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COVER NOTE

From: Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director

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

No. Cion doc.: C(2020) 7027 final

Subject: COMMISSION DELEGATED REGULATION (EU) .../... of 16.10.2020 amending Annexes I, II and III to Regulation (EU) 2019/631 of the European Parliament and of the Council to update the monitoring parameters and clarify certain aspects relating to the change in the regulatory test procedure

Delegations will find attached document C(2020) 7027 final.

Encl.: C(2020) 7027 final



Brussels, 16.10.2020
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COMMISSION DELEGATED REGULATION (EU) .../...

of 16.10.2020

**amending Annexes I, II and III to Regulation (EU) 2019/631 of the European Parliament
and of the Council to update the monitoring parameters and clarify certain aspects
relating to the change in the regulatory test procedure**

(Text with EEA relevance)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

The monitoring and reporting of data relating to new passenger cars and light commercial vehicles are essential for the functioning of the CO₂ emission standards set out in Regulation (EU) 2019/631. With the transition, from 1 January 2021, to using CO₂ emissions data determined according to the Worldwide Harmonised Light Vehicle Test Procedure (WLTP) for the purpose of the CO₂ emission standards, the data parameters set out in Annexes II and III of Regulation (EU) 2019/631 should be adjusted, and references to data based on the New European Driving Cycle (NEDC) should be removed. In order to simplify the monitoring and reporting, the data parameters monitored and reported by Member States for passenger cars and light commercial vehicles should also be harmonised to the extent possible.

It is also necessary to clarify certain provisions related to the transition from NEDC to WLTP as regards the determination of the specific emissions targets set out in Annex I of Regulation (EU) 2019/631 for the period 2021 to 2024 for manufacturers of zero-emission vehicles, for vehicle manufacturers that enter the market of the European Union for the first time in that period and for the calculation of the derogation targets that may apply in that period.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

Member States' authorities, vehicle manufacturers and NGOs have been consulted on the draft Delegated Regulation in their capacity as members of the Expert Group on CO₂ emissions from motor vehicles on 18 June 2020. The public consultation of the draft act on the Better Regulation Portal ended on 31 August 2020. Based on the comments received, the monitoring and reporting by Member States of road load coefficients, frontal area and tyre rolling resistance classes have been limited to requesting that those data are provided on request from the Commission. Considering that such data will be needed only for certain selected vehicles, it is justified not to require the collection of that data for the entire Union fleet of new vehicles.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

The legal bases for the draft delegated Regulation are set out in Articles 7(8) and 15(8) of Regulation (EU) 2019/631.

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

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amending Annexes I, II and III to Regulation (EU) 2019/631 of the European Parliament and of the Council to update the monitoring parameters and clarify certain aspects relating to the change in the regulatory test procedure

(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 CO₂ emission performance standards for new passenger cars and new light commercial vehicles, and repealing Regulations (EC) No 443/2009 and (EU) No 510/2011¹, and in particular Articles 7(8) and 15(8) thereof,

Whereas:

- (1) In order to calculate a manufacturer's specific emission targets for the period 2021 to 2024 pursuant to Annex I to Regulation (EU) 2019/631, CO₂ emissions data for vehicles registered in calendar year 2020 is required. For manufacturers that place vehicles on the market of the Union for the first time in the period 2021 to 2024, it is necessary to clarify how their specific emission targets as well as derogation targets for that period should be determined, taking into account that CO₂ emissions data will not, or only partially, be available for those manufacturers in calendar year 2020.
- (2) Similarly, a clarification is needed for manufacturers that place only vehicles with zero CO₂ emissions on the market of the Union in the calendar year 2020 as regards how their specific emission targets in the period 2021 to 2024 should be determined.
- (3) From 1 January 2021, the CO₂ emission standards are to be based on CO₂ emissions data determined in accordance with the Worldwide Harmonised Light Vehicle Test Procedure (WLTP) as set out in Commission Regulation (EU) 2017/1151². It is therefore necessary to amend Annex I to Regulation (EU) 2019/631 in order to adjust the parameters to be monitored and reported and to remove references to data determined on the basis of the New European Driving Cycle (NEDC). However, for

¹ OJ L 111, 25.4.2019, p. 13.

² Commission Implementing 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) 1230/2012 and repealing Commission Regulation (EC) No 692/2008 (OJ L 175, 7.7.2017, p.1).

the reporting of the data for calendar year 2020, it is appropriate to allow the new and the existing provisions to overlap until 28 February 2021.

- (4) The opportunity should also be taken to harmonise, to the extent possible, the monitoring parameters for passenger cars and light commercial vehicles and to align all provisions relating to how the monitoring parameters are to be recorded and reported by Member States as set out in Commission Implementing Regulations (EU) No 1014/2010³ and 293/2012⁴ together with the reporting formats set out in Annexes II and III to Regulation (EU) 2019/631.
- (5) Certain new parameters should be monitored and reported in view of the preparation of a procedure for monitoring of real-world CO₂ emissions and fuel or energy consumption as provided for in Article 12 of Regulation (EU) 2019/631, and for verifying the CO₂ emissions of vehicles in-service as provided for in Article 13 of that Regulation. This includes, in particular, fuel consumption values and, on request from the Commission, the parameters used for the calculation of the CO₂ emission values recorded in the certificates of conformity of the vehicles, i.e. the road load coefficients, frontal area and tyre rolling resistance class.
- (6) Regulation (EU) 2019/631 should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I, II 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 twentieth 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.

³ Commission Implementing Regulation (EU) No 1014/2010 of 10 November 2010 on monitoring and reporting of data on the registration of new passenger cars pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council (OJ L 293, 11.11.2010, p. 15).

⁴ Commission Implementing Regulation (EU) No 293/2012 of 3 April 2012 on monitoring and reporting of data on the registration of new light commercial vehicles pursuant to Regulation (EU) No 510/2011 of the European Parliament and of the Council (OJ L 98, 4.4.2012, p. 1).

Done at Brussels, 16.10.2020

For the Commission
The President
Ursula VON DER LEYEN