Commission Implementing Regulation (EU) 2019/1840 of 31 October 2019 amending Implementing Regulation (EU) 2017/1153 as regards the reporting of WLTP CO2 values for certain categories of new passenger cars and adjusting the input data for the correlation tool (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2019/1840

of 31 October 2019

amending Implementing Regulation (EU) 2017/1153 as regards the reporting of WLTP CO_2 values for certain categories of new passenger cars and adjusting the input data for the correlation tool

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 443/2009 of the European Parliament and of the Council of 23 April 2009 setting emission performance standards for new passenger cars as part of the Community's integrated approach to reduce CO_2 emissions from light-duty vehicles[(1)], and in particular the first subparagraph of Article 8(9) and the first subparagraph of Article 13(7) thereof,

Whereas:

(1) Regulation (EU) 2019/631 of the European Parliament and of the Council[(2)] provides that the EU fleet-wide CO_2 emissions targets for 2025 and 2030 for new passenger cars are to be calculated on the basis of the CO_2 emissions measured in accordance with Commission Regulation (EU) 2017/1151[(3)] for new passenger cars registered in 2020 (hereinafter 'measured CO_2 emission values').

(2) Commission Implementing Regulation (EU) 2017/1153[(4)] sets out rules about the calculation and reporting by manufacturers of the measured CO_2 emission values. It is, however, necessary to further specify how those values are to be determined, in particular, as regards Not-Off-Vehicle Charging Hybrid Electric Vehicles (NOVC-HEV) and Off-Vehicle Charging Hybrid Electric Vehicles (OVC-HEV).

(3) It should also be clarified how the measured CO_2 emission values are to be determined where several CO_2 emissions tests are performed for the purpose of type-approval.

(4) The correlation of the CO_2 emissions of NOVC-HEVs and OVC-HEVs should be performed on the basis of physical vehicle tests and not on the basis of simulations performed by the correlation tool, due to the complexity of adapting the correlation tool to take into account such vehicle technologies. In order to ensure effective verification of the correlation results, technical test data relating to those vehicles should, however, be provided to the Commission in the same way as for conventional vehicles.

(5) Implementing Regulation (EU) 2017/1153 should therefore be amended accordingly.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2019/1840. (See end of Document for details)*

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

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) 2017/1153 is amended as follows:

(1) Article 7a is amended as follows:

(a) the first subparagraph of paragraph 1 is replaced by the following:

Manufacturers shall calculate the combined or, where applicable, weighted combined CO_2 emissions, determined as $M_{CO2,measured}$, for each new passenger car registered in 2020 in accordance with the following equations:

(a) For pure internal combustion engine vehicles:

the equation for calculating $M_{CO2\text{-}ind}$ set out in the second subparagraph of paragraph 3.2.3.2.4 of Sub-Annex 7 to Annex XXI to Regulation (EU) 2017/1151, where the terms $M_{CO2\text{-}H}$ and $M_{CO2\text{-}L}$ shall, for the interpolation family concerned, be replaced by the values $M_{CO2,C,5}$ (combined) taken from the entries 2.5.1.1.3 (vehicle H) and 2.5.1.2.3 (vehicle L) of the EC type-approval certificate, as indicated in the model set out in Appendix 4 to Annex I to Regulation (EU) 2017/1151;

(b) For Not-Off-Vehicle Charging Hybrid Electric Vehicles (NOVC-HEV):

the equation: $M_{CO2\text{-}measured} = M_{CO2\text{-}L,C,5} + K_{ind} \times (M_{CO2\text{-}H,C,5} - M_{CO2\text{-}L,C,5})$

Where,

$M_{CO2\text{-}L,C,5}$	is the value $M_{CO2,C,5}$ (combined) for the interpolation family concerned, taken from entry 2.5.1.2.3 of the EC type-approval certificate as indicated in the model set out in Appendix 4 to Annex I to Regulation (EU) 2017/1151;
K_{ind}	is the interpolation coefficient for the considered individual vehicle for the applicable WLTP test cycle

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2019/1840. (See end of Document for details)*

as specified in paragraph 4.5.3 of Sub-Annex 8 to Annex XXI to Regulation (EU) 2017/1151;

$M_{CO2-H,C,5}$ is the value $M_{CO2,C,5}$ (combined) for the interpolation family concerned, taken from entry 2.5.1.1.3 of the EC type-approval certificate as indicated in the model set out in Appendix 4 to Annex I to Regulation (EU) 2017/1151.

