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THE EUROPEAN UNION**

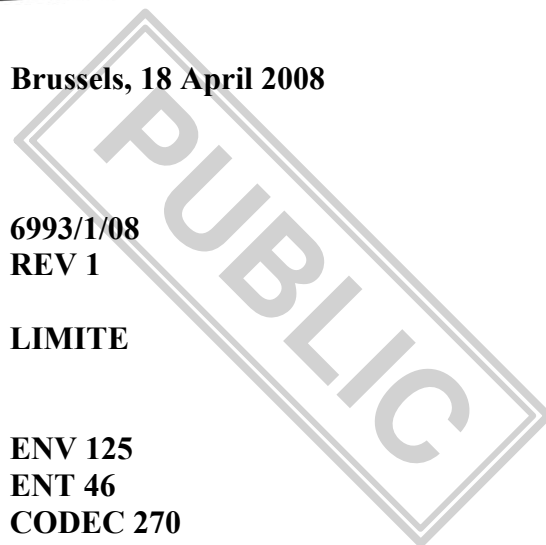
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Subject : Proposal for a Regulation of the European Parliament and of the Council setting **emission performance standards for new passenger cars** as part of the Community's integrated approach to reduce CO₂ emissions from light-duty vehicles

Delegations will find in the Annex to this note a revised document on the above-mentioned proposal after the Working Party on the Environment meeting on 6 March 2008.

DK/FR/MT/UK have parliamentary reservations.

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**Setting emission performance standards for new passenger cars as part of the Community's integrated approach to reduce CO₂ emissions from light-duty vehicles***Article 1***Subject matter and objectives ¹**

This Regulation establishes CO₂ emission performance requirements for new passenger cars in order to ensure proper functioning of the internal market and achieve the EU's overall objective that the average new car fleet should achieve CO₂ emissions of 120 g CO₂/km. The Regulation sets the average CO₂ emissions for new passenger cars at 130 g CO₂/km ² by means of improvement in vehicle motor technology ³ as measured in accordance with Regulation (EC) No 715/2007 and its implementing measures. This Regulation will be complemented by additional measures corresponding to 10 g/km ⁴ as part of the Community's integrated approach. ⁵

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- ¹ AT/BE/CZ/DK/EE/EL/FI/FR/HU/IE/LU/NL/SE/UK would like to introduce in the text long-term objectives, eventually for 2020. NL proposes to change Article 1: "This Regulation establishes CO₂ emission performance requirements for new passenger cars in order to ensure proper functioning of the internal market and achieve the EU's overall objective that the average new car fleet should achieve CO₂ emissions of 120 g CO₂/km by 2012 and more ambitious targets thereafter. The Regulation sets the average CO₂ emissions for new passenger cars at 130 g CO₂/km by 2012 and 125 g CO₂/km by 2014 by means of improvement in vehicle [...] technology as measured in accordance with Regulation (EC) No 715/2007 and its implementing measures and sets a scheme for more ambitious targets for 2020. This Regulation will be complemented by additional measures corresponding to 10 g/km as part of the Community's integrated approach." The representative of the Commission argues that, at this stage, there is no scientific solid basis to determine long term objectives.
- ² FR would like to insert in this Article an explicit reference to the date by which the 130 g/km objective is to be met, i.e., 2012.
- ³ FR/NL would like to replace "vehicle motor technology" with "*vehicle technology*". ES/IT would prefer "*motor vehicle technology*". The representative of the Commission explained that the wording used is consistent with the Community's integrated approach and with Regulation (EC) No 715/2007.
- ⁴ SE would like to insert: "*...and CO₂ performance requirements for new utility vehicles of category N1 as defined in Annex II to directive 2007/46/EC...*". ES prefers the text as it stands. The representative of the Commission explained that these additional measures already cover N1 vehicles.
- ⁵ BE/DK/ES/FR/IT/NL urge the Commission to come forward, as soon as possible, with the proposals corresponding to the additional 10 g/km and its respective Impact Assessment. The representative of the Commission underlined the intention of the Commission to present these proposals as soon as possible, tentatively until the end of 2008.

