

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 CO<sub>2</sub> 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 (Text with EEA relevance)

## CHAPTER 5

### CONFORMITY OF SIMULATION TOOL OPERATION, INPUT INFORMATION AND INPUT DATA

#### *Article 21*

#### **Remedial measures for the conformity of simulation tool operation**

1 Where the approval authority finds, pursuant to Article 20(2), that the processes set up by the vehicle manufacturer for the purposes of determining the CO<sub>2</sub> emissions and fuel consumption of the vehicle groups concerned are not in accordance with the licence or with this Regulation or may lead to an incorrect determination of the CO<sub>2</sub> emissions and fuel consumption of the vehicles concerned, the approval authority shall request the manufacturer to submit a plan of remedial measures no later than 30 calendar days after receipt of the request from the approval authority.

Where the vehicle manufacturer demonstrates that further time is necessary for the submission of the plan of remedial measures, an extension of up to 30 calendar days may be granted by the approval authority.

2 The plan of remedial measures shall apply to all vehicle groups which have been identified by the approval authority in its request.

3 The approval authority shall approve or reject the plan of remedial measures within 30 calendar days of its receipt. The approval authority shall notify the manufacturer and all the other Member States of its decision to approve or reject the plan of remedial measures.

The approval authority may require the vehicle manufacturer to issue a new manufacturer's records file, customer information file and certificate of conformity on the basis of a new determination of CO<sub>2</sub> emissions and fuel consumption reflecting the changes implemented in accordance with the approved plan of remedial measures.

4 The manufacturer shall be responsible for the execution of the approved plan of remedial measures.

5 Where the plan of the remedial measures has been rejected by the approval authority, or the approval authority establishes that the remedial measures are not being correctly applied, it shall take the necessary measures to ensure the conformity of simulation tool operation, or withdraw the licence.

**Changes to legislation:**

There are outstanding changes not yet made to Commission Regulation (EU) 2017/2400. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

View outstanding changes

**Changes and effects yet to be applied to :**

- Art. 21(3) words omitted by [S.I. 2022/1273 reg. 82\(14\)](#)

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

- Signature words omitted by [S.I. 2022/1273 reg. 82\(18\)](#)
- Annex 5 Appendix 6 point 1.3 substituted by [S.I. 2022/1273 reg. 83\(4\)\(b\)\(i\)](#)
- Annex 5 Appendix 6 point 1.4.1 image substituted by [S.I. 2022/1273 reg. 83\(4\)\(b\)\(iii\)\(aa\)](#)
- Annex 5 Appendix 6 point 1.5.1 image substituted by [S.I. 2022/1273 reg. 83\(4\)\(b\)\(iv\)\(aa\)](#)
- Annex 5 Appendix 4 point 7.4 word substituted by [S.I. 2022/1273 reg. 83\(4\)\(a\)](#)
- Annex 5 Appendix 6 point 2.1 word substituted by [S.I. 2022/1273 reg. 83\(4\)\(b\)\(v\)](#)
- Annex 5 Appendix 6 point 1.4.1 words omitted by [S.I. 2022/1273 reg. 83\(4\)\(b\)\(iii\)\(bb\)](#)
- Annex 5 Appendix 6 point 1.5.1 words omitted by [S.I. 2022/1273 reg. 83\(4\)\(b\)\(iv\)\(bb\)](#)
- Annex 5 Appendix 6 point 1.4 words substituted by [S.I. 2022/1273 reg. 83\(4\)\(b\)\(ii\)](#)
- Annex 5 Appendix 6 point 2.1 table words substituted by [S.I. 2022/1273 reg. 83\(4\)\(b\)\(vi\)](#)
- Annex 10 Appendix 4 point 1.1 word substituted by [S.I. 2022/1273 reg. 83\(8\)\(d\)\(i\)](#)
- Annex 10 Appendix 1 words substituted by [S.I. 2022/1273 reg. 83\(8\)\(c\)](#)
- Annex 10 Appendix 4 point 1.1 table words substituted by [S.I. 2022/1273 reg. 83\(8\)\(d\)\(ii\)](#)
- Annex 7 Appendix 5 point 1.3 substituted by [S.I. 2022/1273 reg. 83\(6\)\(c\)\(i\)](#)
- Annex 7 Appendix 5 point 1.4.1 image substituted by [S.I. 2022/1273 reg. 83\(6\)\(c\)\(iii\)\(aa\)](#)
- Annex 7 Appendix 1s. 1 point 000.5 word substituted by [S.I. 2022/1273 reg. 83\(6\)\(b\)\(ii\)](#)
- Annex 7 Appendix 1 words inserted by [S.I. 2022/1273 reg. 83\(6\)\(b\)\(i\)\(aa\)](#)
- Annex 7 Appendix 1 words omitted by [S.I. 2022/1273 reg. 83\(6\)\(b\)\(i\)\(bb\)](#)
- Annex 7 Appendix 5 point 1.4.1 words omitted by [S.I. 2022/1273 reg. 83\(6\)\(c\)\(iii\)\(bb\)](#)
- Annex 7 Appendix 5 point 1.4 words substituted by [S.I. 2022/1273 reg. 83\(6\)\(c\)\(ii\)](#)
- Annex 7 Appendix 5 point 2.1 words substituted by [S.I. 2022/1273 reg. 83\(6\)\(c\)\(iv\)](#)
- Annex 7 Appendix 5 point 2.1 table words substituted by [S.I. 2022/1273 reg. 83\(6\)\(c\)\(v\)](#)
- Annex 8 Appendix 8 point 1.3 substituted by [S.I. 2022/1273 reg. 83\(7\)\(d\)\(i\)](#)
- Annex 8 Appendix 8 point 1.4.1 image substituted by [S.I. 2022/1273 reg. 83\(7\)\(d\)\(iii\)\(aa\)](#)
- Annex 8 Appendix 4 table 11 word omitted by [S.I. 2022/1273 reg. 83\(7\)\(c\)\(i\)](#)
- Annex 8 Appendix 4 table 13 word omitted by [S.I. 2022/1273 reg. 83\(7\)\(c\)\(i\)](#)
- Annex 8 Appendix 4 table 15 word omitted by [S.I. 2022/1273 reg. 83\(7\)\(c\)\(ii\)\(aa\)](#)
- Annex 8 Appendix 4 table 15 word omitted by [S.I. 2022/1273 reg. 83\(7\)\(c\)\(ii\)\(bb\)](#)
- Annex 8 Appendix 1s. 1 point 000.6 word substituted by [S.I. 2022/1273 reg. 83\(7\)\(b\)\(ii\)](#)
- Annex 8 Appendix 8 point 2.1 word substituted by [S.I. 2022/1273 reg. 83\(7\)\(d\)\(iv\)](#)
- Annex 8 Appendix 1 words inserted by [S.I. 2022/1273 reg. 83\(7\)\(b\)\(i\)\(aa\)](#)
- Annex 8 Appendix 1 words omitted by [S.I. 2022/1273 reg. 83\(7\)\(b\)\(i\)\(bb\)](#)

