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► B 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 CO₂ emissions from light-duty vehicles

(Text with EEA relevance)

(OJ L 145, 31.5.2011, p. 1)

Amended by:

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		No	page	date
► <u>M1</u>	Commission Delegated Regulation (EU) No 205/2012 of 6 January 2012	L 72	2	10.3.2012
► <u>M2</u>	Regulation (EU) No 253/2014 of the European Parliament and of the Council of 26 February 2014	L 84	38	20.3.2014
► <u>M3</u>	Commission Delegated Regulation (EU) No 404/2014 of 17 February 2014	L 121	1	24.4.2014
► <u>M4</u>	Commission Delegated Regulation (EU) 2017/748 of 14 December 2016	L 113	9	29.4.2017
► <u>M5</u>	Commission Delegated Regulation (EU) 2017/1499 of 2 June 2017	L 219	1	25.8.2017
► <u>M6</u>	Commission Delegated Regulation (EU) 2019/986 of 7 March 2019	L 160	3	18.6.2019

▼B**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 CO₂
emissions from light-duty vehicles****(Text with EEA relevance)***Article 1***Subject matter and objectives**

1. This Regulation establishes CO₂ emissions performance requirements for new light commercial vehicles. This Regulation sets the average CO₂ emissions for new light commercial vehicles at 175 g CO₂/km, by means of improvements in vehicle technology, as measured in accordance with Regulation (EC) No 715/2007 and its implementing measures, and innovative technologies.

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2. From 2020, this Regulation sets a target of 147 g CO₂/km for the average emissions of new light commercial vehicles registered in the Union, as measured in accordance with Regulation (EC) No 715/2007 and its implementing measures, and innovative technologies.

▼B*Article 2***Scope**

1. This Regulation shall apply to motor vehicles of category N₁ as defined in Annex II to Directive 2007/46/EC with a reference mass not exceeding 2 610 kg and to vehicles of category N₁ to which type-approval is extended in accordance with Article 2(2) of Regulation (EC) No 715/2007 ('light commercial vehicles') which are registered in the Union for the first time and which have not previously been registered outside the Union ('new light commercial vehicles').

2. A previous registration outside the Union made less than three months before registration in the Union shall not be taken into account.

3. This Regulation shall not apply to special purpose vehicles as defined in point 5 of Part A to Annex II to Directive 2007/46/EC.

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4. Article 4, Article 8(4)(b) and (c), Article 9 and Article 10(1)(a) and (c) shall not apply to a manufacturer which, together with all of its connected undertakings, is responsible for fewer than 1 000 new light commercial vehicles registered in the Union in the previous calendar year.

▼B*Article 3***Definitions**

1. For the purposes of this Regulation, the following definitions shall apply:

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- (a) ‘average specific emissions of CO₂’ means, in relation to a manufacturer, the average of the specific emissions of CO₂ of all light commercial vehicles of which it is the manufacturer;
- (b) ‘certificate of conformity’ means the certificate referred to in Article 18 of Directive 2007/46/EC;
- (c) ‘completed vehicle’ means a vehicle where type-approval is granted following completion of a process of multi-stage type-approval in accordance with Directive 2007/46/EC;
- (d) ‘complete vehicle’ means any vehicle which does not need to be completed in order to meet the relevant technical requirements of Directive 2007/46/EC;
- (e) ‘base vehicle’ means any vehicle which is used at the initial stage of a multi-stage type-approval process;
- (f) ‘manufacturer’ means the person or body responsible to the approval authority for all aspects of the EC type-approval procedure in accordance with Directive 2007/46/EC and for ensuring conformity of production;
- (g) ‘mass’ means the mass of the vehicle with bodywork in running order as stated in the certificate of conformity and defined in Section 2.6 of Annex I to Directive 2007/46/EC;
- (h) ‘specific emissions of CO₂’ means the emissions of a light commercial vehicle measured in accordance with Regulation (EC) No 715/2007 and specified as the CO₂ mass emission (combined) in the certificate of conformity of the complete or completed vehicle;
- (i) ‘specific emissions target’ means, in relation to a manufacturer, the average of the indicative specific emissions of CO₂ determined in accordance with Annex I in respect of each new light commercial vehicle for which it is the manufacturer, or, if the manufacturer is granted a derogation in accordance with Article 11, the specific emissions target determined according to that derogation;
- (j) ‘footprint’ means the average track width multiplied by the wheelbase as stated in the certificate of conformity and defined in Sections 2.1 and 2.3 of Annex I to Directive 2007/46/EC;
- (k) ‘payload’ means the difference between the technically permissible maximum laden mass pursuant to Annex II to Directive 2007/46/EC and the mass of the vehicle.

2. For the purposes of this Regulation ‘a group of connected manufacturers’ means a manufacturer and its connected undertakings. In relation to a manufacturer, ‘connected undertakings’ means:

- (a) undertakings in which the manufacturer has, directly or indirectly:
 - (i) the power to exercise more than half the voting rights; or

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- (ii) the power to appoint more than half the members of the supervisory board, board of management or bodies legally representing the undertaking; or
- (iii) the right to manage the undertaking's affairs;
- (b) undertakings which directly or indirectly have, over the manufacturer, the rights or powers listed in point (a);
- (c) undertakings in which an undertaking referred to in point (b) has, directly or indirectly, the rights or powers listed in point (a);
- (d) undertakings in which the manufacturer together with one or more of the undertakings referred to in points (a), (b) or (c), or in which two or more of the latter undertakings, jointly have the rights or powers listed in point (a);
- (e) undertakings in which the rights or the powers listed in point (a) are jointly held by the manufacturer or one or more of its connected undertakings referred to in points (a) to (d) and one or more third parties.