Article 2

Scope

1. This Regulation shall apply to ⁶ motor vehicles of category M₁ as defined in Annex II to Directive 2007/46/EC with a reference mass not exceeding 2 610 kg ⁷ and vehicles to which type-approval is extended in accordance with Article 2(2) of Regulation (EC) No 715/2007 ('passenger cars') ⁸ which are registered in the Community for the first time and which have not previously been registered outside the Community ('new passenger cars').
2. A previous registration outside the Community less than three months before registration in the Community shall not be taken into account.
3. It does not apply to special purpose vehicles as defined in paragraph 5 of Annex II to Directive 2007/46/EC.

Article 3

Definitions

1. For the purposes of this Regulation, the following definitions shall apply:
 - (a) 'average specific emissions of CO₂' means, in relation to a manufacturer, the average of the specific emissions of CO₂ of all new passenger cars for which it is the manufacturer;
 - (b) 'certificate of conformity' means the certificate referred to in Article 18 of Directive 2007/46/EC; ⁹

⁶ FR/NL would like to insert the word "new".

⁷ FR/IE/IT would like to have a higher threshold, to cover the whole M1 category of vehicles. FR have raised concerns on the treatment to be given to new passenger cars that exceed 2610 kg.

⁸ FR/NL would like to delete the rest of paragraph 1 and paragraph 2 and add a new point g) in Article 3, paragraph 1 with the following definition: "*new motor vehicle means a vehicle within the scope of this Regulation which is registered in the Community for the first time and which has not previously been registered outside the Community, except if it was registered less than six months before registration in the Community.*".

⁹ OJ L 263, 9.10.2007, p.1.

- (c) 'manufacturer' means the person or body responsible to the approval authority for all aspects of the EC type-approval procedure in accordance with Directive 2007/46/EC and for ensuring conformity of production;
- (d) 'mass' means the mass of the car with bodywork in running order as stated in the certificate of conformity and defined in section 2.6 of Annex I to Directive 2007/46/EC;¹⁰
- (e) 'specific emissions of CO₂' means the emissions of a passenger car measured in accordance with Regulation (EC) No 715/2007 and specified as the CO₂ mass emission (combined) in the certificate of conformity;¹¹
- (f) 'specific emissions target' means, in relation to a manufacturer, the average of the specific emissions of CO₂ permitted in accordance with Annex I in respect of each¹² new passenger car for which it is the manufacturer or, where the manufacturer is granted a derogation under Article 9, the specific emissions of CO₂ permitted in accordance with that derogation.

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- 4. For the purposes of this Regulation, manufacturers will be considered to be connected if they are connected undertakings. 'Connected undertakings' means:

¹⁰ DK/FR/RO consider that the use of mass may lead to perverse incentives and would prefer to use the footprint of the vehicle as an utility parameter. AT/CZ/DE/HU/PL/SE/SK prefer the use of mass. BE supports mass if the perverse effects of this parameter are limited. EL suggests to use mass in a first stage and re-examine the use of this utility parameter in the framework of the review.

¹¹ FR would like to insert a reference to Annex VIII of Directive 2007/46/EC.

¹² FR asks to replace the word "each" with "all".

¹³ SE suggests to add a new point e): "*measurement of CO₂ should also be part of in-service conformity testing.*". FR/RO propose to include a definition of footprint, consistent with Annex II, part B.

