

COMMISSION OF THE EUROPEAN COMMUNITIES

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PROPOSALS FOR THE AMENDMENT OF EEC DIRECTIVES
ON THE LEAD CONTENT OF PETROL
AND MOTOR-VEHICLE EMISSIONS

(presented by the Commission to the Council)

COM (84) 226 final

1. GENERAL REMARKS

- 1.1. The pollution of the environment - particularly as regards the quality of the air - and its consequences for health, which are problems recognized by science, are now causing increasing concern among the general public and the governments of the Member States.

At its meeting in Stuttgart in June 1983, the European Council reaffirmed the Community's commitment to the pursuit of a vigorous and active environmental policy; in this connection, it acknowledged the need for urgent action to meet the threat now facing Europe's forests and for progress towards the use of lead-free petrol by all motor vehicles.

- 1.2. Against this background, consideration must be given to ways of achieving a further significant reduction in the nuisances caused by motor vehicles. This is a matter of Community responsibility, since the lead content of petrol and statutory limits on the pollutant emissions of motor vehicles are the subject of Community directives which constitute one of the basic features of the common market in the case of both refined petroleum products and motor vehicles. This legislation, which has evolved in the light of the Community's perception of appropriate public health and environmental protection measures, is in many respects less stringent than that in force throughout most of the motor vehicles market in the industrialized countries (comprising the US, Japan, Switzerland and Sweden).

Faced with the challenge represented by the need to catch up with this more advanced legislation, the industries concerned must respond positively in order to demonstrate their capacity for innovation and greater competitiveness.

- 1.3. Discussions initiated by the Commission revealed a high measure of agreement on the desirability of reducing the lead content of petrol as quickly as possible, with a view to its complete elimination within a relatively short period. In the course of these discussions the Commission also noted a growing consensus as regards the advisability of further reducing regulated pollutant emissions, but in this instance opinions were more divided on the procedures to be adopted and the deadline to be fixed.

The Commission submits proposals to the Council within the framework of Community legislative practice, which determines medium- and long-term objectives. This approach provides the undertakings concerned with the information required for the control of their future development and, at the same time, enables them to establish an optimum balance between the costs and benefits associated with the regulatory measure, which is an essential requirement in a period of intensive industrial change.

This practice is not peculiar to the Community; it was adopted in the US and Japan when it was decided to give priority in regulatory activity to the reduction of both pollutant emissions and the lead content of petrol by requiring the undertakings concerned gradually to introduce new technical solutions, with a view to the achievement of those objectives.

1.4. The attached proposals take account of several requirements, namely the need to:

- make a substantial contribution to the protection of public health and the environment, without specifying the technical means of achieving this end;
- consolidate and extend the measures taken by the European motor vehicles industry to improve its international competitiveness, not only as regards costs and prices but also in respect of product characteristics;
- comply with the policy for the conservation of non-renewable and imported energy sources;
- preserve the unity of the Common Market.

1.5. Moreover, the proposed rules give the Member States - explicitly in the case of the draft Directive on "lead" and implicitly in the case of the optional draft Directive on "emissions" - the option of prior implementation, subject to compliance with the rules of the Treaty.

1.6. The Commission considers that it is both necessary and possible for the Council to reach agreement on the new legislation by the end of this year.

There is a need for rapid action to remove the present uncertainty among both the general public, which must be reassured that the Community institutions are the spokesmen for its concerns, and the enterprises in question, whose future investment projects cannot be delayed without jeopardizing their attempts to achieve greater international competitiveness.

1.7. Consultation of Parliament and the Economic and Social Committee

Pursuant to the provisions of the second paragraph of Article 100 of the EEC Treaty, these two bodies must be consulted.

Implementation of the requirements laid down in the Directives will necessitate the amendment of existing legislative provisions in all the Member States.

