Euromot Position on CI Engine Transitional Provisions

Dear Dr Troppmann

In view of the current on-going discussions on transitional provisions, Euromot would like to highlight the existing position paper dated 28 November 2011. Euromot believes that the principles and attributes identified in this paper still remain valid as the basis for judging any proposal for revised transitional provisions.

Re-stating the most important aspects identified on the first page of this position paper and adding some additional considerations in the context of the most recent discussions:

From an engine manufacturers perspective it is most important to provide transition provisions that:

1. Enable the placing on the market of engines without also promoting abnormal levels of engine inventory. This minimises peaks and troughs in engine production.

2. Notwithstanding the need to avoid abnormal inventory, set a clear date for end of engine PRODUCTION, followed by sufficient time to place engines on market, regardless of location of engine or machine plants. It is essential that this aspect is adequately taken into consideration, independent of OEM flexibility and additionally taking into account the specific needs of the rail and inland waterway sectors.

3. Ensure that the engine marking requirements do not change subsequent to engine production.

4. Above all, are clear and can be uniformly enforced, ensuring that the chosen approach is simple, transparent and easy to control for market surveillance.
Whilst recognising the need for flexibility for machine OEMs Euromot believes this must be proportionate.

Euromot remains available to provide further explanation and to participate in further discussion on the above points.

Yours sincerely,

\[Signature\]

Dr Peter Scherm
General Manager

**Encl.: EUROMOT Position**
Response to proposals discussed at GEME meeting on 12 October 2011, for revising sell-off and flexibility schemes in Directive 97/68/EC

In considering the proposals that it has so far received, EUROMOT would like to observe that Directive 97/68/EC aims at approximating the laws of the Member States relating to emission standards and type-approval procedures for engines to be installed in non-road mobile machinery. EUROMOT strongly supports keeping the scope of application to engines only and not to enlarge it to machines.

EUROMOT has carefully considered the proposals that it has so far received and is unable to support them as currently proposed. Instead, EUROMOT established a list of general attributes for emission stage change provisions, which they believe to be required by engine manufacturers and their customers (machine manufacturers). This complete list is provided at Annex 1 to this paper.

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1. Enable the placing on the market of engines without also promoting abnormal levels of engine inventory. This minimises peaks and troughs in engine production.

2. Notwithstanding the need to avoid abnormal inventory, set a clear date for end of engine PRODUCTION, followed by sufficient time to place engines on market, regardless of location of engine or machine plants. EUROMOT would support measures such as the addition of the month and year of engine manufacture in the required engine markings to assist market surveillance.

3. Above all, provide provisions that are clear and can be uniformly enforced.
EUROMOT believes that the two proposals that it has so far reviewed do not provide the necessary attributes to replace the existing provisions in 97/68/EC. EUROMOT would welcome the opportunity to provide further explanation as to how it reached the above conclusion.

EUROMOT will consider alternative proposals if they address the need to avoid abnormal levels of engine inventory, whilst ensuring that there remains sufficient time to place engines on the market, regardless of location of engine or machine plants.

EUROMOT would like to stress the need for great care to be taken in making any such changes. The introduction of change to the way in which placing on the market is permitted at the transition between emission stages could introduce unintended commercial consequences and lead to inequalities between manufacturers based upon manufacturing location if not drafted with utmost care. Consequently, EUROMOT urges the European Commission to work closely with industry and other stakeholders over the coming months in order to ensure any revised regulatory text delivers the intended result.

EUROMOT supports the deletion of the end of series provision (Article 10(2)) as proposed by European Commission at the 12 October GEME meeting.

Frankfurt/Main, 28 November 2011

Dr Peter Scherm
General Manager
Annex 1

**General attributes for emission stage change provisions, against which to judge any proposals to change method of regulating the placing on market of non-road engines in the EU**

EU emission stage change transition provisions should provide the following attributes:

A. **For Engine Manufacturers they should:**
   1. Set introduction dates that are staggered by power category, since manufacturers are unable to launch all new products simultaneously.
   2. Set a clear date for end of engine PRODUCTION, followed by sufficient time to place engines on market, regardless of location of engine or machine plants.
   3. Require engine manufacturers to take responsibility for placing on the market of the engine but not for placing into service of the engine.
   4. Not drive peaks and troughs in engine production.

B. **For Machine OEMs they should:**
   1. Provide sufficient transitional provisions to cater for needs of machine OEMs who need lead-time to integrate engines into machine designs and who will be likely unable to launch all new products simultaneously.
   2. Ensure that such transitional provisions are available to all OEMs regardless of location of manufacturing plant or size of OEM.

C. **For both Engine Manufacturers & Machine OEMs they should:**
   1. Provide provisions that are clear and can be uniformly enforced.
   2. Require member states to conduct adequate market surveillance to enforce the provisions as agreed upon.
   3. Provide transition provisions that enable the placing on the market of engines without also promoting abnormal levels of engine inventory.
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