*Article 4***Specific emissions targets**

For the calendar year commencing 1 January 2014 and each subsequent calendar year, each manufacturer of light commercial vehicles shall ensure that its average specific emissions of CO₂ do not exceed its specific emissions target determined in accordance with Annex I or, where a manufacturer is granted a derogation under Article 11, in accordance with that derogation.

Where the specific emissions of the completed vehicle are not available, the manufacturer of the base vehicle shall use the specific emissions of the base vehicle for determining its average specific emissions of CO₂.

For the purpose of determining each manufacturer's average specific emissions of CO₂, the following percentages of each manufacturer's new light commercial vehicles registered in the relevant year shall be taken into account:

- 70 % in 2014,
- 75 % in 2015,
- 80 % in 2016,
- 100 % from 2017 onwards.

*Article 5***Super-credits**

In calculating the average specific emissions of CO₂, each new light commercial vehicle with specific emissions of CO₂ of less than 50 g CO₂/km shall be counted as:

- 3,5 light commercial vehicles in 2014,
- 3,5 light commercial vehicles in 2015,

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- 2,5 light commercial vehicles in 2016,
- 1,5 light commercial vehicles in 2017,
- 1 light commercial vehicle from 2018.

For the duration of the super-credits scheme, the maximum number of new light commercial vehicles, with specific emissions of CO₂ of less than 50 g CO₂/km, to be taken into account in the application of the multipliers set out in the first paragraph shall not exceed 25 000 light commercial vehicles per manufacturer.

*Article 6***Specific emission target for alternative fuel light commercial vehicles**

For the purpose of determining compliance by a manufacturer with its specific emissions target referred to in Article 4, the specific emissions of CO₂ of each light commercial vehicle which is designed to be capable of running on a mixture of petrol with 85 % bioethanol ('E85'), and which complies with relevant Union legislation or European technical standards, shall be reduced by 5 % by 31 December 2015 in recognition of the greater technological and emission reduction capability when running on biofuels. This reduction shall apply only where at least 30 % of the filling stations in the Member State in which the light commercial vehicle is registered provide this type of alternative fuel complying with the sustainability criteria for biofuels set out in relevant Union legislation.

*Article 7***Pooling**

1. Manufacturers of new light commercial vehicles, other than manufacturers which have been granted a derogation under Article 11, may form a pool for the purposes of meeting their obligations under Article 4.

2. An agreement to form a pool may relate to one or more calendar years, provided that the overall duration of each agreement does not exceed five calendar years, and must be entered into on or before 31 December in the first calendar year for which emissions are to be pooled. Manufacturers which form a pool shall file the following information with the Commission:

- (a) the manufacturers who will be included in the pool;
- (b) the manufacturer nominated as the pool manager who will be the contact point for the pool and will be responsible for paying any excess emissions premium imposed on the pool in accordance with Article 9;
- (c) evidence that the pool manager will be able to fulfil the obligations under point (b).

3. Where the proposed pool manager fails to meet the requirement to pay any excess emissions premium imposed on the pool in accordance with Article 9, the Commission shall notify the manufacturers.

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4. Manufacturers included in a pool shall jointly inform the Commission of any change of pool manager or of its financial status, in so far as this may affect its ability to meet the requirement to pay any excess emissions premium imposed on the pool in accordance with Article 9 and of any changes to the membership of the pool or the dissolution of the pool.

5. Manufacturers may enter into pooling arrangements provided that their agreements comply with Articles 101 and 102 TFEU and that they allow open, transparent and non-discriminatory participation on commercially reasonable terms by any manufacturer requesting membership of the pool. Without prejudice to the general applicability of Union competition rules to such pools, all members of a pool shall in particular ensure that neither data sharing nor information exchange may occur in the context of their pooling arrangement, except in respect of the following information:

- (a) the average specific emissions of CO₂;
- (b) the specific emissions target;
- (c) the total number of vehicles registered.

6. Paragraph 5 shall not apply where all the manufacturers included in the pool are part of the same group of connected manufacturers.

7. Except where notification is given under paragraph 3, the manufacturers in a pool in respect of which information is filed with the Commission shall be considered as one manufacturer for the purposes of meeting their obligations under Article 4. Monitoring and reporting information in respect of individual manufacturers as well as any pools will be recorded, reported and made available in the central register referred to in Article 8(4).

Article 8

Monitoring and reporting of average emissions

1. For the calendar year commencing 1 January 2012 and each subsequent calendar year, each Member State shall record information for each new light commercial vehicle registered in its territory in accordance with Part A of Annex II. This information shall be made available to the manufacturers and their designated importers or representatives in each Member State. Member States shall make every effort to ensure that reporting bodies operate in a transparent manner.

2. By 28 February of each year, commencing in 2013, each Member State shall determine and transmit to the Commission the information listed in Part B of Annex II in respect of the preceding calendar year. The data shall be transmitted in accordance with the format specified in Part C of Annex II.

3. On request from the Commission, a Member State shall also transmit the full set of data collected pursuant to paragraph 1.

4. The Commission shall keep a central register of the data reported by Member States under this Article and this register shall be publicly available. By 30 June 2013 and each subsequent year, the Commission shall provisionally calculate for each manufacturer:

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- (a) the average specific emissions of CO₂ in the preceding calendar year;
- (b) the specific emissions target in the preceding calendar year;
- (c) the difference between its average specific emissions of CO₂ in the preceding calendar year and its specific emissions target for that year.

The Commission shall notify each manufacturer of its provisional calculation for that manufacturer. The notification shall include data per Member State on the number of new light commercial vehicles registered and their specific emissions of CO₂.

5. Manufacturers may, within three months of being notified of the provisional calculation under paragraph 4, notify the Commission of any errors in the data, specifying the Member State in which it considers that the error occurred.

6. The Commission shall consider any notifications from manufacturers and shall, by 31 October, either confirm or amend the provisional calculations under paragraph 4.

