

EVALUATION ROADMAP			
TITLE OF THE EVALUATION	Evaluation of the Fuel Quality Directive 98/70/EC of 13 October 1998 relating to the quality of petrol and diesel fuels as amended		
LEAD DG RESPONSIBLE UNIT	DG CLIMA, C.2	DATE OF THIS ROADMAP	23/06/2016
TYPE OF EVALUATION	Evaluation	PLANNED START DATE	Q2/2015
	Ex-post	PLANNED COMPLETION DATE	Q4/2016
	Mixed	PLANNING CALENDAR	<a href="http://ec.europa.eu/smart-regulation/evaluation/index_en.htm">http://ec.europa.eu/smart-regulation/evaluation/index_en.htm</a>
<p><b>This indicative roadmap is provided for information purposes only. This roadmap is issued after the service contract is already let (in accordance with the newly adopted Commission better regulation package (COM(2015)215). The ability to change the scope of the evaluation this roadmap in linked to is therefore limited.</b></p>			

A. Purpose
(A.1) Purpose
<p>This evaluation examines the actual implementation of the Fuel Quality Directive 98/70/EC (FQD) compared to what was expected. It will provide conclusions on how the Directive has performed, what experience has been gained and what lessons can be learned. This analysis will cover the relevance, effectiveness, efficiency, coherence and EU value added of the legislation. Consideration will be given to intended/expected and unintended/unexpected consequences of this measure. It will also provide indications of the degree to which the legislation is still considered to be fit for purpose.</p> <p>All Articles of the Directive are covered by this initiative, except:</p> <ul style="list-style-type: none"> <li>Article 7a: Due to the fact that the Article 7a FQD implementing legislation was only adopted in 2015 and has to be transposed only by 2017 it has been excluded from the scope of this evaluation. The Article obliges fuels suppliers to reduce the greenhouse gas intensity of the fuel mix they supply by 6% in 2020 compared to 2010. Articles 7b to 7e: these provisions relate to the sustainability of biofuels which has been assessed in a mid-term evaluation of the Renewable Energy Directive<sup>1</sup>.</li> </ul> <p>The evaluation should help the Commission to:</p> <ul style="list-style-type: none"> <li>Have a better understanding of why and/or how current EU legislation has worked well or not so well, identifying factors which have helped or hampered achievement of the objectives.</li> <li>Qualify and where possible quantify the impact of the FQD, in terms of technological impact on vehicle fuel efficiency, engine design, on the refinery sector, the social, economic and environmental impact notably the air quality and health aspects while maintaining a single market for fuels.</li> </ul>

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## (A.2) Justification

This evaluation is part of the European Commission's Regulatory Fitness and Performance (REFIT) programme<sup>2</sup> aiming at assessing whether EU law could be made lighter and more simple and whether regulatory costs could be reduced, thus contributing to a clear, stable and predictable regulatory framework supporting growth and jobs.

## B. Content and subject of the evaluation

### (B.1) Subject area

The FQD is the cornerstone of EU policy to improve and maintain the quality of certain transport fuels sold on the single European market. The scope of the Directive covers all fuel supplied for use in spark ignition and compression ignition engines in the road and non-road mobile machinery sectors.

Fuel specifications are established that apply to petrol, diesel and bio-components blended in them used in road transport, as well as to gasoil used in non-road-mobile machinery

The objective of the FQD is to guarantee the quality of petrol and diesel in the single market meets environmental specifications and thus contributes to:

- i. enhanced air quality,
- ii. greenhouse gas reductions and biofuel sustainability,
- iii. reduced impacts on health and environment from transport fuels,
- iv. reduced emissions from transport sector,
- v. proper functioning of engines and after treatment systems,
- vi. guaranteed quality of petrol and diesel, and
- vii. a single fuel market.

The fuel specifications regulated by the legislation falling under the scope of the evaluation control primary air pollutants such as nitrogen oxides, unburnt hydrocarbons, particulate matter, carbon monoxide, benzenes and other toxic exhaust emissions which contribute to the formation of secondary pollutants such as ozone and which are emitted through the exhaust and evaporative fumes of motor vehicles and non-road mobile machinery.

In this way it reduces risks to human health and the environment. The legislation also has single market aims: avoiding disparity between the laws adopted by Member States on environmental specifications for conventional and alternative fuels used by vehicles equipped with positive-ignition and compression-ignition engines that could create barriers to trade in the EU.

In this context it should be noted that there are interactions with other pieces of EU legislation notably instruments addressing air pollution such as Directive 2008/50/EC on ambient air quality, renewable energy in transport such as the Directive 2009/28/EC on the promotion of the use of energy from renewable sources or Directive 2014/94/EU on the deployment of alternative fuels infrastructure.

Interactions between these measures and the FQD will be assessed in the evaluation.

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<sup>2</sup> COM(2014)368

(B.2) Original objectives of the intervention

The Directive's objectives are as follows:

- creation and maintenance of a single market for petrol and diesel fuels,
- enhanced air quality,
- greenhouse gas reductions and biofuel sustainability,
- reduced impacts on health and environment from transport fuels,
- reduced emissions from transport sector,
- proper functioning of engines and after treatment systems,
- guaranteed quality of petrol and diesel.

