Commission Implementing Regulation (EU) No 410/2014 of 23 April 2014 amending Implementing Regulation (EU) No 293/2012 as regards the monitoring of CO2 emissions from new light commercial vehicles type-approved in a multi-stage process (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) No 410/2014

of 23 April 2014

amending Implementing Regulation (EU) No 293/2012 as regards the monitoring of CO_2 emissions from new light commercial vehicles type-approved in a multi-stage process

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 510/2011 of the European Parliament and of the Council of 11 May 2011 setting emission performance standards for new light commercial vehicles as part of the Union's integrated approach to reduce CO_2 emissions from light-duty vehicles[(1)], and in particular the first subparagraph of Article 8(9) thereof,

Whereas:

(1) Annex XII to Commission Regulation (EC) No 692/2008[(2)] sets out a new method for determining the CO_2 emissions from and fuel consumption of N_1 vehicles which are type-approved in a multi-stage process (hereinafter referred to as 'multi-stage vehicles'). That new method is to apply from 1 January 2014 but may be applied on a voluntary basis since 1 January 2013.

(2) Point 7 of Part B of Annex II to Regulation (EU) No 510/2011 provides that the specific emissions of CO_2 of completed vehicles are to be allocated to the manufacturer of the base vehicle. This requires that completed vehicles can be recognised in the monitoring process and that the manufacturer of the base vehicle can be identified. It also requires certain data relating to the base vehicle to be determined in accordance with the new methodology set out in Annex XII to Regulation (EC) No 692/2008.

(3) The manufacturers of the base vehicles have, in accordance with Article 8(5) of Regulation (EU) No 510/2011, the right to verify the data relating to a multi-stage vehicle, on the basis of which their specific CO_2 emission targets are calculated. It is therefore appropriate to lay down detailed provisions on the exchange of relevant data between the manufacturers and the Commission.

(4) Due to the specificities and design of their vehicle registration systems, Member States may however not be able to provide all the data relevant for the monitoring of multi-stage vehicles that are indicated in the detailed data specified in Annex II to Regulation (EU) No 510/2011. As a consequence, the Commission should have the

possibility to take into account data provided by manufacturers as part of the verification process pursuant to Article 8(5) of Regulation (EU) No 510/2011 for determining the preliminary specific emissions targets.

(5) Manufacturers should therefore provide the Commission and the European Environment Agency (EEA) with the vehicle identification numbers (VINs) that they assigned to light commercial vehicles sold in the preceding calendar year or for which a warranty was issued in that year. Manufacturers should also have the possibility to provide the Commission with the detailed data related to those vehicles. In order to take those data into account for the calculation of the provisional targets, manufacturers should provide their data to the Commission and the EEA at the same time as the annual data submission of the Member States.

(6) By matching the detailed data provided by Member States with those provided by the manufacturers, based on the VINs, the Commission should prepare a provisional dataset for the calculation of the preliminary targets. The provisional dataset to be notified to a manufacturer should include the VINs for those records where the two datasets can be matched. Where necessary, the provisional dataset should also include those records where the Member States' VINs are not matched by VINs delivered by the manufacturer. In that case the records should be transmitted to the manufacturer without the VINs. The provisional dataset, with exception of the VINs, should be made public in accordance with Article 8(4) of Regulation (EU) No 510/2011.

(7) In order to ensure full parallelism of the requirements set out in Commission Implementing Regulation (EU) No 293/2012[(3)] with those applicable to passenger cars set out in Commission Regulation (EU) No 1014/2010[(4)], it is appropriate to adapt the requirements for the notification of errors by manufacturers in accordance with the provisions of that Regulation.

(8) Implementing Regulation (EU) No 293/2012 should be amended accordingly.

(9) 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) No 293/2012 is amended as follows:

(1) In Article 2, point (3) is replaced by the following:

> (3) "detailed monitoring data" means the detailed data specified in Section 2 of Part C of Annex II to Regulation (EU) No 510/2011 which is disaggregated by manufacturer and vehicle series as defined by the type, variant and version or, where applicable, by single vehicle as defined by the vehicle identification number.

