



TEXTS ADOPTED

Provisional edition

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CO₂ emission performance standards for new heavy duty vehicles *I**

Amendments adopted by the European Parliament on 14 November 2018 on the proposal for a regulation of the European Parliament and of the Council setting CO₂ emission performance standards for new heavy-duty vehicles (COM(2018)0284 – C8-0197/2018 – 2018/0143(COD))¹

(Ordinary legislative procedure: first reading)

¹ The matter was referred back for interinstitutional negotiations to the committee responsible, pursuant to Rule 59(4), fourth subparagraph (A8-0354/2018).

Amendment 2

Proposal for a regulation Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) The deployment of zero-emission heavy-duty vehicles should contribute to the solution of major urban mobility problems. While being essential to reduce CO₂ emissions from road transport, the promotion of such vehicles by manufacturers is also crucial for the effective reduction of air pollutants and excessive noise levels in cities and urban areas.

Amendment 3

Proposal for a regulation Recital 2

Text proposed by the Commission

Amendment

(2) Following the Low-Emission Mobility Strategy, the Commission adopted two mobility packages in May¹⁹ and November 2017²⁰. These packages set out a positive agenda delivering on the Low-Emission Mobility Strategy and ensuring a smooth transition towards ***clean***, competitive and connected mobility for all.

(2) Following the Low-Emission Mobility Strategy, the Commission adopted two mobility packages in May¹⁹ and November 2017²⁰. These packages set out a positive agenda delivering on the Low-Emission Mobility Strategy and ensuring a smooth transition towards ***zero-emission***, competitive and connected mobility for all.

¹⁹ Europe on the Move: An agenda for a socially fair transition towards clean, competitive and connected mobility for all, COM(2017) 283 final

²⁰ Delivering on low-emission mobility A European Union that protects the planet, empowers its consumers and defends its industry and workers, ***COM(2017) 675*** final

¹⁹ Europe on the Move: An agenda for a socially fair transition towards clean, competitive and connected mobility for all, COM(2017)0283 final

²⁰ Delivering on low-emission mobility A European Union that protects the planet, empowers its consumers and defends its industry and workers, ***COM(2017)0675*** final

Amendment 4

Proposal for a regulation Recital 3

Text proposed by the Commission

(3) This Regulation is part of the third "Europe on the Move" Package, which delivers on the new industrial policy strategy of September 2017²¹, and is designed to complete the process of enabling the Union to reap the full benefits of the modernisation and decarbonisation of mobility. The aim of the Package is to make European mobility safer and more accessible, European industry more competitive, European jobs more secure, and the *mobility system* to be *cleaner and better adapted to the imperative of tackling climate change*. This will require the full commitment of the Union, Member States and stakeholders, *not least in strengthening efforts to reduce CO₂ emissions and air pollution*.

²¹ Investing in a smart, innovative and sustainable Industry A renewed EU Industrial Policy Strategy, COM(2017) 0479 final

Amendment 5

Proposal for a regulation Recital 4

Text proposed by the Commission

(4) This Regulation provides, together with the CO₂ emission standards for passenger cars and light commercial vehicles²², a clear pathway for CO₂ emissions reductions from the road transport sector and contributes to the binding target of at least a **40%** domestic

Amendment

(3) This Regulation is part of the third "Europe on the Move" Package, which delivers on the new industrial policy strategy of September 2017²¹, and is designed to complete the process of enabling the Union to reap the full benefits of the modernisation and decarbonisation of mobility. The aim of the Package is to make European mobility safer and more accessible, European industry more competitive, European jobs more secure, and the *sector* to be *firmly on the path towards zero emission by mid-century and fully in line with the Paris Agreement*. *In order to find a good balance between strengthening efforts to reduce CO₂ emissions and air pollution, boosting innovation in the Union's automotive industry and enhancing the Union's competitiveness*, the full commitment of the Union, Member States and stakeholders *is required*.

²¹ Investing in a smart, innovative and sustainable Industry A renewed EU Industrial Policy Strategy, COM(2017) 0479 final

Amendment

(4) This Regulation provides, together with *Regulation (EU) .../...²² of the European Parliament and of the Council*, a clear pathway for CO₂ emissions reductions from the road transport sector and contributes to the binding target of at least a **55%** domestic reduction in

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.*

²² Regulation (EU) No .../... of the European Parliament and of the Council setting emission performance standards for new passenger cars and for light commercial vehicles as part of the Union's integrated approach to reduce CO₂ emission from light duty vehicles and amending Regulation (EC) No 715/2007, (OJ L, ..., p.).

Amendment 6

Proposal for a regulation Recital 4 a (new)

Text proposed by the Commission

economy-wide greenhouse gas emissions by 2030 compared to 1990, ***required to be in line with*** the Paris Agreement.

²² Regulation (EU) No .../... of the European Parliament and of the Council setting emission performance standards for new passenger cars and for light commercial vehicles as part of the Union's integrated approach to reduce CO₂ emission from light duty vehicles and amending Regulation (EC) No 715/2007, (OJ L, ..., p.).

Amendment

(4a) CO₂ emissions reduction targets for the Union-wide fleets of new heavy-duty 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 Union climate and energy targets for 2030 and beyond. Such a stepwise approach also provides a clear and early signal for the industry not to delay the market introduction of energy efficient technologies and zero- and low-emission vehicles

Amendment 7

Proposal for a regulation Recital 5

Text proposed by the Commission

(5) 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 Union's emissions trading system. Road transport ***provides a major contribution to the emissions of those sectors and*** its emissions remain significantly above 1990 levels. If road transport emissions would increase further, it will off-set reductions made by other sectors to combat climate change.

Amendment

(5) 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 Union's emissions trading system. Road transport ***was responsible for 25 % of the Union's greenhouse gas emissions in 2016, and*** its emissions ***increased for the third year in a row and*** remain significantly above 1990 levels. If road transport emissions would increase further, it will off-set reductions made by other sectors to combat climate change.

Amendment 8

Proposal for a regulation
Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) In view of the estimated increase to around 9 % as to the proportion of emissions from heavy-duty vehicles and the fact that there are currently no requirements for reducing CO₂ emissions from heavy-duty vehicles, specific measures for this category of vehicles are needed.

