

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 2

### **LICENCE TO OPERATE THE SIMULATION TOOL FOR THE PURPOSES OF TYPE-APPROVAL WITH REGARD TO EMISSIONS AND VEHICLE REPAIR AND MAINTENANCE INFORMATION**

#### *Article 6*

#### **Application for a licence to operate the simulation tool with a view to determining CO<sub>2</sub> emissions and fuel consumption of new vehicles**

1 The vehicle manufacturer shall submit to the approval authority an application for a licence to operate the simulation tool referred to in Article 5(3) with a view to determining CO<sub>2</sub> emissions and fuel consumption of new vehicles belonging to one or more vehicle groups ('licence').

2 The application for a licence shall take the form of an information document drawn up in accordance with the model set out in Appendix 1 to Annex II.

3 The application for a licence shall be accompanied by an adequate description of the processes set up by the manufacturer for the purposes of determining CO<sub>2</sub> emissions and fuel consumption with respect to all the vehicle groups concerned, as set out in point 1 of Annex II.

It shall also be accompanied by the assessment report drafted by the approval authority after performing an assessment in accordance with point 2 of Annex II.

4 The vehicle manufacturer shall submit the application for a licence drawn up in accordance with paragraphs 2 and 3 to the approval authority at the latest together with the application for an EC type-approval of a vehicle with an approved engine system with regard to emissions and access to vehicle repair and maintenance information pursuant to Article 7 of Regulation (EU) No 582/2011, or with the application for an EC type-approval of a vehicle with regard to emissions and access to vehicle repair and maintenance information pursuant to Article 9 of that Regulation. The application for a licence must concern the vehicle group which includes the type of vehicle concerned by the application for EC type-approval.

#### *Article 7*

#### **Administrative provisions for the granting of the licence**

1 The approval authority shall grant the licence if the manufacturer submits an application in accordance with Article 6 and proves that the requirements laid down in Annex II are met with respect to the vehicle groups concerned.

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*Status: Point in time view as at 31/12/2020.*

*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. (See end of Document for details)*

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Where the requirements laid down in Annex II are met only with respect to some of the vehicle groups specified in the application for a licence, the licence shall be granted only with respect to those vehicle groups.

2 The licence shall be issued in accordance with the model set out in Appendix 2 to Annex II.

#### *Article 8*

### **Subsequent changes to the processes set up for the purposes of determining CO<sub>2</sub> emissions and fuel consumption of vehicles**

1 A licence shall be extended to vehicle groups other than those to which a licence has been granted, as referred to in Article 7(1), if the vehicle manufacturer proves that the processes set up by him for the purposes of determining CO<sub>2</sub> emissions and fuel consumption of vehicle groups covered by the licence fully meet the requirements of Annex II also in respect of the other vehicle groups.

2 The vehicle manufacturer shall apply for an extension of the licence in accordance with Article 6 (1), (2) and (3).

3 After obtaining the licence, the vehicle manufacturer shall notify the approval authority without delay of any changes to the processes set up by him for the purposes of determining CO<sub>2</sub> emissions and fuel consumption for the vehicle groups covered by the licence that may effect on the accuracy, reliability and stability of those processes.

4 Upon receipt of the notification referred to in paragraph 3, the approval authority shall inform the vehicle manufacturer whether processes affected by the changes continue to be covered by the licence granted, whether the licence must be extended in accordance with paragraphs 1 and 2 or whether a new licence should be applied for in accordance with Article 6.

5 Where the changes are not covered by the licence, the manufacturer shall, within one month of receipt of the information referred to in paragraph 4, apply for an extension of the licence or for a new licence. If the manufacturer does not apply for an extension of the licence or a new licence within that deadline, or if the application is rejected, the licence shall be withdrawn.

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