7. In relation to the calendar years 2012 and 2013 and on the basis of the calculations made pursuant to paragraph 5, the Commission shall notify a manufacturer where it appears to the Commission that the manufacturer's average specific emissions of CO₂ exceed its specific emissions target.

8. In each Member State, the competent authority for the collection and communication of the monitoring data in accordance with this Regulation shall be the one designated in accordance with Article 8(7) of Regulation (EC) No 443/2009.

9. The Commission shall adopt detailed rules for the monitoring and reporting of data under this Article and for the application of Annex II. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2).

In order to take account of experience gained from the application of this Regulation, the Commission may amend Annex II by means of delegated acts in accordance with Article 15, and subject to the conditions laid down in Articles 16 and 17.

10. Member States shall also collect and report data, in accordance with this Article, on registrations of vehicles in categories M₂ and N₂ as defined in Annex II to Directive 2007/46/EC with a reference mass not exceeding 2 610 kg and vehicles to which type approval is extended in accordance with Article 2(2) of Regulation (EC) No 715/2007.

Article 9

Excess emissions premium

1. In respect of the period from 1 January to 31 December 2014 and every calendar year thereafter, the Commission shall impose an excess emissions premium on a manufacturer or pool manager, as appropriate, where a manufacturer's average specific emissions of CO₂ exceed its specific emissions target.

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2. The excess emissions premium under paragraph 1 shall be calculated using the following formulae:

(a) from 2014 until 2018:

(i) for excess emissions of more than 3 g CO₂/km:

$$((\text{Excess emissions} - 3 \text{ g CO}_2/\text{km}) \times \text{EUR } 95 + \text{EUR } 45) \times \text{number of new light commercial vehicles};$$

(ii) for excess emissions of more than 2 g CO₂/km but no more than 3 g CO₂/km:

$$((\text{Excess emissions} - 2 \text{ g CO}_2/\text{km}) \times \text{EUR } 25 + \text{EUR } 20) \times \text{number of new light commercial vehicles};$$

(iii) for excess emissions of more than 1 g CO₂/km but no more than 2 g CO₂/km:

$$((\text{Excess emissions} - 1 \text{ g CO}_2/\text{km}) \times \text{EUR } 15 + \text{EUR } 5) \times \text{number of new light commercial vehicles};$$

(iv) for excess emissions of no more than 1 g CO₂/km:

$$(\text{Excess emissions} \times \text{EUR } 5) \times \text{number of new light commercial vehicles};$$

(b) from 2019:

$$(\text{Excess emissions} \times \text{EUR } 95) \times \text{number of new light commercial vehicles}.$$

For the purposes of this Article the following definitions shall apply:

— ‘excess emissions’ means the positive number of grams per kilometre by which a manufacturer's average specific emissions of CO₂, taking into account CO₂ emissions reductions due to innovative technologies approved in accordance with Article 12, exceeded its specific emissions target in the calendar year or part thereof to which the obligation under Article 4 applies, rounded to the nearest three decimal places, and

— ‘number of new light commercial vehicles’ means the number of new light commercial vehicles of which it is the manufacturer and which were registered in that period according to the phase-in criteria as set out in Article 4.

3. The Commission shall adopt detailed arrangements for the collection of excess emissions premiums under paragraph 1 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2).

4. The amounts of the excess emissions premium shall be considered as revenue for the general budget of the European Union.

Article 10

Publication of performance of manufacturers

1. By 31 October 2013 and 31 October of each subsequent year, the Commission shall publish a list indicating, for each manufacturer:

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- (a) its specific emission target for the preceding calendar year;
- (b) its average specific emissions of CO₂ in the preceding calendar year;
- (c) the difference between its average specific emissions of CO₂ in the preceding calendar year and its specific emissions target in that year;
- (d) the average specific emissions of CO₂ for all new light commercial vehicles registered in the Union in the previous calendar year;
- (e) the average mass for all new light commercial vehicles registered in the Union in the preceding calendar year.

2. From 31 October 2015, the list published under paragraph 1 shall also indicate whether the manufacturer has complied with the requirements of Article 4 with respect to the preceding calendar year.

*Article 11***Derogations for certain manufacturers**

1. An application for a derogation from the specific emissions target calculated in accordance with Annex I may be made by a manufacturer of fewer than 22 000 new light commercial vehicles registered in the Union per calendar year, and which:

- (a) is not part of a group of connected manufacturers; or
- (b) is part of a group of connected manufacturers that is responsible in total for fewer than 22 000 new light commercial vehicles registered in the Union per calendar year; or
- (c) is part of a group of connected manufacturers but operates its own production facilities and design centre.

2. A derogation applied for under paragraph 1 may be granted for a maximum period of five calendar years. An application shall be made to the Commission and shall include:

- (a) the name of, and contact person for, the manufacturer;
- (b) evidence that the manufacturer is eligible for a derogation under paragraph 1;
- (c) details of the light commercial vehicles which it manufactures including the mass and specific emissions of CO₂ of those light commercial vehicles; and
- (d) a specific emissions target consistent with its reduction potential, including the economic and technological potential to reduce its specific emissions of CO₂ and taking into account the characteristics of the market for the type of light commercial vehicle manufactured.

3. Where the Commission considers that the manufacturer is eligible for a derogation applied for under paragraph 1 and is satisfied that the

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specific emissions target proposed by the manufacturer is consistent with its reduction potential, including the economic and technological potential to reduce its specific emissions of CO₂, and taking into account the characteristics of the market for the type of light commercial vehicle manufactured, the Commission shall grant a derogation to the manufacturer. ► **M2** ————— ◀

4. A manufacturer which is subject to derogation in accordance with this Article shall notify the Commission immediately of any change which affects or may affect its eligibility for a derogation.

