



EUROPEAN
COMMISSION

Brussels, XXX
[...] (2024) XXX draft

COMMISSION REGULATION (EU) .../...

of XXX

amending Regulation (EU) 2017/2400 as regards the determination of the CO₂ emissions and fuel consumption of medium and heavy lorries and heavy buses and the inclusion of vehicles running on hydrogen and other new technologies and amending Regulation (EU) 582/2011 as regards the applicable rules on the determination of CO₂ emissions and fuel consumption in order to obtain an extension to an EU type-approval[...]

(Text with EEA relevance)

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amending Regulation (EU) 2017/2400 as regards the determination of the CO₂ emissions and fuel consumption of medium and heavy lorries and heavy buses and the inclusion of vehicles running on hydrogen and other new technologies and amending Regulation (EU) 582/2011 as regards the applicable rules on the determination of CO₂ emissions and fuel consumption in order to obtain an extension to an EU type-approval[...]

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) 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 on access to vehicle repair and maintenance information and amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC¹, and in particular Article 4(3) and Article 5(4), point (e), thereof,

Whereas:

- (1) Commission Regulation (EU) 2017/2400² introduced a common method to compare the performance of heavy-duty vehicles placed on the Union market as regards their CO₂ emissions and fuel consumption. It lays down provisions for the certification of components with an impact on CO₂ emissions and fuel consumption of heavy-duty vehicles, introduces a simulation tool for the purpose of determining and declaring CO₂ emissions and fuel consumption of those vehicles, and lays down, inter alia, requirements for Member States' authorities and manufacturers to verify the conformity of the certification of the components and the conformity of the simulation tool operation.
- (2) Commission Regulation (EU) 2022/1379³ expanded the scope of Regulation (EU) 2017/2400 to medium lorries and heavy buses and added new technologies such as hybrid and pure electric vehicles, dual-fuel vehicles and waste heat recovery.
- (3) As other new technologies are being developed and may enter the market in the future, requirements for such new technologies should be laid down. Such new technologies

¹ OJ L 188, 18.07.2009, p. 1, ELI: <http://data.europa.eu/eli/reg/2009/595/oj>.

² 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 CO₂ 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, ELI: <http://data.europa.eu/eli/reg/2017/2400/oj>).

³ Commission Regulation (EU) 2022/1379 of 5 July 2022 amending Regulation (EU) 2017/2400 as regards the determination of the CO₂ emissions and fuel consumption of medium and heavy lorries and heavy buses and to introduce electric vehicles and other new technologies (OJ L 212, 12.08.2022, p. 1, ELI: <http://data.europa.eu/eli/reg/2022/1379/oj>).

should include vehicles running on hydrogen, efficient wheel ends, vehicles propelled by several drivetrains operating independently or vehicles capable of recharging while in motion.

- (4) As it may be unclear at the time of certification of the CO₂ emissions and fuel consumption values whether a vehicle will be a vocational vehicle or not, all simulations for vehicles in the concerned groups should be simulated on all mission profiles. The correct allocation of the certified CO₂ emissions and fuel consumption values should thus be made depending on the status of the registration of the vehicle.
- (5) As equipping vehicles with efficient wheel ends makes a positive impact on CO₂ emissions, a new procedure is introduced to allow for the certification of efficient wheel ends in order to ensure that their high efficiency is reflected in the determination CO₂ and fuel consumption values.
- (6) The procedure for determining the air drag performances of vehicles should be reinforced in order to improve its repeatability and reproducibility and, in order to reduce the testing burden and to ensure that features improving aerodynamic performances can be effectively certified it should be complemented with a new process relying on computational fluid dynamics simulation.
- (7) As the on-road verification testing procedure proved to be an important tool for the verification of calculations of CO₂ emissions and fuel consumption of medium and heavy lorries, it should also apply to heavy buses, with certain adjustments to reflect the complexity of the frequent multi-step production of such vehicles.
- (8) As new technologies will be covered by this Regulation, notably for medium lorries, conflicting obligations between Regulation (EU) 2017/2400 and the Worldwide harmonised Light-duty vehicles Test Procedures for the purpose of determining CO₂ emissions and fuel consumption values as prescribed in Commission Regulation (EU) 582/2011⁴ should be avoided. Commission Regulation (EU) 582/2011 should be amended accordingly to ensure that no medium lorries are tested under two different regimes for the purpose of determining CO₂ emissions and fuel consumption values.
- (9) In order to provide Member States, national authorities and economic operators with sufficient time to prepare for the application of the rules introduced by this Regulation, its date of application should be deferred.
- (10) In order to allow for an early application of the Regulation, in particular for technologies newly covered by this amendment, it should be possible to obtain a licence to operate the simulation tool and to receive a certification for components in accordance with Regulation (EU) 2017/2400 as amended by this Regulation as of the entry into force.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Technical Committee – Motor Vehicles,

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, ELI: <http://data.europa.eu/eli/reg/2011/582/oj>).