2. PROPOSITION FOR A NEW DIRECTIVE RELATING TO THE LEAD AND THE BENZENE CONTENT OF PETROL

2.1 It is generally recognised that lead constitutes a danger to public health; it is also desirable to reduce its presence in the environment. One of the most wide-spread forms of lead in the atmosphere is caused by the addition of this product to petrol and the Environment Council of 16 June 1983 underlined its final objective of reducing the presence of lead in the environment. Following this call and with a view to reducing and finally eliminating lead from petrol, the Commission proposes to replace the existant Directive by a new one that takes into account the principle that, as from 1989 all new types of vehicles must function with unleaded petrol and that, as from 1991, this requirement is extended to all new vehicles placed on the market.

2.2 The date of 1989 is common to the obligatory introduction of unleaded petrol and to more strict standards for emissions. It corresponds to the **delays necessary** for the petroleum and automobile industries to effect the necessary investments.

The supply to the market must be sufficient to cover the local and regional demands for unleaded petrol. Taking into account that the average vehivle life varies widely from one Member State to another, it is necessary to market both leaded and unleaded petrols during a transitional period whose end-point cannot yet be determined.

The Member States are permitted to anticipate, as from 1st. January 1986, the marketing of unleaded petrol; the other Member States may not forbid the marketing of unleaded petrol on a vokuntary basis. This provision will facilitate the free circulation of vehicles constructed for unleaded petrol before its obligatory introduction.

- 2.3 Concerning the quality of unleaded petrol, the current thinking of the Commission foresees octane values of 92 RON/82 MON for the "regular" grade and 96 RON/86 MON for the "super" grade. The Commission will organise, without delay and in consultation with the automobile and petroleum industries, the work necessary to define the technical specifications for unleaded petrol with the aim of reaching conclusions for 30 September 1984 and, if possible, a draft European Standard, within the context of C.E.N., to which this proposed Directive will refer.
- 2.4 One part of the vehicle fleet can already use unleaded petrol of the qualities to be marketed. Nevertheless, leaded petrol will still be required on the market for a fairly long period after the obligatory introduction of unleaded petrol. So as to achieve a substantial reduction in lead emissions as soon as possible (and on the lines which half the Member States have already started or decided upon) the Commission proposes to reduce, for the whole Community, the maximum lead content of petrol to 0.15 g/l as from 1st. July 1989.
- 2.5 In the case where the simultaneous change to unleaded petrol and low-lead petrol are likely to pose problems by virtue of the investments required and the delays for these to be effected in Member States which have not yet taken the decision to reduce the lead content of petrol and who have a percentage of sales of "super" which are higher than the Community average, the Commission must have the possibility to grant the waivers demanded by these Member States taking into account their respective difficulties. In order to evaluate these difficulties and to permit it to appreciate the basis for such waivers, the Commission will proceed with the appropriate technical-economic consultations.
- 2.6 To accelerate the use of unleaded petrol and to avoid 'misfuelling' (the use of leaded petrol in vehicles designed for unleaded petrol) the Commission will invite the Member States to take measures for

incentives in favour of the greatest use of unleaded petrol which must be able to be sold, as far as is possible, at a price less than that of leaded petrol. On this point the Commission will proceed with appropriate consultations and examinations with the Member States and those concerned so as to obtain the elements necessary for an appreciation, duly taking account of the objectives of energy policy recently defined by the Council.

2.7 As well as incentives, the Commission proposes that the Member States take the appropriate measures to forbid the use of leaded petrol in vehicles designed to function on unleaded petrol. Amongst others, the Commission will propose the colouring of all leaded petrol.

2.8 The production of low-lead and unleaded petrols necessitates changes in the composition of the petrol with an increase in benzene and aromatics. To protect public health the Commission proposes a limit of 5 % for the maximum benzene content of all petrols. On the other hand these changes in the composition of petrol must not lead to a significant increase in the emission of other pollutants.

2.9 The regular control of the requirements concerning the maximum lead and benzene contents of petrols, as well as their quality, must be effected at the final distribution level. To achieve this, the appropriate reference methods will be proposed.

