EUROPEAN
COMMISSION

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COMMISSION IMPLEMENTING REGULATION (EU) …/...

of XXX

amending Implementing Regulation (EU) 2022/1362 as regards the performance of heavy-duty trailers with e-axles, refrigeration units, solar systems or advanced aerodynamic devices with regard to their influence on the CO_2 emissions, fuel consumption, energy consumption and zero emission driving range of motor vehicles

(Text with EEA relevance)

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This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission.

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amending Implementing Regulation (EU) 2022/1362 as regards the performance of heavy-duty trailers with e-axles, refrigeration units, solar systems or advanced aerodynamic devices with regard to their influence on the CO_2 emissions, fuel consumption, energy consumption and zero emission driving range of motor vehicles

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 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 amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC[1], and in particular Article 5c, first paragraph, point (a) thereof,

Having regard to 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[2], and in particular Article 24(4) thereof,

Whereas:

(1) Commission Implementing Regulation (EU) 2022/1362[3] lays down the methodology for determining the influence of heavy-duty trailers on the CO_2 emissions, fuel consumption, energy consumption and zero emission driving range of motor vehicles by means of a simulation tool.

(2) Since the adoption of Implementing Regulation (EU) 2022/1362, new technologies for trailers capable of reducing the CO_2 emissions and fuel consumption have become available or have reached sufficient technological maturity to be taken into account in the determination of the performance of trailers by means of the simulation tool. By reducing the energy consumption of the motor vehicles towing them, such technologies can also contribute to extending the electric range of electrically powered towing vehicles. Those technologies include electrified trailer axles, electrified refrigeration systems, solar energy systems and advanced aerodynamic devices. The simulation tool should therefore be updated so that the contribution of those

[1] OJ L 188, 18.7.2009, p. 1, ELI: http://data.europa.eu/eli/reg/2009/595/oj.

[2] OJ L 151, 14.6.2018, p. 1, ELI: http://data.europa.eu/eli/reg/2018/858/oj.

[3] Commission Implementing Regulation (EU) 2022/1362 of 1 August 2022 implementing Regulation (EC) No 595/2009 of the European Parliament and of the Council as regards the performance of heavy-duty trailers with regard to their influence on the CO_2 emissions, fuel consumption, energy consumption and zero emission driving range of motor vehicles and amending Implementing Regulation (EU) 2020/683 (OJ L 205, 5.8.2022, p. 145, ELI: http://data.europa.eu/eli/reg_impl/2022/1362/oj).

technologies is appropriately reflected when determining the CO_2 emissions and fuel consumption performance of trailers. The required input data and the models for the manufacturer's records file and the customer information file should be extended to reflect these technologies.

(3) Commission Regulation (EU) 2017/2400[4] lays down rules for determining the CO_2 emissions and fuel consumption of heavy-duty vehicles and for certifying the CO_2 emissions and fuel consumption related properties of components, separate technical units and systems.

(4) In order to avoid duplication of testing and certification requirements and to reduce unnecessary administrative burden and cost for manufacturers of components, separate technical units and systems, certified values of the CO_2 emissions and fuel consumption related properties of components, separate technical units and systems determined in accordance with Regulation (EU) 2017/2400 should, where the technical characteristics of the trailer make it possible, be allowed as input data to the simulation tool referred to in Implementing Regulation (EU) 2022/1362. Where possible to facilitate the use of such certified values as input data, the relevant definitions and the methods for determining certified values and standard values should be aligned between those Regulations.

(5) In order to ensure the consistent application of the updated rules for determining the performance of trailers by means of the simulation tool, it is necessary to introduce definitions of the new technical concepts relevant to the representation of those technologies in the simulation tool. Those definitions should, where appropriate, be aligned with the terminology used in Commission Regulation (EU) 2017/2400 and in the relevant United Nations Economic Commission for Europe (UN/ECE) Regulations adopted under the 1958 Agreement within the framework of the UN/ECE World Forum for Harmonization of Vehicle Regulations (WP.29). In particular, in order to ensure consistency with the terminology used in UN Regulation No 100[5], the definition of 'e-axle' should reflect the definition proposed in document ECE/TRANS/WP.29/2024/122[6] concerning axles mounted to vehicles of category O that generate electrical energy and/or provide electrical propulsion.

