



Council of the European Union
General Secretariat

Brussels, 18 September 2019

**Interinstitutional files:
2019/0101(COD)**

WK 10084/2019 INIT

LIMITE

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From:	Presidency
To:	Working Party on Technical Harmonisation (Motor vehicles)
Subject:	Danish comments regarding Proposal to amend the light vehicle emission type approval regulation (715/2007)



Eksport og Miljøtek
Ref. KAASM
September 11 2019

Danish comments regarding Proposal to amend the light vehicle emission type approval regulation (715/2007)

First of all, Denmark wishes to thank the Commission and the Presidency for prioritizing this proposal. It is very important to have a sufficient type approval scheme ensuring emissions from light duty vehicles are reflecting normal condition of use.

Denmark has both at the meeting the 16th of July and the 10th of September commented the conformity factor and bringing this act up-to date with regards to the Lisbon Treaty. Also, we have expressed our support for the NL written comments (WK 9246/2019).

Conformity factors

DK would like to reiterate the importance and the necessity of keeping the factor updated based on technical progress according to art 14.3.b. The Conformity Factor shall be revised annually and the latest revision was in May 2018.

Therefore, DK sees the necessity in considering strengthening the conformity factors with this proposal.

DK is strongly in favour of having a CF for NO_x at **1,32**, not least since the JRC already has shown analysis, proposing an uncertainty of 0,32 for PEMS. We can therefore not see any justification in delaying bringing the CF up to date – setting it at 1,32.

An update post-entry into force of this legislative file would create an unnecessary delay, creating further uncertainty for the industry.

Support to NL comments (WK 9246/2019)

Denmark share the view of vans being able to use the same aftertreatment systems as larger passenger cars. Furthermore vans are increasingly used for deliveries of goods especially in our urban areas where most people live and are exposed to air pollution. We cannot see the justification that vans should have more relaxed provisions with higher emission limits and later entry into force dates.

NL has a very valid point in their written comments. Saying the "phase-in-value" of 2,1 didn't correspond to only uncertainty of the PEMS (portable Emission Monitoring System) equipment. This value of 2,1 was set as an extra lead time for industry to comply with the new RDE test regime.

Therefore, DK agrees with NL in deleting references to CF-pollutant temp.

The delegation of powers

DK thanks the Council Legal Service for their view and oral presentation at the meeting. A written contribution as soon as possible would be of outmost importance for DK to finalise its position.

With regard to the discussion of recital 10, DK proposes to amend the recital as below:

Recital 10

The Treaty of Lisbon introduced the possibility for the legislator to delegate power to the Commission to adopt non-legislative acts of general application to supplement or amend certain non-essential elements of a legislative act. ~~The measures which can be covered by delegations of powers, as referred to in Article 290(1) TFEU, correspond in principle to those covered by the regulatory procedure with scrutiny established by Article 5a of Council Decision 1999/468/EC.~~ It is therefore necessary to adapt to Article 290 TFEU **some of** the provisions of Regulation (EC) No 715/2007 ~~which provide for the use of the regulatory procedure with scrutiny.~~ *[To be completed after finalisation of the main text]*