(B.3) How the objectives were to be achieved

The following intervention logic illustrates how the objective of the Directive were to be achieved:

**Objective**

Single market with environmental specifications in order to

- create and maintain a single market for petrol and diesel fuels
- enhance air quality,
- reduce greenhouse gas emissions and ensure biofuel sustainability
- reduce impacts on health and environment from transport fuels
- reduce emissions from transport sector
- ensure the proper functioning of engines and after treatment systems
- guarantee quality of petrol and diesel

**Actions**



- Harmonise petrol and diesel specifications and provide proper information to consumers on bio-content (Articles 3 and 4 and Annexes I and II)
- regulate vapour pressure of petrol (Article 3 and Annex I),
- reduce sulphur content (Article 3 and 4 and Annexes I and II)
- ban lead (Article 3.1),
- regulate other metallic additives (Article 8a)
- ensure monitoring and compliance through a framework for collecting national data (Article 8)
- set a framework for enforcement including penalties (Article 9a)
- ensure use of appropriate analytical methods (Article 10)

**Expected results**



- establishment of a single fuel market
- enhanced air quality through reduced exhaust and evaporative fumes of motor vehicles

**Expected impacts**



- Reduced GHG intensity of fuels

<ul style="list-style-type: none"> <li>• reduced primary air pollutants like nitrogen oxides, unburnt hydrocarbons, particulate matter, carbon monoxide, benzenes and other toxic exhaust emissions as well as of secondary pollutants such as ozone)</li> <li>• reduced risks to human health</li> <li>• enhanced competitiveness and sustainability of the EU automotive and fuels supplying industry</li> </ul>
<b>External factors affecting the intervention</b>
<ul style="list-style-type: none"> <li>• Economic crisis</li> <li>• Developments in the technology of car engines and exhaust after treatment</li> <li>• Fuel consumption and car regulations from third country markets (e.g. US, China)</li> <li>• Other climate and energy policies including Member State activities</li> <li>• Other national initiatives reducing fuel additives (e.g. MMT)</li> </ul>

<b>C. Scope of the evaluation/FC</b>
(C.1) Topics covered
<p>This evaluation is <b>limited to Articles 1 to 7, 8, 8a, 9 and 9a</b> of the FQD.</p> <p>The evaluation will cover the following points:</p> <ul style="list-style-type: none"> <li>• It will examine the actual implementation and the achievement of the relevant Articles of the FQD compared to what was expected (see the intervention logic above). It will provide conclusions on how they have performed, what experience has been gained and what lessons can be learned. This analysis will cover the relevance, effectiveness, efficiency, coherence and EU value added of the legislation. Consideration must be given to intended/expected and unintended/unexpected consequences of this measure. It will also provide indications of the degree to which the legislation is still considered to be fit for purpose.</li> <li>• It will also focus on the single market, air quality and quality of fuels policy aspects as a complementary part of the EU's transport and environment acquis. The evaluation must be evidence-based, drawn from a range of sources (not just a consultation of stakeholders) and, where possible, provide quantitative information, if and how far objectives have been met as well as regarding coverage, needs and expectations at national and European level.</li> <li>• The reference period for the evaluation is 2001 (transposition year) – 2015 (as far as data are available for 2015).</li> <li>• The geographical scope covers implementation in all 28 EU Member States but also takes into account the relevant international context.</li> </ul>

(C.2) Questions/issues to be examined

The following evaluation questions are to be examined:

**Relevance**

To what extent do the (current) objectives of the FQD still respond to needs in the EU considering current and expected technical, environmental and economic challenges?

Are there technological, economic, or administrative issues that are not covered by the existing legislation and that could be introduced in view of their potential added value?

**Effectiveness**

What are the achievements that can clearly be pinpointed?

To what extent has the approach taken, aspects relating to the scope and the goals set in the legislation ensured progress towards the main objectives?

To what extent can these changes/effects be credited to the intervention?

What factors had a positive or negative influence on the achievements observed and how?

What unintended or unexpected positive and negative effects, if any, have been produced?

What have been the (qualitative and quantitative) effects of the intervention?

To what extent has the approach taken, in terms of both scope and main elements in the legislation, ensured achievement of the objectives?

What factors influenced the achievements observed, how and to what extent?

What unintended or unexpected positive and negative effects, if any, have been produced?

**Efficiency**

To what extent are the costs resulting from the implementation of the legislation proportionate to the benefits that have been achieved as regards each main element of the FQD?

To what extent are the costs resulting from the implementation of the legislation different based on the approach taken to implement the legislation (while achieving the same results)? Which approach was most efficient?

What are the major sources of inefficiencies? What steps could be taken to improve the efficiency of the Regulations? Are there missing tools and/or actions to implement the FQD more efficiently?

**Coherence**

How well does the legislation fit with and complement other EU policies and their objectives (e.g. environmental, social or economic)?

To what extent are objectives and achievements coherent with the Europe 2020 strategy and Europe 2030 policy goals?