5. (a) undertakings in which a party to an agreement between one or more undertakings, directly or indirectly:
- (i) has the power to exercise more than half the voting rights; or
 - (ii) has the power to appoint more than half the members of the supervisory board, board of management or bodies legally representing the undertaking; or
 - (iii) has the right to manage the undertaking's affairs;

- (b) undertakings which directly or indirectly have, over a party to such agreement, the rights or powers listed in point (a);
- (c) undertakings in which an undertaking referred to in point (b) has, directly or indirectly, the rights or powers listed in point (a);
- (d) undertakings in which a party to such agreement together with one or more of the undertakings referred to in points (a), (b) or (c), or in which two or more of the latter undertakings, jointly have the rights or powers listed in point (a);
- (e) undertakings in which the rights or the powers listed in (a) are jointly held by:
 - (i) parties to such agreement or their respective connected undertakings referred to in points (a) to (d); or
 - (ii) one or more of the parties to such agreement or one or more of their connected undertakings referred to in points (a) to (d) and one or more third parties.

Article 4

Specific emissions targets

For the calendar year commencing 1 January 2012¹⁴ and each subsequent calendar year, each manufacturer of passenger cars shall ensure that its average specific emissions of CO₂ do not exceed its specific emissions target determined in accordance with Annex I or, where a manufacturer is granted a derogation under Article 9, in accordance with that derogation.

¹⁴ CZ/PL/SK propose to change the date for meeting the objective of 130 g CO₂/km from 2012 to 2015. SK suggests a gradual production or phasing-in the car fleet from 2012 to 2015 to give time to manufacturers to comply with the new Regulation: in 2012 only 25% of the fleet would have to comply and 100% in 2015.

Article 5

Pooling¹⁵

1. Manufacturers, other than manufacturers which have been granted a derogation under Article 9, may form a pool for the purposes of meeting their obligations under Article 4.
2. An agreement to form a pool may relate to one or more calendar years provided that the overall duration of each agreement does not exceed five calendar years and must be entered into on or before 31 December in the first calendar year for which emissions would be pooled. Manufacturers which form a pool shall file information with the Commission:
 - (a) specifying the manufacturers who will be included in the pool;
 - (b) nominating one of the manufacturers as the pool manager who will be the contact point for the pool and will be responsible for paying any excess emissions premium imposed on the pool in accordance with Article 7; and
 - (c) providing evidence that the pool manager will be able to fulfil the obligations under point (b).
3. Where the proposed pool manager fails to meet the requirements of point (c) of paragraph 2, the Commission shall notify the manufacturers.

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¹⁵ ES/IT have a scrutiny reservation on this Article. FR/DE raised the question of discrimination in a pool: on what basis can a partner be refused? BE thinks that pooling is a necessary flexibility but rules need to be defined. UK considers that pooling is not the solution for niche manufacturers that will be required to make challenging CO₂ reductions.

¹⁶ NL suggests to add a new paragraph 3a: "*If the pool manager fails to pay any excess emissions penalty imposed on the pool in accordance with Article 7, each manufacturer in the pool shall be responsible for meeting the obligations under this Regulation in respect of the new cars registered in the previous calendar year for which it is the manufacturer.*". COM/PT have a positive scrutiny reservation on this suggestion.

4. Manufacturers included in a pool shall jointly inform the Commission of any change to the pool manager or its financial status so far as it may affect its ability to meet the requirements of point (c) of paragraph 2, any changes to the membership of the pool or the dissolution of the pool.
5. Manufacturers may enter into pooling arrangements provided that their agreements are in compliance with Articles 81 and 82 of the Treaty and that, they allow open, transparent and non-discriminatory participation on commercially reasonable terms by any manufacturer requesting to become a member of the pool. Without limiting the general applicability of EU Competition rules to such pools, all members of a pool shall in particular ensure that no data sharing nor information exchange may occur in the context of their pooling arrangement, except the following information:
 - (i) average specific emissions of CO₂;
 - (ii) the specific emissions target;
 - (iii) total number of vehicles registered.
6. Paragraph 5 shall not apply where all the manufacturers included in the pool are connected undertakings.
7. Except where notification is given under paragraph 3, the manufacturers in a pool for which information is filed with the Commission shall be considered as if they were one manufacturer for the purposes of this Regulation.