5. Where the Commission considers, whether on the basis of a notification under paragraph 4 or otherwise, that a manufacturer is no longer eligible for the derogation, it shall revoke the derogation with effect from 1 January of the next calendar year and shall notify the manufacturer thereof.

6. Where the manufacturer does not attain its specific emissions target, the Commission shall impose the excess emissions premium on the manufacturer, as set out in Article 9.

7. The Commission shall adopt rules to supplement paragraphs 1 to 6 of this Article, inter alia, on the interpretation of the eligibility criteria for derogations, on the content of applications, and on the content and assessment of programmes for the reduction of specific emissions of CO₂, by means of delegated acts in accordance with Article 15, and subject to the conditions laid down in Articles 16 and 17.

8. Applications for a derogation, including the information supporting it, notifications under paragraph 4, revocations under paragraph 5 and any imposition of an excess emissions premium under paragraph 6 and acts adopted pursuant to paragraph 7, shall be made publicly available, subject to Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents ⁽¹⁾.

Article 12

Eco-innovation

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1. Upon application by a supplier or a manufacturer, CO₂ savings achieved through the use of innovative technologies or a combination of innovative technologies ('innovative technology packages') shall be considered.

The total contribution of those technologies to reducing the specific emissions target of a manufacturer may be up to 7 g CO₂/km.

2. The Commission shall adopt by means of implementing acts detailed provisions for a procedure to approve the innovative technologies or innovative technology packages referred to in paragraph 1, by 31 December 2012. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2) of this Regulation. Those detailed provisions shall be in accordance with the provisions established under Article 12(2) of Regulation (EC) No 443/2009, and be based on the following criteria for innovative technologies:

⁽¹⁾ OJ L 145, 31.5.2001, p. 43.

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- (a) the supplier or manufacturer must be accountable for the CO₂ savings achieved through the use of the innovative technologies;
- (b) the innovative technologies must make a verified contribution to CO₂ reduction;
- (c) the innovative technologies must not be covered by the standard test cycle CO₂ measurement or by mandatory provisions due to complementary additional measures complying with the 10 g CO₂/km reduction referred to in Article 1 of Regulation (EC) No 443/2009 or be mandatory under other provisions of Union law.

3. A supplier or a manufacturer who applies for a measure to be approved as an innovative technology shall submit a report, including a verification report undertaken by an independent and certified body, to the Commission. In the event of a possible interaction of the measure with another innovative technology already approved, the report shall mention that interaction and the verification report shall evaluate to what extent that interaction modifies the reduction achieved by each measure.

4. The Commission shall attest the reduction achieved on the basis of the criteria set out in paragraph 2.

*Article 13***Review and report****▼M2**

1. By 31 December 2015, the Commission shall review the specific emissions targets and the modalities set out herein, as well as the other aspects of this Regulation in order to establish the CO₂ emissions targets for new light commercial vehicles for the period beyond 2020. In that regard, the assessment of the necessary rate of reduction shall be in line with the Union's long-term climate goals and the implications for the development of cost effective CO₂-reducing technology for light commercial vehicles. The Commission shall submit a report to the European Parliament and to the Council with the result of that review. That report shall include any appropriate proposals for amending this Regulation, including the possible setting of a realistic and achievable target, based on a comprehensive impact assessment that will consider the continued competitiveness of the light commercial vehicle industry and its dependent industries. When developing such proposals, the Commission shall ensure they are as neutral as possible from the point of view of competition and are socially equitable and sustainable.

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2. The Commission shall, if appropriate, submit a proposal to the European Parliament and to the Council by 2014, to include in this Regulation vehicles in category N₂ and M₂ as defined in Annex II to Directive 2007/46/EC with a reference mass not exceeding 2 610 kg and vehicles to which type-approval is extended in accordance with Article 2(2) of Regulation (EC) No 715/2007, with a view to achieving the long-term target from 2020.

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3. The Commission shall by 2014, following an impact assessment, publish a report on the availability of data on footprint and payload and their use as utility parameters for determining specific emissions targets and, if appropriate, submit a proposal to the European Parliament and to the Council to amend Annex I in accordance with the ordinary legislative procedure.

4. By 31 December 2011 the Commission shall set up a procedure to obtain representative values of CO₂ emissions, fuel efficiency and mass of completed vehicles while ensuring that the manufacturer of the base vehicle has timely access to the mass and to the specific emissions of CO₂ of the completed vehicle.

5. By 31 October 2016, and every three years thereafter, the Commission shall amend Annex I by means of delegated acts in accordance with Article 15, and subject to the conditions laid down in Articles 16 and 17, to adjust the figure M₀, referred to therein, to the average mass of new light commercial vehicles in the previous three calendar years.

Those adjustments shall take effect for the first time on 1 January 2018 and every three years thereafter.

6. The Commission shall include light commercial vehicles in the review of the procedures for measuring CO₂ emissions in accordance with Article 13(3) of Regulation (EC) No 443/2009.

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The Commission shall include light commercial vehicles in the review of Directive 2007/46/EC in accordance with Article 13(4) of Regulation (EC) No 443/2009.

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The Commission shall, by means of implementing acts, determine the correlation parameters necessary in order to reflect any change in the regulatory test procedure for the measurement of specific CO₂ emissions referred to in Regulation (EC) No 715/2007 and Commission Regulation (EC) No 692/2008 ⁽¹⁾. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2) of this Regulation.

The Commission shall be empowered to adopt delegated acts in accordance with Article 15 and subject to the conditions laid down in Articles 16 and 17 in order to adapt the formulae set out in Annex I, using the methodology adopted pursuant to the first subparagraph, while ensuring that reduction requirements of comparable stringency for manufacturers and vehicles of different utility are required under the old and new test procedures.