2.10 In summary, this new Directive contains the following principle elements :

- an obligation to market unleaded petrol as from 1st. July 1989 as well as leaded petrol; the facility for Member States to anticipate, from 1st. January 1986, the marketing of unleaded petrol and the prohibition for Member States to restrict such marketing;

- lowering of the maximum authorised lead level in leaded petrol to 0.15 g/l as from 1st. July 1989;
- an invitation to Member States to provide incentives to favour the greatest utilisation of unleaded petrol;
- colouring of all leaded petrols;
- a limitation of the maximum benzene content of all petrols.

3 PROPOSAL FOR A DIRECTIVE AMENDING DIRECTIVE 70/220/EEC ON THE POLLUTANT EMISSIONS OF MOTOR VEHICLES

3.1 It is now recognized that the pollutants emitted in the exhaust gases of motor vehicles, particularly nitrogen oxides in respect of which motor vehicles account for 20% of all Community emissions from human sources, are a significant contributory factor to the problem of acid rain.

For this reason, pursuant to the commitments entered into at the European Council meeting in Stuttgart and the Council meeting (environment) of June 1983, the Commission is proposing a further reduction in the limit values for pollutant emissions regulated by Directive 70/220/EEC, as last amended by Council Directive 83/351/EEC of 16 June 1983.

This proposal derives from the activities of the "ERGA-Air Pollution" working group, which was set up by the Commission within the framework of the global approach to motor vehicles legislation, and which made it possible to evaluate the techniques available for achieving a further reduction in motor-vehicle pollutant emissions and the consequences of their adoption from the economic and energy standpoints.

As a result of these activities, it was concluded that the European automobile industry has available, or is currently finalizing, techniques which will enable it to comply with the requirements of the present proposal without compromising, for the period in question, the objectives of Community policy in other fields, particularly that of the rational use of energy.

3.2 This proposal relates to a two-stage procedure for the reduction of pollution caused by motor vehicle emissions on the basis of a single Council Decision to be adopted before the end of this year.

The first stage provides for the reduction of the limit values applicable to the pollutants covered by Community legislation; depending on vehicle category, this reduction will be between 20% and 50% in the case of carbon monoxide, between 20% and 40% in the case of combined hydrocarbon and nitrogen oxide emissions and between 30% and 45% in the case of nitrogen oxides alone.

These new limits would apply to all vehicle categories so that the previous method, under which limit values were adjusted in line with vehicle weight, would be abandoned; these limits will also apply to both petrol - and diesel-engined vehicles. They will become applicable with effect from 1 October 1989 for all new types of vehicle and from 1 October 1991 for all new vehicles.

The second stage provides for a further reduction in the limits to a level which will make it possible to obtain values suitably adjusted to European conditions, corresponding to those applicable to motor-vehicle emissions in the United States and Japan.¹⁾ These values will be proposed by the Commission before 30.9.1984 on the basis of current technical activities, with a view to their adoption by the Council within the framework of this Directive. These new limits will apply with effect from 1 October 1995 to both new types of vehicle and all new vehicles brought into service.

In particular, these provisions could refer to the introduction of measures to check the effectiveness of the technologies that will make it possible to comply with these limit values throughout the working life of the vehicles.

1) American standards: (Test cycle FTP 75): HC 0.41 g/mi; CO: 3.4 G/mi;
NO : 1.0 g/mi.
Japanese standards: ("I0 mode cycle"): HC: 0.39 g/km; CO: 2.7 g/km;
NO : 0.48 g/km
("I1 mode cycle"): HC: 9.5 g/test; CO: 85 g/test;
NO : 6.0 g/test
x

Subject to compliance with the rules of the Treaty, Member States will be allowed to adopt the new values laid down in the Directive prior to the stipulated date. Clearly, however, Member States which take up this option must not prohibit either the marketing or use of domestically produced or imported vehicles which satisfy existing Community requirements.

3.3 Article 1 provides for the amendment of the technical annexes to Directive 70/220/EEC, as amended by Directive 83/351/EEC, in accordance with the objectives defined in the first part of this proposal for a Directive. Nevertheless, the specifications contained in Annex VI in respect of the reference fuel required for type-approval tests will be covered by an additional proposal after consultation of the competent bodies.

