



Council of the
European Union

048565/EU XXVI. GP
Eingelangt am 19/12/18

Brussels, 19 December 2018
(OR. en)

15784/18

Interinstitutional File:
2018/0143 (COD)

CLIMA 268
ENV 933
TRANS 665
MI 1025
CODEC 2418

NOTE

From: General Secretariat of the Council
To: Delegations

No. prev. doc.: 15615/18
No. Cion doc.: 8922/1/18 REV 1

Subject: Proposal for a Regulation of the European Parliament and of the Council
setting CO2 emission performance standards for new heavy-duty vehicles
- General approach
= Delegations contributions

With a view to the meeting of the Council (Environment) on 20 December 2018, delegations will find attached a suggestion by the French delegation on the above-mentioned proposal.

Trigger threshold for multiple counting in the super credits mechanism:

INTRODUCTION:

France proposes to strengthen the super credits mechanism by allowing the multiple counting only above a trigger threshold. In this way, manufacturers who produce less zero- and low-emission heavy-duty vehicles than the threshold shall not benefit from multiple counting.

PROPOSAL:

If Member States agree on applying the multiple counting of the super credits mechanism above a trigger threshold, then the text could be changed as follows:

(20) Contrary to cars and vans, zero- and low-emission heavy-duty vehicles are not yet available on the market, except for buses. A dedicated mechanism, in the form of super credits, should therefore be introduced to facilitate a smooth transition towards zero-emission mobility. **This mechanism should apply above a trigger threshold.** This will provide incentives for the development and deployment on the Union market of zero- and low-emission heavy-duty vehicles that would complement demand-side instruments, such as the Clean Vehicle Directive 2009/33/EC of the European Parliament and of the Council¹.

(21) For the purpose of calculating the average specific emissions of a manufacturer, all **additional** zero- and low-emission heavy-duty vehicles **produced above a trigger threshold** should therefore be counted multiple times, which will result in a reduction in the average specific emissions of that manufacturer. The level of incentives should vary according to the actual CO₂ emissions of the vehicle. In order to avoid a weakening of the environmental objectives, the resulting reduction should be subject to a cap.

¹ Directive 2009/33/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of clean and energy-efficient road transport vehicles as amended by Directive .../.../EU [COM(2017) 653 final] (OJ L 120, 15.5.2009, p. 5).

[...]

Article 5

Zero- and low-emission heavy-duty vehicles

1. Starting from 1 July 2020 and for each subsequent reporting period, the Commission shall, by means of implementing acts referred to in Article 10(1), determine for each manufacturer the zero- and low-emission factor referred to in Article 4(b) for the preceding reporting period.

The zero- and low-emission factor shall take into account the number and the CO₂ emissions of zero- and low-emission heavy-duty vehicles in the manufacturer's fleet in a reporting period, including zero- emission vehicles of the categories referred to in the second sub-paragraph of Article 2(1), as well as zero- and low-emission vocational vehicles.

The zero- and low-emission factor shall be calculated in accordance with point 2.3 of Annex I.

2. For the purpose of paragraph 1, the zero- and low-emission heavy-duty vehicles shall be counted as follows:

- (a) **a zero-emission heavy-duty vehicle produced below the trigger threshold shall be counted as 1 vehicle;**
- (b) **a low-emission heavy-duty vehicle produced below the trigger threshold shall be counted as as 1 vehicle;**
- (c) a zero-emission heavy-duty vehicle **produced above the trigger threshold** shall be counted as 2 vehicles;
- (d) a low-emission heavy-duty vehicle **produced above the trigger threshold** shall be counted as up to 2 vehicles according to a function of its specific CO₂ emissions and the threshold emission level of [**350 g CO₂/km**].

The trigger threshold corresponds to [2]% of the total number of new heavy-duty vehicles categories referred to in Article 2 point 1 (a) to (d), produced by the manufacturer in a reporting period.

3. The zero- and low-emission factor shall reduce the average specific emissions of a manufacturer by a maximum of 3%. The contribution of zero-emission heavy-duty vehicles of the categories referred to in the second sub-paragraph of Article 2(1) to that factor shall reduce the average specific emissions of a manufacturer by a maximum of 1.5%.

[...]

ANNEX I

Calculation of the average specific emissions, the average specific emission target and excess emissions

1.3. Calculation of the zero- and low-emission factor as referred to in Article 5

For each manufacturer and reporting period, the zero- and low-emission factor (ZLEV) referred to in Article 5 shall be calculated as follows:

$$ZLEV = V / (V_{conv} + V_{zlev}) \quad \text{with a minimum of } 0,97$$

Where:

- V is the number of new heavy-duty vehicles of the manufacturer excluding all vocational vehicles in accordance with Article 4(a).
- V_{conv} is the number of new heavy-duty vehicles of the manufacturer excluding all vocational vehicles in accordance with Article 4(a) and excluding zero- and low-emission heavy-duty vehicles;
- V_{zlev} is the sum of V_{zev} and V_{lev} ,

Where,

$$V_{zev} = V_{zev1} + V_{zev2} \text{ with a minimum of } 1,5\% \text{ of } V_{conv}$$

V_{zev1} is the number of zero-emission heavy-duty vehicles of the categories referred to in Article 2(1), and below the trigger threshold referred to in Article 5(2)

V_{zev2} is the number of zero-emission heavy-duty vehicles of the categories referred to in Article 2(1), and above the trigger threshold referred to in Article 5(2), multiplied by 2.

$$V_{lev} = V_{lev1} + V_{lev2}$$

V_{lev1} is the number of low-emission heavy-duty vehicles of the categories referred to in both Article 2(1) and Article 3(k) and below the trigger threshold referred to in Article 5(2).

V_{lev2} is the number of low-emission heavy-duty vehicles of the categories referred to in both Article 2(1) and Article 3(k) and above the trigger threshold referred to in Article 5(2), multiplied by $1+(1-CO_{2v}/350)$.
