

**COMMISSION DELEGATED REGULATION (EU) 2022/518****of 13 January 2022****amending Delegated Regulation (EU) 2018/985 as regards its transitional provisions for certain agricultural and forestry vehicles fitted with engines in the power range greater than or equal to 56 kW and less than 130 kW in order to address the impact of the COVID-19 crisis****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 167/2013 of the European Parliament and of the Council of 5 February 2013 on the approval and market surveillance of agricultural and forestry vehicles <sup>(1)</sup>, and in particular Article 19(6) thereof,

Whereas:

- (1) Pursuant to Article 19(3) of Regulation (EU) No 167/2013, the engines fitted in agricultural and forestry vehicles follow Stage V pollutant emissions limits and transitional provisions laid down in Regulation (EU) 2016/1628 of the European Parliament and of the Council <sup>(2)</sup>.
- (2) As a result of the continued disruption caused by the COVID-19 pandemic, Regulation (EU) 2021/1068 of the European Parliament and of the Council <sup>(3)</sup> amended Regulation (EU) 2016/1628 to postpone the deadlines occurring in 2021 for the non-road mobile machinery fitted with transition engines in the power range between 56 kW and 130 kW. The deadline of 30 June 2021 for the production of the machinery fitted with those engines was extended by 6 months and the deadline of 31 December 2021 for the placing on the market of the machinery fitted with those engines was extended by 9 months.
- (3) The continued supply chain and production disruption caused by the COVID-19 pandemic still leads to delays for the production and placing on the market of agricultural and forestry vehicles fitted with transition engines in the power range between 56 kW and 130 kW. In order to ensure the smooth functioning of the internal market, to provide legal certainty, and to avoid potential market disruption, it is necessary to prolong the transitional provisions of Commission Delegated Regulation (EU) 2018/985 <sup>(4)</sup> for those categories of engines.
- (4) Delegated Regulation (EU) 2018/985 should therefore be amended accordingly.
- (5) Given that the prolongation of the transitional provisions will have no environmental impact, as the transition engines concerned have already been produced, the extension of the relevant periods should be of 9 and 6 months in order to reflect extended periods provided in Regulation (EU) 2016/1628.
- (6) In view of the fact that the transition period provided for in Article 13(5) of Delegated Regulation (EU) 2018/985 for certain engines is to expire on 31 December 2021 and that manufacturers had until 30 June 2021 to produce the agricultural and forestry vehicles fitted with transition engines of those sub-categories, this Regulation should enter into force as a matter of urgency on the day following that of its publication in the *Official Journal of the European*

<sup>(1)</sup> OJ L 60, 2.3.2013, p. 1.

<sup>(2)</sup> Regulation (EU) 2016/1628 of the European Parliament and of the Council of 14 September 2016 on requirements relating to gaseous and particulate pollutant emission limits and type-approval for internal combustion engines for non-road mobile machinery, amending Regulations (EU) No 1024/2012 and (EU) No 167/2013, and amending and repealing Directive 97/68/EC (OJ L 252, 16.9.2016, p. 53).

<sup>(3)</sup> Regulation (EU) 2021/1068 of the European Parliament and of the Council of 24 June 2021 amending Regulation (EU) 2016/1628 as regards its transitional provisions for certain machinery fitted with engines in the power range greater than or equal to 56 kW and less than 130 kW, and greater than or equal to 300 kW, in order to address the impact of the COVID-19 crisis (OJ L 230, 30.6.2021, p. 1).

<sup>(4)</sup> Commission Delegated Regulation (EU) 2018/985 of 12 February 2018 supplementing Regulation (EU) No 167/2013 of the European Parliament and of the Council as regards environmental and propulsion unit performance requirements for agricultural and forestry vehicles and their engines and repealing Commission Delegated Regulation (EU) 2015/96 (OJ L 182, 18.7.2018, p. 1).

*Union* and should apply from 1 July 2021. Such provision is necessary by the continued disruption of the COVID-19 pandemic that was unforeseen as well as by the need to ensure legal certainty and equal treatment of manufacturers regardless of whether they produce agricultural and forestry vehicles before or after the date of entry into force of this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 13, paragraph 5, the following subparagraph is added:

'For engines of sub-categories of category NRE for which the mandatory date of application set out in Annex III to Regulation (EU) 2016/1628 in respect of the placing on the market of Stage V engines is 1 January 2020, except for the engines referred to in the third subparagraph, Member States shall authorise the extension of the 24-month period referred to in the first and second subparagraphs by 9 months and the extension of the 18-month period referred to in the second subparagraph by 6 months.'

*Article 2*

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 July 2021.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 13 January 2022.

*For the Commission*  
*The President*  
Ursula VON DER LEYEN

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