Commission Regulation (EU) No 1014/2010 of 10 November 2010 on monitoring and reporting of data on the registration of new passenger cars pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council (Text with EEA relevance)

COMMISSION REGULATION (EU) No 1014/2010

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on monitoring and reporting of data on the registration of new passenger cars pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council

(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) thereof,

Whereas:

(1) According to Article 8 of Regulation (EC) No 443/2009 Member States must every year record and transmit certain data to the Commission about new passenger cars registered in their territory in the previous year. As those data are to serve as the basis for determining the specific CO_2 emissions target for manufacturers of new passenger cars and for the assessment of whether manufacturers comply with those targets, it is necessary to harmonise the rules on the collection and reporting of those data.

(2) In order to assess fully whether each manufacturer complies with its specific CO_2 emissions target established according Regulation (EC) No 443/2009 and to gain the necessary experience of the application of that Regulation, the Commission needs detailed data at manufacturer level for each vehicle series defined by type, variant and version. Member States should therefore ensure that such data are recorded and transmitted to the Commission together with the aggregated data in accordance with Article 8(2) of that Regulation.

(3) Pursuant to Articles 18 and 26 of 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[(2)], a manufacturer must ensure that each new passenger car placed on the market in the EU is accompanied by a valid certificate of conformity and a Member State cannot register such a vehicle unless it is accompanied by such a certificate of conformity. It is logical, therefore, that the certificate of conformity should be the primary source for the information that the Member States are required to record, make available to manufacturers pursuant to Article 8(1) of Regulation (EC)

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EU) No 1014/2010. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

No 443/2009 and report to the Commission. In order to allow Member States to use information from sources other than the certificate of conformity, as indicated in recital 26 of Regulation (EC) No 443/2009, for the purpose of completing the process of registration and entry into service of a new passenger car, it is appropriate to establish which other documents provide equivalent accuracy and which therefore should also be permitted for use by the Member States.

(4) It is important that the data on the registration of new passenger cars is accurate and can be processed effectively for the purpose of establishing the specific emission target in accordance with Article 4 of Regulation (EC) No 443/2009. Manufacturers should therefore provide the Commission with up-to-date information on the names and the first section of the Vehicle Identification Number as specified in Council Directive 76/114/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to statutory plates and inscriptions for motor vehicles and their trailers, and their location and method of attachment[(3)] that are used on the certificates of conformity in the different Member States of registration. That information will enable the Commission to provide the Member States with an updated list of designated manufacturers' names which should be used for the purpose of data reporting.

(5) Member States should record and report information about newly registered vehicles that are designed to use alternative fuels. In order to allow the Commission to take into account reductions to the specific emissions target due to the use of ethanol (E85) fuel in accordance with Article 6 of Regulation (EC) No 443/2009, Member States should provide the Commission with the necessary information including the proportion of filling stations in their territory and, where applicable, the total number of those which provide ethanol (E85) fuel meeting the sustainability criteria set out in Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC[(4)], and in Article 7b of Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuels and amending Council Directive 93/12/EEC[(5)].

(6) Articles 23 and 24 of Directive 2007/46/EC provide for a simplified approval procedure for which it is not required to issue a European certificate of conformity. Member States should monitor the number of vehicles registered under those procedures in order to assess its impact on the monitoring process and the attainment of the EU's average CO_2 emissions target for the new passenger car fleet.

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

HAS ADOPTED THIS REGULATION:

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Article 1

Definitions

In addition to the definitions set out in Articles 2 and 3 of Regulation (EC) No 443/2009, the following definitions shall apply:

(1) 'type-approval documentation' means the documents including the data specified in the third column of the table set out in Annex I to this Regulation;

(2) 'aggregated monitoring data' means the aggregated data specified in the first table in Part C of Annex II to Regulation (EC) No 443/2009;

(3) 'detailed monitoring data' means the detailed data specified in the second table in Part C of Annex II to Regulation (EC) No 443/2009 which is disaggregated by manufacturer and vehicle series as defined by the type, variant and version;

(4) 'base vehicle' is as defined in Article 3(18) of Directive 2007/46/EC;

(5) 'bi-fuel gas vehicle' and 'flex-fuel ethanol vehicle' are as defined in Article 2 of Commission Regulation (EC) No 692/2008[6].

Article 2

Data transmission

The aggregated monitoring data together with the detailed monitoring data shall be transmitted by the Member States via electronic data transfer to the Central Data Repository managed by the European Environmental Agency. Member States shall notify the Commission when the data is transmitted.

Article 3

Data sources

1 Irrespective of the data source used by each Member State to prepare the aggregated monitoring data and the detailed monitoring data, these data shall be based upon information contained in the certificate of conformity of the relevant passenger car or the type-approval documentation including the information specified in Annex III and Annex VIII to Directive 2007/46/EC as specified in the table in Annex I to this Regulation.

2 The parameter 'total number of new registrations' in the detailed monitoring data shall be determined from the total number of registration records created in each year which relate to a unique vehicle.

3 Where there is more than one name of a manufacturer on the certificate of conformity or type-approval documentation, the Member State shall report the manufacturer of the base vehicle.

