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**COVER NOTE**

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|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| From:            | Secretary-General of the European Commission,<br>signed by Mr Jordi AYET PUIGARNAU, Director                                                                                                                                                                                                              |
| date of receipt: | 31 October 2019                                                                                                                                                                                                                                                                                           |
| To:              | Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of<br>the European Union                                                                                                                                                                                                                    |
| No. Cion doc.:   | C(2019) 7819 final                                                                                                                                                                                                                                                                                        |
| Subject:         | COMMISSION DELEGATED REGULATION (EU) .../... of 31.10.2019<br>amending Annexes I and III to Regulation (EU) 2019/631 of the European<br>Parliament and of the Council as regards the monitoring of CO <sub>2</sub> emissions<br>from new light commercial vehicles type-approved in a multi-stage process |

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Delegations will find attached document C(2019) 7819 final.

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Encl.: C(2019) 7819 final



EUROPEAN  
COMMISSION

Brussels, 31.10.2019  
C(2019) 7819 final

**COMMISSION DELEGATED REGULATION (EU) .../...**

**of 31.10.2019**

**amending Annexes I and III to Regulation (EU) 2019/631 of the European Parliament  
and of the Council as regards the monitoring of CO<sub>2</sub> emissions from new light  
commercial vehicles type-approved in a multi-stage process**

(Text with EEA relevance)

## **EXPLANATORY MEMORANDUM**

### **1. CONTEXT OF THE DELEGATED ACT**

Since 1 September 2019 all light commercial vehicles are subject to a new regulatory test procedure for measuring CO<sub>2</sub> emissions and fuel consumption, i.e. the Worldwide Harmonised Light Vehicles Test Procedure (WLTP), which is set out in Commission Regulation (EU) 2017/1151. As a result of the change in test procedure, it is necessary to adjust the methodology for determining the CO<sub>2</sub> emissions and fuel consumption of light commercial vehicles that are type-approved in a multi-stage process. The new methodology was agreed and incorporated in Regulation (EU) No 510/2011 through Commission Delegated Regulation (EU) 2019/986 of 7 March 2019. As Regulation (EU) No 510/2011 will be repealed and replaced by Regulation (EU) 2019/631 with effect from 1 January 2020, it is necessary to amend the latter Regulation to ensure that the new methodology continues to apply also from that date.

### **2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT**

Member States and stakeholders were extensively consulted and involved in the development of the new methodology through a dedicated working group set up under the Expert Group for CO<sub>2</sub> emissions from motor vehicles. A public consultation took place in spring 2019 and the comments received were considered in the draft amendment.

### **3. LEGAL ELEMENTS OF THE DELEGATED ACT**

The legal basis for the amendment is Articles 7(8) and 15(8) of Regulation (EU) 2019/631 of the European Parliament and of the Council setting CO<sub>2</sub> emission performance standards for new passenger cars and for new light commercial vehicles, and repealing Regulations (EC) No 443/2009 and (EU) 510/2011.

# COMMISSION DELEGATED REGULATION (EU) .../...

of 31.10.2019

## amending Annexes I and III to Regulation (EU) 2019/631 of the European Parliament and of the Council as regards the monitoring of CO<sub>2</sub> emissions from new light commercial vehicles type-approved in a multi-stage process

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2019/631 of the European Parliament and of the Council of 17 April 2019 setting CO<sub>2</sub> emission performance standards for new passenger cars and for new light commercial vehicles, and repealing Regulations (EC) No 443/2009 and (EU) No 510/2011<sup>1</sup>, and in particular Articles 7(8) and 15(8) thereof,

Whereas:

- (1) Since 1 September 2019 all light commercial vehicles are subject to a new regulatory test procedure for measuring CO<sub>2</sub> emissions and fuel consumption, the Worldwide Harmonised Light Vehicles Test Procedure (WLTP) set out in Commission Regulation (EU) 2017/1151<sup>2</sup>, replacing the New European Driving Cycle (NEDC) set out in Commission Regulation (EC) No 692/2008<sup>3</sup>. A new methodology for determining the CO<sub>2</sub> emissions and fuel consumption from category N1 vehicles which are type-approved in a multi-stage process has therefore been established and is set out in Annexes I and II to Regulation (EU) No 510/2011 of the European Parliament and of the Council<sup>4</sup>.
- (2) In view of the repeal of Regulation (EU) No 510/2011 from 1 January 2020, it is necessary to ensure that the same methodology is set out in Regulation (EU) 2019/631.
- (3) According to point 2 of Part B of Annex III to Regulation (EU) 2019/631, the specific emissions of CO<sub>2</sub> of a multi-stage vehicle are to be allocated to the manufacturer of the base vehicle. In order to allow the base vehicle manufacturer to plan effectively and with sufficient certainty its compliance with its specific emissions targets, a

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<sup>1</sup> OJ L 111, 25.4.2019, p. 13.

<sup>2</sup> 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 Commission Regulation (EC) No 692/2008 (OJ L 175, 7.7.2017, p. 1).

<sup>3</sup> 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).

<sup>4</sup> 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 CO<sub>2</sub> emissions from light-duty vehicles (OJ L 145, 31.5.2011, p.1)

methodology should be set up that ensures that the CO<sub>2</sub> emissions and mass of the completed vehicles that will be allocated to that manufacturer are known at the moment of the production and sale of the base vehicle whether complete or incomplete, and not only at the moment when the final stage manufacturer places the completed vehicle on the market.

- (4) A specific methodology for determining the CO<sub>2</sub> emissions of an incomplete base vehicle is therefore provided according to which the interpolation method provided for in Regulation (EU) 2017/1151 should be used. The CO<sub>2</sub> emissions and the mass values thus determined should be as representative as possible of the specific CO<sub>2</sub> emissions and mass in running order that will be determined for the completed vehicle. In order to ensure consistency, the calculation of the base vehicle manufacturer's specific emission target should therefore take into account the mass values determined pursuant to this methodology.
- (5) The base vehicle manufacturer should report the input values used for the interpolation method as well as the resulting CO<sub>2</sub> emissions and mass of incomplete base vehicles to the Commission. At the same time, Member States should continue to report to the Commission the specific emissions of CO<sub>2</sub> and mass in running order of the completed vehicles.
- (6) On the basis of those reported data, the Commission should continuously assess the representativeness of the monitoring CO<sub>2</sub> emissions of the base vehicle and inform the manufacturers of any divergences found. In the case of a significant and continued divergence between the average of the monitoring CO<sub>2</sub> values of the base vehicles and the average of the specific emissions of CO<sub>2</sub> of the completed vehicles, the values for the completed vehicles should be used for the purposes of determining whether manufacturers comply with their specific emissions targets.
- (7) In order to take into account that Regulation (EU) No 510/2011 is repealed with effect from 1 January 2020, it is appropriate to ensure that this Regulation enters into force as close as possible to that date.
- (8) Annexes I and III to Regulation (EU) 2019/631 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

Annexes I and III to Regulation (EU) 2019/631 are amended in accordance with the Annex to this Regulation.

#### *Article 2*

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

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

Done at Brussels, 31.10.2019

*For the Commission*  
*The President*  
*Jean-Claude JUNCKER*