

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 CO₂ 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 3

OPERATION OF THE SIMULATION TOOL WITH A VIEW TO DETERMINING THE CO₂ EMISSIONS AND FUEL CONSUMPTION FOR THE PURPOSES OF REGISTRATION, SALE AND ENTRY INTO SERVICE OF NEW VEHICLES

Article 9

Obligation to determine and declare CO₂ emissions and fuel consumption of new vehicles

[^{F11} A vehicle manufacturer shall determine the CO₂ emissions and fuel consumption of each new vehicle, with the exception of ZE-HDVs, He-HDVs and dual-fuel vehicles, to be sold, registered or put into service in the Union using the latest available version of the simulation tool referred to in Article 5(3). With regard to ZE-HDVs, He-HDVs and dual-fuel vehicles to be sold, registered or put into service in the Union, the vehicle manufacturer shall determine only the information specified for those vehicles in the models set out in Part I and Part II of Annex IV using the latest available version of the simulation tool referred to in Article 5(3).]

A vehicle manufacturer may operate the simulation tool for the purposes of this Article only if in possession of a licence granted for the vehicle group concerned in accordance with Article 7 or extended to the vehicle group concerned in accordance with Article 8(1).

2 The vehicle manufacturer shall record the results of the simulation performed in accordance with the first subparagraph of paragraph 1 in the manufacturer's records file drawn up in accordance with the model set out in Part I of Annex IV.

With the exception of the cases referred to in the second subparagraph of Article 21(3), and in Article 23(6), any subsequent changes to the manufacturer's records file shall be prohibited.

[^{F13} The vehicle manufacturer shall create cryptographic hashes of the manufacturer's records file and of the customer information file using the hashing tool referred to in Article 5(5).]

4 Each vehicle to be registered, sold or to enter into service shall be accompanied by the customer information file drawn up by the manufacturer in accordance with the model set out in Part II to Annex IV.

Each customer information file shall include an imprint of the cryptographic hash of the manufacturer's records file referred to in paragraph 3.

[^{F15} Each vehicle to be registered, sold or to enter into service shall be accompanied by a certificate of conformity or, in the case of vehicles approved in accordance with Article 24 of Directive 2007/46/EC, an individual approval certificate, including an imprint of the

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) View outstanding changes

cryptographic hash of the manufacturer's records file and of the customer information file referred to in paragraph 3.]

Textual Amendments

- F1** Substituted by [Commission Regulation \(EU\) 2019/318 of 19 February 2019 amending Regulation \(EU\) 2017/2400 and Directive 2007/46/EC of the European Parliament and of the Council as regards the determination of the CO₂ emissions and fuel consumption of heavy-duty vehicles \(Text with EEA relevance\)](#).

Article 10

Modifications, updates and malfunction of the electronic tools

1 In the case of modifications or updates to the simulation tool, the vehicle manufacturer shall start using the modified or updated simulation tool no later than 3 months after the modifications and updates were made available on the dedicated electronic distribution platform.

2 If the CO₂ emissions and fuel consumption of new vehicles cannot be determined in accordance with Article 9(1) due to a malfunction of the simulation tool, the vehicle manufacturer shall notify the Commission thereof without delay by means of the dedicated electronic distribution platform.

3 If the CO₂ emissions and fuel consumption of new vehicles cannot be determined in accordance with Article 9(1) due to a malfunction of the simulation tool, the vehicle manufacturer shall perform the simulation of those vehicles not later than 7 calendar days after the date referred to in point 1. Until then, the obligations resulting from Article 9 for the vehicles for which the determination of fuel consumption and CO₂ emissions remains impossible shall be suspended.

Article 11

Accessibility of the simulation tool inputs and output information

1 The manufacturer's records file together with certificates on CO₂ emissions and fuel consumption related properties of the components, systems and separate technical units shall be stored by the vehicle manufacturer for at least 20 years after the production of the vehicle and shall be available to the approval authority and the Commission at their request.

2 Upon request by an authorized entity of a Member State or by the Commission, the vehicle manufacturer shall provide, within 15 working days, the manufacturer's records file.

3 Upon request by an authorised entity of a Member State or by the Commission, the approval authority which granted the licence in accordance with Article 7 or certified the CO₂ emissions and fuel consumption related properties of a component, separate technical unit or system in accordance with Article 17 shall provide, within 15 working days, the information document referred to in Article 6(2) or in Article 16(2), respectively.

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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)