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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
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To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
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Subject:	COMMISSION REGULATION (EU) .../... of XXX amending Regulation (EU) No 582/2011 as regards the emissions type-approval of heavy-duty vehicles with on-board fuel and energy consumption monitoring devices

Delegations will find attached document [...](2025) XXX draft - D 108971/1.

Encl.: [...](2025) XXX draft - D 108971/1



EUROPEAN
COMMISSION

Brussels, **XXX**
D108971/01
[...] (2025) **XXX** draft

COMMISSION REGULATION (EU) .../...

of **XXX**

amending Regulation (EU) No 582/2011 as regards the emissions type-approval of heavy-duty vehicles with on-board fuel and energy consumption monitoring devices

(Text with EEA relevance)

Commission Regulation (EU) .../... of **XXX amending Regulation (EU) No 582/2011 as regards the emissions type-approval of heavy-duty vehicles with on-board fuel and energy consumption monitoring devices**

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC¹, and in particular Article 5(4), point (e), thereof,

Whereas:

- (1) While Commission Regulation (EU) No 582/2011² sets out requirements for the approval of heavy-duty vehicles with regard to emissions and Commission Implementing Regulation (EU) 2025/XXXX³ sets out the technical requirements for determining the CO₂ emissions and fuel consumption and on-board mass monitoring of heavy-duty vehicles on the road, the declaration of compliance of the on-board fuel and energy consumption monitoring (OBFCM) device and on-board mass monitoring system (OBMM) should be part of the type-approval system instituted by Regulation (EU) No 582/2011. It is therefore necessary to ensure a link between the emissions type-approval and compliance with the OBFCM requirements and to set out new emissions approval characters to allow for the identification of vehicles fitted with OBFCM devices.
- (2) While the on-board fuel consumption monitoring should be part of the engine type-approval system instituted by Regulation (EU) No 582/2011, the determination of the vehicle total mass on-board the vehicle may be fulfilled either by the engine manufacturer or by the manufacturer responsible for the vehicle type-approval. Where the engine manufacturer does not provide for the determination of the vehicle total mass as set out in Implementing Regulation (EU) 2025/XXXX, the responsibility for the on-board mass monitoring should be on the manufacturer responsible for the installation of the engine into the vehicle.
- (3) As the fuel consumption values and CO₂ emissions of heavy-duty vehicles resulting from the regulatory test procedures under Commission Regulation (EU) 2017/2400⁴

¹ OJ L 188, 18.07.2009, p. 1, ELI: <http://data.europa.eu/eli/reg/2009/595/oj>.

² Commission Regulation (EU) No 582/2011 of 25 May 2011 implementing and amending Regulation (EC) No 595/2009 of the European Parliament and of the Council with respect to emissions from heavy duty vehicles (Euro VI) and amending Annexes I and III to Directive 2007/46/EC of the European Parliament and of the Council (OJ L 167, 25.6.2011, p. 1, ELI: <http://data.europa.eu/eli/reg/2011/582/oj>).

³ TO BE ADDED AFTER ADOPTION – [ISC/2024/10614 · Decide Consultation](#)

⁴ 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

is complemented by information recorded by the OBFCM device in accordance with Implementing Regulation (EU) 2025/XXXX on the vehicles' average real-world consumption when the vehicle is driven on the road, and as such information is essential for assessing that the regulatory procedures adequately reflect the average real-world CO₂ emissions as well as the quantity of fuel and electric energy consumed, the accuracy of those OBFCM devices should be verified during on-road testing.

- (4) The necessary information on fuel consumption and emissions from the portable emissions measurement systems (PEMS) test procedure should be recorded to assess the accuracy of the OBFCM device as specified in Implementing Regulation (EU) 2025/XXXX.
- (5) Commission Regulation (EU) No 582/2011⁵ should therefore be amended accordingly.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Technical Committee – Motor Vehicles,

HAS ADOPTED THIS REGULATION:

Article 1

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

- (1) in Article 3, the following paragraph is added:

‘15. In order to receive an EU type-approval of a vehicle with an approved engine system with regard to emissions, or an EU type-approval of a vehicle with regard to emissions, the manufacturer shall ensure that the requirements set out in Article 2 of Commission Implementing Regulation (EU) 2025/XXXX* are fulfilled.*.

However, the manufacturer shall not be required to declare that the requirements set out in Article 2 of Implementing Regulation (EU) 2025/XXXX* are met where that manufacturer indicates in the declaration of compliance set out in point 6.2 of Annex I to that Implementing Regulation that new vehicles of the type to be approved will not be registered, placed on the market or entered into service in the Union on or after the relevant date set out in Table 1 of Annex I to that Implementing Regulation.

16. In order to receive an EU type-approval of an engine system or engine family as a separate technical unit, the manufacturer shall ensure that the requirements set out in Article 2 of Commission Implementing Regulation (EU) 2025/XXXX* are fulfilled.

However, the manufacturer shall not be required to declare that the requirements set out in Article 2 of Implementing Regulation (EU) 2025/XXXX* are met where that manufacturer indicates in the declaration of compliance set out in point 6.1 of Annex

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, ELI: <http://data.europa.eu/eli/reg/2017/2400/oj>).

