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From: Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director

date of receipt: 7 September 2023

To: Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

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Subject: COMMISSION DELEGATED REGULATION (EU) .../... of 7.9.2023 amending Regulation (EU) 2019/631 of the European Parliament and of the Council as regards the adjustment of the mass values of new passenger cars and new light commercial vehicles

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Delegations will find attached document C(2023) 5957 final.

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Encl.: C(2023) 5957 final



Brussels, 7.9.2023  
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**COMMISSION DELEGATED REGULATION (EU) .../...**

**of 7.9.2023**

**amending Regulation (EU) 2019/631 of the European Parliament and of the Council as regards the adjustment of the mass values of new passenger cars and new light commercial vehicles**

(Text with EEA relevance)

## EXPLANATORY MEMORANDUM

### 1. CONTEXT OF THE DELEGATED ACT

According to Regulation (EU) 2019/631, the specific CO<sub>2</sub> emission targets to be achieved by manufacturers of new passenger cars and new light commercial vehicles are set as a function of the average mass of the manufacturer's vehicle fleet registered in the target year as well as the average mass of the EU-wide vehicle fleet. Up and until 2024, the mass value to be used for this purpose is the mass in running order of the vehicles concerned. As of 2025, the approach is based on the test mass of the vehicles. In order to enhance the predictability of the manufacturer targets, the average mass of the EU-wide vehicle fleet used in the calculation formulas is not the one in the target year, but rather a reference value, which is based on the average mass of the fleet in previous calendar years: the M<sub>0</sub> value in relation to mass in running order and the TM<sub>0</sub> value in relation to test mass.

In order to ensure that the EU fleet-wide emission targets set out in Regulation (EU) 2019/631 continue to be achieved over time, the formula for calculating the specific emission targets should reflect the evolution of the average mass of new passenger cars and new light commercial vehicles registered in the Union.

Therefore, the M<sub>0</sub> and TM<sub>0</sub> values in Annex I to Regulation (EU) 2019/631, are to be regularly adjusted, in accordance with Article 14 of the Regulation (every three years for M<sub>0</sub> and every two years for TM<sub>0</sub>).

In accordance with Article 14(1)(b) of Regulation (EU) 2019/631, the new M<sub>0</sub> value to be applied for calculating the specific emission targets in 2024 for new light commercial vehicles is based on the average mass in running order of these vehicles registered in the calendar years 2019, 2020 and 2021. The value is calculated as the EU fleet-wide average mass in running order in each of those three years, weighted according to the number of new registrations in each of those years, as confirmed by Commission Implementing Decisions (EU) 2021/973<sup>1</sup>, (EU) 2022/2087<sup>2</sup> and (EU) 2023/1623<sup>3</sup>.

In accordance with Article 14(1)(c) of Regulation (EU) 2019/631, the indicative TM<sub>0</sub> values for 2025 are determined as the average test mass of all new passenger cars and new light commercial vehicles, respectively, registered in 2021. The value is equal to the EU fleet-wide average test mass of new vehicles registered in 2021, as confirmed by Commission Implementing Decision (EU) 2023/1623.

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<sup>1</sup> Commission Implementing Decision (EU) 2021/973 of 1 June 2021 confirming or amending the provisional calculation of the average specific emissions of CO<sub>2</sub> and the specific emissions targets for manufacturers of passenger cars and light commercial vehicles for the calendar year 2019 and, for the passenger car manufacturer Dr Ing. h.c. F. Porsche AG and the Volkswagen pool, for the calendar years 2014 to 2018 pursuant to Regulation (EU) 2019/631 of the European Parliament and of the Council (OJ L 215, 17.6.2021, p. 1).

<sup>2</sup> Commission Implementing Decision (EU) 2022/2087 of 26 September 2022 confirming or amending the provisional calculation of the average specific emissions of CO<sub>2</sub> and the specific emissions targets for manufacturers of passenger cars and light commercial vehicles for the calendar year 2020 and informing manufacturers of the values to be used for the calculation of the specific emissions targets and derogation targets for the calendar years 2021 to 2024 pursuant to Regulation (EU) 2019/631 of the European Parliament and of the Council (OJ L 280, 28.10.2022, p. 49).

<sup>3</sup> Commission Implementing Decision (EU) 2023/1623 of 3 August 2023 specifying the values relating to the performance of manufacturers and pools of manufacturers of new passenger cars and new light commercial vehicles for the calendar year 2021 and the values to be used for the calculation of the specific emission targets from 2025 onwards, pursuant to Regulation (EU) 2019/631 of the European Parliament and of the Council and correcting Implementing Decision (EU) 2022/2087 (OJ L 200, 10.8.2023, p. 5).

## **2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT**

On 21 March 2023, the Expert Group on CO<sub>2</sub> emissions from motor vehicles was informed of the new M<sub>0</sub> and TM<sub>0</sub> values.

## **3. LEGAL ELEMENTS OF THE DELEGATED ACT**

The target calculation formula is amended with a view to applying the new M<sub>0</sub> value for light commercial vehicles as of 1 January 2024.

The target calculation formulas are amended with a view to applying the new TM<sub>0</sub> values for passenger cars and for light commercial vehicles as of 1 January 2025.