Amendment 9

Proposal for a regulation
Recital 9

Text proposed by the Commission

Amendment

(9) In order to fully realise the energy efficiency potential and ensure that the road transport sector as a whole contributes to the greenhouse gas emission reductions agreed, it is appropriate to complement the already existing CO₂ emission standards for new passenger cars and light commercial vehicles by setting CO₂

(9) In order to fully realise the energy efficiency potential and ensure that the road transport sector as a whole contributes to the greenhouse gas emission reductions agreed, it is appropriate to complement the already existing CO₂ emission standards for new passenger cars and light commercial vehicles by setting CO₂

emission performance standards for new heavy-duty vehicles. These standards will be a driver for innovation in fuel-efficient technologies, contributing to the strengthening of the technological leadership of the Union's manufacturers and suppliers.

emission performance standards for new heavy-duty vehicles. These standards will be a driver for innovation in fuel-efficient technologies, contributing to the strengthening of the technological leadership of the Union's manufacturers and suppliers ***and securing high-skilled jobs in the long term.***

Amendment 10

Proposal for a regulation Recital 10

Text proposed by the Commission

(10) Taking into account that climate change is a trans-boundary problem and the need to safeguard a well-functioning single market both for road transport services as well as for heavy-duty vehicles, it is appropriate to set CO₂ emission standards for heavy-duty vehicles at Union-level. Those standards should be designed so as to be without prejudice to competition law.

Amendment

(10) Taking into account that climate change is a trans-boundary problem and the need to safeguard a well-functioning single market both for road transport services as well as for heavy-duty vehicles ***and avoid any market fragmentation,*** it is appropriate to set CO₂ emission standards for heavy-duty vehicles at Union-level. Those standards should be designed so as to be without prejudice to competition law.

Amendment 12

Proposal for a regulation Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) A socially acceptable and just transition towards zero-emission mobility by mid-century requires changes in the whole automotive value chain, taking into consideration citizens and regions in all Member States that could be adversely impacted. It is important to consider the social impact 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 impacted communities and regions conducted in close dialogue with the social partners and competent authorities

Amendment 13

Proposal for a regulation Recital 12 b (new)

Text proposed by the Commission

Amendment

(12b) Recharging and refuelling infrastructure needs to be put in place quickly in order to ensure consumer confidence in zero- and low-emission vehicles, while the various support instruments at both Union and Member State level need to effectively work together to mobilise significant public and private investment.

Amendment 14

Proposal for a regulation Recital 12 c (new)

Text proposed by the Commission

Amendment

(12c) The low-emission mobility strategy stressed the importance of ensuring that electric vehicles are powered by electricity from sustainable energy sources and that a long-term next-generation batteries initiative is launched at Union level as soon as possible. In order to meet those objectives, it will be necessary to step up funding for technological research into the production, management and disposal of electric motor batteries, making them increasingly environmentally sustainable;

Amendment 15

Proposal for a regulation Recital 12 d (new)

Text proposed by the Commission

Amendment

(12d) Most Union transport freight operators are small and medium-sized enterprises with limited access to finance. Therefore, future solutions have to be cost effective and balanced. It is essential that there is a strong incentive structure to support uptake of more fuel-efficient vehicles, as well as the provision of Union funding mechanisms.

Amendment 16

Proposal for a regulation

Recital 13

Text proposed by the Commission

Amendment

(13) In the light of innovation and to take account of the implementation of new technologies improving the fuel efficiency of heavy-duty vehicles, the VECTO simulation tool as well as Regulation (EU) 2017/2400 will be continuously and timely updated.

(13) In the light of innovation and to take account of the implementation of new technologies improving the fuel efficiency of heavy-duty vehicles, ***as well as the evolution of the real-world representativeness of the CO₂ emissions values determined under Regulation (EU) 2017/2400***, the VECTO simulation tool as well as Regulation (EU) 2017/2400 will be continuously and ***in a timely manner*** updated, ***and sufficient budget is to be allocated accordingly. Taking into account the role that those new technologies can have on the CO₂ emission reduction potential of the transport sector, the 2022 review should take fully into account the evolution of the VECTO simulation tool.***

Amendment 17

Proposal for a regulation

Recital 14

Text proposed by the Commission

Amendment

(14) The CO₂ emissions data determined pursuant to Regulation (EU) 2017/2400 are

(14) The CO₂ emissions data determined pursuant to Regulation (EU) 2017/2400 are

to be monitored under Regulation (EU) *No .../2018* of the European Parliament and of the Council²⁵. Those data should form the basis for determining the reduction targets to be achieved by the four groups of the most emitting heavy-duty vehicles in the Union, as well as for determining a manufacturer's average specific emissions in a given calendar year.

²⁵ Regulation (EU) *No .../2018* of the European Parliament and of the Council on the monitoring and reporting of CO₂ emissions from and fuel consumption of new heavy-duty vehicles, *OJ L...*,...

to be monitored under Regulation (EU) *2018/956*²⁵ of the European Parliament and of the Council. Those data should form the basis for determining the reduction targets to be achieved by the four groups of the most emitting heavy-duty vehicles in the Union, as well as for determining a manufacturer's average specific emissions in a given calendar year.

(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

²⁵ Regulation (EU) *2018/956* of the European Parliament and of the Council of 28 June 2018 on the monitoring and reporting of CO₂ emissions from and fuel consumption of new heavy-duty vehicles (*OJ L 173, 9.7.2018, p. 1*).

Amendment 18

Proposal for a regulation Recital 15

Text proposed by the Commission

(15) A reduction target should be set for 2025 as a relative reduction based on the average CO₂ emissions of those heavy-duty vehicles in 2019, reflecting the deployment of readily available cost-effective technologies for conventional vehicles. ***The 2030 target should be considered aspirational and the final target should be determined*** pursuant to a review to be carried out in 2022 ***as*** there are more uncertainties on the uptake of more advanced technologies which are not yet readily available.

Amendment 19

Proposal for a regulation Recital 16

Amendment

(15) A reduction target should be set for 2025 as a relative reduction based on the average CO₂ emissions of those heavy-duty vehicles in 2019, reflecting the deployment of readily available cost-effective technologies for conventional vehicles. ***A reduction target should also be set for 2030, pursuant to a review to be carried out in 2022 that should not lower the ambition of this Regulation, while taking into account that*** there are more uncertainties on the uptake of more advanced technologies which are not yet readily available.

Text proposed by the Commission

(16) Liquefied natural gas (LNG) is an available alternative fuel to diesel for heavy duty vehicles. The deployment of current and upcoming more innovative LNG-based technologies will contribute to meeting the CO₂ emission targets in the short and medium term as the use of LNG technologies leads to lower CO₂ emissions as compared to diesel vehicles. The CO₂ emission reduction potential of LNG vehicles is already fully reflected in VECTO. In addition, current LNG technologies ensure a low level of air pollutant emissions such as NO_x and particulate matters. A sufficient minimum refuelling infrastructure is also in place and being further deployed as part of national policy frameworks for alternative fuel infrastructure.

Amendment

(16) Efficient, technology neutral and sufficient refuelling and recharging infrastructure should, in line with the ambitions of this Regulation, be further deployed as part of national policy frameworks for alternative fuel infrastructure.

