Commission Regulation (EU) No 136/2014 of 11 February 2014 amending Directive 2007/46/EC of the European Parliament and of the Council, Commission Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and Commission Regulation (EU) No 582/2011 as regards emissions from heavy duty vehicles (Euro VI) (Text with EEA relevance)

COMMISSION REGULATION (EU) No 136/2014

of 11 February 2014

amending Directive 2007/46/EC of the European Parliament and of the Council, Commission Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and Commission Regulation (EU) No 582/2011 as regards emissions from heavy duty vehicles (Euro VI)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive)[(1)], and in particular Article 39(2) thereof.

Having regard to Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information[(2)], and in particular Article 5(3) thereof.

Having regard to Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and on access to vehicle repair and maintenance information and amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC, and in particular Article 5(4) thereof,

Whereas:

(1) Regulation (EC) No 715/2007 and Commission Regulation (EC) No 692/2008 of 18 July 2008 implementing and amending Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information[(3)] establish common technical requirements for the type-approval of motor vehicles and replacement parts with regard to their emissions and lay down rules for in-service conformity, durability of pollution control devices, on-board diagnostic (OBD) systems, measurement of fuel consumption and accessibility of vehicle repair and maintenance information.

(2) Directive 2007/46/EC of 5 September 2007 establishes a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles. It sets out the format of the type-approval documents and specifies the bases for outlining engine characteristics, including values of engine power and power-related parameters.

(3) The EC type-approval number issued pursuant to Regulation (EC) No 692/2008 includes alphabetical characters (Euro 5 and Euro 6 steps), which indicate the emission limit values and OBD requirements in accordance with which the approval was granted. Each step, identified by an alphabetical character, contains a mandatory implementation date for the certification of new types of vehicles and for all new vehicles, as well as a last date of registration.

(4) Vehicle manufacturers may request a type-approval of vehicles with more stringent requirements before those requirements become mandatory. New Euro 6 steps will enable certification of vehicles with lower emission levels before those emission levels enter into force.

(5) Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and on access to vehicle repair and maintenance information and amending Regulation (EC) No 715/2007 and Directive 2007/46/EC[(4)], repealed Council Directive 80/1269/EEC of 16 December 1980 on the approximation of the laws of the Member States relating to the engine power of motor vehicles[(5)] with effect from 31 December 2013. Therefore, it is necessary to carry over the provisions of Directive 80/1269/EEC into Regulation (EC) No 715/2007.

(6) Regulation (EC) No 692/2008 and Regulation (EU) No 582/2011 specify the reference fuels which should be used by vehicle manufacturers to perform emission tests in accordance with Regulation (EC) No 715/2007 and Regulation (EC) No 595/2009. The characteristics of reference fuels reflect the characteristics of fuels most commonly used in the market at the time Regulation (EC) No 692/2008 was adopted. However, due to the increasing usage of biofuels in the market in recent years, specifications of reference fuels should be adapted to correspond to the fuels available currently and in the foreseeable future on the Union market.

(7) The reference fuels in Regulation (EC) No 692/2008 and Regulation (EU) No 582/2011 need to be aligned in order to harmonize procedures for light and heavy-duty vehicles and therefore reduce costs related to type-approval.

(8) Directive 2007/46/EC, Regulation (EC) No 692/2008 and Regulation (EU) No 582/2011 should therefore be amended accordingly.

(9) 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 Directive 2007/46/EC

Annexes I, III, IV, IX, and XI to Directive 2007/46/EC are amended in accordance with Annex I to this Regulation.

Article 2

Amendments to Regulation (EC) No 692/2008

Regulation (EC) No 692/2008 is amended as follows:

(1) In Article 2, the following points 37, 38, 39 and 40 are added:

37. "net power" means the power obtained on a test bench at the end of the crankshaft or its equivalent at the corresponding engine or motor speed with the auxiliaries, tested in accordance with Annex XX (Measurements of net engine power, net power and the maximum 30 minutes power of electric drive train), and determined under reference atmospheric conditions;

38. "maximum net power" means the maximum value of the net power measured at full engine load;

39. "maximum 30 minutes power" means the maximum net power of an electric drive train at DC voltage as set out in paragraph 5.3.2. of UNECE Regulation No 85[(6)];

40. "cold start" means an engine coolant temperature (or equivalent temperature) at engine start less than or equal to 35 °C and less than or equal to 7 K higher than ambient temperature (if available) at engine start.

(2) In Article 3, paragraph 1 is replaced by the following:

1. In order to receive an EC type-approval with regard to emissions and vehicle repair and maintenance information, the manufacturer shall demonstrate that the vehicles comply with the test procedures specified in Annexes III to VIII, X to XII, XIV, XVI and XX to this Regulation. The manufacturer shall also ensure compliance with the specifications of reference fuels set out in Annex IX to this Regulation..

(3) In Article 6, paragraph 1 is replaced by the following:

1. If all the relevant requirements are met, the approval authority shall grant an EC type-approval and issue a type-approval number in accordance with the numbering system set out in Annex VII to Directive 2007/46/EC.

Without prejudice to the provisions of Annex VII to Directive 2007/46/EC, section 3 of the type-approval number shall be drawn up in accordance with Appendix 6 to Annex I to this Regulation.

An approval authority shall not assign the same number to another vehicle type.

For vehicles type approved to the Euro 5 emission limits given in Table 1 of Annex I of Regulation (EC) 715/2007 the relevant requirements shall be deemed to be met if all the following conditions are fulfilled:

a the requirements of Article 13 are met;

b the vehicle has been approved according to UN/ECE Regulations No 83, series of amendments 06, No 85, No 101, series of amendments 01 and in the case of compression ignition vehicles No 24 Part III, series of amendments 03.

In the case referred to in the fourth subparagraph Article 14 shall also apply..

(4) Annexes I, III, IV, IX, XI and XII are amended in accordance with Annex II to this Regulation.

(5) Annex XX is added, the text of which is set out in Annex III to this Regulation.

Article 3

Amendments to Regulation (EU) No 582/2011

Annexes VIII and IX to Regulation (EU) No 582/2011 are amended in accordance with Annex IV to this Regulation.

Article 4

Transitional provisions

1 As from 1 January 2015 manufacturers shall deliver certificates of conformity which are in accordance with this Regulation.

2 For the purpose of compliance with Annex XX to Regulation (EC) No 692/2008, certificates granted by demonstrating compliance with Directive 80/1269/EEC and/or UNECE Regulation No 85 issued before the date of entry into force of this Regulation shall remain valid until 31 August 2018.

3 Annex IV to this Regulation shall apply as from the dates set out in row C of Table 1 of Appendix 9 to Annex I to Regulation (EU) No 582/2011.

Article 5

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, 11 February 2014.

For the Commission

The President

José Manuel BARROSO

***Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EU) No 136/2014. (See end of Document for details)*