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signed by Mr Jordi AYET PUIGARNAU, Director

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To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of
the European Union

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Subject: REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT
AND THE COUNCIL on the exercise of the delegation conferred on the
Commission pursuant to Regulation (EU) No 510/2011 setting emission
performance standards for new light commercial vehicles as part of the
Union's integrated approach to reduce CO2 emissions from light-duty
vehicles

Delegations will find attached document COM(2018) 73 final.

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**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND
THE COUNCIL**

**on the exercise of the delegation conferred on the Commission pursuant to Regulation
(EU) No 510/2011 setting emission performance standards for new light commercial
vehicles as part of the Union's integrated approach to reduce CO₂ emissions from light-
duty vehicles**

1. Introduction

Regulation (EU) No 510/2011 of the European Parliament and of the Council¹ sets the average CO₂ emissions for new light commercial vehicles registered in the Union, by means of improvements in vehicle technology and innovative technologies.

Regulation (EU) No 510/2011 empowers the Commission to adopt delegated acts, as referred to in Article 15(1), with a view to:

- amending Annex II and adopt detailed rules for monitoring and reporting of data on average emissions, as provided for in Article 8(9);
- supplementing the Regulation, inter alia, on the interpretation of the eligibility criteria for derogations, on the content of applications, and on the content and assessment of programmes for the reduction of specific CO₂ emissions, as provided for in Article 11(7);
- amending Annex I by 31 October 2016 (and every three years thereafter) to adjust the figure M₀ to the average mass of light commercial vehicles in the previous three years, as provided for in Article 13(5);
- amending Annex I, to adapt the formulae to determine the indicative specific CO₂ emissions of light commercial vehicles, as provided for in the fourth paragraph of Article 13(6).

2. Legal basis

With this report, the Commission aims to meet the obligation set by Article 15(1) of Regulation (EU) No 510/2011. Under this Article, the Commission has the power to adopt delegated acts for a period of five years, running from 3 June 2011. The Commission is also required to present to the European Parliament and to the Council a report on the exercise of the delegation conferred by that Regulation. The report is to be drawn up not later than 9 months before the end of the 5-year period of the delegation. The delegation of power is tacitly extended for periods of an identical duration, unless the European Parliament or the Council revoke it.

3. Exercise of the delegation

Article 15(1) of Regulation (EU) No 510/2011 empowers the Commission to adopt delegated acts referred to in Article 8(9), Article 11(7), Article 13(5) and the fourth paragraph of Article 13(6) of that Regulation.

¹ Regulation (EU) No 510/2011 of the European Parliament and of the Council of 11 May 2011 setting emission performance standards for new light commercial vehicles as part of the Union's integrated approach to reduce CO₂ emissions for light-duty vehicles, OJ L 145, 31.05.2011, p. 1.

3.1 Article 8(9) of Regulation (EU) No 510/2011 requires the Commission to amend Annex II and lay down, by means of delegated acts, detailed rules for monitoring and reporting of data on average emissions of new light commercial vehicles registered in the territory of the EU.

Since the entry into force of Regulation (EU) No 510/2011, the Commission has adopted two delegated acts accordingly:

- a) Commission Delegated Regulation (EU) No 205/2012² amends Annex II to the Vans Emissions Regulation as regards the information to be provided by Member States. This delegated act was adopted by the Commission on 6 January 2012 and was submitted to the European Parliament and the Council for scrutiny. Its main objective is to improve the means for verifying the accuracy of the data by:
 - demanding that the data collected by Member States be consistent with the certificate of conformity of the vehicles concerned;
 - allowing for the use of other data sources providing equivalent accuracy for CO₂ monitoring and reporting purposes;
 - adding the type-approval number as a detailed data parameter to be reported;
 - updating the format for transmission of data, in order to ensure consistency between the different requirements.

- b) Commission Delegated Regulation (EU) No 404/2014³ supplements Regulation (EU) No 510/2011 as regards the information to be provided by Member States. This delegated act was adopted by the Commission on 17 February 2014 and was submitted to the European Parliament and the Council for scrutiny. Its main objective is to adapt the rules on reporting requirements to the new method for determining CO₂ emissions for multi-stage vehicles, as set out in Annex II to Commission Regulation (EC) No 692/2008.

3.2 Article 11(7) of Regulation (EU) No 510/2011 requires the Commission to adopt delegated acts in order to supplement the Regulation, inter alia, on the interpretation of the eligibility criteria for derogations, on the content of applications, and on the content and assessment of programmes for the reduction of specific emissions of CO₂.

² Commission Delegated Regulation (EU) No 205/2012 of 6 January 2012 amending Annex II to Regulation (EU) No 510/2011 of the European Parliament and of the Council with regard to the data source and the data parameters to be reported by Member States, OJ L 72, 10.03.2012, p. 2.

³ Commission Delegated Regulation (EU) No 404/2014 of 17 February 2014 amending Annex II to Regulation (EU) No 510/2011 of the European Parliament and of the Council as regards the monitoring of CO₂ emissions from new light commercial vehicles type-approved in a multi-stage process, OJ L 121, 24.04.2014, p. 1.