⁽¹⁾ 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 (OJ L 199, 28.7.2008, p. 1).

▼B*Article 14***Committee procedure**

1. The Commission shall be assisted by the Climate Change Committee established by Article 9 of Decision No 280/2004/EC of the European Parliament and of the Council of 11 February 2004 concerning a mechanism for monitoring Community greenhouse gas emissions and for implementing the Kyoto Protocol⁽¹⁾. That committee is a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

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2a. Where the Committee referred to in paragraph 1 delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.

▼B*Article 15***Exercise of the delegation**

1. The power to adopt delegated acts referred to in the second subparagraph of Article 8(9), Article 11(7), Article 13(5) and the fourth subparagraph of Article 13(6), shall be conferred on the Commission for a period of five years from 3 June 2011. The Commission shall draw up a report in respect of the delegated power at the latest six months before the end of the five-year period. The delegation of power shall be automatically extended for periods of an identical duration, unless the European Parliament or the Council revokes it in accordance with Article 16.

2. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

3. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in Articles 16 and 17.

*Article 16***Revocation of the delegation**

1. The delegation of power referred to in the second subparagraph of Article 8(9), Article 11(7), Article 13(5) and the fourth subparagraph of Article 13(6) may be revoked at any time by the European Parliament or the Council.

2. The institution which has commenced an internal procedure for deciding whether to revoke a delegation of power shall endeavour to inform the other institution and the Commission within a reasonable time before the final decision is taken, indicating the delegated power which could be subject to revocation and possible reasons for a revocation.

⁽¹⁾ OJ L 49, 19.2.2004, p. 1.

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3. The decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect immediately or at a later date specified therein. It shall not affect the validity of the delegated acts already in force. It shall be published in the *Official Journal of the European Union*.

*Article 17***Objections to delegated acts**

1. The European Parliament or the Council may object to a delegated act within a period of two months from the date of notification.

At the initiative of the European Parliament or the Council that period shall be extended by two months.

2. If, on expiry of the period referred to in paragraph 1, neither the European Parliament nor the Council has objected to the delegated act, it shall be published in the *Official Journal of the European Union* and shall enter into force on the date stated therein.

The delegated act may be published in the *Official Journal of the European Union* and enter into force before the expiry of that period if the European Parliament and the Council have both informed the Commission of their intention not to raise objections.

3. If either the European Parliament or the Council objects to the delegated act within the period referred to in paragraph 1, it shall not enter into force. The institution which objects shall state the reasons for objecting to the delegated act.

*Article 18***Entry into force**

This Regulation shall enter into force on the third day following 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.

▼B*ANNEX I***SPECIFIC CO₂ EMISSIONS TARGETS**

1. The indicative specific emissions of CO₂ for each light commercial vehicle, measured in grams per kilometre, shall be determined in accordance with the following formulae:

- (a) from 2014 to 2017:

$$\text{Indicative specific emissions of CO}_2 = 175 + a \times (M - M_0)$$

where:

M = mass of the vehicle in kilograms (kg)

$M_0 = 1\,706,0$

$a = 0,093$;

- (b) ►**M4** from 2018:

$$\text{Specific emission of CO}_2 = 175 + a \times (M - M_0)$$

Where:

M = mass of the vehicle in kilograms (kg)

$M_0 = 1\,766,4$

$a = 0,093$; ◀

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- (c) from 2020:

$$\text{Indicative specific emissions of CO}_2 = 147 + a \cdot (M - M_0)$$

where:

M = mass of the vehicle in kilograms (kg)

M_0 = the value adopted pursuant to Article 13(5)

$a = 0,096$.

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In the case of incomplete multi-stage vehicles referred to in point 1a of Part A of Annex II, the monitoring mass (M_{mon}) shall be used instead of the value M . The monitoring mass shall be calculated in accordance with the following formula:

$$M_{\text{mon}} = \text{MRO}_{\text{base}} \times B_0$$

Where,

MRO_{base} and B_0 are as defined in point 1a.1(a) of Part A of Annex II.

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2. The specific emissions target for a manufacturer in a calendar year shall be calculated as the average of the indicative specific emissions of CO₂ of each new light commercial vehicle registered in that calendar year of which it is the manufacturer.

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3. The specific emission reference target for a manufacturer in 2021 shall be calculated as follows:

$$\text{WLTP specific emission reference target} = \text{WLTP}_{\text{CO}_2} \cdot \left(\frac{\text{NEDC}_{2020\text{target}}}{\text{NEDC}_{\text{CO}_2}} \right)$$

▼ M5

Where:

$WLTP_{CO_2}$ is the average specific emissions of CO_2 in 2020 determined in accordance with Annex XXI to Commission Regulation (EU) 2017/1151 ⁽¹⁾ without including CO_2 savings resulting from the application of Article 12 of this Regulation;

$NEDC_{CO_2}$ is the average specific emissions of CO_2 in 2020 determined in accordance with Commission Implementing Regulation (EU) 2017/1152 ⁽²⁾, without including CO_2 savings resulting from the application of Article 12 of this Regulation;

$NEDC_{2020target}$ is the 2020 specific emission target calculated in accordance with point 1(c) of this Annex.

4. Starting from 2021, the specific emission target for a manufacturer shall be calculated as follows:

$$\text{Specific emission target} = WLTP_{\text{reference target}} + a [(M_{\theta} - M_0) - (M_{\theta 2020} - M_{0,2020})]$$

Where:

$WLTP_{\text{reference target}}$ is the 2021 specific emission reference target calculated in accordance with point 3;

a is a as defined in point 1(c);

M_{θ} is the average of the mass (M) as defined in point 1 of the new registered light commercial vehicles in the relevant target year in kilograms (kg);

M_0 is M_0 as defined in point 1(c);

$M_{\theta 2020}$ is the average of the mass (M) as defined in point 1 of the new registered light commercial vehicles in 2020 in kilograms (kg);

$M_{0,2020}$ is the M_0 value applicable in the reference year 2020.