<p>How does the legislation interact with other EU/ national/ international initiatives which have similar objectives (e.g. actions in the field of environment, single market, climate action)?</p> <p>To what extent are the legislation requirements complementary to each other, mutually supportive and non-contradictory?</p> <p>What synergies, overlaps and/or inconsistencies can be identified between the legislation's requirements and between the legislation and other policies?</p> <p><b>EU Added Value</b></p> <p>What is the additional value resulting from the EU intervention(s), compared to what could be achieved by Member States at national and/or regional levels?</p> <p>What would be the most likely consequences of stopping or withdrawing the existing EU intervention?</p>
(C.3) Other tasks
An external contractor will support the Commission in carrying out this evaluation.

D. Evidence base
(D.1) Evidence from monitoring
<p>Relevant monitoring data includes the annual reports from the Commission on "Quality of petrol and diesel fuel used for road transport in the European Union" from the reporting year 2001 to 2013 (most recent report) available on the following link:</p> <p><a href="http://ec.europa.eu/clima/policies/transport/fuel/documentation_en.htm">http://ec.europa.eu/clima/policies/transport/fuel/documentation_en.htm</a></p>
(D.2) Previous evaluations and other reports
<p>Several implementation reports on the FQD have already been prepared and will be reviewed in light of most recent developments and updated in view of the evaluation questions (see above). These reports include:</p> <ul style="list-style-type: none"> <li>• <a href="http://ec.europa.eu/clima/policies/transport/fuel/documentation_en.htm">http://ec.europa.eu/clima/policies/transport/fuel/documentation_en.htm</a></li> <li>• <a href="http://ec.europa.eu/clima/policies/transport/vehicles/cars/studies_en.htm">http://ec.europa.eu/clima/policies/transport/vehicles/cars/studies_en.htm</a></li> <li>• <a href="http://ec.europa.eu/energy/renewables/biofuels/sustainability_criteria_en.htm">http://ec.europa.eu/energy/renewables/biofuels/sustainability_criteria_en.htm</a></li> <li>• <a href="http://ec.europa.eu/energy/renewables/biofuels/ms_reports_dir_2003_30_en.htm">http://ec.europa.eu/energy/renewables/biofuels/ms_reports_dir_2003_30_en.htm</a></li> <li>• <a href="https://ec.europa.eu/energy/sites/ener/files/documents/SWD_2015_284_F2_STAFF_WORKING_PAPER_EN_V4_PI_835479.pdf">https://ec.europa.eu/energy/sites/ener/files/documents/SWD_2015_284_F2_STAFF_WORKING_PAPER_EN_V4_PI_835479.pdf</a></li> </ul> <p><i>Relevant Commission, JRC and EEA databases and websites:</i></p> <ul style="list-style-type: none"> <li>• <a href="http://ec.europa.eu/clima/policies/transport/fuel/index_en.htm">http://ec.europa.eu/clima/policies/transport/fuel/index_en.htm</a></li> <li>• <a href="http://ec.europa.eu/clima/policies/transport/vehicles/index_en.htm">http://ec.europa.eu/clima/policies/transport/vehicles/index_en.htm</a></li> <li>• <a href="http://www.eea.europa.eu/data-and-maps/data/co2-cars-emission-3">http://www.eea.europa.eu/data-and-maps/data/co2-cars-emission-3</a></li> <li>• <a href="http://iet.irc.ec.europa.eu/sustainable-transport">http://iet.irc.ec.europa.eu/sustainable-transport</a></li> <li>• <a href="http://ec.europa.eu/transport/themes/urban/cpt/index_en.htm">http://ec.europa.eu/transport/themes/urban/cpt/index_en.htm</a></li> </ul>

(D.3) Evidence from assessing the implementation and application of legislation (complaints, infringement procedures)

In recent years, the Commission received two complaints relating to the placing on the market of fuels with levels of bio content above the limits indicated in the Annex I and II of the FQD. In addition, the Court of Justice of the European Union addressed, in a preliminary ruling, the link between the FQD and the use of CEN standards by the Member States ([C-251/14](#)). Member States were also asked by the Commission to provide clarifications on the implementation of their National Fuel Monitoring Systems.

(D.4) Consultation

*Consultation also of:*

- *Standardisation bodies at EU and national level.*
- *Stakeholders in industry, consumers and driver organisations, civil society and academia from EU and other countries.*

Interviews with relevant Commission, European Parliament, industry, civil society and Member States' officials who are working with/responsible for the legislation;

Interviews with key stakeholders (competent national authorities, industry, consumer organisations, NGOs) in at least eight Member States;

Stakeholder workshop to present draft findings and answers in order to test and validate results

There will not be an open public consultation in the framework of this evaluation.

(D.5) Further evidence to be gathered

Interviews with relevant Commission, European Parliament, industry, civil society and Member States' officials who are working with/responsible for the Directive;

Targeted consultations including questionnaires and interviews with key stakeholders from the EU and as appropriate from other countries with similar legislation (e.g. USA);

Review of existing literature on the issue (EU and worldwide);

Analysis of opinions, reports and data series and feedback from the European Parliament, industry, NGOs, lease companies, small business, consumer and driver organisations.

**E. Other relevant information/ remarks**

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