

II

(Non-legislative acts)

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) 2020/2173

of 16 October 2020

amending Annexes I, II and III to Regulation (EU) 2019/631 of the European Parliament and of the Council to update the monitoring parameters and clarify certain aspects relating to the change in the regulatory test procedure

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2019/631 of the European Parliament and of the Council of 17 April 2019 setting CO₂ emission performance standards for new passenger cars and new light commercial vehicles, and repealing Regulations (EC) No 443/2009 and (EU) No 510/2011 ⁽¹⁾, and in particular Articles 7(8) and 15(8) thereof,

Whereas:

- (1) In order to calculate a manufacturer's specific emission targets for the period 2021 to 2024 pursuant to Annex I to Regulation (EU) 2019/631, CO₂ emissions data for vehicles registered in calendar year 2020 is required. For manufacturers that place vehicles on the market of the Union for the first time in the period 2021 to 2024, it is necessary to clarify how their specific emission targets as well as derogation targets for that period should be determined, taking into account that CO₂ emissions data will not, or only partially, be available for those manufacturers in calendar year 2020.
- (2) Similarly, a clarification is needed for manufacturers that place only vehicles with zero CO₂ emissions on the market of the Union in the calendar year 2020 as regards how their specific emission targets in the period 2021 to 2024 should be determined.
- (3) From 1 January 2021, the CO₂ emission standards are to be based on CO₂ emissions data determined in accordance with the Worldwide Harmonised Light Vehicle Test Procedure (WLTP) as set out in Commission Implementing Regulation (EU) 2017/1151 ⁽²⁾. It is therefore necessary to amend Annex I to Regulation (EU) 2019/631 in order to adjust the parameters to be monitored and reported and to remove references to data determined on the basis of the New European Driving Cycle (NEDC). However, for the reporting of the data for calendar year 2020, it is appropriate to allow the new and the existing provisions to overlap until 28 February 2021.

⁽¹⁾ OJ L 111, 25.4.2019, p. 13.

⁽²⁾ Commission Implementing 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 Commission Regulation (EC) No 692/2008 (OJ L 175, 7.7.2017, p. 1).

- (4) The opportunity should also be taken to harmonise, to the extent possible, the monitoring parameters for passenger cars and light commercial vehicles and to align all provisions relating to how the monitoring parameters are to be recorded and reported by Member States as set out in Commission Implementing Regulations (EU) No 1014/2010 ⁽³⁾ and (EU) No 293/2012 ⁽⁴⁾ together with the reporting formats set out in Annexes II and III to Regulation (EU) 2019/631.
- (5) Certain new parameters should be monitored and reported in view of the preparation of a procedure for monitoring of real-world CO₂ emissions and fuel or energy consumption as provided for in Article 12 of Regulation (EU) 2019/631, and for verifying the CO₂ emissions of vehicles in-service as provided for in Article 13 of that Regulation. This includes, in particular, fuel consumption values and, on request from the Commission, the parameters used for the calculation of the CO₂ emission values recorded in the certificates of conformity of the vehicles, i.e. the road load coefficients, frontal area and tyre rolling resistance class.
- (6) Regulation (EU) 2019/631 should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I, II and III to Regulation (EU) 2019/631 are amended in accordance with the Annex to this Regulation.

Article 2

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, 16 October 2020.

For the Commission
The President
Ursula VON DER LEYEN

⁽³⁾ Commission Implementing 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 (OJ L 293, 11.11.2010, p. 15).

⁽⁴⁾ Commission Implementing Regulation (EU) No 293/2012 of 3 April 2012 on monitoring and reporting of data on the registration of new light commercial vehicles pursuant to Regulation (EU) No 510/2011 of the European Parliament and of the Council (OJ L 98, 4.4.2012, p. 1).

ANNEX

Regulation (EU) 2019/631 is amended as follows:

(1) Annex I is amended as follows:

(a) Part A is amended as follows:

(i) after point 3, the following points 3a, 3b and 3c are inserted:

‘3a. For a manufacturer for which $WLTP_{CO_2}$ or $NEDC_{CO_2}$ is zero, the specific emission reference target in 2021 shall be $NEDC_{2020target}$ as defined in point 3.

