

Regulation (EU) 2019/1242 of the European Parliament and of the Council of 20 June 2019 setting CO<sub>2</sub> emission performance standards for new heavy-duty vehicles and amending Regulations (EC) No 595/2009 and (EU) 2018/956 of the European Parliament and of the Council and Council Directive 96/53/EC (Text with EEA relevance)

*Article 13*

**Verification of the CO<sub>2</sub> emissions of heavy-duty vehicles in-service**

1 Manufacturers shall ensure that the CO<sub>2</sub> emission and fuel consumption values recorded in the customer information file referred to in Article 9(4) of Regulation (EU) 2017/2400 correspond to the CO<sub>2</sub> emissions from and fuel consumption of heavy-duty vehicles in-service as determined in accordance with that Regulation.

2 Following the entry into force of the procedures referred to in paragraph 4, type-approval authorities shall verify, for those manufacturers to which they have granted a licence to operate the simulation tool in accordance with Regulation (EC) No 595/2009 and its implementing measures, on the basis of appropriate and representative vehicle samples, that the CO<sub>2</sub> emission and fuel consumption values recorded in the customer information files correspond to the CO<sub>2</sub> emissions from and fuel consumption of heavy-duty vehicles in-service as determined in accordance with that Regulation and its implementing measures, while considering, inter alia, using available data from on-board fuel and/or energy consumption monitoring devices.

Type-approval authorities shall also verify the presence of any strategies on board or relating to the sampled vehicles that artificially improve the vehicle's performance in the tests performed or in the calculations made for the purpose of certifying the CO<sub>2</sub> emissions and fuel consumption by, inter alia, using data from on-board fuel and/or energy consumption monitoring devices.

3 Where a lack of correspondence of CO<sub>2</sub> emission and fuel consumption values which cannot be attributed to a malfunctioning of the simulation tool, or the presence of any strategies artificially improving a vehicle's performance, is found as a result of the verifications performed pursuant to paragraph 2, the responsible type-approval authority shall, in addition to taking the necessary measures set out in Chapter XI of Regulation (EU) 2018/858, ensure that the customer information files, the certificates of conformity and the individual approval certificates are corrected, as the case may be.

4 The Commission shall determine, by means of implementing acts, the procedures for performing the verifications referred to in paragraph 2 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 16(2).

The Commission is empowered, prior to adopting the implementing acts referred to in the first subparagraph, to adopt a delegated act in accordance with Article 17, in order to supplement this Regulation by setting out the guiding principles and criteria for defining the procedures referred to in the first subparagraph.

**Changes to legislation:**

There are outstanding changes not yet made to Regulation (EU) 2019/1242 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Art. 13(1) words inserted by S.I. 2022/1361 reg. 16(6)(a)(i)
- Art. 13(1) words inserted by S.I. 2022/1361 reg. 16(6)(a)(ii)
- Art. 13(2) words inserted by S.I. 2022/1361 reg. 16(6)(b)(i)
- Art. 13(2) words inserted by S.I. 2022/1361 reg. 16(6)(b)(ii)
- Art. 13(3) words inserted by S.I. 2022/1361 reg. 16(6)(c)
- Art. 13(4) words omitted by S.I. 2020/1402 reg. 13(2)(a)(ii)
- Art. 13(4) words omitted by S.I. 2020/1402 reg. 13(2)(b)
- Art. 13(4) words substituted by S.I. 2020/1402 reg. 13(2)(a)(i)

**Changes and effects yet to be applied to the whole legislation item and associated provisions**

- Annex 2 Pt. 2 words inserted by S.I. 2022/1361 reg. 16(9)
- Art. 3(9) words inserted by S.I. 2022/1361 reg. 16(3)(a)
- Art. 3(10) substituted by S.I. 2022/1361 reg. 16(3)(b)
- Art. 3(11) words inserted by S.I. 2022/1361 reg. 16(3)(c)(i)
- Art. 3(11) words inserted by S.I. 2022/1361 reg. 16(3)(c)(ii)
- Art. 3(16)-(21) inserted by S.I. 2022/1361 reg. 16(3)(d)
- Art. 8(1)(a) sum substituted by S.I. 2020/1402 reg. 8(2)(b)
- Art. 8(1)(b) sum substituted by S.I. 2020/1402 reg. 8(2)(c)
- Art. 11(1)(a) word substituted by S.I. 2020/1402 reg. 11(2)(b)
- Art. 11(1)(b) word substituted by S.I. 2020/1402 reg. 11(2)(c)
- Art. 11(1)(d) word substituted by S.I. 2020/1402 reg. 11(2)(d)
- Art. 11(1)(f) word substituted by S.I. 2020/1402 reg. 11(2)(e)(i)
- Art. 11(1)(f) words substituted by S.I. 2020/1402 reg. 11(2)(e)(ii)
- Art. 15(2)(b) words substituted by S.I. 2022/1361 reg. 16(8)(a)
- Art. 15(2)(d) words inserted by S.I. 2022/1361 reg. 16(8)(b)
- Art. 15(2)(e) words omitted by S.I. 2020/1402 reg. 15(3)
- Art. 15(2)(g) words substituted by S.I. 2022/1361 reg. 16(8)(c)