

Commission Regulation (EU) No 397/2013 of 30 April 2013 amending Regulation (EC) No 443/2009 of the European Parliament and of the Council as regards the monitoring of CO₂ emissions from new passenger cars (Text with EEA relevance)

COMMISSION REGULATION (EU) No 397/2013

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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 443/2009 of the European Parliament and of the Council of 23 April 2009 setting emission performance standards for new passenger cars as part of the Community's integrated approach to reduce CO₂ emissions from light-duty vehicles⁽¹⁾, and in particular the second subparagraph of Article 8(9) thereof,

Whereas:

- (1) Experience from the monitoring of CO₂ emissions from new passenger cars in 2010 and 2011 shows that the accurate calculation of the average specific emissions and the specific emissions targets is only possible on the basis of the detailed data referred to in Article 8(1) of Regulation (EC) No 443/2009. It is therefore appropriate to adjust the aggregated data specified in the first table set out in Part C of Annex II to Regulation (EC) No 443/2009 to include only those data that are strictly necessary for the implementation of that Regulation.
- (2) In order to improve the quality and accuracy of the monitoring of CO₂ emissions from passenger cars, it is however necessary to specify further some of the required data parameters and add other parameters that have until now been monitored on a voluntary basis.
- (3) The inclusion of the type-approval number as a data parameter to be monitored and reported can improve the means for manufacturers to verify the provisional calculations of their average specific emissions and specific emissions targets and, as a consequence, ensure improved accuracy in the final dataset.
- (4) Passenger cars that are approved nationally in small series in accordance with Article 23 of 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)⁽²⁾ or cars individually approved in accordance with Article 24 of that Directive are not taken into account for the calculation of the average specific emissions of a manufacturer. It is however important to monitor the number of those

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vehicles in a consistent way in order to assess any potential impact on the monitoring process and the attainment of the Union's average CO₂ emissions target. The aggregate numbers of those registrations should therefore be provided on an annual basis.

- (5) It should also be ensured that the monitoring of CO₂ emissions from passenger cars is aligned with that for light commercial vehicles under Regulation (EU) No 510/2011 of the European Parliament and of the Council of 11 May 2011 setting emission performance standards for light commercial vehicles as part of the Union's integrated approach to reduce CO₂ emissions from light-duty vehicles⁽³⁾ by including as mandatory monitoring parameters also the engine capacity and the electric energy consumption, in addition to the type-approval number. Moreover, where the certificate of conformity is not used as the primary data source and data is taken, inter alia, from type-approval documents, it should be clarified that the data in those cases should be consistent with the data provided in the certificates of conformity.
- (6) In order to ensure that those amendments can be taken into account for the monitoring of the data in 2013, it is appropriate to provide for an entry into force not later than the seventh day following that of the publication of this act in the *Official Journal of the European Union*.
- (7) Regulation (EC) No 443/2009 should therefore be amended accordingly.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Climate Change Committee,

HAS ADOPTED THIS REGULATION:

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- (1) OJ L 140, 5.6.2009, p. 1.
- (2) OJ L 263, 9.10.2007, p. 1.
- (3) OJ L 145, 31.5.2011, p. 1.

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