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) 2017/2400 is amended as follows:

- (1) in Article 2, paragraph 1, the following point (k) is added:
‘(k) wheel ends.’;
- (2) Article 13 is amended as follows:
 - (a) paragraph 6 is replaced by the following:
‘6. The standard values for air drag shall be determined in accordance with Appendix 7 of Annex VIII.’;
 - (b) paragraph 10 is added:
‘10. The standard values for wheel ends shall be determined in accordance with point 6 of Annex VIIa.’;
- (3) Article 14 is amended as follows:
 - (a) paragraph 8 is replaced by the following:
‘8. The certified values for air drag shall be determined in accordance with point 3 of Annex VIII.’;
 - (b) paragraph 11 is added:
‘11. The certified values for wheel ends shall be determined in accordance with Annex VIIa.’;
- (4) in Article 15, paragraph 1, the following indent is added:
‘- Annex VIIa as regards the family concept of wheel ends.’;
- (5) in Article 16, paragraph 2, the following indent is added:
‘- Appendix 2 to Annex VIIa as regards wheel ends.’;
- (6) in Article 17, paragraph 2, the following indent is added:
‘- Appendix 1 to Annex VIIa as regards wheel ends.’;
- (7) in Article 18, paragraph 1, the following indent is added to the first subparagraph:
‘- Annex VIIa as regards the family concept of wheel ends.’;
- (8) in Article 22, point 1, second paragraph, the fourth indent is replaced by the following:
‘- the procedures laid down in Appendix 6 to Annex VIII as regards air drag’;
- (9) Article 24 is replaced by the following:

‘Article 24

Application of the requirements

Without prejudice to Article 10(3) of this Regulation, where the obligations referred to in Article 9 of this Regulation have not been complied with, Member States shall consider certificates of conformity for type approved vehicles to be no longer valid for the purposes of Article 48 of Regulation (EU) 2018/858, and, for type approved

vehicles and individually approved vehicles, shall prohibit the registration, sale or entry into service of vehicles in groups 1s, 1, 2, 3, 4, 5, 9, 10, 11, 12, 16, 31 to 40, 53 and 54.’;

- (10) Annex I is amended as set out in Annex I to this Regulation;
- (11) Annex III is amended as set out in Annex II to this Regulation;
- (12) Annex IV is amended as set out in Annex III to this Regulation;
- (13) Annex V is amended as set out in Annex IV to this Regulation;
- (14) Annex VI is amended as set out in Annex V to this Regulation;
- (15) the text in Annex VI to this Regulation is inserted as Annex VIIa;
- (16) Annex VIII is amended as set out in Annex VII to this Regulation;
- (17) Annex IX is amended as set out in Annex VIII to this Regulation;
- (18) Annex Xa is amended as set out in Annex IX to this Regulation;
- (19) Annex Xb is amended as set out in Annex X to this Regulation.

Article 2

Article 3 of Regulation (EU) 582/2011 is amended as follows:

- (1) in paragraph 1, second subparagraph, the second sentence is deleted;
- (2) paragraph 3 is replaced by the following:

‘3. In order to receive an extension of the EU type-approval of a vehicle with regard to emissions type-approved under this Regulation with a reference mass exceeding 2 380 kg but not exceeding 2 610 kg, the manufacturer shall meet the requirements set out in Section 5 of Annex VIII unless CO₂ emissions and fuel consumption values for such vehicles are determined in accordance with Regulation (EU) 2017/2400.’

Article 3

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 4

This Regulation shall apply from 1 January 2026.

Point (21) of Annex X shall apply as from ... [OP: please enter the date = date of entry into force of this Regulation].

Notwithstanding the first and the second paragraphs, from ... [OP: please enter the date = the entry into force of this Regulation], approval authorities shall not refuse to grant certification of CO₂ emissions and fuel consumption related properties of the components in accordance with Regulation (EU) 2017/2400, as amended by this Regulation. From ... [OP: please enter the date = the entry into force of this Regulation] Member States shall not prohibit registration, placing on the market and entry into service of a new vehicle, where the vehicle concerned complies with Regulation (EU) 2017/2400 and Regulation (EU) 582/2011, as amended by this Regulation, if a manufacturer so requests.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission
The President
Ursula VON DER LEYEN