Commission Delegated Regulation (EU) 2017/1502 of 2 June 2017 amending Annexes I and II to Regulation (EC) No 443/2009 of the European Parliament and of the Council for the purpose of adapting them to the change in the regulatory test procedure for the measurement of CO2 from light duty vehicles (Text with EEA relevance)

COMMISSION DELEGATED REGULATION (EU) 2017/1502

of 2 June 2017

amending Annexes I and II to Regulation (EC) No 443/2009 of the European Parliament and of the Council for the purpose of adapting them to the change in the regulatory test procedure for the measurement of CO_2 from light 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 (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 second subparagraph of Article 8(9) and the second subparagraph of Article 13(7) thereof,

Whereas:

(1) A new regulatory test procedure for measuring CO_2 emissions and fuel consumption from light duty vehicles, the World Harmonised Light Vehicles Test Procedure (WLTP), set out in Commission Regulation (EU) 2017/1151[(2)] will replace the New European Driving Cycle (NEDC), which is currently used pursuant to Commission Regulation (EC) No 692/2008[(3)], with effect starting from 1 September 2017. The WLTP is expected to provide CO_2 emission and fuel consumption values that are more representative of real driving conditions.

(2) In order to take into account the difference in the level of CO_2 emissions measured under the existing NEDC and the new WLTP procedures, a methodology for correlating those values has been put in place pursuant to Commission Implementing Regulation (EU) 2017/1153[(4)].

(3) The correlation methodology is to be used during the phasing-in of the WLTP until end of 2020 to ensure that manufacturers' compliance with the CO_2 emission targets can be verified on the basis of the NEDC emission values during that period. As a consequence, WLTP based specific CO_2 emission targets should be applied with effect from the calendar year 2021.

(4) In 2020 the CO_2 emissions of all new vehicles registered is to be determined on the basis of both the NEDC and the WLTP in accordance with the correlation methodology. By

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monitoring both those CO_2 values, robust datasets should be available for comparing the level of emissions resulting from the two test procedures. Those datasets should allow the determination of WLTP based specific emission targets that are of a stringency comparable to those determined by reference to NEDC measurements in accordance with the requirement set out in Article 13(7) of Regulation (EC) No 443/2009.

(5) For the purpose of setting a manufacturer's specific emission target in 2021, the average WLTP CO_2 emissions of the new cars registered in 2020 should be used as reference value. The specific emission target should be determined by either increasing or decreasing that reference value proportionally to the manufacturer's performance in meeting its NEDC based target in 2020.

(6) In order to ensure that the WLTP based specific emission targets remain comparable over time, account should be taken of annual changes in the average mass of the manufacturer's fleet.

(7) A number of new parameters should be added to the detailed data that is to be monitored following the introduction of the WLTP. Under the WLTP the CO_2 emission values are to be calculated taking into account the specific configuration of each individual vehicle. In order to ensure that the vehicles can be identified and the data effectively verified by manufacturers as well as by the Commission, it is appropriate to base the monitoring on vehicle identification numbers.

(8) Annexes I and II to Regulation (EC) No 443/2009 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 443/2009 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.

Done at Brussels, 2 June 2017.

For the Commission

The President

Jean-Claude JUNCKER

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ANNEX

Annex I and II to Regulation (EC) No 443/2009 are amended as follows:

(1) In Annex I, the following points 3, 4 and 5 are added:

3. The specific emission reference target for a manufacturer in 2021 shall be calculated as follows:

$$\text{WLTP specific emission reference target} = \text{WLTP}_{CO_2} \times \left(\frac{\text{NEDC}_{2020\text{target}}}{\text{NEDC}_{CO_2}}\right)$$

Where:

$WLTP_{CO_2}$	is the average specific emissions of CO_2 in 2020 determined in accordance with Annex XXI to Commission Regulation (EU) 2017/1151[5] and calculated in accordance with the sixth indent in the second paragraph of Article 4 of this Regulation, without including CO_2 savings resulting from the application of Articles 5a and 12 of this Regulation;
$NEDC_{CO_2}$	is the average specific emissions of CO_2 in 2020 determined in accordance with Commission Implementing Regulation (EU) 2017/1153[6] and calculated in accordance with the sixth indent in the second paragraph of Article 4 of this Regulation without including CO_2 savings resulting from the application of Articles 5a and 12 of this Regulation;
$NEDC_{2020target}$	is the 2020 specific emission target calculated in accordance with point 1(c) of this Annex.

4. Starting from 2021, the specific emission target for a manufacturer shall be calculated as follows:

Specific emission target = $WLTP_{reference\ target}$ + a [(Mø – M_0) – ($Mø_{2020}$ – $M_{0,2020}$)]

Where:

$WLTP_{reference\ target}$	is the 2021 specific emission reference target calculated in accordance with point 3;
a	is as defined in point 1(c);
Mø	is the average of the mass (M) as defined in point 1 of the new registered vehicles in the target year in kilograms (kg);