Commission Regulation (EU) No 195/2013 of 7 March 2013 amending Directive 2007/46/EC of the European Parliament and of the Council and Commission Regulation (EC) No 692/2008 as concerns innovative technologies for reducing CO2 emissions from light passenger and commercial vehicles (Text with EEA relevance)

COMMISSION REGULATION (EU) No 195/2013

of 7 March 2013

amending Directive 2007/46/EC of the European Parliament and of the Council and Commission Regulation (EC) No 692/2008 as concerns innovative technologies for reducing CO_2 emissions from light passenger and commercial 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 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information[(1)], and in particular Article 4(4), Article 5(3), and Article 8 thereof,

Having regard to Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive)[(2)], and in particular Article 39(2) thereof,

Whereas:

(1) By Regulation (EU) No 171/2013[(3)], the Commission amended Directive 2007/46/EC and Commission Regulation (EC) No 692/2008 of 18 July 2008 implementing and amending Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information[(4)] as concerns innovative technologies for reducing CO_2 emissions from light passenger and commercial vehicles. That Regulation amended the models of the relevant documents used in the type-approval process. As a result, it is necessary to provide the Member States with an adequate period to adapt the corresponding forms. For reasons of legal certainty and clarity, it is appropriate to replace Regulation (EC) No 171/2013.

(2) Regulation (EC) No 715/2007 establishes common technical requirements for the type-approval of motor vehicles and replacement parts with regard to their emissions and lays down rules for in-service conformity, durability of pollution control devices, on-board diagnostic (OBD) systems, measurement of fuel consumption and accessibility of vehicle repair and maintenance information.

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EU) No 195/2013. (See end of Document for details)*

(3) Regulation (EC) No 692/2008 lays down the administrative provisions for checking the conformity of the vehicles for CO_2 emissions and the requirements for the measurement of CO_2 emissions and fuel consumption of such vehicles.

(4) Regulation (EC) No 443/2009 of the European Parliament and of the Council[(5)] sets emission performance standards for new passenger cars as part of the integrated approach of the Union to reduce CO_2 emissions from light-duty vehicles and Commission Implementing Regulation (EU) No 725/2011[(6)] establishes a procedure for the approval and certification of innovative technologies for reducing CO_2 emissions from such new passenger cars.

(5) In order to take account of the CO_2 savings achieved through the use of innovative technologies for the calculation of each manufacturer's specific emissions target of CO_2 pursuant to Article 12(1) of Regulation (EC) No 443/2009, and in order to ensure efficient monitoring of the specific savings for individual vehicles, vehicles fitted with eco-innovations should be certified as part of the type-approval of a vehicle and the total savings should be entered into the certificate of conformity.

(6) To that end, it is necessary to provide the approval authorities with the adequate data for certifying vehicles fitted with eco-innovations and to integrate the CO_2 savings of the eco-innovations as part of the representative information of a specific type, variant or version of vehicle.

(7) It is therefore necessary to amend the models of the relevant documents used in the type-approval process.

(8) Regulation (EC) No 715/2007 and Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and on access to vehicle repair and maintenance information and amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC[(7)] introduced new requirements on information about pollutant emissions testing. Therefore, the necessary information should be incorporated in the system set up by Directive 2007/46/EC.

(9) Directive 2007/46/EC and Regulation (EC) No 692/2008 should therefore be amended accordingly.

(10) The measures provided for in this Regulation are in accordance with the opinion of the Technical Committee — Motor Vehicles,

HAS ADOPTED THIS REGULATION:

Article 1

1 Annexes I and IX to Directive 2007/46/EC are amended in accordance with Annex I to this Regulation.

2 Annex VIII to Directive 2007/46/EC is replaced by the text set out in Annex II to this Regulation.

Article 2

Annexes I and XII to Regulation (EC) No 692/2008 are amended in accordance with Annex III to this Regulation.

Article 3

Regulation (EU) No 171/2013 is repealed.

Article 4

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 July 2013.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 7 March 2013.

For the Commission

The President

José Manuel BARROSO

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EU) No 195/2013. (See end of Document for details)*

ANNEX I

Annexes I and IX to Directive 2007/46/EC are amended as follows:

(1) Annex I is amended as follows:

(a) the following entries 3.5.6, 3.5.6.1, 3.5.6.2 and 3.5.6.3 are inserted:

3.5.6. Vehicle fitted with an eco-innovation within the meaning of Article 12 of Regulation (EC) No 443/2009 of the European Parliament and of the Council[8] and Commission Implementing Regulation (EU) No 725/2011[9]: yes/no ([1])

3.5.6.1. Type/Variant/Version of the baseline vehicle as referred to in Article 5 of Implementing Regulation (EU) No 725/2011 (if applicable): …

3.5.6.2. Existence of interactions between different eco-innovations: yes/no ([1])

3.5.6.3. Emissions data related to the use of eco-innovations (repeat the table for each reference fuel tested) ([w1])

Decision approving the eco-innovation ([w2])	**Code of the eco-innovation ([w3])**	**1. CO_2 emissions of the baseline vehicle (g/km)**	**2. CO_2 emissions of the eco-innovation vehicle (g/km)**	**3. CO_2 emissions of the baseline vehicle under Type 1 test-cycle ([w4])**	**4. CO_2 emissions of the eco-innovation vehicle under Type 1 test-cycle (= 3.5.1.3.)**	**5. Usage factor (UF), i.e. temporal share of technology usage in normal operation conditions**	**CO_2 emissions savings $((1-2)-(3-4))*5$**
xxxx/201x							
Total CO_2 emissions savings (g/km) ([w5]);							

(b) the following explanatory notes are added:

([w]) Eco-innovations.

([w1]) Expand the table if necessary, using one extra row per eco-innovation.

([w2]) Number of the Commission Decision approving the eco-innovation.

([w3]) Assigned in the Commission Decision approving the eco-innovation.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EU) No 195/2013. (See end of Document for details)*

([w4]) Under agreement of the type-approval authority, if a modelling methodology is applied instead of the type 1 test cycle, this value shall be the one provided by the modelling methodology.

([w5]) Sum of the CO_2 emissions savings of each individual eco-innovation.;

(2) Annex IX is amended as follows:

(a) the following entries 3, 3.1 and 3.2 are inserted in entry 49 of Part I, Side 2 – Vehicle category M1 (complete and completed vehicles) of the template of the EC certificate of conformity:

3. Vehicle fitted with eco-innovation(s): yes/no ([1])

3.1. General code of the eco-innovation(s) ([p1]): …

3.2. Total CO_2 emissions savings due to the eco-innovation(s) ([p2]) (repeat for each reference fuel tested): … ;

(b) the following explanatory notes are added in 'Explanatory notes relating to Annex IX':

([p]) Eco-innovations.

([p1]) The general code of the eco-innovation(s) shall consist of the following elements, each separated by a blank space:

— Code of the approval authority as set out in Annex VII;

— Individual code of each eco-innovation fitted in the vehicle, indicated in chronological order of the Commission approval decisions.

(E.g. the general code of three eco-innovations approved chronologically as 10, 15 and 16 and fitted to a vehicle certified by the German type-approval authority should be: "e1 10 15 16".)

([p2]) Sum of the CO_2 emissions savings of each individual eco-innovation..

ANNEX II

'ANNEX VIII

TEST RESULTS

(To be completed by the type-approval authority and attached to the vehicle EC type-approval certificate)

In each case, the information must make clear to which variant and version it is applicable. One version may not have more than one result. However, a combination of several results per version indicating the worst case is permissible. In the latter case, a note shall state that for items marked (*) only worst case results are given.