Article 6

Monitoring and reporting of average emissions

1. For the year beginning 1 January 2010 and each subsequent year, each Member State shall record information for each ¹⁷ new passenger car registered in its territory in accordance with Part A of Annex II.

¹⁷ FR proposes to replace "each" with "all". The representative of the Commission explained that the information should be aggregated in accordance with the format for the transmission of data included in Annex II, part C.

2. By 28 February 2011¹⁸ and each subsequent year, the Member State shall determine and transfer to the Commission the information listed in Part B of Annex II in respect of the preceding calendar year. The data shall be transmitted in accordance with the format specified in Part C of Annex II.
3. On request from the Commission, a Member State shall also transmit the full set of data collected pursuant to paragraph 1.
4. The Commission shall keep a central register of the data reported by Member States under this Article and by 30 June 2011 and each subsequent year shall provisionally calculate for each manufacturer:
 - (a) the average specific emissions of CO₂ in the preceding calendar year in the Community;
 - (b) the specific emissions target in the preceding calendar year; and
 - (c) the difference between its average specific emissions of CO₂ in the preceding calendar year and its specific emissions target for that year.

The Commission shall notify each manufacturer of its provisional calculation for that manufacturer. The notification shall include data per Member State on the number of new passenger cars registered and their specific emissions of CO₂.

The register shall be publicly available.¹⁹

¹⁸ UK considers that the deadline of February will be very difficult to meet.

¹⁹ DE proposes to delete this sentence questioning the advantages of the public availability of the register. The representative of the Commission argues that this is a provision for transparency.

5. Manufacturers may, within 2 months of being notified of the provisional calculation under paragraph 4, notify the Commission of any errors in the data specifying the Member State in which it considers that the error occurred.

The Commission shall consider any notifications from manufacturers and shall by 30 September either confirm or amend and confirm the provisional calculations under paragraph 4.

6. Where, on the basis of the calculations under paragraph 5, in relation to the calendar year 2010 or 2011, it appears to the Commission that a manufacturer's average specific emissions of CO₂ in that year exceeded its specific emissions target for that year, the Commission shall notify the manufacturer.
7. Member States shall designate a competent authority for the collection and communication of the monitoring data in accordance with this Regulation and shall inform the Commission of the competent authority designated no later than 6 months after the entry into force of this Regulation.
8. The Commission may adopt detailed rules on the monitoring and reporting of data under this Article and on the application of Annex II in accordance with the procedure referred to in Article 12(2).

The Commission may amend Annex II in the light of the experience of the application of this Regulation. Those measures designed to amend non-essential elements of this Regulation shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 12(3).

Article 7

Excess Emissions Premium

1. In respect of each calendar year from 2012²⁰ onwards for which a manufacturer's average specific emissions of CO₂ exceed its specific emissions target in that year, the Commission shall impose an excess emissions premium on the manufacturer or, in the case of a pool, the pool manager.
2. The excess emissions premium under paragraph 1 shall be calculated using the following formula:

Excess emissions x number of new passenger cars x excess emissions premium prescribed in paragraph 3.

Where:

'Excess emissions' means the positive number of grams per kilometre by which the manufacturer's average specific emissions exceeded its specific emissions target in the calendar year rounded to the nearest three decimal places; and

'Number of new passenger cars' means the number of new passenger cars for which it is the manufacturer and which were registered in that year.

²⁰ CZ/PL/SK prefer to start the system later, in 2015.

