



*European Economic and Social Committee*

**INT/849**  
**Euro 5/type-approval of vehicles**

## **OPINION**

European Economic and Social Committee

**Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 168/2013 as regards the application of the Euro 5 step to the type-approval of two- or three-wheel vehicles and quadricycles**  
[COM(2018) 137 final – 2018/0065 (COD)]

Rapporteur: **Gerardo LARGHI**

Consultation	European Parliament, 16/04/2018 Council, 04/04/2018
Legal basis	Article 114 of the Treaty on the Functioning of the European Union
Section responsible	Single Market, Production and Consumption
Adopted in section	07/06/2018
Adopted at plenary	11/07/2018
Plenary session No	536
Outcome of vote (for/against/abstentions)	125/0/1

## 1. Conclusions and Recommendations

- 1.1 The European Economic and Social Committee (EESC) welcomes proposal for a regulation COM(2018) 137 final since it amends certain parts of Regulation (EU) No 168/2013 to strike a balance between the need to develop technologies with a low environmental impact (Euro 5 type-approval step) and the actual ability of some companies to introduce these within the stipulated timeframe (*technical feasibility*). The derogations are intended, then, to avoid adverse effects on the market and employment levels, while ensuring better emissions standards are achieved in a timely manner.
- 1.2 The EESC notes that the Commission's proposed changes are in line with the recommendations of its own previous opinion on the matter<sup>1</sup>. These include: the gradual and flexible application of the regulation to match actual technical feasibility, reasonable cost to undertakings and consumers and exclusion of the use of on-board diagnostics (OBD) in category L1 and L2 vehicles<sup>2</sup>. The Committee also notes the broad support the proposal received from the Member States and all the stakeholders involved.
- 1.3 The EESC believes that the legislation will have a beneficial effect on the costs to companies and, consequently, on those borne by consumers. It is worth noting here the social role L-category vehicles play in rural areas – where they are often an alternative to the lack of public transport – and in cities, since they help to reduce congestion caused by traffic.
- 1.4 The EESC is in favour of renewing the Commission's power to adopt delegated acts for a further period of five years. The Committee sees this as a crucial condition for a timely adjustment of the legislation in force to keep pace with constant technological and market developments affecting the sector.
- 1.5 The EESC notes that the Commission's study<sup>3</sup> does not address the cost, technical feasibility and reproducibility of the energy consumption test (test type VII) for electrically propelled approved cycles (L1e-A) and approved cycles with pedal assistance (L1e-B). In fact, the study focuses solely on combustion motor vehicles. For this reason, the Committee recommends that the Commission instigate an additional study as soon as possible on the energy consumption of category L1e-A and L1e-B vehicles so the industry has a clear legal framework.
- 1.6 The EESC endorses the Commission's proposal to postpone the application of the Euro 5 emissions limits for light quadricycles (L6e-B), three-wheel mopeds (L2eU), trial motorcycles (L3e-AxT) and enduro motorcycles (L3e-AxE). However, these being niche products<sup>4</sup> made by small and micro businesses, the EESC recommends extending this derogation to 2024, as initially envisaged by the impact assessment. This measure should mean a less traumatic transition for companies in the sector, which would help sustain job levels.

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1 [OJ C 84, 17.3.2011, p. 30.](#)

2 [OJ C 84, 17.3.2011, p. 30.](#) points 4.1, 4.3 and 5.3.

3 "Effect study of the environmental step Euro 5 for L-category vehicles", EU-Books (ET-04-17-619-EN-N).

4 These subcategories of vehicle make up less than 1% of total production of L-category vehicles.

## 2. Introduction

- 2.1 The L-category vehicles sector covers a broad range of light vehicles with two, three and four wheels and is further divided into seven categories: pedal-assisted bicycles, mopeds with two (L1e) and three (L2e) wheels, motorcycles with two (L3e) and three wheels (L4e – with side-cars), motor tricycles (L5e) and light (L6e) and heavy (L7e) quadricycles. Each category is further subdivided into a total of 25 subcategories.
- 2.2 The range of different models and propulsion systems make the L category one of the most diverse and versatile in the vehicles sector. More than 35 million L-category vehicles are estimated to be in use in the EU.
- 2.3 As of 1 January 2016, type-approval requirements for L-category vehicles<sup>5</sup> have been set out in Regulation (EU) No 168/2013 and its four delegated and implementing acts<sup>6</sup>.
- 2.4 The Commission, drawing on the findings of the "Effect study of the environmental step Euro 5 for L-category vehicles", proposes to amend or expand some articles of Regulation (EU) No 168/2013 to make its principles clearer and to facilitate its implementation.
- 2.5 This proposal, also called for by the industry itself<sup>7</sup>, has been drafted after formal consultation of all the stakeholders concerned (manufacturers, type-approval authorities and social partners).