3b. For a manufacturer that is placing passenger cars on the market of the Union for the first time in any of the calendar years 2021 to 2024, the specific emission reference target in 2021 shall be the average of the specific emissions reference targets determined for all manufacturers in accordance with point 3, weighted according to the number of new passenger cars that were registered for those manufacturers in the Union in 2020.

3c. Notwithstanding point 3b, where in any of the calendar years 2021 to 2024, a manufacturer is placing passenger cars on the market of the Union for the first time, but that manufacturer was formed by a merger of two or more manufacturers of which at least one was responsible for new passenger cars registered in the Union in 2020, the specific emission reference target in 2021 for the new manufacturer shall be one of the following:

(a) where two or more of the merging manufacturers were responsible for new passenger cars registered in the Union in 2020, the specific emission reference target in 2021 shall be the average of the specific emission reference targets determined for those manufacturers in accordance with point 3, weighted according to the number of new passenger cars that were registered for those manufacturers in the Union in 2020;

(b) where only one of the merging manufacturers was responsible for new passenger cars registered in the Union in 2020, the specific emission reference target in 2021 determined in accordance with point 3 for that manufacturer.’;

(ii) point 5 is replaced by the following:

‘5. Derogation targets in accordance with Article 10(3) or 10(4)

(a) For a manufacturer that has been granted a derogation in accordance with Article 10(3) from its NEDC based specific emissions target in calendar year 2021, or a derogation in accordance with Article 10(4) from its specific emission targets in any of the calendar years 2021 to 2024, the WLTP based derogation target for those years shall be calculated as follows:

$$\text{Derogation target} = WLTP_{CO_2} \cdot \left(\frac{NEDC_{derogationtarget}}{NEDC_{CO_2}} \right)$$

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;

$NEDC_{derogationtarget}$ is the derogation target granted by the Commission pursuant to Article 10(3) or 10(4) as the case may be.

(b) Notwithstanding point (a), where a manufacturer is granted a derogation in accordance with Article 10(4) from the specific emission targets in any of the calendar years 2021 to 2024, but was not responsible for the registration of new passenger cars in the Union prior to 2021, the derogation target for any of those calendar years shall be calculated in accordance with the formula in point (a), where the following definitions shall apply:

WLTP _{CO2}	is the average value across all individual manufacturers, weighted by the number of new passenger cars registered in 2020, of WLTP _{CO2} as defined in point 3;
NEDC _{CO2}	is the average value across all individual manufacturers, weighted by the number of new passenger cars registered in 2020, of NEDC _{CO2} as defined in point 3;
NEDC _{derogationtarget}	is the derogation target calculated in accordance with Article 10(4), in conjunction with Article 6(3) of Regulation (EU) No 63/2011.;

(b) in Part B of Annex I, after point 3, the following points 3a, 3b and 3c are inserted:

- ‘3a. For a manufacturer for which WLTP_{CO2} or NEDC_{CO2} is zero, the specific emission reference target in 2021 shall be NEDC_{2020target} as defined in point 3.
- 3b. For a manufacturer that is placing light commercial vehicles on the market of the Union for the first time in any of the calendar years 2021 to 2024, the specific emission reference target in 2021 shall be the average of the specific emissions reference targets determined for all manufacturers in accordance with point 3, weighted according to the number of new light commercial vehicles that were registered for those manufacturers in the Union in 2020.
- 3c. Notwithstanding point 3b, where in any of the calendar years 2021 to 2024, a manufacturer is placing light commercial vehicles on the market of the Union for the first time, but that manufacturer was formed by a merger of two or more manufacturers of which at least one was responsible for new light commercial vehicles registered in the Union in 2020, the specific emission reference target in 2021 for the new manufacturer shall be one of the following:
- where two or more of the merging manufacturers were responsible for new light commercial vehicles registered in the Union in 2020, the specific emission reference target in 2021 shall be the average of the specific emission reference targets determined for those manufacturers in accordance with point 3, weighted according to the number of new light commercial vehicles that were registered for those manufacturers in the Union in 2020;
 - where only one of the merging manufacturers was responsible for new light commercial vehicles registered in the Union in 2020, the specific emission reference target in 2021 determined in accordance with point 3 for that manufacturer.’