Amendment 20

Proposal for a regulation Recital 17 a (new)

Text proposed by the Commission

Amendment 21

Proposal for a regulation Recital 17 b (new)

Text proposed by the Commission

Amendment

(17a) Regarding vocational vehicles and vehicles in the M2 and M3 categories, the Commission should specify as soon as possible the technical criteria for the definition of the vocational purpose of a vehicle and for the definition of buses covered by this Regulation.

Amendment

(17b) A validation mechanism for the 2019 baseline should be developed in order to guarantee the accuracy and benefits of this Regulation.

Amendment 22

Proposal for a regulation Recital 20 a (new)

Text proposed by the Commission

Amendment

(20a) In order to bring flexibility in the incentive mechanism for the development of zero-emission heavy-duty vehicles, connected manufacturers should be able to form a pool on an open, transparent and non-discriminatory basis. An agreement to form a pool should not exceed five years but should be able to be renewed. The Commission should have the powers to establish detailed rules and conditions for connected manufacturers to form a pool on an open, transparent and non-discriminatory basis, in accordance with Union competition law.

Amendment 23

Proposal for a regulation Recital 21

Text proposed by the Commission

Amendment

(21) Contrary to cars and vans, zero- and low-emission heavy-duty vehicles are not yet available on the market, except for buses. A dedicated mechanism, in the form of super credits, should therefore be introduced to facilitate a smooth transition towards zero-emission mobility. This will provide incentives for the development and deployment on the Union market of zero- and low-emission heavy-duty vehicles that would complement demand-side instruments, such as the Clean Vehicle Directive 2009/33/EC of the European Parliament and of the Council²⁶.

(21) In order to ensure the smooth transition towards zero-emission mobility and to provide incentives for the development and deployment on the Union market of zero- and low-emission heavy-duty vehicles that would complement demand-side instruments, such as the Clean Vehicle Directive 2009/33/EC²⁶ of the European Parliament and of the Council, a benchmark for the share of zero- and low-emission heavy-duty vehicles in a manufacturer's fleet should be set for 2025 and 2030.

²⁶ Directive 2009/33/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of clean and

²⁶ Directive 2009/33/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of clean and

energy-efficient road transport vehicles as amended by Directive .../.../EU [COM(2017) 653 final] (OJ L 120, 15.5.2009, p. 5)

energy-efficient road transport vehicles as amended by Directive .../.../EU [COM(2017) 653 final] (OJ L 120, 15.5.2009, p. 5).

Amendment 24

Proposal for a regulation Recital 21 a (new)

Text proposed by the Commission

Amendment

(21a) The minimum share of zero- and low-emission vehicles should be designed so as to ensure investment certainty for charging infrastructure providers and manufacturers in order to promote the rapid deployment on the Union market of zero- and low-emission vehicles, while allowing certain flexibility for the manufacturers to decide on their investment timeline. A mechanism should be introduced to incentivise manufacturers to put zero- and low-emission vehicles as soon as possible on the Union market.

Amendment 25

Proposal for a regulation Recital 22

Text proposed by the Commission

Amendment

(22) For the purpose of calculating the ***average*** specific emissions of a manufacturer, ***all zero- and low-emission heavy-duty vehicles should therefore be counted multiple times. The level of incentives should vary according to the actual CO₂ emissions of the vehicle.*** In order to ***avoid*** a weakening of the environmental objectives, the resulting ***savings*** should be subject to a cap.

(22) For the purpose of calculating the specific ***CO₂ emissions target*** of a manufacturer, ***its performance against the 2025 and 2030 benchmark of zero- and low-emission vehicles should be taken into account.*** In order to ***incentivise the development and deployment of such vehicles while avoiding*** a weakening of the environmental objectives ***and of the efficiency of conventional internal combustion engines***, the resulting ***adjustments*** should be subject to a cap.

Amendment 26

Proposal for a regulation Recital 24

Text proposed by the Commission

(24) In designing the incentive mechanism for the deployment of zero-emission heavy-duty vehicles, also smaller lorries, **buses and coaches** that are not subject to the CO₂ emission targets under this Regulation should be included. These vehicles also have significant benefits in terms of helping to address air pollution problems in cities. **However, it should be noted that zero-emission buses are already on the market and are incentivised through demand-side measures such as public procurement. In order to ensure that the incentives are well balanced between the different types of vehicles, the savings resulting from the zero-emission smaller lorries, buses and coaches should therefore also be subject to a cap**

Amendment

(24) In designing the incentive mechanism for the deployment of zero-emission heavy-duty vehicles, also smaller lorries, **and other categories of heavy-duty vehicles** that are not **yet** subject to the CO₂ emission targets under this Regulation should be included. These vehicles also have significant benefits in terms of helping to address air pollution problems in cities.

Amendment 28

Proposal for a regulation Recital 29

Text proposed by the Commission

(29) The Commission should impose a financial penalty, in the form of an excess emissions premium, where a manufacturer is found to have excess emissions, taking into account the emission credits and debts. In order to provide manufacturers with a sufficient incentive to take measures to reduce the specific CO₂ emissions from heavy-duty vehicles, the premium **should exceed** the average marginal costs of the technologies needed to meet the targets. The premium should be considered as revenue for the general budget of the Union. The methodology for collecting the premiums should be determined by means of an implementing act, taking into account

Amendment

(29) The Commission should impose a financial penalty, in the form of an excess emissions premium, where a manufacturer is found to have excess emissions, taking into account the emission credits and debts. In order to provide manufacturers with a sufficient incentive to take measures to reduce the specific CO₂ emissions from heavy-duty vehicles, **it is important that** the premium **always exceeds** the average marginal costs of the technologies needed to meet the targets. The **amounts from the excess emissions** premium should be considered as revenue for the general budget of the Union. **Those amounts should be used to support, in close**

the methodology adopted pursuant to Regulation (EC) No 443/2009.

collaboration with social partners and competent authorities, the just transition of the automotive sector towards zero-emission mobility as well as innovative solutions that incentivise the rapid deployment of zero- and low-emission heavy-duty vehicles. The methodology for collecting the premiums should be determined by means of an implementing act, taking into account the methodology adopted pursuant to Regulation (EC) No 443/2009^{1a} *of the European Parliament and of the Council.*

^{1a} *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).*

Amendment 29

Proposal for a regulation Recital 30

Text proposed by the Commission

(30) A robust compliance mechanism is necessary in order to ensure that the targets under this Regulation are met. The obligations placed on manufacturers to deliver accurate data pursuant to Regulation (EU) No .../2018 [**Monitoring & Reporting HDV**] and the administrative fines that may be imposed in the case of non-compliance with that obligation, contributes to ensuring the robustness of the data used for target compliance purposes under this Regulation.

