

Commission Implementing Regulation (EU) 2017/1153 of 2 June 2017 setting out a methodology for determining the correlation parameters necessary for reflecting the change in the regulatory test procedure and amending Regulation (EU) No 1014/2010 (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1153

of 2 June 2017

setting out a methodology for determining the correlation parameters necessary for reflecting the change in the regulatory test procedure and amending Regulation (EU) No 1014/2010

(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 first subparagraph of Article 8(9) and the first subparagraph of Article 13(7) thereof,

Whereas:

- (1) A new regulatory test procedure for measuring CO₂ emissions and fuel consumption from light-duty vehicles, the World Harmonised Light Vehicles Test Procedure (WLTP), set out in Commission Regulation (EU) 2017/1151⁽²⁾, will replace the New European Test Cycle (NEDC), which is currently used pursuant to Commission Regulation (EC) No 692/2008⁽³⁾, with effect starting from 1 September 2017. The WLTP is expected to provide CO₂ emission and fuel consumption values that are more representative of real driving conditions.
- (2) In order to take into account the difference in the level of CO₂ emissions measured under the existing NEDC and the new WLTP procedures, a methodology for correlating those values should be provided to allow the determination of the manufacturers' compliance with their specific CO₂ emission targets pursuant to Regulation (EC) No 443/2009.
- (3) The WLTP is to be phased in, starting with new vehicle types from 1 September 2017 and all vehicles from 1 September 2018. From 1 September 2019, when also end-of-series vehicles have been phased out, all new vehicles placed on the Union market will be tested in accordance with the WLTP. It is appropriate to continue to verify compliance with the specific emission targets using NEDC-based CO₂ emission values during this period.
- (4) It is however desirable to limit the testing burden for both manufacturers and type-approval authorities and the possibility to determine the reference NEDC CO₂ emission

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values by way of simulations should therefore be provided. A specific vehicle simulation tool (the correlation tool) has been developed for that purpose. The input data for the correlation tool should not require additional tests but be derived from the WLTP type-approval tests.

- (5) The stringency of the CO₂ reduction requirements following the change to WLTP must, in accordance with the second subparagraph of Article 13(7) to Regulation (EC) No 443/2009, remain comparable for manufacturers and vehicles of different utility to that defined in Regulation (EC) No 443/2009 by reference to the CO₂ emission levels determined in accordance with the NEDC procedure. The correlation procedure should therefore take into account those NEDC test conditions which are explicitly required for granting a type-approval.
- (6) There may be advanced vehicle technologies or specific technology configurations for which the correlation tool might not be able to deliver NEDC CO₂ values with sufficient accuracy. In those cases, the manufacturer should have the possibility to perform a physical vehicle test instead. In order to ensure a level playing field, the same NEDC test conditions that have been defined for the correlation tool should apply for those tests.
- (7) Regulation (EC) No 443/2009 provides a number of modalities which may be applied to facilitate achieving the specific emission targets. In order to ensure comparable stringency, it is necessary to make certain adjustments to the calculation of the super-credits specified in Article 5a of Regulation (EC) No 443/2009 and to the eco-innovation savings referred to in Article 12 of that Regulation. However, the framework conditions for those modalities are considered not to be directly dependent on the applicable test procedure, and, should, as a consequence, be maintained without adjustments, including the caps set for both super-credits and eco-innovation savings.
- (8) It is important to ensure that procedural tolerances and correlation tool outputs are applied as intended and not as a means to artificially lower the CO₂ emission values used for target compliance purposes. Therefore, a limited number of random physical tests should be performed with a view to verifying that the input data and the NEDC reference values based on the correlation tool output are correctly determined. If it is found, as a result of a random test, that a manufacturer has declared an NEDC CO₂ value for the purpose of the type-approval that is lower than the tolerance permitted in the measurement result or if incorrect input data has been provided, it should be possible for the Commission to determine and apply a correction factor to increase the average specific emissions of a manufacturer. This should also act as a disincentive for any abuse or overexploitations of measurement tolerances.
- (9) The monitoring of CO₂ emission values is set out in Commission Regulation (EU) No 1014/2010⁽⁴⁾ and these provisions also needs to be adjusted to the new test procedure. With the WLTP, a specific CO₂ emission value will be calculated and recorded in the certificate of conformity of each individual vehicle. In order to effectively monitor and verify those values, it is necessary to use vehicle identification numbers as a basis for the monitoring.
- (10) In view of the required extensive adaptations of vehicle registration and CO₂ monitoring systems, it is appropriate to provide Member States with the possibility to gradually

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introduce the new monitoring parameters in 2017 and require the complete new dataset from 2018 only. The 2017 data to be reported should include as a minimum the data required for target compliance purposes and for preventing abuse of the correlation procedure.

- (11) 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) Commission 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 (See page 1 of this Official Journal).
- (3) Commission Regulation (EC) No 692/2008 of 18 July 2008 implementing and amending 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 ([OJ L 199, 28.7.2008, p. 1.](#)).
- (4) Commission 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 the Council ([OJ L 293, 11.11.2010, p. 15.](#)).

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Changes and effects yet to be applied to the whole legislation item and associated provisions

- Art. 2(a)(b) and words inserted by [S.I. 2022/1361 reg. 11\(2\)](#)
- Art. 5(b) word substituted by [S.I. 2020/1418 reg. 5\(3\)\(a\)](#)
- Art. 5(b) word substituted by [S.I. 2020/1418 reg. 5\(3\)\(b\)](#)
- Art. 7a(1)(c) words omitted by [S.I. 2020/1418 reg. 5\(4\)\(a\)\(ii\)](#)
- Art. 7a(1)(c) words substituted by [S.I. 2020/1418 reg. 5\(4\)\(a\)\(i\)](#)