(2) Annex II is amended as follows:

(a) Part A is amended as follows:

- point 1 is deleted on 1 March 2021;
- the following point 1a is inserted:

‘1a. Member States shall, for each calendar year, record the following detailed data for each new passenger car registered as an M₁ vehicle in their territory, with the exception of the data indicated in points (22), (23) and (24) which shall be provided on request from the Commission:

- The manufacturer;
- The type approval number and its extensions;
- The type, variant, and version;
- Make and commercial name;
- Vehicle interpolation family identifier;
- Vehicle identification number;
- Category of vehicle type approved;
- Category of vehicle registered;
- Date of first registration;

- (10) The specific emissions of CO₂;
- (11) Fuel consumption;
- (12) Mass in running order;
- (13) Test mass;
- (14) Fuel type and fuel mode;
- (15) Electric energy consumption;
- (16) Electric range;
- (17) Eco-innovation code(s);
- (18) Eco-innovation CO₂ emission savings;
- (19) Footprint: the wheel base, the track width of the steered axle and the track width other axle;
- (20) Engine capacity;
- (21) Maximum net power;
- (22) Road-load coefficients: f0, f1 and f2;
- (23) Frontal area;
- (24) Tyre rolling resistance class.

In accordance with Article 7, Member States shall make available to the Commission all data listed in this point in the format specified in Section 2 of Part B. The data indicated in points (9) and (11) shall be recorded starting from calendar year 2022 and be made available to the Commission for the first time on 28 February 2023.;

(iii) point 2 is replaced by the following:

‘2. The detailed data referred to in point 1 shall be taken from the certificate of conformity of the relevant passenger car.’;

(iv) after point 2, the following point 2a is inserted:

‘2a. In the case of bi-fuelled vehicles running on petrol and liquefied petroleum gas (LPG) or on petrol and compressed natural gas (CNG), the certificates of conformity of which include specific emissions of CO₂ values for both types of fuels, Member States shall report the value for LPG or CNG as the case may be.

In the case of flex-fuel vehicles using petrol and ethanol (E85) fuel, Member States shall report the specific emissions of CO₂ value for petrol.’;

(b) Part B is amended as follows:

- (i) Section 2 is deleted on 1 March 2021;
- (ii) the following Section 2a is inserted:

‘Section 2a

Detailed Monitoring Data – one vehicle record

Reference to point 1 and 1a of Part A	Detailed data per vehicle registered	Data sources
(1)	Manufacturer name (EU standard denomination) ⁽¹⁾	Certificate of conformity (Annex VIII to Commission Implementing Regulation (EU) 2020/683 (*)) unless otherwise indicated Name assigned by the Commission
	Manufacturer name ⁽²⁾	0.5, or in the case of more than one name of a manufacturer, the name recorded in entry 0.5.1
(2)	Type approval number and its extensions	0.11

(3)	Type	0.2	
	Variant		
	Version		
(4)	Make and commercial name	0.1 and 0.2.1	
(5)	Vehicle interpolation family identifier	0.2.3.1	
(6)	Vehicle identification number	0.10	
(7)	Category of vehicle type approved	0.4	
(8)	Category of vehicle registered	Registration certificate	
(9)	Date of first registration	Registration certificate	
(10)	The specific emissions of CO ₂ (g/km)	49.4 combined, or where applicable, weighted combined	
(11)	Fuel consumption (l/100 km, or m ³ /100 km or kg/100 km)	49.4 combined, or where applicable, weighted combined	
(12)	Mass in running order (kg)	13	
(13)	Test mass (kg)	47.1.1	
(14)	Fuel type	26	
	Fuel mode	26.1	
(15)	Electric energy consumption (Wh/km)	PEV: 49.5.1 OVC-HEV: 49.5.2	
(16)	Electric range (km)	PEV: 49.5.1 OVC-HEV: 49.5.2	
(17)	Eco-innovation code(s)	49.3.1	
(18)	Eco-innovation savings (g CO ₂ /km)	49.3.2.2	
(19)((19)	Wheelbase (mm)		
	Track width steered axle (Axle 1) (mm) ⁽³⁾	30	
	Track width other axle (Axle 2) (mm) ⁽³⁾	30	
(20)	Engine capacity (cm ³)	25	
(21)	Maximum net power (kW)	27.1 and 27.3	
(22)	Road load coefficients ⁽⁴⁾	f0, N	47.1.3.0
		f1, N/(km/h)	47.1.3.1
		f2, N/(km/h)	47.1.3.2
(23)	Frontal area (m ²) ⁽⁴⁾	47.1.2	
(24)	Tyre rolling resistance class ⁽⁴⁾	35	