Amendment

(30) A robust compliance mechanism is necessary in order to ensure that the targets under this Regulation are met. The obligations placed on manufacturers to deliver accurate data pursuant to Regulation (EU) No **2018/956** and the administrative fines that may be imposed in the case of non-compliance with that obligation, contributes to ensuring the robustness of the data used for target compliance purposes under this Regulation. ***It is in the interest of consumers and the general public to know which manufacturers are and which are not complying with the new emission standards.***

Amendment 30

Proposal for a regulation

Recital 31

Text proposed by the Commission

(31) It is essential for achieving the CO₂ reductions pursuant to this Regulation that the CO₂ emissions of heavy-duty vehicles in use are in conformity with the values determined pursuant to Regulation (EC) No 595/2009 and its implementing measures. It should therefore be possible for the Commission to take into account, in the calculation of the average specific emissions of a manufacturer, any systematic non-conformity found by type approval authorities with regard to the CO₂ emissions of heavy-duty vehicles in use.

Amendment

(31) It is essential for achieving the CO₂ reductions pursuant to this Regulation that the CO₂ emissions of heavy-duty vehicles in use ***and on road*** are in conformity with the values determined pursuant to Regulation (EC) No 595/2009 and its implementing measures. It should therefore be possible for the Commission to take into account, in the calculation of the average specific emissions of a manufacturer, any systematic non-conformity found by type approval authorities with regard to the CO₂ emissions of heavy-duty vehicles in use ***and on the road. Third party independent testing of vehicles in use and on the road should also be introduced.***

Amendment 31

Proposal for a regulation

Recital 33

Text proposed by the Commission

(33) The effectiveness of the targets set out in this Regulation in reducing CO₂ emissions is strongly dependent on the representativeness of the methodology used for determining the CO₂ emissions. In line with the Opinion of the Scientific Advice Mechanism (SAM)²⁷ as regards light duty vehicles, it is appropriate also in the case of heavy-duty vehicles to put in place a mechanism to assess the real-world representativeness of the CO₂ emissions and energy consumption values determined pursuant to Regulation (EU) 2017/2400. 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 such

Amendment

(33) The effectiveness of the targets set out in this Regulation in reducing CO₂ emissions is strongly dependent on the representativeness of the methodology used for determining the CO₂ emissions. In line with the Opinion of the Scientific Advice Mechanism (SAM)²⁷ as regards light duty vehicles, it is appropriate also in the case of heavy-duty vehicles to put in place a mechanism to assess the real-world representativeness of the CO₂ emissions and energy consumption values determined pursuant to Regulation (EU) 2017/2400. 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 such

assessments.

assessments. *Where a significant gap is identified between real-world emissions values and those determined pursuant to Regulation (EU) 2017/2400, the Commission should have the power to adapt accordingly the average specific CO₂ emissions of a manufacturer and, where appropriate, the 2019 reference CO₂ emissions used for the purpose of compliance with this Regulation.*

²⁷ High Level Group of Scientific Advisors, Scientific Opinion 1/2016 “Closing the gap between light-duty vehicle real-world CO₂ emissions and laboratory testing”

²⁷ High Level Group of Scientific Advisors, Scientific Opinion 1/2016 “Closing the gap between light-duty vehicle real-world CO₂ emissions and laboratory testing”

Amendment 32

Proposal for a regulation Recital 34 a (new)

Text proposed by the Commission

Amendment

(34a) In its 2022 report, the Commission should also evaluate the possibility of developing a methodology for the assessment of the full life-cycle CO₂ emissions of heavy-duty vehicles. On the basis of that evaluation, the Commission should propose, if appropriate, to establish reporting obligations on manufacturers and specify the necessary rules and procedures for that reporting.

Amendment 33

Proposal for a regulation Recital 36

Text proposed by the Commission

Amendment

(36) *The* implementing powers *relating to Articles 8(3), 9(3), 11(3) and 12(2)*, should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council²⁸ .

(36) *In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission in respect of determining the means for*

collecting excess emission premiums, adopting detailed rules on the procedures for reporting deviations found in the CO₂ emissions of heavy-duty vehicles that are in service, publishing data, adopting detailed rules on the procedures for reporting data from fuel consumption meters as well as establishing a methodology for defining one or more representative vehicles of a vehicle sub-group. Those implementing powers should be exercised in accordance with Regulation (EU) No 182/2011²⁸ of the European Parliament and of the Council .

²⁸ 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).

²⁸ 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).

Amendment 34

Proposal for a regulation

Recital 37

Text proposed by the Commission

(37) 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 of the Functioning of the European Union should be delegated to the Commission in respect of adjusting the reference CO₂ emissions *pursuant to Article 12(2)* and in respect of amending Annexes I and II as regards certain technical parameters, including the weightings of the mission profiles, the payloads, and the annual mileages as well as the payload adjustment factors. 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

Amendment

(37) In order to amend *and* supplement non-essential elements of the provisions of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty of the Functioning of the European Union should be delegated to the Commission in respect of *specifying the technical criteria for defining the vocational purpose of a vehicle and for the definition of urban buses, establishing detailed rules and conditions which allow connected manufacturers to form a pool, establishing an annual testing scheme for a representative sample of components, units and systems,* adjusting the reference CO₂ emissions, *introducing an on-road in-service conformity test* and in respect of amending Annexes I and II as regards certain technical parameters, including the

Interinstitutional Agreement *of 13 April 2016* on Better Law-Making²⁹. 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.

²⁹ OJ L 123, 12.5.2016, p. 1.

weightings of the mission profiles, the payloads, and the annual mileages as well as the payload adjustment factors. 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-Making²⁹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

²⁹ OJ L 123, 12.5.2016, p. 1.

Amendment 35

Proposal for a regulation

Article 1 – paragraph 1 – introductory part

Text proposed by the Commission

In order to contribute to fulfilling the Union's target of reducing its greenhouse gas emissions by 30% below 2005 levels in 2030 in the sectors covered by Article 2 of Regulation (EU) *No 2018/...***[Effort Sharing Regulation]**, and to achieving the objectives of the Paris Agreement and to ensure the proper functioning of the internal market, this Regulation sets CO₂ emission performance *standards* for new heavy-duty vehicles whereby the specific CO₂ emissions of the Union's fleet of new heavy-duty vehicles shall be reduced compared to the reference CO₂ emissions as follows:

Amendment

In order to contribute to fulfilling the Union's target of reducing its greenhouse gas emissions by 30% below 2005 levels in 2030 in the sectors covered by Article 2 of Regulation (EU) **2018/842**, and to achieving the objectives of the Paris Agreement and to ensure the proper functioning of the internal market, this Regulation sets CO₂ emission performance *requirements* for new heavy-duty vehicles whereby the specific CO₂ emissions of the Union's fleet of new heavy-duty vehicles shall be reduced compared to the reference CO₂ emissions as follows:

Amendment 36

Proposal for a regulation Article 1 – paragraph 1 – point a

Text proposed by the Commission

(a) From 1 January 2025 to 31 December 2029 by **15%**;

Amendment

(a) From 1 January 2025 to 31 December 2029 by **20 %**;

Amendment 37

Proposal for a regulation Article 1 – paragraph 1 – point b

Text proposed by the Commission

(b) From 1 January 2030 onwards by at least **30%** subject to the review pursuant to Article 13.