5. For a manufacturer that has been granted a derogation with regard to a specific NEDC based emission target in 2021, the WLTP based derogation target shall be calculated as follows:

$$\text{Derogation target}_{2021} = WLTP_{CO_2} \cdot \frac{NEDC_{2021 \text{ target}}}{NEDC_{CO_2}}$$

Where:

$WLTP_{CO_2}$ is $WLTP_{CO_2}$ as defined in point 3;

$NEDC_{CO_2}$ is $NEDC_{CO_2}$ as defined in point 3;

$NEDC_{2021target}$ is the 2021 specific emission target granted by the Commission pursuant to Article 11 of this Regulation.

⁽¹⁾ Commission Regulation (EU) 2017/1151 of 1 June 2017 supplementing 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, amending Directive 2007/46/EC of the European Parliament and of the Council, Commission Regulation (EC) No 692/2008 and Commission Regulation (EU) No 1230/2012 and repealing Regulation (EC) No 692/2008 (OJ L 175, 7.7.2017, p. 1).

⁽²⁾ Commission Implementing Regulation (EU) 2017/1152 of 2 June 2017 setting out a methodology for determining the correlation parameters necessary for reflecting the change in the regulatory test procedure with regard to light commercial vehicles and amending Implementing Regulation (EU) No 293/2012 (OJ L 175, 7.7.2017, p. 644).

▼B*ANNEX II***MONITORING AND REPORTING OF EMISSIONS**

- A. Collection of data on light commercial vehicles and determination of CO₂ monitoring information

▼M3

1. Detailed data

1.1. Complete vehicles registered as N₁

In the case of EC type-approved complete vehicles registered as N₁, Member States shall, for each calendar year, record the following detailed data for each new light commercial vehicle the first time that it is registered in their territory:

- (a) the manufacturer;
- (b) the type-approval number with its extension;
- (c) the type, variant, and version;
- (d) make;
- (e) category of vehicle type-approved;
- (f) category of vehicle registered;
- (g) the specific emissions of CO₂ ►**M5** (NEDC and WLTP) ◄;
- (h) mass in running order;
- (i) technically permissible maximum laden mass;
- (j) footprint: the wheel base, the track width steering axle and the track width other axle;
- (k) the fuel type and fuel mode;
- (l) engine capacity;
- (m) electric energy consumption;
- (n) code of the innovative technology or group of innovative technologies and the CO₂ emissions reduction due to that technology ►**M5** (NEDC and WLTP) ◄;
- (o) the vehicle identification number;

▼M5

- (p) WLTP test mass;
- (q) deviation and verification factors referred to in point 3.2.8 of Annex I to Implementing Regulation (EU) 2017/1152;
- (r) vehicle family identification number determined in accordance with point 5.0 of Annex XXI to Regulation (EU) 2017/1151.

▼M3

The format set out in Section 2 of Part C shall be used.

▼M5

For the calendar year 2017, the data referred to in point (g), as regards WLTP CO₂ emissions values, and in point (n), as regards WLTP eco-innovation savings, as well as the data referred to in points (p) and (r) may be reported on a voluntary basis.

▼ M5

Starting from calendar year 2018, Member States shall make available to the Commission, in accordance with Article 8, all parameters listed in this point as specified in the format in Section 2 of Part C of this Annex.

▼ M3

- 1.2. Vehicles approved in a multi-stage process and registered as N₁ vehicles

In the case of multi-stage vehicles registered as N₁ vehicles, Member States shall, for each calendar year, record the following detailed data with regard to:

- (a) the base (incomplete) 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 (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 base (complete) 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) specified in point 1.1.

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

The format set out in Section 2 of Part C shall be used for completed N₁ vehicles.

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

▼ M6

- 1a. Specific emissions of CO₂ of multi-stage vehicles of category N₁ determined pursuant to Regulation (EU) 2017/1151

With effect from 1 September 2019, a manufacturer shall, for each incomplete base vehicle of category N₁ subject to multi-stage type-approval pursuant to Directive 2007/46/EC, determine and report to the Commission the specific emissions of CO₂ of that base vehicle, hereinafter 'the monitoring CO₂ emissions' in accordance with the methodology set out in point 1a.1.

The Commission shall use the monitoring CO₂ emissions of the incomplete base vehicle reported to it pursuant to the first paragraph to calculate the base vehicle manufacturer's average specific emissions of CO₂ in the calendar year in which the completed multi-stage vehicle is registered, except where the conditions referred to in point 1b. are met.

For complete base vehicles, the CO₂ emissions and mass in running order of that vehicle shall be used for the purpose of the CO₂ monitoring.

▼ **M6****1a.1** Calculation of the specific emissions of CO₂ of the incomplete base vehicle

The base vehicle manufacturer shall calculate the monitoring CO₂ value of an individual incomplete base vehicle in accordance with the interpolation method referred to in points 3.2.3.2 or 3.2.4 of Sub-Annex 7 to Annex XXI to Regulation (EU) 2017/1151 depending on the methodology applied for the base vehicle emissions type approval, where the terms shall be as defined in that point with the following exceptions:

(a) Mass of the individual vehicle

The term 'TM_{ind}' referred to in points 3.2.3.2.2.1. or 3.2.4.1.1.1 of Sub-Annex 7 to Annex XXI to Regulation (EU) 2017/1151 shall be replaced by the base vehicle default mass, DM_{base}, or, where applicable, by the test mass of vehicle low, TM_L or test mass of vehicle high, TM_H.