3.4 Articles 2 and 4 define the deadlines for the adoption, publication and implementation of the new provisions.

3.5 Article 3(1) translates into the terms used in Directive 70/220/EEC the limit values of the prevailing American and Japanese regulations and fixes the deadline and conditions governing the application of the new limits.

Article 3(2) requires the Council to adopt, before the end of 1988, the technical provisions necessary for the implementation of this second stage of the Directive.

PROPOSAL FOR A

COUNCIL DIRECTIVE ON THE APPROXIMATION OF THE LAWS
OF THE MEMBER STATES CONCERNING THE LEAD AND BENZENE CONTENT OF PETROL.

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof,

Having regard to the proposal from the Commission,¹

Having regard to the opinion of the European Parliament,²

Having regard to the opinion of the Economic and Social Committee,³

- Whereas the protection and improvement of public health and of the environment currently and in the future constitute a major preoccupation common to all industrialized countries and whereas the

¹ O.J. N° C

² O.J. N° C

³ O.J. N° C

effects on public health and the environment of pollution caused by substances emitted in the exhaust gas of vehicles must be regarded as serious, owing to the continuous increase in the volume of motor traffic;

- Whereas following the introduction of 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 spark ignition engines of motor vehicles ⁴ as last amended by Directive 83/351/EEC ⁵, which was designed to curb air pollution caused by the emission of carbon monoxide, unburned hydrocarbons and nitrogen oxides from motor vehicles, Council directive 78/611/EEC on the approximation of the laws of the Member States relating to the lead content of petrol ⁶ has fixed a maximum and a minimum value for the permitted lead compound content of petrol;

- Whereas the third action programme on the environment ⁷ provides for further efforts to reduce considerably the present levels of exhaust pollution and that the availability of unleaded petrol is a prerequisite for the efficient functioning of certain antipollution devices;

- Whereas existant or future disparities in the national laws of the Member States concerning the composition of petrol and, in particular, the rules governing the limitations on the lead content and on the benzene content of motor vehicle petrol may directly affect the proper functioning of the common market;

⁴ OJ N° L76, 6.4.1970, p.1

⁵ OJ N° L197, 20.7.1983, p.1

⁶ OJ N° L197, 22.7.1978, p. 19

⁷ OJ N° C47, 2.7.1983, p.1

- Whereas refining technology allows for a lowering of the maximum permitted lead content to 0.15 g Pb/l without adverse effects on the quality of petrol; whereas specific difficulties pertaining to the structure of the refining industry and to the demand pattern for leaded petrols in a Member State may require that the Commission grants a waiver for a limited period of time;
- Whereas lowering and ultimately eliminating the use of lead in petrol will improve the health protection of the population, particularly in areas with dense traffic; whereas the early introduction of unleaded petrol is also necessary to permit the application of certain antipollution technology for reducing drastically polluting emissions from motor vehicles, in particular NOx and unburned hydrocarbons;
- Whereas during a transitional period leaded petrol must still be available on Member States' markets, together with unleaded petrol, in order to satisfy, under realistic economic and technical conditions, the requirements of an important fraction of the existing vehicle fleet;
- Whereas, owing to the importance of preventive measures against adverse effects on public health and the environment, Member States should be enabled to introduce unleaded petrol onto their markets at an earlier date than required by the Community as a whole;
- Whereas the protection of public health also requires a limitation on the benzene content of petrol;
- Whereas provisions are required for the quality of unleaded petrol in terms of minimum research and motor octane ratings in order to ensure a satisfactory operation throughout the Community of motor vehicles designed for being fuelled with such petrol;