3. The excess emissions premium shall be:
- (a) in relation to excess emissions in the calendar year 2012, 20 euros;
 - (b) in relation to excess emissions in the calendar year 2013, 35 euros;
 - (c) in relation to excess emissions in the calendar year 2014, 60 euros; and
 - (d) in relation to excess emissions in the calendar year 2015 and subsequent calendar years, 95 euros. ²¹
4. The Commission shall establish methods for the collection of excess emissions premiums under paragraph 1.
- Those measures designed to amend non-essential elements of this Regulation, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 12(3).
5. The amounts of the excess emissions premium shall be considered as revenue for the budget of the European Union. ²²

²¹ DK/IE/NL support the Commission's proposal. IT argues that the penalties system is not equitable, penalising the manufacturers producing small cars, that should have reduced penalties, and argues that penalties should apply only to cars that exceed the limit established. ES supports a system of sanctions that is sufficiently dissuasive but contains enough flexibility to the industry and suggests to calculate emissions on the basis of the following formula: excess emissions x number of new passenger cars above 130 g/km x excess emissions premium. RO prefers to have differentiated penalties depending on the distance from the target. DE/HU/PL/SK propose to have lower sanctions.

²² AT/EL/ES/IT suggest to earmark these revenues in the EU budget for environmental protection and transports' sector. DE/NL/PL/SK would prefer to incorporate these revenues in Member States' budgets. The UK will not support any earmarking of revenues.

Article 8

Publication of performance of manufacturers

1. By 31 October 2011²³ and each subsequent year, the Commission shall publish a list indicating for each manufacturer:
 - (a) its specific emission target for the preceding calendar year;
 - (b) its average specific emissions of CO₂ in the preceding calendar year;
 - (c) the difference between its average specific emissions of CO₂ in the preceding calendar year and its specific emissions target in that year; and
 - (d) the average specific emissions of CO₂ for all new passenger cars in the Community in the previous calendar year.
2. From the 31 October 2013, the list published under paragraph 1 shall also indicate whether or not the manufacturer has complied with the requirements of Article 4 in respect of the preceding calendar year.

²³ DE considers that manufacturers should be asked to provide this information only after the starting of the system, i.e. in 2012 at the earliest.

Article 9

Specialist derogation for small volume independent manufacturers²⁴

1. An application for a derogation from the specific emissions target calculated in accordance with Annex I may be made by a manufacturer which:
 - (a) is responsible for less than 10,000 new passenger cars registered in the Community per calendar year; and
 - (b) is not connected to another manufacturer.²⁵

2. An application for a derogation under paragraph 1 may relate to a maximum of five calendar years. An application shall be made to the Commission and shall include:
 - (a) name and contact person for the manufacturer;
 - (b) evidence that the manufacturer is eligible for a derogation under paragraph 1;
 - (c) details of the passenger cars which it manufactures including the mass and specific emissions of CO₂ of those passenger cars; and
 - (d) a specific emissions target consistent with its reduction potential, including the technological potential to reduce its specific emissions of CO₂

²⁴ BE/ES/IE/IT/RO/SE/SK have doubts about the concession of a derogation to small volume independent manufacturers. FR expressed concerns on i) the length of the period for the derogation and would prefer one year instead of five; ii) the case-by-case treatment of manufacturers to which a derogation is granted (reduction target or limit curve?); iii) regime applicable to new entrants. UK welcomes the derogation for small manufacturers that only account for 0.16% of actual new car CO₂ emissions in the EU.

²⁵ IT asks for some consistency in derogations. If a derogation is to be granted, it should be granted to a whole segment of cars (e.g. luxury cars).

3. Where the Commission considers that the manufacturer is eligible for a derogation under paragraph 1 and is satisfied that the specific emissions target proposed by the manufacturer is consistent with its reduction potential, including the technological potential to reduce its specific emissions of CO₂, the Commission shall grant a derogation to the manufacturer. The derogation shall apply from 1 January of the year following the application.
4. A manufacturer which is subject to a derogation in accordance with this Article shall notify the Commission immediately of any change which affects or may affect its eligibility for a derogation.
5. Where the Commission considers, whether on the basis of a notification under paragraph 4 or otherwise, that a manufacturer is no longer eligible for the derogation, it shall revoke the derogation with effect from the 1 January in the next calendar year and shall notify the manufacturer.
6. Where the Commission considers that the manufacturer is not giving effect to the programme of reduction set out in its application, the Commission may revoke the derogation.
7. The Commission may adopt detailed provisions for the implementation of paragraphs (1) to (6) including the interpretation of the criteria for eligibility for a derogation, the content of applications and on the content and assessment of programmes for the reduction of specific emissions of CO₂.