DM_{base} shall be determined in accordance with the following formula:

$$DM_{base} = MRO_{base} \times B_0 + 25 \text{ kg} + M_{VL}$$

Where,

MRO_{base} is the mass in running order of the base vehicle as defined in point 3.2.5 of Annex XXI to Regulation (EU) 2017/1151

B₀ is the body mass value of 1.375

M_{VL} is the mass representative of the vehicle load, which means 28 per cent of the maximum vehicle load, where maximum vehicle load is defined as the technically permissible maximum laden mass minus the mass in running order of the base vehicle multiplied by B₀, minus 25 kg.

The B₀ figure is calculated as the weighted average of the ratio between the sum of the mass in running order of the incomplete base vehicles for all multi-stage vehicles registered in the calendar year and the default added mass calculated in accordance with Section 5 of Annex XII to Regulation (EC) No 692/2008, and the mass in running order of the base vehicles for all multi-stage vehicles registered in calendar years 2015, 2016, and 2017.

The figure B₀ shall be adjusted by 31 October 2021 on the basis of the relevant mass values of multi-stage vehicles registered in calendar years 2018, 2019, and 2020 calculated in accordance with the following formulae:

Formula 1:

$$A_y = \frac{\sum_{i=1}^n Mf_i}{\sum_{i=1}^n Mb_i}$$

Where,

A_y is the weighted average of the ratio between M_{fi} and M_{bi}

M_{fi} is the mass in running order of the base vehicle increased by the default added mass as defined in Section 5 of Annex XII to Regulation (EC) No 692/2008.

▼ M6

M_{bi} is the mass in running order of the base vehicle

n is the number of base vehicles for all multi-stage vehicles registered in the calendar year

Formula 2:

$$B_0 = \frac{\sum_{i=2018}^{2020} A_i n_i}{\sum_{i=2018}^{2020} n_i}$$

Where,

A_i is the weighted average as calculated in Formula 1

n_i is the number of base vehicles for all multi-stage vehicles registered in a calendar year

Where the base vehicle default mass DM_{base} is lower than the test mass of vehicle low, TM_L , of the interpolation family, TM_{ind} shall be replaced by TM_L .

Where the base vehicle default mass DM_{base} is higher than the test mass of vehicle high, TM_H , of the interpolation family, TM_{ind} shall be replaced by TM_H .

(b) Rolling resistance of the individual vehicle

The rolling resistance of the base vehicle shall be used for the purposes of point 3.2.3.2.2.2. or 3.2.4.1.1.2 of Sub-Annex 7 to Annex XXI to Regulation (EU) 2017/1151.

(c) Frontal area

In the case of an incomplete base vehicle that belongs to a road load matrix family, the manufacturer shall determine the term 'Af' referred to in point 3.2.3.2.2.3. of Sub-Annex 7 to Annex XXI to Regulation (EU) 2017/1151 in accordance with one of the following options:

- (i) frontal area of the representative vehicle of the road load matrix family, in m^2 ;
- (ii) the mean value of the frontal area of vehicle high and vehicle low of the interpolation family, in m^2 ;
- (iii) the frontal area of the vehicle high of the interpolation family, in case the interpolation method is not used, in m^2 .

In the case of an incomplete base vehicle that does not belong to a road load matrix family, the frontal area value of vehicle high of the interpolation family shall be used.

▼M61b. Representativeness of the monitoring CO₂ value

The Commission shall each year, starting from calendar year 2020, assess the representativeness of the average monitoring CO₂ values reported by the base vehicle manufacturer as compared to the average of the specific emissions of CO₂ of the completed vehicles registered in the relevant calendar year and shall inform the manufacturer of the base vehicle thereof.

Where that assessment demonstrates a divergence by 4 % or more between the average of the specific emissions of CO₂ of all the completed vehicles and the average of the monitoring CO₂ emissions of all the related base vehicles of a manufacturer during each of two successive calendar years, the Commission shall use the average of the specific emissions of CO₂ of the completed vehicles in the following calendar year to calculate the average specific emissions of CO₂ of the base vehicle manufacturer or the pool in that year. In case of continued divergences, that calculation shall be repeated every three years.

1c. Data reporting by manufacturers of base vehicles

Manufacturers of base vehicles shall, for each incomplete or complete base vehicle submitted to multi-stage approval and sold by them in the preceding calendar year in the Union, report to the Commission by 28 February each year the following data:

- (a) vehicle identification number;
- (b) interpolation family identifier;
- (c) specific emissions of CO₂ of the base vehicle;
- (d) frontal area (specify the applicable option);
- (e) rolling resistance of the base vehicle;
- (f) monitoring mass;
- (g) mass in running order of the base vehicle;
- (h) mass representative of the vehicle load as defined in point 1a.1 of this Annex.

▼B

2. ►**M6** The details referred to in point 1 shall be taken from the certificate of conformity or be consistent with the certificate of conformity issued by the manufacturer of the relevant light commercial vehicle. The other details shall be taken from the type approval documentation or from the information reported by the base vehicle manufacturer pursuant to point 1c. Member States shall put the necessary measures in place to ensure adequate accuracy in the monitoring procedure. Where the certificate of conformity specifies both a minimum and a maximum mass for a light commercial vehicle, the Member States shall use only the maximum figure for the purpose of this Regulation. In the case of bi-fuelled vehicles (petrol/gas) the certificates of conformity of which bear specific CO₂ emission figures for both types of fuel, Member States shall use only the figure measured for gas. ◀

▼M3

3. Member States shall, for each calendar year, determine:

- (a) the sources used for the collection of the detailed data referred to in point 1;

▼ M3

- (b) the total number of new registrations of new light commercial vehicles subject to EC type-approval;
- (c) the total number of new registrations of new light commercial vehicles subject to multi-stage type-approval, where available;
- (d) the total number of new registrations of new individually approved light commercial vehicles;
- (e) the total number of new registrations of new light commercial vehicles approved nationally in small series.