- Whereas lead is only one of the constituent compounds in the composition of petrol; whereas the reduction or elimination of lead must not have the effect of aggravating the air pollution by other substances which might be emitted as a consequence of modifications in this composition;
- Whereas the limitation of the lead content as well as the introduction of unleaded petrol at any date must in no way affect the free circulation or marketing of petrol within the Community;
- Whereas a regular check at the final distribution level of the lead and benzene content is required for the protection of human health and to ensure that the consumers receive the appropriate type of petrol;
- Whereas any misfuelling must be prevented by legal and technical means e.g. by colouring of leaded petrol; whereas the consumer must be protected from running his vehicle with petrol for which it is not designed;
- Whereas a substantial fraction of the existing motor vehicle fleet could run on unleaded petrol provided the quality requirements are matched and therefore adequate incentives compatible with the provisions of the Treaty may be needed to promote the largest possible use of such petrol, in particular that unleaded petrol should be made available, as far as possible, at a lower retail price level than the leaded one;
- Whereas further examinations of some aspects of the measures taken to reduce the content of lead or other polluting substitutes in the atmosphere should be continued at Community level; whereas Member States should on request provide the Commission with relevant information;

- Whereas to avoid a legal gap concerning the maximum lead content of petrol, Article 2 of the Directive 78/611/EEC must remain in force until the new provisions for the lead content become mandatory;

HAS ADOPTED THIS DIRECTIVE:

Article 1

For the purpose of this Directive,

- "petrol" means any fuel intended for the operation of internal combustion spark-ignited engines used for the propulsion of vehicles;
- "unleaded petrol" means any petrol the contamination of which by lead compounds, calculated in terms of lead, shall not exceed 0.010 g Pb/l.

Article 2

From 1. July 1989, the maximum permitted lead compound content of petrol placed upon the Community's internal market, calculated in terms of lead, shall be 0.15 g Pb/l.

Article 3

Taking into account specific difficulties due to the structure of the refining industry and the demand pattern for leaded petrols, the Commission, on the basis of a duly justified request of a Member State, may waive for a limited period of time the application of Article 2 with a maximum permitted lead content of 0.40 g Pb/l.

Article 4

1. Member States shall take all necessary measures to ensure that both leaded as well as unleaded petrol are marketed throughout their territory from 1. July 1989 onwards.

2. Member States may require that unleaded petrol is made available upon their markets as from 1. January 1986.
3. From 1. January 1986 Member States shall not prohibit the marketing of unleaded petrol on their territory.

Article 5

From 1 July 1989 the content of benzene in leaded and unleaded petrols shall not exceed 5.0 percent by volume. Where Article 4 paragraph 2 is invoked this benzene limitations shall apply for unleaded petrol from the earlier date.

Article 6

1. Unleaded petrols put upon the market shall have
 - an octane rating of ("regular" grade)
 - an octane rating of ("premium" grade) ⁸
2. Member States shall ensure the simultaneous introduction, the general availability and an equitable distribution of both grades throughout their territories.

⁸ The exact values will be proposed by the Commission on September 30, 1984. The other technical specifications for unleaded petrol (referred to in this directive) will be proposed by the Commission at the same date. They will correspond to a European Standard to be established by CEN (Comité Européen de Normalisation).

Article 7

Member States shall take all appropriate steps to ensure that neither the reduction of the lead content nor the introduction of unleaded petrol cause a significant increase in the emission of other pollutants.

Article 8

Member States shall not prevent or restrict the free circulation and marketing of petrol which is in conformity with the requirements of the present directive. Nevertheless, this shall not apply to petrol placed on the market of a Member State by virtue of a waiver granted under the provisions of Article 3.

Article 9

1. Member States shall take appropriate steps to ensure that the requirements concerning the maximum content of lead and benzene in petrol as well as the quality of petrol are checked regularly at the final distribution level.
2. Where a Member State establishes that petrol fails to comply with the requirements of Articles 1, 2, 5, 6 and 11 it shall take without undue delay the necessary measures to ensure that these requirements are fulfilled.

Article 10

1. The lead content of petrol shall be established in accordance with the procedures set out in Annex 1.I.
2. The benzene content of leaded and unleaded petrol shall be established in accordance with the procedure set out in Annex 1.II.