Those measures, designed to amend non-essential elements of this Regulation, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 12(3).

²⁶ FR proposes to insert a new point (e) with the average for each manufacturer of the utility parameter chosen.

Article 10

Review and report

1. In 2010, the Commission shall submit a report to the European Parliament and the Council reviewing the progress made to implement the Community's Integrated Approach to reduce the CO₂ emissions from light-duty vehicles.
2. In 2010, the Commission shall assess, on the basis of data reported under Decision 1753/2000/EC, whether between 2006 and 2009 there has been a change in the mass of new passenger cars greater or less than 0.

If there has been a change in the mass of new passenger cars, the figure for autonomous mass increase in Annex I shall be amended to be the average of the annual changes in the mass between the calendar year 2006 to 2009.

Such amendment, designed to amend the non-essential elements of this Regulation shall be adopted in accordance with the regulatory power with scrutiny referred to in Article 12(3).

²⁷

3. The Commission shall review technological developments with a view to amending, as appropriate, the provisions of Regulation EC No 715/2007 on type approval of motor vehicles.²⁸

²⁷ CZ/DE would like to delete the entire paragraph 2 and the concept of autonomous mass increase (AMI): it is not useful to have an assessment of the mass in 2010, since it is too soon and manufacturers need more time. Moreover, if retained, the calculation of the AMI should be done by co-decision and not by comitology procedure. ES/IT have a reserve on paragraph 2. SK has a reserve on the date; 2010 is too late for industry to adjust to new objectives. SE would prefer to have a review at a later stage, in 2015. EL proposes to use mass as the utility parameter and review this choice in 2010. FR/IT/PT are against this suggestion that would not give the necessary stability to industry.

²⁸ SE suggests to add: "*This includes in particular test cycles used to measure fuel consumption and emissions.*". COM suggests to use "test procedures" instead of "test cycles".

*Article 11***Consumer information**

From 1 January 2010, manufacturers shall ensure that labels, posters or promotional literature and material of the type referred to in articles 3, 5 and 6 of Directive 1999/94/EC indicate the extent to which the specific emissions of CO₂ of the passenger car offered for sale differ from the specific emissions target for that passenger car under Annex I.³⁰

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- ²⁹ BE/EE/FI/HU/IE/PT propose to include long term objectives in the review clause. NL suggests to insert a new paragraph 4 on long term objectives: "*By no later than the end of 2012, the Commission shall review the specific CO₂ emissions targets in Annex I for the years 2017 and 2020, by means of a full Impact Assessment and, if appropriate, shall submit a proposal to Council and Parliament to amend this Regulation. This review shall assess the choice of utility parameter [currently being vehicle mass] and shall also assess the slope of the utility curve, expressed as parameter "a" in Annex I.*" FI proposes the following new paragraph 4: "*By no later than the end of 2012 (or 2014), the Commission shall review the specific CO₂ emission targets in Annex I with the aim of setting a roadmap towards reaching the long-term visionary target of 95 g/km by the year 2020. On the basis of such a review and its related Impact Assessment, the Commission shall, as appropriate, make a proposal to amend this Regulation.*".
- ³⁰ FR/IT would prefer to see, in the information to be given to consumers, the CO₂ emissions emitted by a car instead of the difference between its emissions and the specific target for that passenger car. EL/HU/PT/IE/ES/FI/UK consider that the maximum amount of clear and effective information should be provided to consumers. DE/IE/SE/UK would like to clarify the relation between this Regulation and the labelling Directive, due for revision in 2008. ES urges the Commission to present the proposal on labelling as soon as possible. BE has a scrutiny reserve on this Article.