B. Methodology for determining CO₂ monitoring information for new light commercial vehicles

Monitoring information which Member States are required to determine in accordance with points 1 and 3 of Part A of this Annex shall be determined in accordance with the methodology in this Part.

1. Number of new light commercial vehicles registered

Member States shall determine the number of new light commercial vehicles registered within their territory in the respective monitoring year divided into vehicles subject to EC type-approval, individual approvals and national approvals of small series and, where available, the number of multi-stage vehicles.

▼ M1

▼ M3

▼ M1

▼ B

7. Completed vehicles

In the case of multi-stage vehicles, the specific emissions of CO₂ of completed vehicles shall be allocated to the manufacturer of the base vehicle.

In order to ensure that the values of CO₂ emissions, fuel efficiency and mass of completed vehicles are representative, without placing an excessive burden on the manufacturer of the base vehicle, the Commission shall come forward with a specific monitoring procedure and shall review and make the necessary amendments to the relevant type-approval legislation by 31 December 2011 at the latest.

When defining such a procedure, the Commission shall, if appropriate, determine how the mass and CO₂ values are monitored, based on a table of CO₂ values corresponding to different final inertia weight classes or based on only one CO₂ value derived from the base vehicle mass plus a default added mass differentiated by N₁ class. In the latter case, this mass would also be taken for Part C of this Annex.

The Commission shall also ensure that the manufacturer of the base vehicle has timely access to the mass and to the specific emissions of CO₂ of the completed vehicle.

▼ M3

Notwithstanding that the default added mass shall be taken for Part C of this Annex, where that mass value cannot be determined, the mass in running order of the completed vehicle may be used for the provisional calculation of the specific emissions target referred to in Article 8(4).

▼ **M3**

Where the base vehicle is a complete vehicle, the mass in running order of that vehicle shall be used for the calculation of the specific emissions target. However, where that mass value cannot be determined, the mass in running order of the completed vehicle may be used for the provisional calculation of the specific emissions target.

C. Formats for transmission of data

For each year, Member States shall report the information specified in points 1 and 3 of Part A in the following format:

Section 1 — Aggregated monitoring data

Member State ⁽¹⁾	
Year	
Data source	
Total number of new registrations of new light commercial vehicles subject to EC type-approval	
Total number of new registrations of individually approved new light commercial vehicles	
Total number of new registrations of new light commercial vehicles approved as national small series	
Total number of new registrations of new light commercial vehicles subject to multi-stage type-approval (where available)	

⁽¹⁾ ISO 3166 alpha-2 codes with the exception of Greece and the United Kingdom for which the codes are 'EL' and 'UK' respectively.

Section 2 — Detailed monitoring data — one vehicle record

Reference to Section 1.1 of Part A	Detailed data per vehicle registered ⁽¹⁾
(a)	Manufacturer name EU standard denomination ⁽²⁾
	Manufacturer name OEM declaration COMPLETE VEHICLE/BASE VEHICLE ⁽³⁾
	Manufacturer name OEM declaration COMPLETED VEHICLE ⁽³⁾
	Manufacturer name in Member State registry ⁽²⁾
(b)	Type-approval number and its extension

▼ **M3**

Reference to Section 1.1 of Part A	Detailed data per vehicle registered (¹)
(c)	Type
	Variant
	Version
(d)	Make
(e)	Category of vehicle type-approved
(f)	Category of vehicle registered

▼ **M5**

(g)	Specific CO ₂ emissions (combined) NEDC value
	Specific CO ₂ emissions (combined) WLTP value (from 2018)

▼ **M3**

(h)	Mass in running order BASE VEHICLE
	Mass in running order COMPLETED VEHICLE/COMPLETE VEHICLE
(i) (⁴)	Technically permissible maximum laden mass
(j)	Wheel base
	Axle width steering axle (Axle 1)
	Axle width other axle (Axle 2)
(k)	Fuel type
	Fuel mode
(l)	Engine capacity (cm ³)
(m)	Electric energy consumption (Wh/km)

▼ **M5**

(n)	Code of the eco-innovation(s)
	Total NEDC CO ₂ emissions savings due to the eco-innovation(s)
	Total WLTP CO ₂ emissions savings due to the eco-innovation(s) (from 2018)

▼ **M3**

(o)	Vehicle identification number
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▼ **M5**

(p)	WLTP test mass
(q)	Deviation factor De (where available)
	Verification factor (where available)
(r)	Vehicle family identification number

▼ **M3**

Reference to Section 1.1 of Part A	Detailed data per vehicle registered ⁽¹⁾
Point 2.17.2 of Annex I to Directive 2007/46/ EC ⁽⁵⁾	Default added mass (where applicable in the case of multi-stage vehicles)

Notes:

- (¹) Where, in the case of multi-stage vehicles, data cannot be provided for the base vehicle, the Member State shall as a minimum provide the data specified in this format for the completed vehicle. ► **M5** ◀
- (²) In the case of the national small series approvals (NSS) or the individual approvals (IVA), the manufacturer name shall be provided in the column 'Manufacturer name in Member State registry' whilst in the column 'Manufacturer name EU standard denomination' either of the following shall be indicated: 'AA-NSS' or 'AA-IVA' as the case may be.
- (³) In the case of multi-stage vehicles indicate the base (incomplete/complete) vehicle manufacturer. If the base vehicle manufacturer is not available indicate the manufacturer of the completed vehicle only.
- (⁴) In the case of multi-stage vehicles indicate the technically permissible maximum laden mass of the base vehicle.
- (⁵) In the case of multi-stage vehicles, the mass in running order and the technically permissible maximum laden mass of the base vehicle may be replaced by the default added mass specified in the type-approval information in accordance with point 2.17.2 of Annex I to Directive 2007/46/EC.