

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 6

### FINAL PROVISIONS

#### *Article 24*

#### **Transitional provisions**

1 Without prejudice to Article 10(3), where the obligations referred to in Article 9 have not been complied with, Member States shall prohibit the registration, sale or entry into service of:

- [<sup>F1</sup>a vehicles in the groups 4, 5, 9 and 10, including the sub-group ‘v’ in each vehicle group, as defined in Table 1 of Annex I, as from 1 July 2019;]
- b vehicles in the groups 1, 2, and 3, as defined in Table 1 of Annex I, as from 1 January 2020;
- c vehicles in the groups 11, 12 and 16, as defined in Table 1 of Annex I, as from 1 July 2020.

2 Notwithstanding paragraph 1(a), the obligations referred to in Article 9 shall apply from 1 January 2019 with regard to all vehicles in the groups 4, 5, 9 and 10 with production date on or after 1 January 2019. [<sup>F1</sup>For vehicles in the sub-group ‘v’ of any of those vehicle groups, the obligation referred to in Article 9 shall apply as from the entry into force of this Regulation.]

[<sup>F2</sup>For the purposes of the first subparagraph, the production date shall mean:

- a the date of signature of the certificate of conformity;
- b where a certificate of conformity has not been issued, the date on which the vehicle identification number was affixed for the first time on the relevant parts of the vehicle.]

[<sup>F23</sup> The second subparagraph of Article 20(1) and the second, third and fourth subparagraphs of Article 20(2) shall apply from 1 July 2020. Remedial measures under Articles 21(5) and 23(6) shall apply pursuant to an investigation into a vehicle failure in the verification testing procedure set out in Annex Xa as from 1 July 2023.]

#### **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 CO<sub>2</sub> emissions and fuel consumption of heavy-duty vehicles \(Text with EEA relevance\)](#).
- F2** Inserted 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 CO<sub>2</sub> emissions and fuel consumption of heavy-duty vehicles \(Text with EEA relevance\)](#).

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*Status: Point in time view as at 31/01/2020.*

*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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## Article 25

### Amendment to Directive 2007/46/EC

Annexes I, III, IV, IX and XV to Directive 2007/46/EC are amended in accordance with Annex XI to this Regulation.

## Article 26

### Amendment to Regulation (EU) No 582/2011

Regulation (EU) No 582/2011 is amended as follows:

- (1) In Article 3(1), the following subparagraph is added:

In order to receive an EC type-approval of a vehicle with an approved engine system with regard to emissions and vehicle repair and maintenance information, or an EC type-approval of a vehicle with regard to emissions and vehicle repair and maintenance information, the manufacturer shall also demonstrate that the requirements laid down in Article 6 and Annex II to Commission Regulation (EU) 2017/2400<sup>(1)</sup> are met with respect to the vehicle group concerned. However, that requirement shall not apply where the manufacturer indicates that new vehicles of the type to be approved will not be registered, sold or put into service in the Union on or after the dates laid down in points (a), (b) and (c) of paragraph 1 of Article 24 of Regulation (EU) 2017/2400 for the respective vehicle group.;

- (2) Article 8 is amended as follows:

- (a) in paragraph 1a, point (d) is replaced by the following:

- (d) all other exceptions set out in points 3.1 of Annex VII to this Regulation, points 2.1 and 6.1 of Annex X to this Regulation, points 2.1, 4.1, 5.1, 7.1, 8.1 and 10.1 of Annex XIII to this Regulation, and point 1.1 of Appendix 6 to Annex XIII to this Regulation apply.;

- (b) in paragraph 1a, the following point is added:

- (e) the requirements laid down in Article 6 and Annex II to Regulation (EU) 2017/2400 are met with respect to the vehicle group concerned, except where the manufacturer indicates that new vehicles of the type to be approved will not be registered, sold or put into service in the Union on or after the dates laid down in points (a), (b) and (c) of paragraph 1 of Article 24 of that Regulation for the respective vehicle group.;

- (3) Article 10 is amended as follows:

- (a) in paragraph 1a, point (d) is replaced by the following:

- (d) all other exceptions set out in points 3.1 of Annex VII to this Regulation, points 2.1 and 6.1 of Annex X to this Regulation, points 2.1, 4.1, 5.1, 7.1, 8.1 and 10.1.1 of Annex XIII to this

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Regulation, and point 1.1 of Appendix 6 to Annex XIII to this Regulation apply;;

- (b) in paragraph 1a, the following point is added:
  - (e) the requirements laid down in Article 6 and Annex II to Regulation (EU) 2017/2400 are met with respect to the vehicle group concerned, except where the manufacturer indicates that new vehicles of the type to be approved will not be registered, sold or put into service in the Union on or after the dates laid down in points (a), (b) and (c) of paragraph 1 of Article 24 of that Regulation for the respective vehicle group..

#### *Article 27*

#### **Entry into force**

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

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- (1) 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 (OJ L 349, 29.12.2017, p. 1).';

**Status:**

Point in time view as at 31/01/2020.

**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.