Article 12

Committee

1. The Commission shall be assisted by the committee instituted by Article 8 of Decision 93/389/EEC.
2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

Article 13

Community financing

The implementation of this Regulation at Community level shall be supported by the existing Community Financial Instrument for the Environment (LIFE+) in accordance with the rules and conditions applicable to Regulation (EC) No 614/2007.³¹

Article 14

Repeal

Decision No 1753/2000/EC shall be repealed with effect from 1 January 2010.

However, Articles 4, 9 and 10 of that Decision shall continue to apply until the Commission has submitted a report on monitoring data for the calendar year 2009 to the European Parliament.

³¹ BE/ES/IT/IE would like to clarify the link in this Regulation to LIFE+.

Article 15

Entry into force

This Regulation shall enter into force on the third 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 European Parliament

For the Council

The President

The President

[...]

[...]

ANNEX I

SPECIFIC CO₂ EMISSIONS TARGETS

1. For each new passenger car³², the permitted specific emissions of CO₂, measured in grams per kilometre shall be determined in accordance with the following formula:

$$\text{Permitted specific emissions of CO}_2 = 130 + a \times (M - M_0)^{33}$$

Where:

M = mass of the vehicle in kilograms (kg)

$$M_0 = 1372.0 \times f$$

$$f = (1 + \text{AMI})^6$$

Autonomous mass increase (AMI) = 0 %

$$a = 0.0457^{34}$$

2. The specific emissions target for a manufacturer in a calendar year shall be calculated as the average of the permitted specific emissions of each new passenger car for which it is the manufacturer in that calendar year.

³² FR proposes to replace "each new passenger car" with "*each manufacturer*".

³³ NL would like to insert the new following text in order to introduce long term objectives in the Regulation:

"For the target year 2012: Permitted specific emissions of CO₂ = 130 + a × (M – M₀);

For the target year 2014: Permitted specific emissions of CO₂ = [125] + a × (M – M₀);

For the target year 2017: Permitted specific emissions of CO₂ = [110] + a × (M – M₀);

For the target year 2020: Permitted specific emissions of CO₂ = [95] + a × (M – M₀)."

³⁴ IT would like to change the slope from 60% (0,0457) to 20% or 30%. FR prefers 20%. RO has a strong reservation on the choice of the slope. NL prefers a slope lower than 60% and EE supports the 60% proposed by the Commission. HU/SE prefer a slope between 65% and 80%. CZ/DE prefers an 80% slope (0,0610). AT can support an 80% slope if the 130 g/km objective is achieved. UK would like all manufacturers to have a choice between the utility based target and a fixed based target of 25%.

ANNEX II

MONITORING AND REPORTING EMISSIONS

PART A – Collection of data on new passenger cars and determination of CO₂ monitoring information

1. For the year beginning 1 January 2010 and each subsequent year, Member States shall record the following details for each ³⁵ new passenger car registered in its territory:

the manufacturer;

its type, variant and version;

its specific emissions of CO₂(g/km);

its mass (kg);

its wheel base (mm); and

its track width (mm).
2. The details referred to in paragraph 1 shall be taken from the certificate of conformity for the relevant passenger car. ³⁶ Where the certificate of conformity specifies both a minimum and a maximum mass for a passenger car, the Member States shall use only the maximum figure for the purpose of this Regulation.

³⁵ FR propose to replace "each" with "*all*".

³⁶ FR would like to add a reference to Annex VIII of Directive 2007/46/EC.

