposed limitations on Member States' ability to provide financial support—including the "made in the EU" requirement to be defined by delegated act—may have significant and not yet fully assessed impacts on national support schemes. Finland stresses the importance of leaving Member States sufficient flexibility to design transitional support schemes. Finland also underlines that delegated powers must remain strictly limited, proportionate and clearly justified, in line with the Government's established EU policy. Determining what constitutes "made in the EU" is a politically sensitive and economically significant question and should therefore be tightly framed.

4. Monitoring, reporting and data availability (Article 6):

   Finland recalls that Member States do not necessarily have automatic access to company size data (for identifying "large undertakings"), or operational use data when leasing companies act as registrars. Finland therefore reiterates the importance of avoiding any new reporting obligations for companies.

   A recital could reinforce this by stating that Member States should be able to rely on existing administrative data sources and should not be required to collect any additional information from undertakings.