

Regulation (EU) 2019/1242 of the European Parliament and of the Council of 20 June 2019 setting CO₂ 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 18

Amendments to Regulation (EC) No 595/2009

Regulation (EC) No 595/2009 is amended as follows:

- (1) in Article 2, first paragraph, the following sentence is added:

It shall also apply, for the purpose of Articles 5a, 5b, and 5c, to vehicles of categories O₃ and O₄;
- (2) the following Articles are inserted:

Article 5a

Specific requirements for manufacturers with regard to the environmental performance of vehicles of categories M₂, M₃, N₂, N₃, O₃ and O₄

- 1 Manufacturers shall ensure that new vehicles of categories O₃ and O₄ that are sold, registered or put into service meet the following requirements:
 - a the influence of those vehicles on the CO₂ emissions, fuel consumption, electric consumption and zero-emission driving range of motor vehicles is determined in accordance with the methodology referred to in point (a) of Article 5c;
 - b they are fitted with on-board devices for the monitoring and recording of the payload in accordance with the requirements referred to in point (b) of Article 5c.

- 2 Manufacturers shall ensure that new vehicles of categories M₂, M₃, N₂ and N₃ that are sold, registered or put into service are fitted with on-board devices for the monitoring and recording of fuel and/or energy consumption, payload and mileage in accordance with the requirements referred to in point (b) of Article 5c.

They shall also ensure that the zero-emission driving range and electricity consumption of those vehicles are determined in accordance with the methodology referred to in point (c) of Article 5c.

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. (See end of Document for details) View outstanding changes

Article 5b

Specific requirements for Member States with regard to the environmental performance of vehicles of categories M₂, M₃, N₂, N₃, O₃ and O₄

- 1 National authorities shall, in accordance with the implementing measures referred to in Article 5c, refuse to grant EC type-approval or national type-approval in respect of new vehicle types of categories M₂, M₃, N₂, N₃, O₃ and O₄ which do not comply with the requirements set out in those implementing measures.
- 2 National authorities shall, in accordance with the implementing measures referred to in Article 5c, prohibit the sale, registration or entry into service of new vehicles of categories M₂, M₃, N₂, N₃, O₃ and O₄ which do not comply with the requirements set out in those implementing measures.

Article 5c

Measures for determining certain aspects of the environmental performance of vehicles of categories M₂, M₃, N₂, N₃, O₃ and O₄

By 31 December 2021, the Commission shall, by means of implementing acts, adopt the following measures:

- (a) a methodology for assessing the performance of vehicles of categories O₃ and O₄ with regard to their influence on the CO₂ emissions, fuel consumption, electricity consumption and zero-emission driving ranges of motor vehicles;
- (b) technical requirements for the fitting of on-board devices for the monitoring and recording of fuel and/or energy consumption and mileage of motor vehicles of categories M₂, M₃, N₂ and N₃, and for determining and recording the payloads or total weight of vehicles meeting the characteristics set out in point (a), (b), (c) or (d) of the first subparagraph of Article 2(1) of Regulation (EU) 2019/1242 of the European Parliament and of the Council⁽¹⁾ and of their combinations with category O₃ and O₄ vehicles, including the transmission of data between vehicles within a combination, as necessary;
- (c) a methodology for determining the zero-emission driving range and electricity consumption of new vehicles of categories M₂, M₃, N₂ and N₃.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13a.;

- (3) the following Article is added:

Article 13a

Committee procedure

- 1 The Commission shall be assisted by the Technical Committee for Motor Vehicles established by Regulation (EU) 2018/858 of the European Parliament and of

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the Council⁽²⁾. That committee shall be 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.

3 Where the Committee 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..

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- (1) Regulation (EU) 2019/1242 of the European Parliament and of the Council of 20 June 2019 setting CO₂ 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 ([OJ L 198, 25.7.2019, p. 202](#)).’;
- (2) Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC ([OJ L 151, 14.6.2018, p. 1](#)).’.

Changes to legislation:

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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)