**COMMISSION DELEGATED REGULATION (EU) .../...**

**of 7.9.2023**

**amending Regulation (EU) 2019/631 of the European Parliament and of the Council as regards the adjustment of the mass values of new passenger cars and new light commercial vehicles**

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2019/631 of the European Parliament and of the Council of 17 April 2019 setting CO<sub>2</sub> 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<sup>4</sup>, and in particular Article 14(2) thereof,

Whereas:

- (1) In accordance with Regulation (EU) 2019/631, the Union fleet-wide average mass in running order used for the purpose of calculating the specific emission targets of carbon dioxide (CO<sub>2</sub>) for each manufacturer of new light commercial vehicles (the M<sub>0</sub> value) is to be adjusted regularly until 2024 to take into account changes in the average mass of the new light commercial vehicles registered in the Union.
- (2) Based on the data in Annexes I to IV to Commission Implementing Decision (EU) 2021/973<sup>5</sup>, Annexes I and II to Commission Implementing Decision (EU) 2022/2087<sup>6</sup> and Annexes I to III to Commission Implementing Decision (EU) 2023/1623<sup>7</sup>, the average mass in running order of new light commercial vehicles registered in the calendar years 2019, 2020 and 2021, weighted according to the number of new registrations in each of those years, was 1875,07 kg. The M<sub>0</sub> value for the calendar

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<sup>4</sup> OJ L 111 25.4.2019, p. 13.

<sup>5</sup> Commission Implementing Decision (EU) 2021/973 of 1 June 2021 confirming or amending the provisional calculation of the average specific emissions of CO<sub>2</sub> and the specific emissions targets for manufacturers of passenger cars and light commercial vehicles for the calendar year 2019 and, for the passenger car manufacturer Dr Ing. h.c. F. Porsche AG and the Volkswagen pool, for the calendar years 2014 to 2018 pursuant to Regulation (EU) 2019/631 of the European Parliament and of the Council (OJ L 215, 17.6.2021, p. 1).

<sup>6</sup> Commission Implementing Decision (EU) 2022/2087 of 26 September 2022 confirming or amending the provisional calculation of the average specific emissions of CO<sub>2</sub> and the specific emissions targets for manufacturers of passenger cars and light commercial vehicles for the calendar year 2020 and informing manufacturers of the values to be used for the calculation of the specific emissions targets and derogation targets for the calendar years 2021 to 2024 pursuant to Regulation (EU) 2019/631 of the European Parliament and of the Council (OJ L 280, 28.10.2022, p. 49).

<sup>7</sup> Commission Implementing Decision (EU) 2023/1623 of 3 August 2023 specifying the values relating to the performance of manufacturers and pools of manufacturers of new passenger cars and new light commercial vehicles for the calendar year 2021 and the values to be used for the calculation of the specific emission targets from 2025 onwards, pursuant to Regulation (EU) 2019/631 of the European Parliament and of the Council and correcting Implementing Decision (EU) 2022/2087 (OJ L 200, 10.8.2023, p. 5).

year 2024 referred to in Part B, point 4, of Annex I to Regulation (EU) 2019/631 should therefore be equal to that value.

- (3) In accordance with Regulation (EU) 2019/631, as of 2025, the average test mass of all new passenger cars and new light commercial vehicles (the  $TM_0$  values) are to be used for the purpose of calculating the specific emissions reference targets for each manufacturer of new passenger cars and each manufacturer of light commercial vehicles. The  $TM_0$  values to be used for the calculation are to be regularly adjusted to the respective average test mass of all new registered passenger cars and new registered light commercial vehicles.
- (4) The indicative  $TM_0$  values for 2025 should be calculated as the respective average test mass of all new passenger cars and all new light commercial vehicles registered in the calendar year 2021. Based on the data in Commission Implementing Decision (EU) 2023/1623, the average test mass of all new passenger cars registered in the calendar year 2021 was 1609,6 kg, and the average test mass of all new light commercial vehicles registered in the calendar year 2021 was 2163,0 kg. The indicative  $TM_0$  values for the calendar year 2025 referred to in Part A, point 6.2.1, and Part B, point 6.2.1, of Annex I to Regulation (EU) 2019/631, should therefore be equal to those values.
- (5) Regulation (EU) 2019/631 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

Annex I to Regulation (EU) 2019/631 is amended as follows:

- (1) in Part A, point 6.2.1, the entry  $TM_0$  is replaced by the following:  
‘ $TM_0$  is 1609,6 kg in 2025 and the value in kilograms (kg) determined in accordance with Article 14(1), point (d), in the other calendar years.’;
- (2) in Part B, point 4, the entry  $M_0$  is replaced by the following:  
‘ $M_0$  is 1 766,4 in 2020, 1 825,23 in 2021, 2022 and 2023, and 1 875,07 in 2024’;
- (3) in Part B, point 6.2.1, the entry  $TM_0$  is replaced by the following:  
‘ $TM_0$  is 2163,0 kg in 2025 and the value in kilograms (kg) determined in accordance with Article 14(1), point (d), in the other calendar years.’.

#### *Article 2*

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

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 7.9.2023

*For the Commission*  
*The President*  
*Ursula VON DER LEYEN*