3. The theoretical octane ratings (RON and MON) of unleaded petrol shall be determined in accordance with the procedure set out in Annex. 1.III.

Article 11

Member States shall take the necessary measures to ensure that any leaded petrol put on the market shall be properly marked by the addition of colouring agents as specified in Annex 2.

Article 12

Member States shall take appropriate measures to ensure that the use of leaded petrol is prohibited in motor vehicles designed to run on unleaded petrol⁹

Article 13

1. Member States are invited to promote the widest possible use of unleaded petrol by all existing vehicles capable of running on such fuel, in particular for the application of article 4 paragraphe 2 and, to this end, to take all appropriate measures compatible with the provisions of the Treaty.
2. For this purpose they are invited to give incentives such that unleaded petrol is marketed, as far as possible, at a retail price level lower than that of leaded petrol.

⁹ The Commission envisages mandating the CEN (Comité Européen de Normalisation) to establish as soon as possible a European Standard for the technical means to prevent, at the distribution level, misfuelling of motor vehicles designed for unleaded petrol.

Article 14

1. Member States shall supply the Commission, as early as possible, with information on :

- the date of introduction of unleaded petrol onto the market according to Article 4 paragraph 2;
- the measures envisaged pursuant to article 13;

2. At the Commission's request, Member States shall supply information on :

- (a) the annual quantities of leaded and unleaded petrol made available for the Community's internal market and on the number of stations offering leaded and/or unleaded petrol;
- (b) the results of quality checks carried out in accordance with Article 9, paragraphe 1;
- (c) the effects of the operation of this Directive, and in particular,
 - on Article 7 thereof;
 - on the development of the concentrations of lead and polluting substitutes in the atmosphere;
 - on energy policy and especially on the repercussions on the refinery and distribution sector.

Article 15

1. Member States shall adopt and publish the laws, regulations and administrative provisions necessary to comply with this Directive before 1. July 1985 and shall forthwith inform the Commission thereof.

2. The Member States shall ensure that they communicate to the Commission the texts of the provisions of national law which they adopt in the field governed by the Directive.

Article 16

The Directive 78/611/EEC ¹⁰ will cease to be effective from 1. July 1985 onwards, except for the provisions of its Article 2 which shall remain in force until 30 June 1989.

Article 17

This Directive is addressed to the Member States.

Done at Brussels.

¹⁰OJ N° L197, 22.7.1978, p. 19

ANNEX 1

For the methods, the versions in the various languages published by BSI and ASTM respectively shall be authentic, as shall other language versions which the Commission certifies as conforming to them.

I. Reference method for lead content of petrol

A. Leaded petrol

For the measurement of the lead content of petrol the reference method shall be that laid down in ASTM 3341 (edition approved ...).

B. "Unleaded" petrol

For the measurement of trace lead content of petrol the reference method shall be that laid down in ASTM D.3237 (edition approved 31 August 1979) using atomic absorption spectrometry.

II. Reference method for benzene content of petrol

For the measurement of the benzene content of petrol the reference method shall be that laid down in ASTM D 2267 (edition approved.....) using gas chromatographic determination with polar column and internal standard.

III. Reference methods for the determination of octane ratings

The theoretical octane ratings (Research Octane Number and Motor Octane Number) shall be determined by the ASTM methods 2699/70 and ASTM 2700/70 respectively.

IV. Interpretation of results

The results of individual measurements shall be interpreted on the basis of the method described in BS 4306 : 1981, published by the British Standard Institution.

ANNEX 2

Colouring agents ¹¹ admitted for the marking of leaded petrol

The following substances shall be used for giving a colour to all leaded petrol as required under the provisions of article 11 :

¹¹ The Commission will provide the list of substances by September 30, 1984.

