COMMISSION DELEGATED REGULATION (EU) 2021/1430

of 31 May 2021

supplementing Regulation (EU) 2018/956 of the European Parliament and of the Council by specifying the data to be reported by the Member States for the purposes of verifying the CO_2 emissions and fuel consumption of new heavy-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 (EU) 2018/956 of the European Parliament and of the Council of 28 June 2018 on the monitoring and reporting of CO_2 emissions from and fuel consumption of new heavy-duty vehicles ([1]), and in particular Article 7(2) thereof,

Whereas:

(1) Regulation (EC) No 595/2009 of the European Parliament and of the Council ([2]) lays down rules for in-service conformity of vehicles and engines, the durability of pollution control devices, vehicle on-board diagnostic systems and the measurement of fuel consumption and CO_2 emissions.

(2) In accordance with Article 7(1) of Regulation (EU) 2018/956 the Commission is to monitor, where available, the results of on-road tests performed within the framework of Regulation (EC) No 595/2009 to verify the CO_2 emissions and fuel consumption of new heavy-duty vehicles.

(3) Commission Regulation (EU) 2017/2400 ([3]) complements the legal framework for the type-approval of motor vehicles and engines with regard to emissions and vehicle repair and maintenance information established by Commission Regulation (EU) No 582/2011 ([4]). In particular, Regulation (EU) 2017/2400 lays down the rules for issuing licences to operate a simulation tool with a view to determining CO_2 emissions and fuel consumption of new vehicles to be sold, registered or put into service in the Union and for operating that simulation tool and declaring the CO_2 emissions and fuel consumption values thus determined.

(4) The comprehensive understanding of road tests to verify the CO_2 emissions and fuel consumption of new heavy-duty vehicles requires an analysis of the test reports.

(5) In case of a failure of an on-road verification testing procedure, further information is needed on the causes of such failure, the follow-up of such failure and on the results of investigations to determine the cause of such failure.

(6) Information is also necessary on how different test reports are linked to the same vehicle family under investigation.

(7) In order to allow the Commission to receive in a timely manner the data necessary for monitoring the results of on-road tests in accordance with Article 7(1) of Regulation (EU) 2018/956 and for preparing the annual report in accordance with Article 10 of that Regulation, it is appropriate to specify by when the competent authorities of Member States should report that data,

([1]) OJ L 173, 9.7.2018, p. 1.

([2]) 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 amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC (OJ L 188, 18.7.2009, p. 1).

([3]) Commission Regulation (EU) 2017/2400 of 12 December 2017 implementing Regulation (EC) No 595/2009 of the European Parliament and of the Council as regards the determination of the CO_2 emissions and fuel consumption of heavy-duty vehicles and amending Directive 2007/46/EC of the European Parliament and of the Council and Commission Regulation (EU) No 582/2011 (OJ L 349, 29.12.2017, p. 1).

([4]) Commission Regulation (EU) No 582/2011 of 25 May 2011 implementing and amending Regulation (EC) No 595/2009 of the European Parliament and of the Council with respect to emissions from heavy duty vehicles (Euro VI) and amending Annexes I and III to Directive 2007/46/EC of the European Parliament and of the Council (OJ L 167, 25.6.2011, p. 1).

HAS ADOPTED THIS REGULATION:

Article 1

Data to be reported

For the purposes of Article 7(1) of Regulation (EU) 2018/956, the competent authorities of the Member States shall report the following data:

(a) test reports referred to in Article 20(1), second subparagraph of Regulation (EU) 2017/2400, at the latest one month after the vehicle manufacturer has provided those reports to the approval authority;

(b) information on an investigation to determine the cause of failure of a verification testing procedure as referred to in Article 20(2), second subparagraph of Regulation (EU) 2017/2400, at the latest one month after the start of the investigation;

(c) results of an investigation referred to in Article 20(2), second subparagraph of Regulation (EU) 2017/2400, including information on the causes of failures determined according to the second subparagraph of that Article linked to the certification of components, separate technical units or systems or to the operation of the simulation tool, at the latest one month after the approval authority has determined the cause of the failure;

(d) testing reports referred to in Article 22(2) of Regulation (EU) 2017/2400 bearing the number of the certificate on CO_2 emissions and fuel consumption related properties of an air drag family for which they have been established, at the latest one month after the manufacturer has provided those reports to the approval authority;

(e) for each certificate on CO_2 emissions and fuel consumption related properties of an air drag family, which is granted, extended, refused or withdrawn, the documents described in Annex VIII, Appendix 1 and 2, to Regulation (EU) 2017/2400, including the attachements, at the latest one month after those documents have been established or received by the approval authority.

Article 2

Entry into force

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, 31 May 2021.

For the Commission
The President
Ursula VON DER LEYEN