COMMISSION

COMMISSION DIRECTIVE

of 30 November 1976

adapting to technical progress Council Directive 70/220/EEC of 20 March 1970 on the approximation of the laws of the Member States relating to measures to be taken against air pollution by gases from positive-ignition engines of motor vehicles

(77/102/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers (1), as amended by the Act of Accession (2), and in particular Articles 11, 12 and 13 thereof,

Having regard to Council Directive 70/220/EEC of 20 March 1970 on the approximation of the laws of the Member States relating to measures to be taken against air pollution by gases from positive-ignition engines (3), as amended by the abovementioned Act of Accession, and in particular Article 5 thereof,

Whereas the programme of action of the European Communities on the environment adopted on 22 November 1973 provides for amendments to Directives adopted so as to take into account the latest scientific progress, with particular reference to air pollution by exhaust gases from positive-ignition engines;

Whereas the technical progress made in the construction of positive-ignition engines since Council Directive 70/220/EEC laid down the permissible limits for carbon monoxide and unburnt hydrocarbon emissions from these engines, which limits were made more stringent by Council Directive 74/290/EEC of 28 May 1974 (4), also enables permissible limits to be laid down for nitrogen oxide emissions;

Whereas it is essential that emissions of this latter pollutant from motor vehicles should be restricted with immediate effect in order to establish a basis for coherent Community action to reduce the limits for the three pollutants which are the subject of the EEC type-approval procedure for these vehicles; whereas in order to protect public health and the environment it is advisable to envisage a further reduction of the limits of these pollutants as soon as the work now in progress has given concrete results;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee on the Adaptation to Technical Progress

(1) OJ No L 42, 23. 2. 1970, p. 1.
(2) OJ No L 73, 27. 3. 1972, p. 115.
(3) OJ No L 76, 6. 4. 1970, p. 1.
(4) OJ No L 159, 15. 6. 1974, p. 61.

of the Directives on the Removal of Technical Barriers to Trade in the Motor Vehicle Sector,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annexes I and III to Council Directive 70/220/EEC on the approximation of the laws of the Member States relating to measures to be taken against air pollution by gases from positive-ignition engines of motor vehicles, as amended by Council Directive 74/290/EEC of 28 May 1974, are hereby amended in accordance with the Annex to this Directive.

Article 2

1. From 1 April 1977, the Member States shall neither, on grounds relating to air pollution by gases from an engine:

— refuse to grant EEC type-approval, or to issue the documents referred to in the second indent of Article 10 (1) of Directive 70/156/EEC, or to grant national type-approval of a type of motor vehicle;

— nor prohibit the entry into service of such vehicles;

where the level of gaseous pollutants emitted from this type of motor vehicle or from such vehicles meets the requirements of Directive 70/220/EEC, as last amended by this Directive.

2. From 1 October 1977, Member States:

— shall no longer issue the document provided for in the second indent of Article 10 (1) of Directive 70/156/EEC in respect of a type of motor vehicle which emits gaseous pollutants at levels which do not meet the requirements of Directive 70/220/EEC, as last amended by this Directive;

— may refuse national type-approval of a type of motor vehicle which emits gaseous pollutants at levels which do not meet the requirements of Directive 70/220/EEC, as last amended by this Directive.

3. From 1 October 1980, Member States may prohibit the entry into service of vehicles which emit gaseous pollutants at levels which do not meet the requirements of Directive 70/220/EEC, as last amended by this Directive.

4. By 1 January 1977, Member States shall put into force the requirements needed in order to comply with this Directive and shall forthwith inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 30 November 1976.

For the Commission

Finn GUNDELACH

Member of the Commission

ANNEX

Amendments to the Annexes to Directive 70/220/EEC

ANNEX I: **DEFINITIONS, APPLICATION FOR EEC TYPE-APPROVAL AND TEST SPECIFICATIONS**

Item 1.4 shall be replaced by the following:

'1.4. **Gaseous pollutants**

"Gaseous pollutants" means carbon monoxide, hydrocarbons and nitrogen oxides, the latter expressed as nitrogen dioxide (NO_2) equivalents.'

The second sentence of item 3.2.1.1.4 shall be replaced by the following:

'In each test, the mass of the carbon monoxide, the mass of the hydrocarbons and the mass of the nitrogen oxides obtained must be less for a vehicle of given reference weight, than the amounts shown in the table below:'

For the table a fourth column shall be added as follows:

Mass of nitrogen oxides expressed as NO_2 equivalent (per test in g) L_3
10
10
10
12
14
14·5
15
15·5
16

New item 3.2.1.1.4.1 shall be added after item 3.2.1.1.4:

'3.2.1.1.4.1. However, until 1 October 1979, for application to vehicles other than those of category M_1 and to vehicles equipped with automatic transmissions the limits for nitrogen oxide emissions given in the table of item 3.2.1.1.4 shall be multiplied by a factor 1·25.'

Existing item 3.2.1.1.4.1 shall become item 3.2.1.1.4.2.

Items 3.2.1.1.5.1 and 3.2.1.1.5.2.

The words 'both the pollutants' shall be replaced by 'three pollutants'.

Item 5.1.1.1.

For the table a fourth column shall be added as follows:

Mass of nitrogen oxides expressed as NO_2 equivalent (per test in g) L_3
12
12
12
14·4
16·8
17·4
18
18·6
19·2

New item 5.1.1.1.1 shall be added after item 5.1.1.1:

'5.1.1.1.1. However, until 1 October 1979, for application to vehicles other than those of category M_1 and to vehicles equipped with automatic transmissions the limits for nitrogen oxide emissions given in the table of item 5.1.1.1 shall be multiplied by a factor 1·25.'

ANNEX III: TYPE I TEST

The first sentence of item 3.2.1 shall be replaced by:

'the connecting tubes shall be made of stainless steel and shall, so far as possible, be provided with rigid connections.'

Item 3.2.3.

The words 'and with the reduction to a minimum of condensation on the sides of the sampling bag or bags' shall be deleted.

New items 3.2.4 and 3.2.5 shall be added after item 3.2.3:

'3.2.4. A cooling condenser shall be located between the exhaust pipe of the engine and the inlet of the bag(s) in such a way that gas temperature t_G at the exit of the condenser is maintained within the following limits:

$$5\,^{\circ}\mathrm{C} \leq t_G \leq 17\,^{\circ}\mathrm{C}$$

The cooling system must be designed in such a way as to avoid any entrainment of condensed water by the gases flowing through it. This will enable the humidity of the gases in the sampling bag to be maintained at less than 83 % at 20 °C.

3.2.5. The total volume of the collecting system, excluding the bag, shall not exceed 0·08 m^3. The volume of the bag spreader pipe shall be less than 0·03 m^3.'