- Annex 8 Appendix 8 point 1.4.1 words omitted by [S.I. 2022/1273 reg. 83\(7\)\(d\)\(iii\)\(bb\)](#)
- Annex 8 Appendix 8 point 1.4 words substituted by [S.I. 2022/1273 reg. 83\(7\)\(d\)\(ii\)](#)
- Annex 8 Appendix 8 point 2.1 table words substituted by [S.I. 2022/1273 reg. 83\(7\)\(d\)\(v\)](#)
- Annex 2 Appendix 2s. 2 point 2 omitted by [S.I. 2022/1273 reg. 83\(2\)\(b\)\(ii\)](#)
- Annex 2 Appendix 2 words inserted by [S.I. 2022/1273 reg. 83\(2\)\(b\)\(i\)](#)
- Annex 6 Appendix 7 point 1.3 substituted by [S.I. 2022/1273 reg. 83\(5\)\(e\)\(i\)](#)
- Annex 6 Appendix 7 point 1.5 image substituted by [S.I. 2022/1273 reg. 83\(5\)\(e\)\(iii\)\(aa\)](#)
- Annex 6 Appendix 7 point 2.1 word substituted by [S.I. 2022/1273 reg. 83\(5\)\(e\)\(iv\)](#)
- Annex 6 Appendix 1 words omitted by [S.I. 2022/1273 reg. 83\(5\)\(c\)](#)
- Annex 6 Appendix 7 point 1.5 words omitted by [S.I. 2022/1273 reg. 83\(5\)\(e\)\(iii\)\(bb\)](#)
- Annex 6 Appendix 2 point 8 words substituted by [S.I. 2022/1273 reg. 83\(5\)\(d\)](#)
- Annex 6 Appendix 3 point 8 words substituted by [S.I. 2022/1273 reg. 83\(5\)\(d\)](#)
- Annex 6 Appendix 4 point 8 words substituted by [S.I. 2022/1273 reg. 83\(5\)\(d\)](#)
- Annex 6 Appendix 5 point 8 words substituted by [S.I. 2022/1273 reg. 83\(5\)\(d\)](#)
- Annex 6 Appendix 7 point 1.4 words substituted by [S.I. 2022/1273 reg. 83\(5\)\(e\)\(ii\)](#)
- Annex 6 Appendix 7 point 2.1 table words substituted by [S.I. 2022/1273 reg. 83\(5\)\(e\)\(v\)](#)
- Art. 3(5) omitted by [S.I. 2022/1273 reg. 82\(4\)\(a\)](#)
- Art. 3(16) words substituted by [S.I. 2022/1273 reg. 82\(4\)\(b\)](#)
- Art. 3(20) words substituted by [S.I. 2022/1273 reg. 82\(4\)\(c\)](#)
- Art. 10(1a) inserted by [S.I. 2022/1273 reg. 82\(8\)\(b\)](#)
- Annex 10a para. 3(f) words inserted by [S.I. 2022/1273 reg. 83\(9\)\(a\)](#)
- Annex 10a para. 3(f) table words substituted by [S.I. 2022/1273 reg. 83\(9\)\(b\)\(c\)](#)
- Art. 12(8) inserted by [S.I. 2022/1273 reg. 82\(10\)](#)