

Regulation (EU) 2019/129 of the European Parliament and of the Council of 16 January 2019 amending Regulation (EU) No 168/2013 as regards the application of the Euro 5 step to the type-approval of two- or three-wheel vehicles and quadricycles

*Article 1*

Regulation (EU) No 168/2013 is amended as follows:

- (1) Article 21 is replaced by the following:

*Article 21*

**General requirements of on-board diagnostic systems**

- 1 L-category vehicles, with the exception of L1e, L2e and L6e vehicles, shall be equipped with an OBD system which complies with the functional requirements and test procedures laid down in the delegated acts referred to in paragraph 8 and as from the application dates set out in Annex IV.
- 2 From the dates set out in point 1.8.1 of Annex IV, vehicle categories and subcategories L3e, L4e, L5e-A and L7e-A shall be equipped with an OBD stage I system which monitors any electric circuit and electronics failure of the emission control system and reports those failures which result in the emission thresholds laid down in Annex VI (B1) being exceeded.
- 3 From the dates set out in point 1.8.2 of Annex IV, vehicle categories and subcategories L3e, L4e, L5e and L7e shall be equipped with an OBD stage I system which monitors any electric circuit and electronics failure of the emission control system and which triggers a report when the emission thresholds laid down in Annex VI (B1) are exceeded. OBD stage I systems for those vehicle categories and subcategories shall also report the triggering of any operating mode which significantly reduces engine torque.
- 4 From the dates set out in point 1.8.3 of Annex IV, vehicle categories L3e, L4e, L5e and L7e shall be equipped with an OBD stage I system which monitors any electric circuit and electronics failure of the emission control system and which triggers a report when the emission thresholds laid down in Annex VI (B2) are exceeded. OBD stage I systems for those vehicle categories shall also report the triggering of any operating mode which significantly reduces engine torque.
- 5 From the dates set out in point 1.8.4 of Annex IV, vehicle categories and subcategories L3e, L4e, L5e-A and L7e-A shall in addition be equipped with an OBD stage II system which monitors and reports emission control system failures and degradation, with the exception of catalyst monitoring, which result in the OBD emission thresholds laid down in Annex VI (B1) being exceeded.
- 6 From the dates set out in point 1.8.5 of Annex IV, vehicle categories and subcategories L3e, L4e, L5e-A and L7e-A shall in addition be equipped with an OBD stage II system which monitors and reports emission control system failures and degradation which result in the OBD emission thresholds laid down in Annex VI (B2) being exceeded.

7 Paragraphs 5 and 6 shall not apply to enduro motorcycles in subcategory L3e-AxE and trial motorcycles in subcategory L3e-AxT.

8 In order to harmonise the OBD system reporting of functional safety or emission control system faults and facilitate effective and efficient repair of a vehicle, the Commission is empowered to adopt delegated acts in accordance with Article 75 supplementing this Regulation by laying down the detailed technical requirements related to on-board diagnostics with respect to vehicle categories and subcategories as set out in Annex II, C1 – Vehicle construction and general type-approval requirements, the row relating to No 11, including functional OBD requirements and test procedures for the subjects listed in paragraphs 1 to 7 of this Article, and the detailed technical requirements related to test type VIII referred to in Annex V.;

(2) in Article 23(3), point (c) is replaced by the following:

(c) mathematical durability procedure:

Until 31 December 2024, for each emission constituent, the product of the multiplication of the deterioration factor set out in Annex VII (B) and the environmental performance test result of a vehicle which has accumulated more than 100 km after it was first started at the end of the production line shall be lower than the environmental performance test limit set out in Annex VI (A).

Notwithstanding the first subparagraph, for new types of vehicles from 1 January 2020 and for existing types of vehicles from 1 January 2021 until 31 December 2024, for each emission constituent the product of the multiplication of the deterioration factor set out in Annex VII (B) and the environmental performance test result of a vehicle which has accumulated more than 2 500 km for a vehicle with a maximum design vehicle speed of < 130 km/h and 3 500 km for a vehicle with a maximum design vehicle speed of ≥ 130 km/h after it was first started at the end of the production line shall be lower than the tailpipe emission limit set out in Annex VI (A).;

(3) in Article 30(1), point (b) is replaced by the following:

(b) the test results sheet.;

(4) in Article 44(1), the second subparagraph is replaced by the following:

The first subparagraph shall apply only to vehicles within the territory of the Union which were covered by a valid EU type-approval at the time of their production, but which neither were registered nor entered into service before that EU type-approval lost its validity.;

(5) Article 75(2) is replaced by the following:

2. The power to adopt delegated acts referred to in Article 18(3), Article 20(2), Article 21(8), Article 22(5) and (6), Article 23(6) and (12), Article 24(3), Article 25(8), Article 32(6), Article 33(6), Article 50(4), Article 54(3), Article 57(12), Article 65 and Article 74 shall be conferred on the Commission for a period of five years from 22 March 2013. The delegation of power shall be tacitly extended for periods of five years, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period. The Commission shall draw up a report in respect of the delegation of power not later than 22 June 2022 and nine months before the end of each following five-year period.;

(6) Annexes II, IV, V and VI are amended in accordance with the Annex to this Regulation.