(2) Article 8 is replaced by the following:

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 410/2014. (See end of Document for details)*

Article 8

Vehicles not covered by EC type-approval

Where light commercial vehicles are subject to national type-approval of small series in accordance with Article 23 of Directive 2007/46/EC or to individual approvals in accordance with Article 24 of that Directive, Member States shall inform the Commission of the respective numbers of such vehicles registered in their territory.

In completing the detailed monitoring data, the competent authority shall indicate the name of the manufacturer in the column "Manufacturer name in Member State registry" in the format set out in Part C of Annex II to Regulation (EU) No 510/2011, and in the column "Manufacturer name EU standard denomination" either of the following:

(a) "AA-IVA" for reporting vehicle types approved individually;

(b) "AA-NSS" for reporting vehicle types approved nationally in small series.

(3) Article 10 is amended as follows:

(a) In paragraph 1, the following subparagraph is added:

Where data is transmitted in accordance with paragraph 3 of this Article, the contact person indicated by the manufacturer shall also be given the right to upload the detailed data to the Data Repository of the European Environment Agency.

(b) The following paragraphs 3 and 4 are added:

3. For the purpose of the verification of the provisional data, manufacturers shall submit to the Commission, at the latest by 28 February each year, the vehicle identification numbers of any light commercial vehicle (complete, completed or incomplete) they sold in the preceding calendar year in the Union, or for which they issued a warranty in that year. Manufacturers may at the same time provide the Commission with the detailed data specified in Annex II to Regulation (EU) No 510/2011 relating to those vehicles.

The data shall be transmitted via electronic data transfer to the Data Repository managed by the European Environmental Agency.

4 Where manufacturers do not submit the vehicle verification numbers and detailed data referred to in paragraph 3, the provisional specific emissions target shall be calculated on the basis of the detailed data as provided by the Member States.

(4) The following Articles 10a and 10b are inserted:

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 410/2014. (See end of Document for details)*

Article 10a

Notification of errors by manufacturers

1 Manufacturers that notify errors in accordance with Article 8(5) of Regulation (EU) No 510/2011 shall use the provisional dataset notified by the Commission pursuant to Article 8(4) as a basis for their notification.

The error notification shall include all datasets relating to vehicle registrations for which the notifying manufacturer is responsible. In the case of completed vehicles, the responsible manufacturer is the manufacturer responsible for the EC type approval of the base vehicle.

The error shall be indicated by a separate entry in the dataset for each version, entitled "Manufacturer comments", in which one of the following codes shall be specified:

a Code A, where the records have been changed by the manufacturer;

b Code B, where the vehicle is unidentifiable;

c Code C, where the vehicle falls out of the scope of Regulation (EU) No 510/2011 or is out of production;

d Code D, where the manufacturer to which a specific record has been attributed is the manufacturer of the completed vehicle but not the incomplete base vehicle.

For the purposes of point (b), a vehicle is unidentifiable where the manufacturer cannot identify the vehicle on the basis of the vehicle identification number provided by the Member State, or if the record does not contain such a number and the vehicle cannot otherwise be identified.

For the purposes of point (d), the final vehicle manufacturer shall also indicate the name of the base vehicle manufacturer in a separate entry entitled "Manufacturer notes".

2 Where a manufacturer has not notified errors to the Commission in accordance with paragraph 1, or where the notification is submitted after the expiry of the three-month period provided for in Article 8(5) of Regulation (EU) No 510/2011, the provisional values notified in accordance with Article 8(4) of that Regulation shall be considered as final.

3 Where the error notification referred to in paragraph 1 include vehicle identification numbers, it shall be submitted to the Data Repository referred to in Article 10(3), in other cases it shall be submitted by electronic non-erasable data carrier marked "Notification of error — CO_2 from vans" by mail to the following address:

European Commission

Secretariat-General

1049 Bruxelles/Brussel

BELGIQUE/BELGIË

An electronic copy of the notification shall be sent for information to the following functional mailboxes:

EC-CO2-LDV-IMPLEMENTATION@ec.europa.eu