



COMMISSION OF THE EUROPEAN COMMUNITIES

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COMMUNICATION FROM THE COMMISSION
TO THE EUROPEAN PARLIAMENT

pursuant to the first subparagraph of Article 189 c (b) of the EC-Treaty

Common Position of the Council on the proposal for a Council Decision establishing
a scheme to monitor the average specific emissions of carbon dioxide from new
passenger cars

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a scheme to monitor the average specific emissions of carbon dioxide from new
passenger cars**

1. Procedural Matters

- The Commission submitted to the Council its original proposal on the above subject on 12 June 1998.
- The Parliament gave its opinion on first reading the 17 December 1998.
- The amended proposal was transmitted to the Council on 11 February 1999.
- The Common Position was adopted on 22 February 1999.
- The Economic and Social Committee gave its opinion on 3 December 1998.

2. Purpose of Commission Proposal

This proposal is an integral element of the Community's CO₂/cars strategy. It aims to establish a monitoring scheme that will provide objective data not only on CO₂ emissions but also on a range of vehicle characteristics (e.g. mass, engine capacity, etc.).

3. Comments on Common Position

3.1 General observation on Common Position

The Common Position is very much in line with the position of the Commission and that of the European Parliament. In addition, the Common Position in some ways strengthens the obligations created by the original proposal by creating, for example, a mechanism for recording the number of alternatively powered vehicles registered in each Member State.

3.2.1 Parliament's amendments on first reading accepted by the Commission in the amended proposal and incorporated in full or in part in the Common Position

Amendments 2, 7, 8, 27, 29, 33, and 42-45 were incorporated in full or in part in the Common Position.

Recitals

Amendment 2 (recital 3) clarifies the Community's obligations under the Kyoto protocol and was accepted in full.

The body of amendment 7 (recital 6) has been taken on board by the Common Position.

The part of amendment 8 (recital 8), which deals with linking the monitoring Decision to the environmental agreement, has been included.

Articles

The amendment to Article 4(1) (amendment 27), is reflected in its entirety in the Common Position.

The amendment to Article 5 (amendment 29) changes the expression "body responsible" and replaces it with the expression "competent bodies". This is now reflected in the text of the Decision.

The Council agreed that the report based on the monitoring data should be sent to the European Parliament in addition to the Council and therefore the Common Position includes the proposed amendment to Article 8 (amendment 33).

The amendments to Annex III, (4), (5), (6) and (7) (amendments 42-45) reflect precisely the additions that have been made to the proposal in the Common Position.

3.2.2 Parliament's amendments on first reading accepted by the Commission in the amended proposal but not incorporated in the Common Position

Amendments 1, 6, 35 and 46 were not included in the Common Position.

Recitals

Recital 1 (amendment 1) deals with the clarification that the Community's obligation to stabilise CO₂ emissions might necessitate a reduction in the concentration of greenhouse gas emissions. The Council felt that the original wording already implied this and that the clarification was unnecessary. The Commission agreed with the Council's position.

Amendment 6 (recital 5(a) of the amended proposal) clarifies that any agreement entered into with automotive manufacturers concerning CO₂ emissions should be closely monitored. As this recital refers not specifically to this Decision but to environmental agreements in general, it was felt that the amendment should not be accepted. The Commission accepted this line of argument.

Amendment 46 (recital 6(a) of the amended proposal) concerns giving the Commission the role of examining how other vehicle categories, beyond M1, could be included under Directive 80/1268/EEC on the CO₂ emissions and fuel consumption of motor vehicles. As there is an interinstitutional agreement that recitals should not be used to foresee future policy action, this amendment was rejected. The Commission accepted the need to comply with the agreement.

Annexes

The amendment to annex 1 (amendment 35) sought to include, length X width, as a vehicle characteristic collected under the scheme. The Council felt that, as there is no detailed methodology for determining this characteristic as part of the EU type approval system, it would be inappropriate to collect such data. The Commission agreed that there was no detailed methodology for determining the length X width of a vehicle.

3.2.3 New provisions introduced by the Council and position of the Commission thereto.

Recitals

The Council rationalised the recitals by deleting recital 2 (original numbering), as well as bringing other recitals more in line with the Common Position. Three new recitals were also added (recital 12 (new), 13 (new) and 14 (new)). The first indicates the addition of alternatively powered vehicles under the scheme, the second signals that the scheme only applies to passenger cars being registered for the first time in the Community and the third signals the need the necessity for the Commission and the Member States to maintain contacts concerning the quality of data. The Commission is favourable to all these changes.

Article 2 – Definitions

Several changes were made to the definitions, which help to clarify them and which make them more user friendly. The Commission feels that all the changes were appropriate and improved on the original definition.

“passenger car” – It was clarified that passenger car only covered those vehicles which are covered , in terms of their fuel consumption and CO₂ emissions, by the European type approval system.

“make” - this term was added to the definitions

“alternatively powered vehicles” – the addition of a definition on alternatively powered vehicles was one of the necessary changes to include such vehicles in the Decision

“type, variant and version” – the definition was brought more in line with the relevant Community legislation

Article 3 (4) – data quality

This subparagraph has been slightly modified in order to ensure the correct balance between the Commission’s need for good data quality and the need for Member States to have flexibility in their approach towards ensuring a high level of data quality. The Commission feels that the correct balance has been obtained.

Article 4 – data requirements

The Council has added two additional subparagraphs to this article, which the Commission welcomes as beneficial to the scheme.

4.2 – requires that Member States also determine the number of alternatively powered vehicles, which are registered in their territory.

4.3 – requires Member States to advise the Commission, if they change their methodology for measuring mass.

Article 5 and Article 6

The dates have been changed so that they will reflect a period of six months after the entry into force of the Decision rather than a specific date, determined before the date of entry into force is known. The Commission is of the opinion that this change is appropriate.

Annex IV – the format for the transmission of the monitoring data

The format was slightly changed to clarify that as new fuels become part of EC type approval legislation, that they should be transmitted in the same format as is required for those fuels that are already part of the legislation. The Commission is favourable to this change to the format.

4. Conclusions and General Remarks

The Commission supports the Common Position. The original proposal has been improved in technical terms and the requirement to determine the number of alternatively powered vehicles registered in each Member State is a beneficial addition to the original proposal. In addition, many of the proposals made by the Parliament have been taken on board and there is very little divergence between the respective positions of the different institutions.