

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 (Text with EEA relevance)

COMMISSION REGULATION (EU) No 582/2011

of 25 May 2011

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(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 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/EC<sup>(1)</sup>, and in particular Articles 4(3), 5(4) and 6(2) and Article 12 thereof,

Having regard to Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive)<sup>(2)</sup>, and in particular Article 39(7) thereof,

Whereas:

- (1) Regulation (EC) No 595/2009 is one of the separate regulatory acts under the type-approval procedure laid down by Directive 2007/46/EC.
- (2) Regulation (EC) No 595/2009 requires new heavy duty vehicles and engines to comply with new emission limits and introduces additional requirements on access to information. The technical requirements will apply from 31 December 2012 for new types of vehicles and from 31 December 2013 for all new vehicles. The specific technical provisions necessary to implement Regulation (EC) No 595/2009 should be adopted. Therefore, the present Regulation aims at setting the requirements necessary for the type-approval of Euro VI specification vehicles and engines.
- (3) Article 5(4) of Regulation (EC) No 595/2009 requires the Commission to adopt implementing legislation setting out specific technical requirements relating to the

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control of emissions from vehicles. Therefore, it is appropriate to adopt those requirements.

- (4) Following the adoption of the main requirements for type-approval of heavy duty motor vehicles and engines by Regulation (EC) No 595/2009, it is necessary to establish administrative provisions for that EC type-approval. Those administrative requirements should include provisions for conformity of production and in-service conformity to ensure continued good performance of production vehicles and engines.
- (5) In accordance with Article 6 of Regulation (EC) No 595/2009, it is also necessary to establish requirements to ensure that vehicle on-board diagnostic (hereinafter ‘OBD’) and vehicle repair and maintenance information is readily accessible, so as to ensure that independent operators have access to such information.
- (6) In accordance with Regulation (EC) No 595/2009, the measures provided for in this Regulation regarding access to vehicle repair and maintenance information, information for diagnostic tools and the compatibility of replacement parts with vehicle OBD systems, should not be restricted to emission-related components and systems but cover all aspects of a vehicle subject to type-approval within the scope of this Regulation.
- (7) In accordance with Article 5 of Regulation (EC) No 595/2009, the Commission should adopt measures for implementing the use of portable measurement systems for verifying the actual in-use emissions and verifying and limiting the off-cycle emissions. It is therefore necessary to set out, within an appropriate timeframe, provisions on off-cycle emissions both at type-approval and for verifying and limiting the off-cycle emissions in actual use of the vehicles. For the purpose of in-service conformity a procedure using portable emissions measurement systems (hereinafter ‘PEMS’) should be introduced. The PEMS procedures introduced through this Regulation should be subject to an assessment on the basis of which the Commission should be empowered to amend the in-use provisions.
- (8) In accordance with Article 5(4)(d) of Regulation (EC) No 595/2009, it is necessary to establish requirements for type-approval of replacement pollution control devices so as to ensure that they function correctly.
- (9) In accordance with Article 5(4)(d) of Regulation (EC) No 595/2009, it is necessary to establish requirements for determining deterioration factors to be used for verifying the durability of engine systems. In addition and subject to the results of research and development on methods for bench ageing of engine systems the Commission should be empowered to amend the provisions for determining deterioration factors.
- (10) As provided for by Article 12(1) of Regulation (EC) No 595/2009, new limit values and a measurement procedure for the number of particles emitted should be introduced. The measurement procedure should be based on the work of the Particulate Measurement Programme (PMP) of the United Nations Economic Commission for Europe (hereinafter ‘UN/ECE’).
- (11) In accordance with Article 12(2) of Regulation (EC) No 595/2009, limit values for the World Harmonized Transient Driving Cycle (hereinafter ‘WHTC’) and the Worldwide Harmonised Steady state Cycle (hereinafter ‘WHSC’) as specified in Annex 4B to

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Regulation No 49 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the measures to be taken against the emission of gaseous and particulate pollutants from compression-ignition engines for use in vehicles, and the emission of gaseous pollutants from positive-ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles<sup>(3)</sup> should be introduced.

- (12) The Commission should assess the need for specific measures regarding multi-setting engines, and should be empowered to amend the provisions in accordance with the results of that assessment.
- (13) Regulation (EC) No 595/2009 and Directive 2007/46/EC should therefore be amended accordingly.
- (14) The measures provided for in this Regulation are in accordance with the opinion of the Technical Committee – Motor Vehicles,

HAS ADOPTED THIS REGULATION:

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- (1) OJ L 188, 18.7.2009, p. 1.
- (2) OJ L 263, 9.10.2007, p. 1.
- (3) OJ L 229, 31.8.2010, p. 1.

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