(6) In order to take account of the specific characteristics of vehicles of category O equipped with a refrigeration system, a definition of 'refrigeration supply' should be introduced. In addition, the definition of 'rechargeable electrical energy storage system' ('REESS') should reflect the relevant terminology and definitions set out in Regulation (EU) 2017/2400.

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4 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. 1-247, ELI: http://data.europa.eu/eli/reg/2017/2400/oj).

5 Regulation No 100 of the Economic Commission for Europe of the United Nations (UN/ECE) – Uniform provisions concerning the approval of vehicles with regard to specific requirements for the electric power train [2026/1695] (OJ L, 2026/1695, 17.8.2026, ELI: http://data.europa.eu/eli/reg/2026/1695/oj).

6 ECE/TRANS/WP.29/2024/122 – Proposal for Supplement 1 to the 04 series of amendments to UN Regulation No. 100 (Electric power trained vehicles) ((GRSP) - Proposal for 04 series of amendments to UN Regulation No. 100 (Electric power trained vehicles) | UNECE).

(7) Vehicles that are in the scope of the Regulation but for which the simulation cannot currently be performed should be exempted from the obligation to determine their CO_2 emissions and fuel consumption under Article 8(1). Nevertheless, it is necessary to specify certain input information that should be provided to the simulation tool in order to allow for the monitoring of such vehicles and of their market uptake.

(8) The specific vehicle characteristics of refrigerated trailers and semi-trailers with volume orientation should be distinguished and taken into account in determining their performance by means of the simulation tool. Therefore, the vehicle classification should be extended to include dedicated vehicle groups for those vehicles.

(9) Aerodynamic devices, whether fixed, deployed manually or automatically, some of which may reduce the vehicle's cargo volume in order to optimise aerodynamic drag, should be taken into account in determining the performance of trailers by means of the simulation tool. In order to reflect the reduction in real-world CO_2 emissions and fuel consumption resulting from the use of manually deployable aerodynamic devices, their actual use should be taken into account on the basis of real-world operation data. Therefore, the determination of the CO_2 emissions and fuel consumption related properties of manually deployable aerodynamic devices should be set up to allow the introduction of utility factors reflecting the actual use of those devices in the future, once such factors can be established. The same approach should apply to combinations of manually deployable aerodynamic devices with other types of aerodynamic devices.

(10) In order to reduce administrative burden and costs, vehicle manufacturers should be allowed to use a combination of certified aerodynamic devices without being required to certify the CO_2 emissions and fuel consumption related properties of the combination. To ensure the highest possible accuracy, only aerodynamic devices installed in different bounding regions relative to the vehicle should be considered.

(11) Implementing Regulation (EU) 2022/1362 should therefore be amended accordingly.

(12) In order to allow vehicle manufacturers, manufacturers of components, separate technical units and systems, technical services and approval authorities sufficient time to adapt their procedures, tools and systems to the amendments introduced by this Regulation, the application of this Regulation should be deferred until 1 July 2027.

(13) However, in order to allow manufacturers to carry out the necessary preparatory work before the application of this Regulation, it should be possible, from the date of entry into force of this Regulation, to obtain a licence to operate the simulation tool and to obtain certification of aerodynamic devices in accordance with Implementing Regulation (EU) 2022/1362 as amended by this Regulation.

(14) The measures provided for in this Regulation are in accordance with the opinion of the Technical Committee – Motor Vehicles (TCMV) referred to in Article 83 of Regulation (EU) 2018/858,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Implementing Regulation (EU) 2022/1362

Implementing Regulation (EU) 2022/1362 is amended as follows:

(1) In Article 2, the following points 14 to 16 are added:

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‘(14) ‘e-axle’ means an axle mounted to a vehicle of category O, generating electrical energy and/or providing electrical propulsion;

(15) ‘refrigeration supply’ means a device for supplying cooling power to a refrigeration system;

(16) ‘REESS’ means, for the purposes of this Regulation, a rechargeable electrical energy storage system that is either a ‘battery system’, a ‘representative battery subsystem’ or a ‘capacitor system’, as defined in points 2(3), 2(4) and 2(12), respectively, of Annex Xb to Regulation (EU) 2017/2400.’

(2) In Article 4, the following paragraph 3 is added:

‘3. Vehicle manufacturers shall provide the input information specified in Annex III and the input data referred to in Article 11(1).’

(3) In Article 6, the following paragraph 3 is added:

‘3. The licence number shall be issued in accordance with the model set out in Appendix 3 to Annex II. The approval authority shall not assign the same number to another licence.’