PROPOSAL FOR A COUNCIL DIRECTIVE
AMENDING 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 ENGINES OF MOTOR VEHICLES

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof,

Having regard to the proposal from the Commission,⁽¹⁾

Having regard to the opinion of the European Parliament,⁽²⁾

Having regard to the opinion of the Economic and Social Committee,⁽³⁾

Whereas the first programme of action of the European Community on the protection of the environment, approved by the Council on 22 November 1973, called for account to be taken of the latest scientific advances in combating atmospheric pollution caused by gases emitted from motor vehicles and for the Directives already adopted to that end to be amended accordingly; whereas the third action programme provides for further efforts to be made to bring about a considerable reduction in the present level of pollutant-emission from motor vehicles;

Whereas Directive 70/220/EEC⁽⁴⁾ lays down the limit values for carbon monoxide and unburnt hydrocarbon emissions from such engines; whereas these limit values were first reduced by Directive 74/290/EEC⁽⁵⁾ and supplemented, in accordance with Directive 77/102/EEC⁽⁶⁾, by limit values for permissible emissions of nitrogen oxides; whereas the limit values for these three pollutants were further lowered by Directives 78/665/EEC⁽⁷⁾ and 83/351/EEC⁽⁸⁾;

(1) OJ No C

(2) OJ No C

(3) OJ No C

(4) OJ No L 76, 6.4.1970, p. 1

(5) OJ No L 159, 15.6.1974, p. 61

(6) OJ No L 32, 3.2.1977, p. 32

(7) OJ No L 223, 14.8.1978, p. 48

(8) OJ No L 197, 20.7.1983, p. 1

Whereas the activities undertaken by the Commission as part of its overall approach to the development of regulations in the motor vehicles sector have shown that the European industry is already in possession of, or is currently perfecting engine technologies which will allow a further reduction in the limit values; whereas, during the period in question, such a reduction will not compromise the objectives of Community policy in other fields, in particular the area concerning rational use of energy;

Whereas it is the Community's duty to implement directives which are aimed at protecting the environment and, in the case of vehicle emissions, at producing values that are adapted to European conditions and correspond to those in force at present in the United States and Japan; whereas this also comes under the heading of innovation and industrial competitiveness; whereas, in order to attain this objective, it would be advisable to proceed via two stages in order to allow the industry to adjust to the new Community regulations under the most appropriate technical and economic conditions; whereas the limit values for the first stage will be based on the technical provisions contained in the annexes to this Directive and whereas the technical measures required to achieve the limit values in the second stage will be adopted by the Council by the end of 1988, on the basis of a proposal from the Commission;

Whereas the petrol engines of all the vehicles subject to the provisions of this Directive must be designed to run exclusively on lead-free petrol in order to bring an end to the use of lead-based additives in fuels, thereby helping to reduce considerably environmental pollution by this element,

Whereas subject to compliance with the rules of the Treaty, Member States will be allowed to adopt the new values laid down in the Directive prior to the stipulated date; whereas clearly, however, Member States that take up this option must not prohibit either the marketing or use of domestically produced or imported vehicles which satisfy existing Community requirements.

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annexes I, II and VI to Directive 70/220/EEC are amended in accordance with the Annex to this Directive.

Article 2

1. From 1 January 1986, no Member State may, on grounds relating to air pollution by engine gases or to the engine fuel requirements:

- refuse to grant EEC type-approval or to issue the document referred to in the last indent of Article 10(1) of Directive 70/156/EEC or to grant national type-approval for a type of motor vehicle, or
- 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 and the engine fuel requirements are in accordance with the provisions of Directive 70/220/EEC, as amended by this Directive.

2. From 1 October 1989, Member States:

- shall no longer issue the document provided for in the last indent of Article 10(1) of Directive 70/156/EEC in respect of a type of motor vehicle whose emissions of gaseous pollutants and engine fuel requirements are not in accordance with the provisions of the annexes to Directive 70/220/EEC, as last amended by this Directive,
- may refuse national type-approval for a type of motor vehicle, whose emissions of gaseous pollutants and engine fuel requirements are not in accordance with the provisions of the annexes to Directive 70/220/EEC, as last amended by this Directive.