Notes:

- (1) List published by the Commission on CIRCABC.
 - (2) In the case of national type-approval of small series (NSS) or individual approval (IVA), the manufacturer's name shall be provided in the column "Manufacturer name", 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) Where a vehicle is equipped with axle tracks of different widths, the maximum axle width shall be reported.
 - (4) On request from the Commission.
 - (*) Commission Implementing Regulation (EU) 2020/683 of 15 April 2020 implementing Regulation (EU) 2018/858 of the European Parliament and of the Council with regards to the administrative requirements for the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (OJ L 163, 26.5.2020).
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(3) Annex III is amended as follows:

(a) Part A is amended as follows:

- (i) point 1.1 is deleted on 1 March 2021;
- (ii) the following point 1.1a is inserted:

‘1.1a. Complete vehicles registered as N₁

Member States shall, for each calendar year, record the following detailed data for each new light commercial vehicle registered as an N₁ vehicle in their territory, with the exception of the data indicated in points (23), (24) and (25) which shall be provided on request by the Commission:

- (1) The manufacturer;
- (2) The type approval number and its extensions;
- (3) The type, variant, and version;
- (4) Make and, where available, commercial name;
- (5) Vehicle interpolation family identifier;
- (6) Vehicle identification number;
- (7) Category of vehicle type approved;
- (8) Category of vehicle registered;
- (9) Date of first registration;
- (10) The specific emissions of CO₂;
- (11) Fuel consumption;
- (12) Mass in running order;
- (13) Test mass;
- (14) The fuel type and fuel mode;
- (15) Electric energy consumption;
- (16) Electric range;
- (17) Eco-innovation code(s);
- (18) Eco-innovation CO₂ emission savings;
- (19) Footprint: the wheel base, the track width of the steered axle and the track width other axle;
- (20) Engine capacity;
- (21) Maximum net power;
- (22) Technically permissible maximum laden mass;
- (23) Road-load coefficients: f₀, f₁ and f₂;

- (24) Frontal area;
 (25) Tyre rolling resistance class.

Member States shall, in accordance with Article 7, make available to the Commission all data listed in this point in the format specified in Section 2 of Part C. The data indicated in points (9) and (11), shall be recorded starting from calendar year 2022 and be made available to the Commission for the first time on 28 February 2023.;