4 The CO_2 emission values to be reported under the parameter 'Specific emissions of CO_2' in the detailed monitoring data shall be taken from the entry 'combined' in the certificate of conformity or the type-approval documentation, except in the case when the entry for 'weighted combined' applies.

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5 In reporting the alternative fuel vehicles in the detailed monitoring data, the competent authority shall provide the fuel type and fuel mode as specified in Annex I to this Regulation.

6 In the case of bi-fuel gas or flex-fuel ethanol vehicles, the competent authority shall report the following CO_2 emission values under the parameter 'Specific emissions of CO_2 (g/km)' in the detailed monitoring data:

a for bi-fuel gas vehicles using petrol and gaseous fuels, the CO_2 emissions value for the liquefied petroleum gas (LPG) or natural gas (NG) in accordance with point 2 in Part A of Annex II to Regulation (EC) No 443/2009;

b for flex-fuel ethanol vehicles using petrol and ethanol (E85) fuel referred to in Article 6 of Regulation (EC) No 443/2009, the CO_2 emission value for petrol.

In the case of point (b), Member States shall report the petrol value also where the conditions for a reduction set out in Article 6 of Regulation (EC) No 443/2009 are not met. Member States may however also report the E85 value.

[[F1]7 Where a vehicle is equipped with axle tracks of different widths, the Member State shall report the maximum axle width under the parameters 'Track width steering axle' or 'Track width other axle' in the detailed monitoring data.**]**

8 Where the aggregated monitoring data and the detailed monitoring data are taken from the type-approval documentation, and where those data contains ranges of values, the Member States shall ensure that the reported data provide adequate accuracy, and are in accordance with the data contained in the certificate of conformity.

Textual Amendments

F1 Substituted by Commission Implementing Regulation (EU) No 396/2013 of 30 April 2013 amending Regulation (EU) No 1014/2010 as regards certain requirements for the monitoring of CO2 emissions from new passenger cars (Text with EEA relevance).

Article 4

Data maintenance and control

The Member States shall ensure the maintenance, collection, control, verification and transmission of the aggregated monitoring data and the detailed monitoring data.

[[F1]*Article 5*

Preparation of data by Member States

When completing the detailed monitoring data, Member States shall include:

(a) for each vehicle with specific emissions of CO_2 of less than 50 g CO_2/km, the number of vehicles registered without applying the multiplication factors laid down in Article 5 of Regulation (EC) No 443/2009;

(b) **[**[F2]for each vehicle, the deviation factor (De) and the verification factor determined in accordance with point 3.2.8 of Annex I to Commission Implementing Regulation (EU) 2017/1153[(7)];**]**

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(c) for each vehicle equipped with innovative technologies, the specific emissions of CO_2 without taking into account the CO_2 emissions reduction through innovative technologies granted in accordance with Article 12 of Regulation (EC) No 443/2009.

The detailed monitoring data shall be reported with the precision set out in the table in Annex II to this Regulation.

[[F3]Notwithstanding the detailed data parameters referred to in Annex II to Regulation (EC) No 443/2009, a Member State shall, with regard to the data monitored until 31 December 2017, in addition to the already required parameters, report only the deviation factor 'De' and the verification factor. From 1 January 2018 all detailed monitoring data specified in Annex II shall be monitored and reported.**]]**

Textual Amendments

F1 Substituted by Commission Implementing Regulation (EU) No 396/2013 of 30 April 2013 amending Regulation (EU) No 1014/2010 as regards certain requirements for the monitoring of CO2 emissions from new passenger cars (Text with EEA relevance).

F2 Substituted by Commission Implementing Regulation (EU) 2017/1153 of 2 June 2017 setting out a methodology for determining the correlation parameters necessary for reflecting the change in the regulatory test procedure and amending Regulation (EU) No 1014/2010 (Text with EEA relevance).

F3 Inserted by Commission Implementing Regulation (EU) 2017/1153 of 2 June 2017 setting out a methodology for determining the correlation parameters necessary for reflecting the change in the regulatory test procedure and amending Regulation (EU) No 1014/2010 (Text with EEA relevance).

[F4Article 6

[F4Reporting of filling stations supplying ethanol (E85) fuel]

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Textual Amendments

F4 Deleted by Commission Implementing Regulation (EU) 2017/1153 of 2 June 2017 setting out a methodology for determining the correlation parameters necessary for reflecting the change in the regulatory test procedure and amending Regulation (EU) No 1014/2010 (Text with EEA relevance).

[F1Article 7

Vehicles not covered by EC type-approval

1 Where passenger cars are subject to national type-approval of small series in accordance with Article 23 of Directive 2007/46/EC or to individual approval in accordance with Article 24 of that Directive, Member States shall inform the Commission of the respective number of such cars registered in their territory, as specified in the first table in Part C of Annex II to Regulation (EC) No 443/2009.

2 Member States may complete the detailed monitoring data for the vehicles referred to in paragraph 1, and shall in that case use one of the following denominations instead of the name of manufacturer:

a 'AA-IVA' for reporting vehicle types approved individually;