This delegated act⁴ was adopted by the Commission on 6 November 2012 and was submitted to the European Parliament and the Council for scrutiny. The main objective of this legal act is to lay down the information to be provided by small-volume manufacturers, for the purpose of demonstrating that they meet the conditions for a derogation from specific CO₂ emission reduction targets pursuant to Regulation (EU) No 510/2011.

In addition, the Commission has adopted two delegated acts for the purpose of correcting the baseline average CO₂ specific emissions for two small volume manufacturers:

- a) Commission Delegated Regulation (EU) No 1047/2013⁵ corrects the average specific emissions for the manufacturer Piaggio for the calendar year 2010, following the notification by the applicant of higher emissions than the value indicated in Commission Delegated Regulation (EU) No 114/2013⁶;
- b) Commission Delegated Regulation (EU) No 482/2014⁷ corrects the average specific emissions for the manufacturer Great Wall Motor Company Limited for the calendar year 2010, following the notification by the applicant of higher emissions than the value indicated in Commission Delegated Regulation (EU) No 114/2013.

3.3 Article 13(5) of Regulation (EU) No 510/2011 requires the Commission to adopt delegated acts in order to amend by 31 October 2016 (and every three years thereafter) Annex I of that Regulation.

This delegated act⁸ was adopted by the Commission on 14 December 2016 and was submitted to the European Parliament and the Council for scrutiny. The main objective of this legal act is to adapt the average mass value used for calculating the specific CO₂ emissions of new light commercial vehicles, by taking into account the average mass of new vehicles registered in the Union.

⁴ Commission Delegated Regulation (EU) No 114/2013 of 6 November 2012 supplementing Regulation (EU) No 510/2011 of the European Parliament and of the Council with regard to rules for the application for a derogation from the specific CO₂ emissions targets for new light commercial vehicles, OJ L 38, 9.2.2013, p. 1.

⁵ Commission Delegated Regulation (EU) No 1047/2013 of 21 August 2013 amending Commission Delegated Regulation (EU) No 114/2013 for the purpose of correcting the 2010 average specific CO₂ emissions specified for the manufacturer Piaggio, OJ L 285, 29.10.2013, p. 1.

⁶ Commission Delegated Regulation (EU) No 114/2013 of 6 November 2012 supplementing Regulation (EU) No 510/2011 of the European Parliament and of the Council with regard to rules for the application for a derogation from the specific CO₂ emissions targets for new light commercial vehicles, OJ L 38, 9.2.2013, p. 1.

⁷ Commission Delegated Regulation (EU) No 482/2014 of 4 March 2014 amending Delegated Regulation (EU) No 114/2013 as regards the 2010 average specific CO₂ emissions specified for the manufacturer Great Wall Motor Company Limited, OJ L 138, 13.5.2014, p. 51.

⁸ Commission Delegated Regulation (EU) No 2017/748 of 14 December 2016 amending Annex I to Regulation (EU) No 510/2011 of the European Parliament and of the Council in order to take into account the evolution of the mass of new light commercial vehicles registered in 2013, 2014 and 2015, OJ L 113, 29.04.2017, p. 9.

3.4 The fourth paragraph of Article 13(6) of Regulation (EU) No 510/2011 requires the Commission to adopt delegated acts in order to adapt the formulae set out in Annex I of that Regulation.

This delegated act⁹ was adopted by the Commission on 2 June 2017 and was submitted to the European Parliament and the Council for scrutiny. The main objective of this legal act is to adapt the specific CO₂ emission targets and the reporting and monitoring requirement to the change in the regulatory test procedure for measuring such emissions. The World Harmonised Light Vehicles Test Procedure (WLTP) is set out in Commission Regulation (EU) 2017/1151¹⁰ and replaces the New European Test Cycle (NEDC) pursuant to Commission Regulation (EC) No 692/2008¹¹, with effect starting from 1 September 2017.

4. Conclusion

Regulation (EU) No 510/2011 has applied since 2011. So far, the Commission has adopted delegated acts to define and amend rules for monitoring and reporting of data on average emissions, in particular laying down details on the information to be provided by manufacturers that wish to apply for emission derogation and adjusting the target calculation formulae and mass values in Annex I and II to the Regulation. No objections have been raised as a result of the scrutiny of those acts by the European Parliament and the Council.

The Commission invites the European Parliament and the Council to take note of this report.

⁹ Commission Delegated Regulation (EU) 2017/1499 of 2 June 2017 amending Annexes I and II to Regulation (EU) No 510/2011 of the European Parliament and of the Council for the purpose of adapting them to the change in the regulatory test procedure for the measurement of CO₂ from light commercial vehicles, OJ L 219, 25.08.2017, p. 1.

¹⁰ Commission Regulation (EU) 2017/1151 of 1 June 2017 supplementing Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information, amending Directive 2007/46/EC of the European Parliament and of the Council, Commission Regulation (EC) No 692/2008 and Commission Regulation (EU) No 1230/2012 and repealing Regulation (EC) No 692/2008, OJ L 175, 7.7.2017, p. 1.

¹¹ Commission Regulation (EC) No 692/2008 of 18 July 2008 implementing and amending Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information, OJ L 199, 28.7.2008, p. 1.