- (iii) in point 1.2.1.2 the point ‘, (q)’ is added;
- (iv) points 1.2.1.1 and 1.2.1.2 are deleted from 1 March 2021;
- (v) the following point 1.2.1.2a is inserted:
 ‘1.2.1.2a. Completed vehicles of category N1 type-approved in accordance with Annex XXI to Regulation (EU) 2017/1151
 For each new completed vehicle registered in 2021 and subsequent calendar years, Member States shall as a minimum report the data specified in points (1), (5), (6), (8), (10), (11), (12), (17), (18) and (22) of point 1.1a., and for each new vehicle registered in 2022 and subsequent calendar years, the data specified in points (9), (23), (24) and (25) of point 1.1a.’;
- (vi) in point 1.2.2., the introductory phrase is replaced by the following:
 ‘For each new completed vehicle of category N₁, type-approved in accordance with Annex XXI to Regulation (EU) 2017/1151 registered in 2020 and subsequent calendar years, the manufacturer of the related base vehicle shall, starting from 2021, report to the Commission the following data relating to the base vehicle.’;
- (vii) point 2 is replaced by the following:
 ‘2. The detailed data referred to in point 1 shall be taken from the certificate of conformity of the relevant light commercial vehicle. For those details that are not available in the certificate of conformity, details shall be taken from the type-approval documentation or from the information reported by the base vehicle manufacturer pursuant to point 1.2.3.’;
- (viii) after point 2, the following point 2a. is inserted:
 ‘2a. In the case of bi-fuelled vehicles running on petrol and liquefied petroleum gas (LPG) or on petrol and compressed natural gas (CNG), the certificates of conformity of which include specific emissions of CO₂ values for both types of fuels, Member States shall report the value for LPG or CNG as the case may be.
 In the case of flex-fuel vehicles using petrol and ethanol (E85) fuel, Member States shall report the specific emissions of CO₂ value for petrol.’;

(b) Part C is amended as follows:

- (i) Section 2 is deleted on 1 March 2021;
- (ii) the following Section 2a. is inserted:

‘Section 2a.

Detailed Monitoring Data – one vehicle record

Reference to point 1.1 and 1.1a of Part A	Detailed data per vehicle registered	Data sources
		Certificate of conformity (Annex VIII to Implementing Regulation (EU) 2020/683), unless otherwise indicated
(1)	Manufacturer name (EU standard denomination ⁽¹⁾)	Name assigned by the Commission
	Manufacturer name ⁽²⁾	0.5, or in the case of more than one name of a manufacturer, the name recorded in entry 0.5.1

(2)	Type-approval number and its extensions	0.11	
(3)	Type	0.2	
	Variant		
	Version		
(4)	Make and commercial name	0.1 and 0.2.1	
(5)	Vehicle interpolation family identifier	0.2.3.1	
(6)	Vehicle identification number	0.10	
(7)	Category of vehicle type approved	0.4	
(8)	Category of vehicle registered	Registration certificate	
(9)	Date of first registration	Registration certificate	
(10)	Specific emissions of CO ₂ (g/km)	49.4 combined, or where applicable, weighted combined	
(11)	Fuel consumption (l/100 km, or m ³ /100 km or kg/100 km)	49.4 combined, or where applicable, weighted combined	
(12)	Mass in running order (complete and completed vehicles) (kg)	13	
(13)	Test mass (complete and completed vehicles) (kg)	47.1.1	
(14)	Fuel type	26	
	Fuel mode	26.1	
(15)	Electric energy consumption (Wh/km)	PEV: 49.5.1 OVC-HEV: 49.5.2	
(16)	Electric range (km)	PEV: 49.5.1 OVC-HEV: 49.5.2	
(17)	Eco-innovation code(s)	49.3.1	
(18)	Eco-innovation savings (g CO ₂ /km)	49.3.2.2	
(19)	Wheelbase (mm)	4	
	Track width steered axle (Axle 1) ⁽³⁾	30	
	Track width other axle (Axle 2) ⁽³⁾	30	
(20)	Engine capacity (cm ³)	25	
(21)	Maximum net power (kW)	27.1 and 27.3	
(22)	Technically permissible maximum laden mass (complete and completed vehicle) (kg)	16.1	
(23)	Road load coefficients ⁽⁴⁾	f0, N	47.1.3.0
		f1, N/(km/h)	47.1.3.1
		f2, N/(km/h)	47.1.3.2
(24)	Frontal area (m ²) ⁽⁴⁾	47.1.2	
(25)	Tyre rolling resistance class ⁽⁴⁾	35	

Notes:

- (1) List published by the Commission on CIRCABC.
 - (2) In the case of national type-approval of small series (NSS) or individual approval (IVA), the manufacturer's name shall be provided in the column "Manufacturer name", 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) Where a vehicle is equipped with axle tracks of different widths, the maximum axle width shall be reported.
 - (4) On request from the Commission.'
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