⁵ Commission Regulation (EU) No 582/2011 of 25 May 2011 implementing and amending Regulation (EC) No 595/2009 of the European Parliament and of the Council with respect to emissions from heavy duty vehicles (Euro VI) and amending Annexes I and III to Directive 2007/46/EC of the European Parliament and of the Council (OJ L 167, 25.6.2011, p. 1, ELI: <http://data.europa.eu/eli/reg/2011/582/oj>).

1 to that Implementing Regulation that new engines of the type to be approved will not be registered, placed on the market or entered into service in the Union on or after the relevant date set out in Table 1 of Annex I to that Implementing Regulation.’

*Commission Implementing Regulation (EU) 2025/XXXX of (..., ELI...);

(2) in Article 6(1a), the following paragraph (e) is added:

‘(e) the requirements set out in Article 2 of Implementing Regulation (EU) 2025/XXXX are met, except where the manufacturer indicated in the declaration of compliance set out in point 6.1 of Annex I to that Implementing Regulation that new engines of the type to be approved will not be registered, sold or put into service in the Union on or after the relevant date set out in Table 1 of Annex I to that Implementing Regulation.’;

(3) in Article 8(1a), the following point (f) is added:

‘(f) the requirements set out in Article 2 of Implementing Regulation (EU) 2025/XXXX are met, except where the manufacturer indicates in the declaration of compliance set out in point 6.2 of Annex I to that Implementing Regulation 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 relevant date set out in Table 1 of Annex I to that Implementing Regulation.’;

(4) in Article 10(1a), the following point (f) is added:

‘(f) the requirements set out in Article 2 of Implementing Regulation (EU) 2025/XXXX are met, except where the manufacturer indicates in the declaration of compliance set out in point 6.2 of Annex 1 to that Implementing Regulation 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 set out in Table 1 of Annex I to that Implementing Regulation.’;

(5) in Article 13, paragraph 1 is replaced by the following:

‘1. On request of the approval authority and following in-service testing in accordance with Article 12 of this Regulation or following OBFCM or OBMM verification testing in accordance with Article 4 of Implementing Regulation (EU) 2025/XXXX, the manufacturer shall submit the plan of remedial measures to the approval authority no later than 60 working days after receipt of the notification from the approval authority. Where the manufacturer can demonstrate to the satisfaction of the approval authority that further time is required to investigate the reason for the non-compliance in order to submit a plan of remedial measures, an extension may be granted.’.

(6) in Article 17a, the following point 5 is added:

‘5. With effect from 1 July 2027, national authorities shall, in the case of new vehicles in the scope of Regulation (EU) 2025/XXXX which do not comply with the requirements of this Regulation as amended by Regulation (EU) 2025/XXXX, consider certificates of conformity issued in respect of those vehicles to be no longer valid for the purposes of Article 48 of Regulation (EU) 2018/858 and shall, on grounds relating to emissions, prohibit the registration, making available on the market and entry into service of such vehicles.

6. With effect from 29 May 2029, national authorities shall, in the case of new vehicles and engines, consider certificates of conformity issued in respect of those vehicles to be no longer valid for the purposes of Article 48 of Regulation (EU) 2018/858 and shall, on grounds relating to emissions, prohibit the registration, making available on the market and entry into service of such vehicles, except in the case of replacement engines for in-service vehicles, and engines for vehicles produced by small-volume manufacturers as set out in Regulation (EU) 2024/1257.

By way of derogation from the first subparagraph, with effect from 29 November 2027 for new vehicles of category M₁ and N₁ falling in the scope of Regulation (EU) 595/2009, national authorities shall consider certificates of conformity issues in respect of those vehicles to be no longer valid for the purposes of Article 48 of Regulation (EU) 2018/858 and shall, on grounds relating to emissions, prohibit the registration on the market and entry into service of such vehicle.

By way of derogation from the first subparagraph, with effect from 1 July 2030 for new vehicles of category M₁ and N₁ constructed by small-volume manufacturers as set out in Regulation (EU) 2024/1257, national authorities shall consider certificates of conformity issues in respect of those vehicles to be no longer valid for the purposes of Article 48 of Regulation (EU) 2018/858 and shall, on grounds relating to emissions, prohibit the registration on the market and entry into service of such vehicle.

By way of derogation from the first subparagraph, with effect from 1 July 2031 for new vehicles of category M₂, M₃, N₂, and N₃ constructed by small-volume manufacturers as set out in Regulation (EU) 2024/1257, national authorities shall consider certificates of conformity issues in respect of those vehicles to be no longer valid for the purposes of Article 48 of Regulation (EU) 2018/858 and shall, on grounds relating to emissions, prohibit the registration on the market and entry into service of such vehicle.

Article 2

Annexes I, II and VI to Regulation (EU) No 582/2011 are amended in accordance with the Annex to this Regulation.

Article 3

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,

For the Commission
The President
Ursula VON DER LEYEN