Commission Delegated Regulation (EU) 2020/22 of 31 October 2019 amending Annexes I and III to Regulation (EU) 2019/631 of the European Parliament and of the Council as regards the monitoring of CO2 emissions from new light commercial vehicles type-approved in a multi-stage process (Text with EEA relevance)

COMMISSION DELEGATED REGULATION (EU) 2020/22

of 31 October 2019

amending Annexes I and III to Regulation (EU) 2019/631 of the European Parliament and of the Council 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) 2019/631 of the European Parliament and of the Council of 17 April 2019 setting CO_2 emission performance standards for new passenger cars and for new light commercial vehicles, and repealing Regulations (EC) No 443/2009 and (EU) No 510/2011[(1)], and in particular Articles 7(8) and 15(8) thereof,

Whereas:

(1) Since 1 September 2019 all light commercial vehicles are subject to a new regulatory test procedure for measuring CO_2 emissions and fuel consumption, the Worldwide Harmonised Light Vehicles Test Procedure (WLTP) set out in Commission Regulation (EU) 2017/1151[(2)], replacing the New European Driving Cycle (NEDC) set out in Commission Regulation (EC) No 692/2008[(3)]. A new methodology for determining the CO_2 emissions and fuel consumption from category N1 vehicles which are type-approved in a multi-stage process has therefore been established and is set out in Annexes I and II to Regulation (EU) No 510/2011 of the European Parliament and of the Council[(4)].

(2) In view of the repeal of Regulation (EU) No 510/2011 from 1 January 2020, it is necessary to ensure that the same methodology is set out in Regulation (EU) 2019/631.

(3) According to point 2 of Part B of Annex III to Regulation (EU) 2019/631, the specific emissions of CO_2 of a multi-stage vehicle are to be allocated to the manufacturer of the base vehicle. In order to allow the base vehicle manufacturer to plan effectively and with sufficient certainty its compliance with its specific emissions targets, a methodology should be set up that ensures that the CO_2 emissions and mass of the completed vehicles that will be allocated to that manufacturer are known at the moment of the production and sale of the base vehicle whether complete or incomplete, and not only at the moment when the final stage manufacturer places the completed vehicle on the market.

Changes to legislation: *There are currently no known outstanding effects for the Commission Delegated Regulation (EU) 2020/22. (See end of Document for details)*

(4) A specific methodology for determining the CO_2 emissions of an incomplete base vehicle is therefore provided according to which the interpolation method provided for in Regulation (EU) 2017/1151 should be used. The CO_2 emissions and the mass values thus determined should be as representative as possible of the specific CO_2 emissions and mass in running order that will be determined for the completed vehicle. In order to ensure consistency, the calculation of the base vehicle manufacturer's specific emission target should therefore take into account the mass values determined pursuant to this methodology.

(5) The base vehicle manufacturer should report the input values used for the interpolation method as well as the resulting CO_2 emissions and mass of incomplete base vehicles to the Commission. At the same time, Member States should continue to report to the Commission the specific emissions of CO_2 and mass in running order of the completed vehicles.

(6) On the basis of those reported data, the Commission should continuously assess the representativeness of the monitoring CO_2 emissions of the base vehicle and inform the manufacturers of any divergences found. In the case of a significant and continued divergence between the average of the monitoring CO_2 values of the base vehicles and the average of the specific emissions of CO_2 of the completed vehicles, the values for the completed vehicles should be used for the purposes of determining whether manufacturers comply with their specific emissions targets.

(7) In order to take into account that Regulation (EU) No 510/2011 is repealed with effect from 1 January 2020, it is appropriate to ensure that this Regulation enters into force as close as possible to that date.

(8) Annexes I and III to Regulation (EU) 2019/631 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and III to Regulation (EU) 2019/631 are amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the seventh 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, 31 October 2019.

For the Commission

The President

Jean-Claude JUNCKER

Changes to legislation: *There are currently no known outstanding effects for the Commission Delegated Regulation (EU) 2020/22. (See end of Document for details)*

ANNEX

Annexes I and III to Regulation (EU) 2019/631 are amended as follows:

(1) in point 4 of Part B of Annex I, the definition of '$M_ø$' is replaced by the following:

Mø is the average of the mass (M) of the new light commercial vehicles of the manufacturer registered in the relevant target year in kilograms (kg);

Where,

— in the case of a complete vehicle, M is the mass in running order of that vehicle

— in the case of a complete base vehicle related to a completed vehicle, M is the mass in running order of that base vehicle

— in the case of an incomplete base vehicle related to a completed vehicle, M is the monitoring mass (M_{mon}) of that base vehicle, determined in accordance with the following formula:

$M_{mon} = MRO_{base} \times B_0$

Where,

MRO_{base} is the mass in running order of the base vehicle concerned

B_0 is as defined in point 1.2.4(a) of Part A of Annex III.;

(2) in Annex III, Part A is amended as follows:

(a) point 1.2 is replaced by the following:

1.2. Completed vehicles registered as N1 vehicles

1.2.1. Reporting by Member States

The format set out in Section 2 of Part C shall be used for the reporting of data relating to completed N1 vehicles.

The vehicle identification number referred to in point (o) of point 1.1 shall not be made public.

1.2.1.1. Completed vehicles type-approved in accordance with Regulation (EC) No 692/2008

Member States shall for calendar year 2020 record the following detailed data with regard to:

(a) the incomplete base vehicle: the data specified in points (a), (b), (c), (d), (e), (g), (h), (i), (n) and (o) of point 1.1, or, instead of the data specified in points (h) and (i), the default added mass provided as part of the type-approval information specified in point 2.17.2 of Annex I to Directive 2007/46/EC;

(b) the complete base vehicle: the data specified in points (a), (b), (c), (d), (e), (g), (h), (i), (n) and (o) of point 1.1;

(c) the completed vehicle: the data specified in points (a), (f), (g), (h), (j), (k), (l), (m) and (o) of point 1.1.

Where any of the data referred to in points (a) and (b) of the first subparagraph cannot be provided for the base vehicle, Member States shall provide data with regard to the completed vehicle instead.

1.2.1.2. Completed vehicles of category N1 type-approved in accordance with Annex XXI to Regulation (EU) 2017/1151

For each new completed vehicle registered in 2020 and subsequent calendar years, Member States shall as a minimum report the detailed data specified in points (a), (f), (g), (h), (o), (p) and (r) of point 1.1.

1.2.2. Reporting by manufacturers

For each new completed vehicle of category N1, type-approved in accordance with Annex XXI to Regulation (EU) 2017/1151 registered in 2020 and subsequent calendar years, the manufacturer of the related base vehicle shall report to the Commission by 28 February each year, starting from 2021, the following data relating to the base vehicle:

(a) where the completed vehicle is based on an incomplete base vehicle:

(i) vehicle identification number;

(ii) vehicle family identifier as referred to in paragraph 5.0 of Annex XXI to Regulation (EU) 2017/1151;

(iii) monitoring CO_2 emissions determined in accordance with point 1.2.4;

(iv) frontal area, specifying the applicable option as referred to in point 1.2.4(c);

(v) rolling resistance, as referred to in point 1.2.4(b);

(vi) monitoring mass, determined in accordance with point 4.1 of Part B of Annex I;

(vii) mass in running order;

(viii) mass representative of the vehicle load as defined in point 1.2.4(a);

(b) where the completed vehicle is based on a complete base vehicle:

(i) vehicle identification number;

(ii) vehicle family identifier as referred to in point (a)(ii) of this paragraph;

(iii) specific CO_2 emissions of the base vehicle;