Commission Delegated Regulation (EU) 2020/1564 of 6 August 2020 amending Delegated Regulation (EU) 2018/985 as regards its transitional provisions in order to address the impact of the COVID-19 crisis

COMMISSION DELEGATED REGULATION (EU) 2020/1564

of 6 August 2020

amending Delegated Regulation (EU) 2018/985 as regards its transitional provisions in order to address the impact of the COVID-19 crisis

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 167/2013 of the European Parliament and of the Council of 5 February 2013 on the approval and market surveillance of agricultural and forestry vehicles[(1)], and in particular Article 19(6) thereof,

Whereas:

(1) Pursuant to Article 19(3) of Regulation (EU) No 167/2013, the engines fitted in agricultural and forestry vehicles follow Stage V pollutant emissions limits and transitional provisions laid down in Regulation (EU) 2016/1628 of the European Parliament and of the Council[(2)].

(2) As a result of the disruption caused by the COVID-19 outbreak, Regulation (EU) 2020/1040 of the European Parliament and of the Council[(3)] extended the transition period provided for in Regulation (EU) 2016/1628 by 12 months for certain engine sub-categories.

(3) Commission Delegated Regulation (EU) 2018/985[(4)] that lays down requirements relating to emission limits and EU type-approval procedures for agricultural and forestry vehicles as well as for their engines should therefore be amended accordingly.

(4) Given in addition that the prolongation of the transitional provisions will have no environmental impact, as the transition engines concerned have already been produced, coupled with the fact that it is difficult to predict the exact duration of the delays caused by the COVID-19 disruption, the extension of the relevant periods should be of 12 months as provided in Regulation (EU) 2020/1040.

(5) In view of the fact that the transition period provided for in Article 13(5) of Delegated Regulation (EU) 2018/985 for certain engines is to expire on 31 December 2020 and that manufacturers had until 30 June 2020 to produce the agricultural and forestry vehicles fitted with transition engines of those sub-categories, this Regulation should enter into force as a matter of urgency on the day following that of its publication in the *Official Journal of the European Union* and should apply from 1 July 2020. Such provision is warranted by the unforeseeable and sudden nature of the COVID#19 outbreak as well as by the need to ensure legal certainty and equal treatment of manufacturers regardless

Changes to legislation: *There are currently no known outstanding effects for the Commission Delegated Regulation (EU) 2020/1564. (See end of Document for details)*

of whether they produce agricultural and forestry vehicles before or after the date of entry into force of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 13 of Delegated Regulation (EU) 2018/985, paragraph 5 is amended as follows:

(1) in the third subparagraph, the first sentence is replaced by the following:

> For engines of sub-categories of category NRE for which the mandatory date of application set out in Annex III to Regulation (EU) 2016/1628 in respect of the placing on the market is 1 January 2020, Member States shall authorise the extension of the 24-month period and of the 18-month period referred to in the first and second subparagraphs by additional 12 months for vehicle manufacturers with a total yearly production of less than 100 units of agricultural and forestry vehicles equipped with an engine.;

(2) the following fourth subparagraph is added:

> For engines of all sub-categories for which the mandatory date of application set out in Annex III to Regulation (EU) 2016/1628 in respect of the placing on the market is 1 January 2019, the 24-month period and the 18-month period referred to in the first and second subparagraphs shall be extended by 12 months..

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 July 2020.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 6 August 2020.

For the Commission

The President

Ursula VON DER LEYEN