3. From 1 October 1991, Member States may prohibit the entry into service of vehicles, whose emissions of gaseous pollutants and engine fuel requirements are not in accordance with the provisions of the annexes to Directive 70/220/EEC, as last amended by this Directive.

Article 3

1. From 1 October 1995, Member States, on grounds relating to air pollution by gases from an engine or to engine fuel requirements:

- shall no longer grant EEC type-approval or issue the document provided for in the last indent of Article 10(1) of Directive 70/156/EEC for a type of motor vehicle,

- may refuse to grant national type-approval for a type of motor vehicle, or

- may prohibit the initial entry into service of such vehicles where the level of emissions from this type of motor vehicle or from such vehicles exceed:

- x g/test for the mass of carbon monoxide,

- y g/test for the combined mass of hydrocarbons and nitrogen oxides,

- z g/test for the mass of nitrogen oxides,⁽¹⁾

and the engine fuel requirements are not in accordance with the provisions of Directive 70/220/EEC, as last amended by this Directive.

2. By 31 December 1988, the Council shall adopt, by a qualified majority, the following proposals by the Commission, the necessary technical decisions implementing the measures referred to in paragraph 1.

(1) To be completed by the Commission by 30 September 1984.

Article 4

Member States shall bring into force the necessary provisions in order to comply with this Directive not later than 1 January 1986 and shall forthwith inform the Commission thereof.

Article 5

This Directive is addressed to the Member States.

ANNEX

Amendments to the Annexes to Directive 70/220/EEC

ANNEX I

Point 3.2.4 is added as follows:

"3.2.4 Description of the measures taken to prevent the vehicle from being supplied with (lead-containing) petrol not conforming to Article 6 of Directive / /EEC (amending Directive 78/611/EEC concerning the lead content of petrol)."

Point 5.1: The existing text will come under 5.1.1.

A new point 5.1.2 is added as follows:

"5.1.2 The vehicle must be designed to run on (lead-free) petrol as specified in Article 6 of Directive / /EEC (amending Directive 78/611/EEC concerning the lead content of petrol)."

Point 5.2.1.1.4 reads:

"5.2.1.1.4 Subject to the provisions of points 5.2.1.1.4.2 and 5.2.1.1.5 above, the tests shall be performed three times. For a vehicle of a given reference weight, the mass of carbon monoxide, the combined mass of hydrocarbons and nitrogen oxides and the mass of nitrogen oxides obtained must be less than the values given below:

Mass of carbon monoxide (L1): 45 g/test

Combined mass of hydrocarbons and nitrogen oxides (L2): 15 g/test

Mass of nitrogen oxides (L3):

6 g/test

In points 5.2.1.1.4.1, 5.2.1.1.4.2, 5.2.1.1.5.1 and 5.2.1.1.5.2, the phrase "and the mass (emission) of nitrogen oxides" is added to the phrase "combined mass (emissions) of hydrocarbons and nitrogen oxides", each time it occurs.

The Table in point 7.1.1.1 is replaced by:

"Mass of carbon monoxide (L1):

54 g/test

Combined mass of hydrocarbons and
nitrogen oxides (L2):

19 g/test

Mass of nitrogen oxides (L3):

7.5 g/test

The second paragraph of point 7.1.1.2 now reads:

"L: Limit value referred to in point 7.1.1.1 for the emissions of carbon monoxide, the combined emissions of hydrocarbons and nitrogen oxides and the emissions of nitrogen oxides;"

Point 8.1 reads:

"8.1

For the type-approval and checking of production conformity of vehicles other than those of category M_1 as well as vehicles of category M_1 designed to carry more than six occupants including the driver, the limit values given in tables in 5.2.1.1.4 and 7.1.1.1 of Directive 70/220/EEC as amended by Directive 83/351/EEC shall apply".

ANNEX III

Point 3.1.7 is deleted.

ANNEX VI

(Characteristics of reference fuel)

The table in point 1 is replaced by the following table: (1)

(1) To be completed by the Commission by 30 September 1984.