## 3. Gist of the Commission proposal

### 3.1 *On-board diagnostic system*

- 3.1.1 The OBD system<sup>8</sup> monitors the general running of the vehicle and in particular gives warning of failures or malfunctions giving rise to harmful emissions. Already a part of Euro 4, OBD will be developed further in Euro 5. Under the Euro 5 legislation, OBD will cover vehicle sensors and actuators to monitor the smooth running not just of the engine, but also of the treatment of exhaust gases and of the catalyst.

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<sup>5</sup> [OJ L 60, 2.3.2013, p. 52](#): Regulation (EU) No 168/2013 of the European Parliament and of the Council of 15 January 2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles.  
[OJ L 53, 21.2.2014, p. 1](#): Commission Delegated Regulation (EU) No 134/2014 of 16 December 2013 supplementing Regulation (EU) No 168/2013 of the European Parliament and of the Council with regard to environmental and propulsion unit performance requirements and amending Annex V thereof.  
[OJ L 25, 28.1.2014, p. 1](#): Commission Delegated Regulation (EU) No 44/2014 of 21 November 2013 supplementing Regulation (EU) No 168/2013 of the European Parliament and of the Council with regard to the vehicle construction and general requirements for the approval of two- or three-wheel vehicles and quadricycles.  
[OJ L 7, 10.1.2014, p. 1](#): Commission Delegated Regulation (EU) No 3/2014 of 24 October 2013 supplementing Regulation (EU) No 168/2013 of the European Parliament and of the Council with regard to vehicle functional safety requirements for the approval of two- or three-wheel vehicles and quadricycles.

<sup>6</sup> See footnote 3.

<sup>7</sup> <https://www.acem.eu/newsroom/press-releases/329-stefan-pierer-acem-president-we-urgently-need-clarity-from-the-ec-regarding-the-implementation-of-euro-5>.

<sup>8</sup> *On-board technology*. Article 21 and Annex IV points 1.8.1, 1.8.2 and 1.8.3. of Regulation (EU) No 168/2013.

3.1.2 The Commission proposes postponing to 2025 certain aspects relating to the obligation to install OBD stage II, particularly in relation to catalyst monitoring. This measure is only intended for certain types of vehicles, since the equipment will not be available in 2020 for technical reasons. The amendment of this provision should ensure sufficient time for companies to comply with the legislation.

3.1.3 The Commission also makes it clear that there are exemptions from the OBD system stage II requirement for mopeds (L1 and L2 categories) and for light quadricycles (L6e category) and to the enduro (L3e-AxE) and trial (L3e-AxT) motorcycle subcategories.

### 3.2 *Emissions control system (mathematical durability procedure)*

3.2.1 The environmental impact study on Euro 5 points out that the method of testing vehicles "after 100 km of use" does not permit the real degradation of the vehicle's emission control system during its lifetime to be gauged<sup>9</sup>.

3.2.2 The Commission proposes phasing this method out by 2025. In the meantime, it is proposed to increase the distance travelled by the vehicle before being tested to make the data more reliable. Consequently, the proposal provides for vehicles registered between 1 January 2020 and 31 December 2024 to undergo an environmental performance test after 2 500 km if the vehicle's top speed is under 130 km/h and after 3 500 km if it is 130 km/h or above.

### 3.3 *Application of Euro 5 limits*

3.3.1 The impact study on Euro 5 confirms that the technology necessary to meet the new environmental limits is already available, except for some types of L-category vehicles (L6e-B, L2e-U, L3e-AxT and L3e-AxE).

3.3.2 The Commission proposes, therefore, to postpone the application of these limits to those subcategories from 2020 to 2022. This measure will enable manufacturers, especially SMEs, to meet the deadline for the transition towards zero emission powertrains and at the same bring cost benefits for consumers.

3.3.3 The Commission also notes that the Euro 5 sound level limits need to be further clarified. To this end, it proposes to extend the application of the current Euro 4 emission limits until the new limits for Euro 5 can be established.

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<sup>9</sup> Article 23(3)(c).

### 3.4 *Delegated acts*

3.4.1 Regulation (EU) No 168/2013 empowered the Commission to adopt delegated acts for a period of five years, which expired on 21 March 2018. Given the need to continuously update the legislation to keep pace with technological advances, the Commission asks to renew the power to adopt delegated acts for a further five-year period, with the possibility of tacit extension.

Brussels, 11 July 2018

Luca JAHIER

The president of the European Economic and Social Committee

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