Commission Implementing Regulation (EU) 2020/1079 of 20 July 2020 on the verification and correction of data referred to in Regulation (EU) 2018/956 on the monitoring and reporting of CO2 emissions from and fuel consumption of new heavy-duty vehicles (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2020/1079

of 20 July 2020

on the verification and correction of data referred to in Regulation (EU) 2018/956 on the monitoring and reporting of CO_2 emissions from and fuel consumption of new heavy-duty vehicles

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2018/956 of the European Parliament and of the Council of 28 June 2018 on the monitoring and reporting of CO_2 emissions from and fuel consumption of new heavy-duty vehicles[(1)], and in particular Article 8(4) thereof,

Whereas:

(1) Article 8(2) of Regulation (EU) 2018/956 obliges the Commission to verify the quality of the data reported by Member States and by manufacturers of heavy-duty vehicles pursuant to Articles 4 and 5 of that Regulation. It also obliges the Commission to correct discrepancies found during such verification.

(2) It is therefore appropriate to determine the verification and correction measures of the data reported by heavy-duty vehicle manufacturers. In particular, it is necessary to lay down a procedure for verifying that the data reported by manufacturers of heavy-duty vehicles in accordance with point 2 of Part B of Annex I to Regulation (EU) 2018/956 correspond to the relevant data source, that is the engine type-approval certificate issued in accordance with Regulation (EC) No 595/2009 of the European Parliament and of the Council[(2)] and the manufacturer's records file.

(3) The number of heavy-duty vehicles of which the quality of the data is to be verified should be sufficiently high for the Commission to detect possible discrepancies in the reported data and to establish whether the nature of such discrepancies is systematic.

(4) In order to ensure the integrity of the reporting process, the verification should consist of checks of the data reported by manufacturers against the engine type-approval certificate and the manufacturer's records file.

(5) Manufacturers should be given the opportunity to correct the data in the case the Commission finds discrepancies. Where those discrepancies are of a systematic nature, manufacturers should provide corrected data for all the vehicles registered in the reporting period concerned.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/1079. (See end of Document for details)*

(6) In order to ensure the correctness of the data, where the manufacturers have not provided the Commission with corrected data, the Commission should be able to correct those data itself. In order to ensure that the manufacturers provide the Commission with correct data, where the discrepancies found are of a systematic nature, the Commission should correct those data by applying a correction factor to CO_2 emissions of all heavy-duty vehicles registered in the reporting period concerned.

(7) For transparency purposes, it should be clear from the data included in the Central Register for data on heavy-duty vehicles whether they have been corrected by the Commission.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Climate Change Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Heavy-duty vehicles of which the quality of the data is to be verified

1 Following the reporting of the data by manufacturers in accordance with Article 5(1) of Regulation (EU) 2018/956, the Commission shall verify the quality of the data of a number of heavy-duty vehicles of each manufacturer registered in the reporting period concerned. For the reporting period of the year 2019, the Commission shall only verify the quality of the data of heavy-duty vehicles that have been registered as from 1 January 2020.

2 The Commission shall select the heavy-duty vehicles referred to in paragraph 1 randomly. The number of selected heavy-duty vehicles shall be between 2 % and 10 % of the number of heavy-duty vehicles of each manufacturer that have been registered in the reporting period concerned.

Article 2

Notification by the Commission and information provided by manufacturers and Member States

1 The Commission shall notify the manufacturers concerned of the vehicle identification numbers of the heavy-duty vehicles selected in accordance with Article 1(2).

2 Within one month from receipt of the notification referred to in paragraph 1, manufacturers shall provide to the Commission for each selected heavy-duty vehicle:

a the original of the manufacturer's records file, drawn up in accordance with Part I of Annex IV to Commission Regulation (EU) 2017/2400[(3)];

b a copy of the engine type-approval certificate issued in accordance with Regulation (EC) No 595/2009.

3 Upon request by the Commission, manufacturers, and the Member States where the heavy-duty vehicles referred to in paragraph 1 were first registered, shall provide additional information for the purpose of solving potential setbacks.

Article 3

Verification of the correctness of the cryptographic hash value and data reported by manufacturers

1 The Commission shall, for the heavy-duty vehicles selected in accordance with Article 1(2), crosscheck the cryptographic hash values of the original of the manufacturer's records file provided in accordance with point (a) of Article 2(2) against the imprint of the corresponding cryptographic hash values provided by the Member State concerned in accordance with their obligation under point (k) of Part A of Annex I to Regulation (EU) 2018/956.

In case of any discrepancy in the cryptographic hash values, and where requested by the Commission, manufacturers shall verify the correctness of the data provided to the Commission and inform the Commission of the result of that verification within one month.

2 The Commission shall, for the heavy-duty vehicles selected in accordance with Article 1(2), crosscheck the data reported in accordance with Article 5 of Regulation (EU) 2018/956 against the corresponding data in the original of the manufacturer's records file drawn up in accordance with Part I of Annex IV to Regulation (EU) 2017/2400.

3 The Commission may, for the heavy-duty vehicles selected in accordance with Article 1(2), crosscheck the engine-related data reported in accordance with entries 75 to 78 of point 2 of Part B of Annex I to Regulation (EU) 2018/956 against the corresponding values in the engine type-approval certificate issued in accordance with Regulation (EC) No 595/2009.

Article 4

Notification of findings

1 The Commission shall either confirm the accuracy of the data verified pursuant to Article 3, or notify the manufacturers of any discrepancies found between the data reported pursuant to Article 5 of Regulation (EU) 2018/956 and the corresponding data in the manufacturer's records file and the engine type-approval certificate provided in accordance with Article 2(2).

2 Within one month of receipt of the notification referred to in paragraph 1, the manufacturers shall provide the Commission with the corrected data for the heavy-duty vehicles selected in accordance with Article 1(2) and an explanation for the discrepancies mentioned in that notification.

3 Where the Commission finds that the discrepancies are of a systematic nature, the manufacturers shall provide the Commission, within one month of receipt of the notification referred to in paragraph 1, with the corrected data for all the heavy-duty vehicles reported in the reporting period concerned and an explanation for the discrepancies.

4 The manufacturers shall transmit the corrected data referred to in paragraphs 2 and 3 via the electronic data transfer to the Business Data Repository managed by the European Environment Agency.