

Regulation (EU) 2019/631 of the European Parliament and of the Council of 17 April 2019 setting CO₂ emission performance standards for new passenger cars and for new light commercial vehicles, and repealing Regulations (EC) No 443/2009 and (EU) No 510/2011 (recast) (Text with EEA relevance)

Article 12

Real-world CO₂ emissions and fuel or energy consumption

1 The [F¹Secretary of State] shall monitor and assess the real-world representativeness of the CO₂ emissions and fuel or energy consumption values determined pursuant to Regulation (EC) No 715/2007 [F², as it has effect in domestic law, and as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol].

Furthermore, the [F¹Secretary of State] shall regularly collect data on the real-world CO₂ emissions and fuel or energy consumption of passenger cars and light commercial vehicles using on-board fuel and/or energy consumption monitoring devices, starting with new passenger cars and new light commercial vehicles registered in 2021.

The [F¹Secretary of State] shall ensure that the public is informed of how that real-world representativeness evolves over time.

2 For the purpose referred to in paragraph 1, starting from 1 January 2021, the [F³Secretary of State] shall ensure that the following parameters relating to real-world CO₂ emissions and fuel or energy consumption of passenger cars and light commercial vehicles are made available at regular intervals to [F⁴the Secretary of State], from manufacturers, national authorities or through direct data transfer from vehicles, as the case may be:

- a vehicle identification number;
- b fuel and/or electric energy consumed;
- c total distance travelled;
- d for externally chargeable hybrid electric vehicles, the fuel and electric energy consumed and the distance travelled distributed over the different driving modes;
- e other parameters necessary to ensure that the obligations set out in paragraph 1 can be met.

The [F³Secretary of State] shall process the data received under the first subparagraph to create anonymised and aggregated datasets, including per manufacturer, for the purposes of paragraph 1. The vehicle identification numbers shall be used only for the purpose of that data processing and shall not be retained longer than needed for that purpose.

3 In order to prevent the real-world emissions gap from growing, the [F⁵Secretary of State] shall, no later than 1 June 2023, assess how fuel and energy consumption data may be used to ensure that the vehicle CO₂ emissions and fuel or energy consumption values determined pursuant to Regulation (EC) No 715/2007 [F⁶, as it has effect in domestic law, and as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol,] remain representative of real-world emissions over time for each manufacturer.

The [F⁵Secretary of State] shall monitor and report annually on how the gap referred to in the first subparagraph evolves over the period 2021 to 2026 and shall, with the view

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2019/631 of the European Parliament and of the Council, Article 12. (See end of Document for details)

to preventing an increase in that gap, assess, in 2027, the feasibility of a mechanism to adjust the manufacturer's average specific emissions of CO₂ as of 2030, and, if appropriate, submit a legislative proposal to put such a mechanism in place.

4 [F⁷Regulations may set out] the detailed procedure for collecting and processing the data referred to in paragraph 2 of this Article. F⁸ ...

Textual Amendments

- F1 Words in Art. 12(1) substituted (31.12.2020) by The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars and Vans) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1418), regs. 1(3), **3(14)(a)**
- F2 Words in Art. 12(1) inserted (31.12.2022 at 11.00 p.m.) by The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars, Vans and Heavy Duty Vehicles) (Amendment) Regulations 2022 (S.I. 2022/1361), regs. 1(2), **3(7)(a)**
- F3 Words in Art. 12(2) substituted (31.12.2020) by The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars and Vans) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1418), regs. 1(3), **3(14)(b)(i)**
- F4 Words in Art. 12(2) substituted (31.12.2020) by The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars and Vans) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1418), regs. 1(3), **3(14)(b)(ii)**
- F5 Words in Art. 12(3) substituted (31.12.2020) by The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars and Vans) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1418), regs. 1(3), **3(14)(c)**
- F6 Words in Art. 12(3) inserted (31.12.2022 at 11.00 p.m.) by The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars, Vans and Heavy Duty Vehicles) (Amendment) Regulations 2022 (S.I. 2022/1361), regs. 1(2), **3(7)(b)**
- F7 Words in Art. 12(4) substituted (31.12.2020) by The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars and Vans) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1418), regs. 1(3), **3(14)(d)(i)**
- F8 Words in Art. 12(4) omitted (31.12.2020) by virtue of The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars and Vans) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1418), regs. 1(3), **3(14)(d)(ii)**

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EU) 2019/631 of the European Parliament and of the Council, Article 12.