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

of XXX

**amending Commission Regulation (EU) 2017/1151 as regards the emission type
approval procedures for light passenger and commercial vehicles running exclusively on
carbon neutral fuels**

(Text with EEA relevance)

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amending Commission Regulation (EU) 2017/1151 as regards the emission type approval procedures for light passenger and commercial vehicles running exclusively on carbon neutral fuels

(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 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information¹, and in particular Articles 5(3) and 14(3) thereof,

Whereas:

- (1) Regulation (EC) No 715/2007 regulates type approval of motor vehicles with regard to their emissions. To that end, it requires new light passenger and commercial vehicles to comply with certain emission limits. The specific technical provisions necessary to implement that Regulation are contained in Commission Regulation (EU) 2017/1151².
- (2) Carbon-neutral fuels are renewable liquid and gaseous fuels of non-biological origin defined in Directive (EU) 2018/2001³ and fulfilling the minimum thresholds for greenhouse gas emissions savings referred to in Article 25(2) of that Directive. Vehicles with internal combustion engines may use such fuels already today.
- (3) Vehicles running exclusively on carbon-neutral fuels when using an internal combustion engine are vehicles designed and constructed so that they cannot run on other types of fuels in combustion mode. If the internal combustion engine is fuelled with fuels other than carbon-neutral fuels, such vehicles should be able to detect it and stop the vehicle from starting until it is fuelled with carbon-neutral fuel. The choice of technological solutions for such fuelling monitors and fuelling inducement systems should be up to the manufacturers.
- (4) Currently anti-tampering rules are limited in scope to emission controls and the odometer. Therefore, specific anti-tampering rules for fuelling monitors and fuelling inducement systems are needed.

¹ OJ L 171, 29.6.2007, p. 1.

² Commission Regulation (EU) 2017/1151 of 1 June 2017 supplementing Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information, amending Directive 2007/46/EC of the European Parliament and of the Council, Commission Regulation (EC) No 692/2008 and Commission Regulation (EU) No 1230/2012 and repealing Regulation (EC) No 692/2008 (OJ L 175, 7.7.2017, p.1).

³ Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).

- (5) In order to allow the type approval of vehicles running exclusively on carbon-neutral fuels, the test procedures, administrative provisions, information documents, type approval certificates and the Certificate of Conformity need to be adapted.
- (6) In order to align the Worldwide Harmonised Light-duty Test Procedure (WLTP) methodology laid down in Regulation (EU) 2017/1151 with UN Regulation No 154⁴, it should be made clear that when a vehicle is running on hydrogen there is no need to measure CO₂ emissions.
- (7) It should be clarified that for the evaporative emissions test and On-Board Diagnostics systems the specific conformity of production requirements of UN Regulation No 154 apply. It should also be clarified that for the power measurement of electric drive trains both the net power and the maximum 30 minutes power should be determined.
- (8) It is therefore necessary to amend Regulation (EU) 2017/1151 and Commission Implementing Regulation (EU) 2020/683.
- (9) 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) 2017/1151 is amended as follows:

- (1) Article 2 is amended as follows:

- (a) The following points are added following point 9:

‘(9a) ‘carbon neutral fuels’ mean renewable liquid and gaseous transport fuels of non-biological origin as defined in Directive (EU) 2018/2001, and fulfilling the minimum thresholds for greenhouse gas emissions savings referred to in Article 25(2) of that Directive;

(9b) ‘vehicle running exclusively on carbon neutral fuels’ means a vehicle that is designed and constructed in order to run exclusively with the use of carbon neutral fuels and cannot run with other types of fuels when using an internal combustion engine;

(9c) ‘fuelling monitor’ is a monitor that checks whether a vehicle running exclusively on carbon neutral fuels is fuelled with carbon neutral fuels or fuels other than carbon neutral fuels;

(9d) ‘fuelling inducement system’ is a system that prohibits a vehicle running exclusively on carbon neutral fuels to start if fuelled with fuels other than carbon neutral fuels;’

- (b) point 42 is replaced as follows:

‘(42) ‘Portable emissions measurement system’ (PEMS) means a portable emissions measurement system meeting the requirements specified in Annex 4

⁴ UN Regulation No 154 – Uniform provisions concerning the approval of light duty passenger and commercial vehicles with regards to criteria emissions, emissions of carbon dioxide and fuel consumption and/or the measurement of electric energy consumption and electric range (WLTP) (OJ L 290, 10.11.2022, p. 1).

of UN Regulation No. [RDE - *UN Regulation number to be included after publication at UN*];

(2) Article 3 is amended as follows:

(a) in paragraph 2, the first subparagraph is replaced by the following:

‘Vehicles shall be subject to the tests specified in point 2.4 and Figure I.2.4 of Annex I.’;

(b) in paragraph 2, the following subparagraph is added:

‘Vehicles running exclusively on carbon neutral fuels will additionally need to prove that they cannot run on any other fuel. For such vehicles all other tests shall be performed using carbon neutral fuel’;

(3) The following article 4(b) is added after Article 4(a):

‘Article 4(b)

Requirements for type-approval of vehicles running exclusively on carbon neutral fuels

The manufacturer shall ensure that all vehicles running exclusively on carbon neutral fuels are equipped with a fuelling monitor and a fuelling inducement system that function for the whole lifetime of the vehicle. Such systems shall prevent the vehicle to start if fuelled with fuels other than carbon neutral fuels. Vehicles running exclusively on carbon neutral fuels shall have their fuel inlets appropriately marked or constructed.

The manufacturer shall ensure that the fuelling monitors and fuelling inducement systems are protected from tampering for the whole lifetime of the vehicle. All provisions of this Regulation apply to vehicle types running exclusively on carbon neutral fuels.’;

(4) Article 4a is amended as follows:

(a) paragraph 1 is replaced by the following:

‘(1) pure ICE and Not-Off-Vehicle Charging Hybrid Electric vehicles (NOVC-HEVs) powered exclusively by mineral diesel, biodiesel, petrol, ethanol, carbon neutral fuels or any combination of these fuels’;

(5) Article 5 is amended as follows:

(a) paragraph 1 is replaced by the following:

‘1. The manufacturer shall submit to the approval authority an application for EC type-approval of a vehicle with regards to emissions. The application shall specify if the vehicle type refers to vehicles running exclusively on carbon neutral fuels.’;

(6) Article 8 is amended as follows:

(a) paragraph 3 is added as follows:

‘3. For vehicles running exclusively on carbon neutral fuels conformity of production shall include a test of the functioning of the fuelling monitor and fuelling inducement system. Such test shall also be performed during market surveillance of these vehicles.’;

(7) Article 9 is amended as follows:

(a) (a) paragraph 9 is added as follows:

‘For vehicles running exclusively on carbon neutral fuels in-service conformity shall include a test of the functioning of the fuelling monitor and fuelling inducement system. Such test shall also be performed during market surveillance of these vehicles.’.

(8) Annex I and Annex XX are amended as set out in the Annex to this Regulation.

Article 2

Commission Implementing Regulation (EU) 2020/683 is amended as follows:

The following point is added after every point 26.2 in the Annexes:

‘26.3 Vehicle running exclusively on carbon neutral fuels: Yes/No’

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

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