Commission Implementing Regulation (EU) 2019/1859 of 6 November 2019 laying down rules for the application of Article 10 of Regulation (EU) 2019/1242 of the European Parliament and of the Council as regards the collection of certain data (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2019/1859

of 6 November 2019

laying down rules for the application of Article 10 of Regulation (EU) 2019/1242 of the European Parliament and of the Council as regards the collection of certain data

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2019/1242 of the European Parliament and of the Council of 20 June 2019 setting CO_2 emission performance standards for new heavy-duty vehicles and amending Regulations (EC) No 595/2009 and (EU) 2018/956 of the European Parliament and of the Council and Council Directive 96/53/EC[(1)], and in particular Article 10 thereof,

Whereas:

(1) In order to establish a methodology for assessing the application of the conditions under which the reference CO_2 emissions are determined ('methodology'), it is appropriate that the Commission has access to certain data made available to the manufacturers when operating the simulation tool referred in Article 5(1)(a) of Commission Regulation (EU) 2017/2400[(2)], in particular the 'sum exec data file'.

(2) The sum exec data file would allow the Commission to assess the quantitative impacts on the vehicle CO_2 emissions resulting from the application of the methodology. In particular, the sum exec data files are necessary to determine from adjustments to a vehicle's component data serving as input for the simulation tool the resulting adjustments of the regulatory CO_2 emissions. The sum exec data files are therefore necessary to assess the potential need of corrections on the one hand and if so, to apply the corrections to the vehicle CO_2 emissions on the other hand, on the basis of adjusted component input data to the simulation tool.

(3) It is therefore appropriate that manufacturers monitor and report to the Commission the sum exec data files for the vehicles simulated during the reporting periods 2019 and 2020. As it may require more effort for manufacturers to report such information for vehicles produced before 1 October 2019, the reporting date for such information should be set at the later reporting date which is 30 September 2021.

(4) It is important to ensure that the data monitored and reported be robust and reliable. The Commission should therefore have the means to verify and, where necessary, take measures to ensure the final data is correct.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2019/1859. (See end of Document for details)*

(5) The Commission should make use of the Business Data Repository managed by the European Environment Agency to facilitate the collection of the data by manufacturers, which should transmit these data together with the data reported pursuant to Regulation (EU) 2018/956 of the European Parliament and of the Council[(3)].

(6) In order to ensure the robustness and representativeness of the reference CO_2 emissions as a basis for determining the Union fleet-wide CO_2 emission targets, this Regulation should enter into force within the shortest possible delay following its publication.

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

HAS ADOPTED THIS REGULATION:

Article 1

Monitoring and reporting by manufacturers

1 Manufacturers shall monitor and report to the Commission the comma separated values file of the same name as the job file and with an extension .vsum comprising aggregated results per simulated mission profile and payload condition that is generated by the simulation tool referred to in Article 5(1)(a) of Regulation (EU) 2017/2400 in its graphical user interface (GUI) version ('sum exec data file') for new heavy-duty vehicles with a date of simulation before 1 July 2021 in accordance with this Regulation.

2 They shall monitor the sum exec data file for each new heavy-duty vehicle:

a with a date of simulation as from 1 October 2019 to 30 June 2020 and report these data at the latest by 30 September 2020;

b with a date of simulation as from 1 January 2019 to 30 September 2019 and report these data at the latest by 30 September 2021;

c with a date of simulation as from 1 July 2020 to 30 June 2021 and report these data at the latest by 30 September 2021.

3 The sum exec data files shall be transmitted by the contact point of the manufacturer via electronic data transfer to the Business Data Repository managed by the European Environment Agency ('Agency'). The contact point shall notify the Commission and the Agency when the data are transmitted by email to the addresses referred to in paragraph 5 below.

4 The contact point responsible for uploading the data for each manufacturer shall be the one the manufacturer appointed under Regulation (EU) 2018/956, unless the manufacturer notifies the Commission otherwise by 1 September 2020.

5 Notifications shall be sent to the following addresses: 'EC-CO2-HDV-IMPLEMENTATION@ec.europa.eu' and 'HDV-monitoring@eea.europa.eu'.

Article 2

Verification

1 Manufacturers shall be responsible for the correctness and quality of the data they report pursuant to Article 1(2). They shall inform the Commission without delay of any errors detected in the data reported.