Amendment

(b) From 1 January 2030 onwards by at least **35 %** subject to the review pursuant to Article 13.

Amendment 38

Proposal for a regulation Article 1 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

In order to ensure the smooth transition towards zero-emission mobility, and to provide incentives for the development and deployment of the Union market and infrastructure for zero- and low-emission heavy duty vehicles, this Regulation sets a benchmark for the share of zero- and low-emission heavy-duty vehicles in all manufacturers' fleet for 2025 and 2030, pursuant to Article 5.

Specific CO₂ emissions shall be adjusted based on the performance against the benchmark, in accordance with point 4 of Annex I.

Amendment 40

Proposal for a regulation Article 2 – paragraph 1 – subparagraph 1 – introductory part

Text proposed by the Commission

This Regulation shall apply to new vehicles of the categories N2 and N3 that meet the following characteristics:

Amendment

This Regulation shall apply **as a first step** to new vehicles of the categories N2 and N3 that meet the following characteristics:

Amendment 41

Proposal for a regulation

Article 2 – paragraph 1 – subparagraph 2

Text proposed by the Commission

It shall also apply, for the purposes of Article 5 and point 2.3 of Annex I, **to vehicles of the categories M2 and M3, and** to vehicles of the category N that do not fall within the scope of Regulation (EU) No 510/2011 and do not meet the characteristics set out in points (a) to (d).

Amendment

It shall also apply, for the purposes of **Article 1(2a)**, Article 5 and point 4 of Annex I, to vehicles of the category N that do not fall within the scope of Regulation (EU) No 510/2011^{1a} **of the European Parliament and of the Council** and do not meet the characteristics set out in points (a) to (d). **Furthermore, it shall apply, for the purpose of Article 1(2b) to vehicles of categories M2 and M3 that meet the technical criteria referred to in paragraph 2a of this Article.**

^{1a} **Regulation (EU) No 510/2011 of the European Parliament and of 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).**

Amendment 42

Proposal for a regulation

Article 2 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The Commission shall adopt, no later than 1 July 2019, delegated acts in accordance with Article 15 in order to supplement this Regulation by specifying

the technical criteria for the definition of the vocational purpose of a vehicle and for the definition of urban buses covered by the Regulation.

Amendment 43

Proposal for a regulation Article 3 – paragraph 1 – point h

Text proposed by the Commission

(h) ‘vocational vehicle’ means a heavy-duty vehicle not intended for the delivery of goods and for which the CO₂ emissions and fuel consumption have been determined, in accordance with Regulation (EC) No 595/2009 and its implementing measures, only for other mission profiles than those defined in point 2.1 of Annex I to this Regulation;

Amendment

(h) ‘vocational vehicle’ means a heavy-duty vehicle not intended for the delivery of goods, *whose vocational purpose has been defined based on the technical criteria specified in accordance with Article 2(2a)*, and for which the CO₂ emissions and fuel consumption have been determined, in accordance with Regulation (EC) No 595/2009 and its implementing measures, only for other mission profiles than those defined in point 2.1 of Annex I to this Regulation;

Amendment 44

Proposal for a regulation Article 3 – paragraph 1 – point k

Text proposed by the Commission

(k) ‘low-emission heavy-duty vehicle’ means a heavy-duty vehicle, which is not a zero emission heavy-duty vehicle, with specific CO₂ emissions *of less than 350 g CO₂/km* as determined pursuant to point 2.1 of Annex I;

Amendment

(k) ‘low-emission heavy-duty vehicle’ means a heavy-duty vehicle, which is not a zero emission heavy-duty vehicle, with specific CO₂ emissions, as determined pursuant to point 2.1 of Annex I, *below 50 % of the reference CO₂ emissions for each sub-group as determined pursuant to point 3 of Annex I*;

Amendment 46

Proposal for a regulation Article 4 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) the zero- and low-emission factor determined in accordance with Article 5.

deleted

Amendment 47

Proposal for a regulation Article 5 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

Starting from 2020 and for each subsequent calendar year, the Commission shall, by means of implementing acts referred to in Article 10(1), determine for each manufacturer the zero- and low-emission factor referred to in Article 4(b) for the preceding calendar year.

Starting from 1 January 2025, the specific share of zero- and low-emission heavy-duty vehicles in the manufacturer's fleet in a calendar year shall be benchmarked against the following values:

As of 2025: at least 5 %;

As of 2030: 20 %, subject to the review pursuant to Article 13.

Amendment 48

Proposal for a regulation Article 5 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

The zero- and low-emission factor shall take into account the number and the CO₂ emissions of zero- and low-emission heavy-duty vehicles in the manufacturer's fleet in a calendar year, including zero-emission vehicles of the categories referred to in the second sub-paragraph of Article 2(1), as well as zero- and low-emission vocational vehicles.

deleted

Amendment 49

Proposal for a regulation Article 5 – paragraph 1 – subparagraph 3

Text proposed by the Commission

Amendment

The zero- and low-emission factor shall be calculated in accordance with point 2.3 of Annex I.

deleted

Amendment 50

Proposal for a regulation

Article 5 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Amendment

For the purpose of paragraph 1, *the zero- and low-emission heavy-duty vehicles shall be counted as follows:*

For the purpose of *meeting the targets referred to* in paragraph 1, *this Regulation shall also apply to vehicles of category N that do not fall within the scope of Regulation (EU) No 510/2011 and do not meet the characteristics set out in points (a) to (d) of Article 2(1) of this Regulation.*

- (a) a zero-emission heavy-duty vehicle shall be counted as 2 vehicles;*
- (b) a low-emission heavy-duty vehicle shall be counted as up to 2 vehicles according to a function of its specific CO₂ emissions and the threshold emission level of 350 g CO₂/km.*

Amendment 51

Proposal for a regulation

Article 5 – paragraph 3

Text proposed by the Commission

Amendment

3. *The zero- and low-emission factor shall reduce the average specific emissions of a manufacturer by a maximum of 3%. The contribution of zero-emission heavy-duty vehicles of the categories referred to in the second subparagraph of Article 2(1) to that factor shall reduce the average specific emissions of a manufacturer by a maximum of 1.5%.*

deleted

Amendment 52

Proposal for a regulation Article 7 – paragraph 2

Text proposed by the Commission

2. The CO₂ reduction trajectory referred to in paragraph 1(a) shall be set for each manufacturer in accordance with point 5.1 of Annex I, based on a linear trajectory between the reference CO₂ emissions referred to in the second subparagraph of Article 1 and the 2025 target specified in point (a) of that Article, and between the 2025 target and the 2030 target specified in point (b) of that Article.