3. For the year beginning 1 January 2010 and each subsequent year, Member States shall determine, in accordance with the methods described in Part B, by manufacturer:

the total number of new passenger cars registered in its territory;

the average specific emissions for CO₂, as specified in paragraph 7 of Part B of this Annex;

the average mass, as specified in paragraph 8 of Part B of this Annex;

for each variant of each version of each type of new passenger car:

- (i) the total number of new passenger cars registered in its territory, as specified in paragraph 7 of Part B of this Annex;
- (ii) the specific emissions of CO₂;
- (iii) the mass;
- (iv) the footprint of the car, as specified in paragraph 9 of Part B of this Annex.

PART B – Methodology for determining CO₂ monitoring information for new passenger cars

1. Monitoring information which Member States are required to determine in accordance with paragraph 3 of part A shall be determined in accordance with the methodology in this Part.

Number of new passenger cars registered (N).

2. Member States shall determine the number of new passenger cars registered within their territory in the respective monitoring year, N .

Average specific CO₂ emissions of new passenger cars (S_{ave})

3. The average specific CO₂ emissions of all new passenger cars newly registered in a Member States' territory in the monitoring year (S_{ave}) is calculated by dividing the sum of the specific CO₂ emissions of each individual new passenger car, S , by the number of new passenger cars, N .

$$S_{ave} = (1/ N) \times \Sigma S$$

Average mass of new passenger cars

The average mass of all new passenger cars registered in a Member States' territory in the monitoring year (M_{ave}) is calculated by dividing the sum of the mass of each individual new passenger car, M , by the number of new passenger cars, N .

$$M_{ave} = (1/ N) \times \Sigma M$$

The distribution by variant of new passenger cars

4. For each of variant of each version of each type of new passenger car, the number of newly registered passenger cars, the mass of the vehicles, the specific emissions of CO₂ and the footprint of the car are to be recorded.

Footprint

The footprint of the car shall be calculated by multiplying the wheelbase of the car by the track width of the car.

PART C – Format for the transmission of data

For each manufacturer, for each year, Member States shall report the data described in paragraph 3 of part A in the following formats:

– *Aggregated data:*

Year:				
Manufacturer	Total number of new passenger cars registered	Average specific CO ₂ emissions (g/km)	Average mass (kg)	Average footprint (m ²)
<i>(Manufacturer 1)</i>
<i>(Manufacturer 2)</i>
...
Total all manufacturers

– *Detailed data at manufacturer level:*

Year	Manufacturer	Type of car	Version	Variant	Make	Commercial name	Total new registrations	Specific CO ₂ emissions (g/km)	Mass (kg)	Footprint (m ²)
Year 1	(Name of manufacturer 1)	(name of type 1)	(name of version 1)	(name of variant 1)	...	...	...	...	...	...
Year 1	(Name of manufacturer 1)	(name of type 1)	(name of version 1)	(name of variant 2)	...	...	...	...	...	...
Year 1	(Name of manufacturer 1)	(name of type 1)	(name of version 2)	(name of variant 1)	...	...	...	...	...	...
Year 1	(Name of manufacturer 1)	(name of type 1)	(name of version 2)	(name of variant 2)	...	...	...	...	...	...
Year 1	(Name of manufacturer 1)	(name of type 2)	(name of version 1)	(name of variant 1)	...	...	...	...	...	...
Year 1	(Name of manufacturer 1)	(name of type 2)	(name of version 1)	(name of variant 2)	...	...	...	...	...	...
Year 1	(Name of manufacturer 1)	(name of type 2)	(name of version 2)	(name of variant 1)	...	...	...	...	...	...
Year 1	(Name of manufacturer 1)	(name of type 2)	(name of version 2)	(name of variant 2)	...	...	...	...	...	...
Year 1	(Name of manufacturer 1)	...	...	...	...	...	...	...	...	...
Year 1	(Name of manufacturer 1)			...	...	...	...	...	...	...
Year 1	(Name of manufacturer 1)			...	...	...	...	...	...	...
Year 1	(Name of manufacturer 1)			...	...	...	...	...	...	...
Year 1	(Name of manufacturer 1)	...	...	...	...	...	...	...	...	...