(4) In Article 8, paragraph 1 is replaced by the following:

‘1. Vehicle manufacturers shall determine, using the latest available version of the simulation tool, the performance of new vehicles to be sold, registered or put into service in the Union, with the exception of new vehicles using vehicle technologies listed in Table 1 of Appendix 2 to Annex III, with regard to their influence on CO_2 emissions and fuel consumption.

For new vehicles using vehicle technologies listed in Table 1 of Appendix 2 to Annex III that are to be sold, registered or put into service in the Union, the vehicle manufacturer shall, using the latest available version of the simulation tool, determine only the input parameters specified for those vehicles in the models set out in Table 2 of Appendix 2 to Annex III.’

(5) The title of Chapter V is replaced by the following:

‘CHAPTER V

CO_2 EMISSIONS AND FUEL CONSUMPTION RELATED PROPERTIES OF COMPONENTS, SEPARATE TECHNICAL UNITS AND SYSTEMS’

(6) Article 11 is replaced by the following:

‘*Article 11*

Components, separate technical units and systems relevant for assessing the performance of new vehicles with regard to their influence on CO_2 emissions and fuel consumption

1. The input data for the simulation tool shall contain data on the CO_2 emissions and fuel consumption related properties of the following components, separate technical units and systems:

(a) aerodynamic devices;

(b) tyres;

(c) e-axle powertrain components;

(d) wheel ends;

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(e) refrigeration supply.

2. Vehicle manufacturers shall base the CO_2 emissions and fuel consumption related properties of aerodynamic devices on the values determined, for each family of aerodynamic devices, in accordance with Article 13. They shall have those properties certified in accordance with Article 17. In the absence of such determination or certification, vehicle manufacturers shall base the CO_2 emissions and fuel consumption related properties of aerodynamic devices on the standard values determined in accordance with Article 12.

3. Vehicle manufacturers shall base the CO_2 emissions and fuel consumption related properties of tyres on the certified values determined pursuant to Article 14 of Regulation (EU) 2017/2400 or, in the absence of such certified values, on the standard values determined pursuant to Article 13 of that Regulation.

4. Where a new vehicle is to be registered, sold or put into service with a complete set of snow tyres and a complete set of standard tyres, vehicle manufacturers may choose which of the tyres to use for assessing the performance of new vehicles with regard to their influence on CO_2 emissions and fuel consumption.

5. Vehicle manufacturers shall base the CO_2 emissions and fuel consumption related properties of e-axle powertrain components referred to in point 7 of Annex III on the certified values determined pursuant to Article 14 of Regulation (EU) 2017/2400 or, in the absence of such certified values, on the standard values determined pursuant to Article 13 of that Regulation.

6. Vehicle manufacturers shall base the CO_2 emissions and fuel consumption related properties of wheel ends on the certified values determined pursuant to Article 14 of Regulation (EU) 2017/2400 or, in the absence of such certified values, on the standard values determined pursuant to Article 12 of this Regulation.

7. The CO_2 emissions and fuel consumption related properties of the refrigeration supply shall be based on the generic values implemented in the simulation tool and allocated on the basis of the input information provided in accordance with point 6 of Annex III. For the REESS of the refrigeration supply, the certified values determined pursuant to Article 14 of Regulation (EU) 2017/2400 or, in the absence of such certified values, the standard values determined pursuant to Article 13 of that Regulation shall apply.

8. In the case of vehicles exempted from the obligation to determine their CO_2 emissions and fuel consumption under Article 8(1), the input data to be provided to the simulation tool shall include the information set out in Table 2 of Appendix 2 to Annex III.'

(7) In Article 12, the following paragraph 2 is added:

'2. The standard values for wheel ends shall be determined in accordance with point 9 of Annex III.'

(8) Annexes I and II are amended in accordance with Annexes I and II to this Regulation.

(9) Annex III is replaced by the text set out in Annex III to this Regulation.

(10) Annexes IV and V are amended as set out in Annexes IV and V to this Regulation.

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Article 2

Entry into force and application

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

   It shall apply from 1 July 2027.

2. By way of derogation from the second subparagraph of paragraph 1, from 1 March 2027, approval authorities shall not refuse to grant certification of CO_2 emissions and fuel consumption related properties of aerodynamic devices in accordance with Implementing Regulation (EU) 2022/1362, as amended by this Regulation.

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

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