Commission Implementing Regulation (EU) 2018/988 of 27 April 2018 amending and correcting Implementing Regulation (EU) 2017/656 laying down the administrative requirements relating to emission limits and type-approval of internal combustion engines for non-road mobile machinery in accordance with Regulation (EU) 2016/1628 of the European Parliament and of the Council (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2018/988

of 27 April 2018

amending and correcting Implementing Regulation (EU) 2017/656 laying down the administrative requirements relating to emission limits and type-approval of internal combustion engines for non-road mobile machinery in accordance with Regulation (EU) 2016/1628 of the European Parliament and of the Council

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/1628 of the European Parliament and of the Council of 14 September 2016 on requirements relating to gaseous and particulate pollutant emission limits and type-approval for internal combustion engines for non-road mobile machinery, amending Regulations (EU) No 1024/2012 and (EU) No 167/2013 and amending and repealing Directive 97/68/EC[(1)], and in particular Articles 18(5), 21(3), 23(5), 24(12) and 32(3) thereof,

Whereas:

(1) Commission Implementing Regulation (EU) 2017/656[(2)] lays down, inter alia, the templates for certain documents to be drawn up in the context of the EU type-approval of internal combustion engines for non-road mobile machinery. Given a number of errors and omissions, those templates should be amended and corrected and made more comprehensive.

(2) For the purpose of transparency and completeness, the engine manufacturer should include in the information folder a copy of the demonstration reports of specific tests when applying for an EU type-approval.

(3) In order to harmonise and facilitate the procedures for the calculation of gaseous pollutant emissions for in-service monitoring of non-road mobile engines in accordance with Commission Delegated Regulation (EU) 2017/655[(3)], the reference work and the reference CO_2 mass used for that calculation should be stated in the addendum of the template of the EU type-approval certificate and in the single format of the test report.

(4) For the purpose of harmonising the terminology used in the entire legislative package relating to emission limits and type-approval of internal combustion engines for non-road mobile machinery and clarifying their meaning, the terms ‘cylinder displacement’ and ‘engine displacement’ appearing in Implementing Regulation (EU) 2017/656

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/988. (See end of Document for details)*

should be replaced by the terms ‘swept volume per cylinder’ and ‘engine total swept volume’.

(5) Finally, following the publication of Implementing Regulation (EU) 2017/656, minor errors of different types have been detected and need to be corrected. In particular, certain changes should be made to provisions containing contradictions or redundant information and certain references and numbering should be corrected.

(6) In particular, points 10 to 11.2 of the template for the single format of the test report should be corrected in order to correctly reflect the terminology used in Regulation (EU) 2016/1628.

(7) Implementing Regulation (EU) 2017/656 should therefore be amended and corrected accordingly.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Technical Committee – Motor Vehicles,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Implementing Regulation (EU) 2017/656

Implementing Regulation (EU) 2017/656 is amended as follows:

(1) the following Article 12a is inserted:

Article 12a

Transitional provisions

1 Notwithstanding the application of the provisions of this Regulation, as amended by Commission Implementing Regulation (EU) 2018/988[4], approval authorities shall, until 31 December 2018, also continue to grant EU type-approvals to engine types or engine families in accordance with this Regulation, in its version applicable on 6 August 2018.

2 Notwithstanding the application of the provisions of this Regulation, as amended by Implementing Regulation (EU) 2018/988, the Member States shall, until 30 June 2019, also permit the placing on the market of engines based on an engine type approved in accordance with this Regulation, in its version applicable on 6 August 2018.;

(2) Annex I is amended in accordance with Annex I to this Regulation;

(3) Annex IV is amended in accordance with Annex IV to this Regulation;

Article 2

Corrections to Implementing Regulation (EU) 2017/656

Implementing Regulation (EU) 2017/656 is corrected as follows:

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/988. (See end of Document for details)*

(1) Annex I is corrected in accordance with Annex II to this Regulation;