Amendment

2. The CO₂ reduction trajectory referred to in **point (a) of** paragraph 1 shall be set for each manufacturer in accordance with point 5.1 of Annex I, based on a linear trajectory between the reference CO₂ emissions referred to in the second subparagraph of Article 1**(1)** and the 2025 target specified in point (a) of that Article, and between the 2025 target and the 2030 target specified in point (b) of that Article.

Amendment 53

Proposal for a regulation Article 7 a (new)

Text proposed by the Commission

Amendment

Article 7 a

Pooling

1. Connected manufacturers may form a pool for the purposes of meeting their obligations under Article 5.

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 15 to supplement this Regulation in order to establish detailed rules and conditions which allow connected manufacturers to form a pool on an open, transparent and non-discriminatory basis.

Amendments 74 and 75

Proposal for a regulation Article 8 – paragraph 1

Text proposed by the Commission

1. Where a manufacturer is found to have excess emissions pursuant to paragraph 2 in a given calendar year from 2025 onwards, the Commission shall impose an excess emission premium calculated in accordance with the following formula:

$$(\text{Excess emission premium}) = (\text{Excess emissions} \times 6\,800 \text{ €/gCO}_2/\text{tkm})$$

Amendment

1. Where a manufacturer is found to have excess emissions pursuant to paragraph 2 in a given calendar year from 2025 onwards, the Commission shall impose ***on the manufacturer or the pool manager, as the case may be***, an excess emission premium calculated in accordance with the following formula:

From the period 2025 to 2029,

$$(\text{Excess emission premium}) = (\text{Excess emissions} \times 5\,000 \text{ €/gCO}_2/\text{tkm})$$

From 2030 onwards,

$$(\text{Excess emission premium}) = (\text{Excess emissions} \times 6\,800 \text{ €/gCO}_2/\text{tkm})$$

The Commission shall ensure that the level of the excess emission premium always exceeds the average marginal costs of the technologies needed to meet the targets referred to in Article 1(1).

Amendment 55

**Proposal for a regulation
Article 8 – paragraph 4**

Text proposed by the Commission

4. The amounts of the excess emissions premium shall be considered as revenue for the general budget of the Union.

Amendment

4. The amounts of the excess emissions premium shall be considered as revenue for the general budget of the Union. ***Those amounts shall be used to complement Union or national measures which, in close cooperation with the social partners and competent authorities, promote the development of skills or the 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- and low-emission mobility.***

Amendment 56

Proposal for a regulation Article 9 – paragraph 2

Text proposed by the Commission

2. The Commission shall take those deviations into account for the purpose of calculating the average specific emissions of a manufacturer.

Amendment

2. The Commission shall take those deviations into account for the purpose of calculating the average specific emissions of a manufacturer, **and adapting, where appropriate, the 2019 reference CO₂ emissions calculated in accordance with Point 3 of Annex I.**

Amendment 57

Proposal for a regulation Article 9 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. To ensure the accuracy of the data reported by manufacturers pursuant to Regulation (EU) 2018/956 and of Regulation (EU) 2017/2400, the Commission shall be empowered to adopt delegated acts in accordance with Article 15 to supplement this Regulation in order to establish, as from 2019, an annual testing scheme, for a representative sample from each manufacturer of the components, separate technical units and systems specified in Article 12(1) of Regulation (EU) 2017/2400 of the vehicles falling within the scope of this Regulation. The results of those tests shall be compared with the data inserted by the manufacturers pursuant to Regulation (EU) 2017/2400 and, when systematic irregularities are found, their average specific emissions calculated in accordance with point 2.7 of Annex I and, where appropriate, the 2019 reference CO₂ emissions calculated in accordance with Point 3 of Annex I, shall be adjusted.

Amendment 58

Proposal for a regulation

Article 10 – paragraph 1 – subparagraph 1 – point b

Text proposed by the Commission

(b) from 2020, *the* zero- and low-emission *factor*, referred to in Article 5;

Amendment

(b) from 2020, *for each manufacturer its specific share of* zero- and low-emission *heavy-duty vehicles in the preceding calendar year*, referred to in Article 5(1);

Amendment 59

Proposal for a regulation

Article 11

Text proposed by the Commission

Article 11

Real-world CO₂ emissions and energy consumption

1. The Commission shall monitor and assess the real-world representativeness of the CO₂ emissions and fuel consumption values determined in accordance with Regulation (EU) 2017/2400. *It shall ensure that the public is informed of how that representativeness evolves over time.*

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 CO₂ emissions and energy consumption of heavy-duty vehicles.

Amendment

Article 11

Real-world CO₂ emissions and energy consumption

1. The Commission shall monitor and assess the real-world representativeness of the CO₂ emissions and fuel consumption values determined in accordance with Regulation (EU) 2017/2400.

2. For that purpose, the Commission shall ensure the availability, *including to third parties for the purpose of independent testing*, from manufacturers or national authorities, as the case may be, of robust data on real-world CO₂ emissions and energy consumption of heavy-duty vehicles, *based on data from standardised fuel consumption meters.*

2 a. The Commission shall adopt, no later than 31 December 2019, delegated acts in accordance with Article 15 in order to supplement this Regulation by introducing an on-road in-service conformity test which ensures that on-road CO₂ emissions and fuel consumption of heavy-duty vehicles do not exceed the monitoring data reported pursuant to

Regulation (EU) 2017/2400 and to Regulation (EU) 2018/956 by more than 10%. The Commission shall take any deviation exceeding that threshold into account for the purpose of calculating the average specific CO₂ emissions of a manufacturer, and adapting, where appropriate, the 2019 reference CO₂ emissions.

2b. The Commission shall ensure that the public is informed of how the real world representativeness referred to in paragraph 1 evolves over time.

3. The Commission *may* adopt, by means of implementing acts, ***the measures*** referred to in paragraphs 1 and 2 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2).

3. The Commission ***shall*** adopt, by means of implementing acts, ***detailed rules on the procedures for reporting data from fuel consumption meters*** referred to in paragraphs 1 and 2 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2).