(c) For Off-Vehicle Charging Hybrid Electric Vehicles (OVC-HEV):

the equation: $M_{CO2\text{-}measured} = M_{CO2\text{-}L,C,5} + K_{ind} \times (M_{CO2\text{-}H,C,5} - M_{CO2\text{-}L,C,5})$

Where,

$M_{CO2-L,C,5}$, $M_{CO2-H,C,5}$ are, for the interpolation family concerned, determined in accordance with the formula set out in paragraph 4.1.3.1 of Sub-Annex 8 to Annex XXI to Regulation (EU) 2017/1151, where the term $M_{i,CDj}$ shall be replaced by the value $M_{CO2,CD}$ (combined) taken from the entry 2.5.3.2 for vehicle H and L, as applicable, of the EC type-approval certificate, and the term $M_{i,CS}$ shall be replaced by the value $M_{CO2,C,5}$ (combined) taken from entry 2.5.3.1. of the EC type-approval certificate

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2019/1840. (See end of Document for details)*

	for vehicle H, L, or M, as applicable;
K_{ind}	is the interpolation coefficient for the considered individual vehicle for the applicable WLTP test cycle as defined in paragraph 4.5.3 of Sub-Annex 8 to Annex XXI to Regulation (EU) 2017/1151.;

(b) the following paragraph 1a is inserted:

1a. Where more than one measurement value is recorded in entries 2.5.1.1.3., 2.5.1.2.3., 2.5.3.1 or 2.5.3.2. of an EC type-approval certificate, the $M_{CO2,C,5}$ or $M_{CO2,CD}$ values referred to in paragraph 1 shall, for the purpose of this provision, be determined as follows:

a in the case of one measurement: the combined value recorded for Test 1;

b in the case of two measurements: the average of the two combined values recorded for Tests 1 and 2;

c in the case of three measurements: the average of the three combined values recorded for Tests 1, 2 and 3.;

(2) Annex I is amended as follows:

(a) in point 2.1, the last sentence of the second paragraph is replaced by the following:

With regard to Not-Off-Vehicle Charging Hybrid Electric Vehicles (NOVC-HEV) and Off-Vehicle Charging Hybrid Electric Vehicles (OVC-HEV), the NEDC CO_2 values to be used as a reference for the purpose of Section 3 shall be determined by way of physical vehicle tests instead of correlation tool simulations. The physical measurements shall be performed in accordance with the relevant provisions referring to physical vehicle tests set out in this Annex. The input data for the physical vehicle tests shall be determined and submitted to the type-approval authority or, where applicable, technical service, in accordance with point 2.4:

(b) in point 2.2a, point (a) is replaced by the following:

(a) The correction of the WLTP test results for CO_2 mass emissions in accordance with Appendix 2 to Sub-Annex 6 and Appendix 2 to Sub-Annex 8 to Annex XXI to Regulation (EU) 2017/1151 shall apply to all such test results, notwithstanding the provisions in paragraph 3.4.4(a) of Appendix 2 to Sub-Annex 6 and paragraph 1.1.4(a) of Appendix 2 to Sub-Annex 8 to Annex XXI to that Regulation;;

(c) in point 2.4, table 1 is amended as follows:

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2019/1840. (See end of Document for details)*

(i) in entry 24, the text in the second column under 'Input parameters for the correlation tool' is replaced by the words 'Service battery capacity';

(ii) entries 38 to 41 are replaced by the following:

38	WLTP CO_2 value phase 1 (Charge-Sustaining value in case of NOVC and OVC-HEVs)	gCO_2/km	Entry 2.1.1.2.1. of Appendix 8a to Annex I of (EU) 2017/1151	*Uncorrected measured value* $M_{CO2,p,1}$ *of phase Low*
39	WLTP CO_2 value phase 2 (Charge-Sustaining value in case of NOVC and OVC-HEVs)	gCO_2/km	Idem	*Uncorrected measured value* $M_{CO2,p,1}$ *of phase Medium*
40	WLTP CO_2 value phase 3 (Charge-Sustaining value in case of NOVC and OVC-HEVs)	gCO_2/km	Idem	*Uncorrected measured value* $M_{CO2,p,1}$ *of phase High*
41	WLTP CO_2 value phase 4 (Charge-Sustaining value in case of NOVC and OVC-HEVs)	gCO_2/km	Idem	*Uncorrected measured value* $M_{CO2,p,1}$ *of phase Extra-High*

(iii) in entry 60, the text in the second column under 'Input parameters for the correlation tool' is replaced by the words 'WLTP Alternator (DC/DC converter – low voltage side — in case of NOVC and OVC-HEVs) Current';