(2) in Annex II, Appendix 1 and Appendix 2 are corrected in accordance with Annex III to this Regulation;

(3) in Annex III, Appendix 1, Table 1, the ninth row, in the first column, the words ‘Applicable exemption code (EM) or transition code (TM) from column 4 of Table 1 of Appendix 2 to Annex II’ are replaced by the words ‘Applicable exemption code (EM) or transition code (TR) from column 4 of Table 1 of Appendix 2 to Annex II’;

(4) in Annex IV, the Addendum to the EU type-approval certificate is corrected in accordance with Annex V to this Regulation;

(5) Annex V is corrected in accordance with Annex VI to this Regulation;

(6) Annex VI is corrected in accordance with Annex VII to this Regulation;

(7) Annex IX is corrected in accordance with Annex VIII to this Regulation.

Article 3

Entry into force

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

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

Done at Brussels, 27 April 2018.

For the Commission

The President

Jean-Claude JUNCKER

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/988. (See end of Document for details)*

ANNEX I

Annex I to Implementing Regulation (EU) 2017/656 is amended as follows:

(1) Part A is amended as follows:

(a) point 1.5.1 is replaced by the following:

1.5.1. Where applicable, a copy of the demonstration reports set out in points 10.5.1 and 13.4.1 of Appendix 1 of Annex IV to Delegated Regulation (EU) 2017/654;

(b) the following points 1.5.2 and 1.5.3 are inserted:

1.5.2. Where applicable, a description of the connection for, and method to read, the records set out in point 5.2.1.1.(e) of Appendix 1 of Annex IV to Delegated Regulation (EU) 2017/654 and point 4.1 of Appendix 2 of that Annex;

1.5.3. Where the engine type or engine family is member of a NCD engine family, a justification of its membership together with the information requested in points 1.5, 1.5.1 and 1.5.2 on the NCD engine family may be supplied alternatively, upon agreement of the approval authority;;

(c) point 1.6.1 is replaced by the following:

1.6.1. Where applicable, a copy of the demonstration report set out in point 9.3.6.1 of Appendix 4 of Annex IV to Delegated Regulation (EU) 2017/654;

(d) the following points 1.6.2 and 1.6.3 are inserted:

1.6.2. Where applicable, a description of the connection for, and method to read, the records set out in point 5.4 of Appendix 4 of Annex IV to Delegated Regulation (EU) 2017/654 and point 4.1 of Appendix 2 of that Annex;

1.6.3. Where the engine type or engine family is member of a PCD engine family, a justification of its membership together with the information requested in points 1.6, 1.6.1 and 1.6.2 on the PCD engine family may be supplied alternatively, upon agreement of the approval authority;;

(2) Appendix 3 is amended as follows:

(a) Part B is amended as follows:

(i) point 2.10.4 is replaced by the following:

2.10.4. Others: Yes/No

(if yes, complete section 3.10.4 and provide a schematic diagram of the location and order of the devices);

(ii) point 2.11.9 is replaced by the following:

2.11.9. Other devices or features that have a strong influence on emissions: Yes/No

(if yes, complete section 3.11.7);

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/988. (See end of Document for details)*

(b) in Part C, the table is amended as follows:

(i) the following row with item number 3.4.6.1 is inserted:

3.4.6.1.	In case of RMC, number of pre-conditioning RMC prior to RMC NRSC test	X								Minimum 0,5

(ii) the following rows with item numbers 3.10.3 to 3.10.4.1 are inserted:

3.10.3.	Air injection								
3.10.3.1.	Operation principle:		X						
3.10.4.	Other(s)								
3.10.4.1.	Type(s):		X						

(iii) the following row with item number 3.11.1.3.1 is inserted:

3.11.1.3.1.	Test conditions for measurement:	X	X						

(iv) the following rows with item numbers 3.11.7 and 3.11.7.1 are inserted:

3.11.7.	Other device(s) or feature(s)								
3.11.7.1.	Type(s):		X						