Amendment 60

Proposal for a regulation Article 12 – paragraph 1

Text proposed by the Commission

1. In order to ensure that the technical parameters used for the calculation of the average specific emissions of a manufacturer pursuant to Article 4 and the calculation of the specific emission targets pursuant to Article 6 take into account technical progress and the evolution of freight transport logistics, the Commission shall be empowered to adopt delegated acts in accordance with Article 15 to amend the following provisions set out in Annexes I and II.

Amendment

1. In order to ensure that the technical parameters used for the calculation of the average specific emissions of a manufacturer pursuant to Article 4 and the calculation of the specific emission targets pursuant to Article 6 take into account technical progress and the evolution of freight transport logistics, the Commission shall ***continuously and in a timely manner update the VECTO simulation tool and*** be empowered to adopt delegated acts in accordance with Article 15 to amend the following provisions set out in Annexes I and II.

Amendment 61

Proposal for a regulation

Article 13 – paragraph 1

Text proposed by the Commission

By 31 December 2022, the Commission shall submit a report to the European Parliament and the Council on the effectiveness of this Regulation, the CO₂ reduction target to be **determined** for 2030 pursuant to Article 1 and the setting of CO₂ reduction targets to other types of heavy-duty vehicles including trailers. That report shall also include an assessment of the effectiveness of the modalities addressing, in particular, zero- and low-emission vehicles, notably buses taking into account the targets set out in Directive 2009/33/EC³⁰, **and** the CO₂ credit system and the appropriateness of prolonging the application of those modalities in 2030 and beyond **and**, where appropriate, **be** accompanied by a proposal for amending this Regulation.

³⁰ Clean Vehicle Directive 2009/33/EC as amended by Directive .../.../EU

Amendment

By 31 December 2022, the Commission shall submit a report to the European Parliament and the Council on the effectiveness of this Regulation, the CO₂ reduction target to be **adjusted, if necessary**, for 2030 pursuant to Article 1, **the benchmark for the share of zero- and low-emission vehicles to be adjusted, if necessary, for 2030 pursuant to Article 5**, and the setting of CO₂ reduction targets to other types of heavy-duty vehicles including trailers **and vocational vehicles such as refuse collection vehicles**. That report shall also include an assessment of the effectiveness of the modalities addressing, in particular, **the deployment of** zero- and low-emission vehicles, notably buses taking into account the targets set out in Directive 2009/33/EC³⁰, the CO₂ credit system and the appropriateness of prolonging the application of those modalities in 2030 and beyond, **the roll-out of the necessary recharging and refuelling infrastructure, the possibility of introducing engine CO₂ standards in particular for vocational vehicles, the different vehicle combinations beyond standard dimensions applicable to national transport, such as Modular Concepts, the real-world representativeness of the CO₂ emissions and fuel consumption values determined in accordance with Regulation (EU) 2017/2400 as well as an assessment of the update of the VECTO simulation tool**. **The report shall be**, where appropriate, accompanied by a proposal for amending this Regulation.

³⁰ Clean Vehicle Directive 2009/33/EC as amended by Directive .../.../EU

Proposal for a regulation
Article 13 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

A specific methodology shall be developed by the Commission at the latest by 31 December 2020, to include for CNG and LNG applications the effect of use of advanced and renewable gaseous transport fuels – compliant with the sustainable criteria defined under the RED II - to the computation of the average fleet emissions. The methodology shall be accompanied, where appropriate, by a proposal for amending this Regulation.

Amendment 73

Proposal for a regulation
Article 13 - paragraph 1 b (new)

Text proposed by the Commission

Amendment

The Commission shall further evaluate the possibility of developing a methodology for the assessment of the full life-cycle CO₂ emissions of all heavy-duty vehicles placed on the Union market. On the basis of that evaluation, the Commission shall, if appropriate, submit a legislative proposal to the European Parliament and the Council in order to establish lifecycle emissions reporting obligations for manufacturers and to specify the necessary rules and procedures for that reporting.

Amendment 62

Proposal for a regulation
Article 14 – paragraph 1

Text proposed by the Commission

Amendment

1. The Commission shall be assisted

1. The Commission shall be assisted

by the ~~xxx~~ Committee established by Regulation (EU) *No .../2018* [Governance]. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

by the *Climate Change* Committee established by *Article 26 of* Regulation (EU) *No 525/2013^{1a} of the European Parliament and of the Council*. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

^{1a} Regulation (EU) No 525/2013 of the European Parliament and of the Council of 21 May 2013 on a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other information at national and Union level relevant to climate change and repealing Decision No 280/2004/EC (OJ L 165, 18.6.2013, p. 13).

Amendment 63

Proposal for a regulation Article 15 – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to Articles 10(2) and 12(1) shall be conferred on the Commission for an indeterminate period of time from [the date of entry into force of this Regulation].

Amendment

2. The power to adopt delegated acts referred to Articles *2(2a), 7a, 9(3a)*, 10(2), *11(2a)* and 12(1) shall be conferred on the Commission for an indeterminate period of time from [the date of entry into force of this Regulation].

Amendment 64

Proposal for a regulation Article 15 – paragraph 3

Text proposed by the Commission

3. The delegation of power referred to in Articles 10(2) and 12(1) 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

Amendment

3. The delegation of power referred to in Articles *2(2a), 7a, 9(3a)*, 10(2), *11(2a)* and 12(1) 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

therein. It shall not affect the validity of any delegated act already in force.

or at a later date specified therein. It shall not affect the validity of any delegated act already in force.

Amendment 65

Proposal for a regulation Article 15 – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Articles 10(2) and 12(1) 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 to two months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Articles **2(2a), 7a, 9(3a)**, 10(2), **11(2a)** and 12(1) 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 to two months at the initiative of the European Parliament or of the Council.

Amendment 66

Proposal for a regulation Article 16 – paragraph 1 Regulation (EC) No 595/2009 Article 5 – paragraph 4 – point 1

Text proposed by the Commission

‘(l) a procedure to verify, on the basis of appropriate and representative samples, whether vehicles that have been registered and entered into service are in conformity with the CO₂ emissions and fuel consumption values determined pursuant to this Regulation and its implementing measures;’

Amendment

‘(l) a procedure to verify, on the basis of appropriate and representative samples, whether vehicles that have been registered and entered into service are in conformity with the CO₂ emissions and fuel consumption values determined pursuant to this Regulation and its implementing measures; ***that procedure shall also be carried out by accredited and independent third parties in accordance with Article 13(10) of Regulation (EU) 2018/858^{1a} of the European Parliament and of the Council.***’

^{1a} Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC (OJ L 151, 14.6.2018, p. 1)

Amendment 77

**Proposal for a regulation
Article 16 a (new)**

Text proposed by the Commission

Amendment

Article 16a

***Amendment to Council Directive
96/53/EC***

In Annex I to Directive 96/53/EC^{1a} the following points are inserted after point 2.2.4.2:

‘2.2.5 The maximum authorised weight of the alternatively-fuelled vehicle combinations as defined in point (b) of Article 5(2) of Regulation (EU) .../2018 [Proposal for a regulation COM(2018)284] is increased by the additional weight required for the alternative fuel technology with a maximum of 1 tonne.

2.2.6 The maximum authorised weight of zero-emission vehicle combinations is increased by the additional weight required for the zero-emission technologies which shall depend on the zero-emission range of the vehicle, with a maximum of 2 tonnes. The Commission shall at the latest by 1 July 2019 adopt a formula to calculate the weight required.’

^{1a} Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic (OJ L 235, 17.9.1996, p. 59).

Amendment 67

Proposal for a regulation Annex I – point 2 – point 2.3

Text proposed by the Commission

Amendment

2.3. Calculation of the zero- and low-emission factor as referred to in Article 5

deleted

For each manufacturer and calendar year, the zero- and low-emission factor (ZLEV) referred to in Article 5 shall be calculated as follows:

ZLEV = $V / (V_{conv} + V_{zlev})$ with a minimum of 0,97

Where:

V is the number of new heavy-duty vehicles of the manufacturer excluding all vocational vehicles in accordance with Article 4(a).

V_{conv} is the number of new heavy-duty vehicles of the manufacturer excluding all vocational vehicles in accordance with Article 4(a) and excluding zero- and low-emission heavy-duty vehicles;

V_{zlev} is the sum of V_{in} and V_{out},

Where,

null

withbeing the sum over all new zero- and low-emission heavy-duty vehicles with the characteristics set out in Article 2(1)(a) to (d);

null

CO_{2v} is the specific CO₂ emissions in g/km of a zero- and low-emission heavy-

duty vehicle v determined in accordance with point 2.1.

Vout is the total number of zero-emission heavy-duty vehicles of the categories referred to in in the second subparagraph of Article 2(1), multiplied by 2 , and with a maximum of 1,5% of Vconv.

Amendment 68

Proposal for a regulation

Annex I – point 2 – point 2.7 – formula

Text proposed by the Commission

$$\text{CO2} = \text{ZLEV} \times \sum_{\text{sg}} \text{share}_{,\text{sg}} \times \text{MPW}_{\text{sg}} \times \text{avgCO2}_{\text{sg}}$$

Where,

\sum_{sg} is the sum over all sub-groups

ZLEV is as determined in point 2.3

$\text{share}_{,\text{sg}}$ is as determined in point 2.4

MPW_{sg} is as determined in point 2.6

$\text{avgCO2}_{\text{sg}}$ is as determined in point 2.2

Amendment

$$\text{CO2} = \sum_{\text{sg}} \text{share}_{,\text{sg}} \times \text{MPW}_{\text{sg}} \times \text{avgCO2}_{\text{sg}}$$

Where,

\sum_{sg} is the sum over all sub-groups

$\text{share}_{,\text{sg}}$ is as determined in point 2.4

MPW_{sg} is as determined in point 2.6

$\text{avgCO2}_{\text{sg}}$ is as determined in point 2.2

Amendment 69

Proposal for a regulation

Annex I – point 4 – paragraph 1 – formula – line 1

Text proposed by the Commission

$$\text{T} = \sum_{\text{sg}} \text{share}_{\text{sg}} \times \text{MPW}_{\text{sg}} \times (1 - \text{rf}) \times \text{rCO2}_{\text{sg}}$$

Amendment

$$\text{T} = \text{ZLEV_benchmark_factor} * \sum_{\text{sg}} \text{share}_{\text{sg}} \times \text{MPW}_{\text{sg}} \times (1 - \text{rf}) \times \text{rCO2}_{\text{sg}}$$

Amendment 70

Proposal for a regulation

Annex I – point 4 – paragraph 1 – formula – line 4

Text proposed by the Commission

rf is the CO₂ reduction target (in %) as specified in **Article 1(a) and (b)** for the specific calendar year;

Amendment

rf is the CO₂ reduction target (in %) as specified in **points (a) and (b) of the first subparagraph of Article 1** for the specific

calendar year;

Amendment 71

Proposal for a regulation

Annex I – point 4 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

*For the period 2025 to 2029,
ZLEV_benchmark_factor is $(1+y-x)$,
unless this sum is larger than 1,03 or
lower than 0,97 in which case the
ZLEV_benchmark_factor shall be set at
1,03 or 0,97 as the case may be.*

Where,

x is 5 %;

*y is the share of zero- and low-emission
vehicles in the manufacturer's fleet of
newly registered heavy duty vehicles
calculated as the sum of the total number
of zero-emission vehicles of the category
N that do not fall within the scope of
Regulation (EU) No 510/2011 and do not
meet the characteristics set out in points
(a) to (d) of Article 2(1) and of the total
number of zero- and low-emission
vehicles that meet the characteristics set
out in points (a) to (d) of Article 2(1),
where each of them is counted as
ZLEV_specific in accordance with the
formula below, divided by the total
number of vehicles registered in the
relevant calendar year;*

*$ZLEV_specific = 1 - (CO2_v / (0,5 * rCO2_{sg}))$,
where:*

*CO_{2v} is the specific CO₂ emissions in
g/km of a zero- and low-emission heavy-
duty vehicle v determined in accordance
with point 2.1;*

rCO_{2sg} is as determined in Section 3.

Amendment 72

Proposal for a regulation Annex I – point 4 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

For 2030, ZLEV_benchmark_factor is (1+y-x), unless this sum is larger than 1,05, in which case ZLEV_benchmark_factor shall be set to 1,05;

if this sum is between 1,0 and 0,98, ZLEV_benchmark_factor shall be set to 1,0;

if this sum is lower than 0,95, ZLEV_benchmark_factor shall be set at 0,95.

Where,

x is 20 %, subject to review pursuant to Article 13;

y is the share of zero- and low-emission vehicles in the manufacturer's fleet of newly registered heavy duty vehicles calculated as the sum of the total number of zero-emission vehicles of the category N that do not fall within the scope of Regulation (EU) No 510/2011 and do not meet the characteristics set out in points (a) to (d) of Article 2(1) and of the total number of zero- and low-emission vehicles that meet the characteristics set out in points (a) to (d) of Article 2(1), where each of them is counted as ZLEV_specific in accordance with the formula below, divided by the total number of vehicles registered in the relevant calendar year

*$ZLEV_specific = 1 - (CO2_v / (0,5 * rCO2_{sg}))$,
where:*

CO_{2v} is the specific CO₂ emissions in g/km of a zero- and low-emission heavy-duty vehicle v determined in accordance with point 2.1;

rCO_{2sg} is as determined in Section 3.

