CO2 emission class of heavy-duty vehicles with trailers

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This **amended proposal** for an amending directive would amend certain provisions of Directive 1999/62 /EC on the charging of road infrastructure, which refer to other Union legislation, in order to make them **clearer, simpler and more precise**.

Directive 1999/62/EC regulates the imposition of tolls and user charges for the use of road infrastructure. Directive (EU) 2022/362 amended Directive 1999/62/EC by enabling, among other changes, road charging on the basis of the CO2 emissions of vehicles. The Directive therefore contains several references to the EU legislation regulating the CO2 emissions performance of heavy-duty vehicles (HDVs). Specifically, this matter is regulated in the EU under Regulation (EU) 2019/1242 setting CO2 emission performance standards for new heavy-duty vehicles and under Commission Regulation (EU) 2017/2400 as regards the determination of the CO2 emissions and fuel consumption of heavy-duty vehicles.

Since the adoption of the original proposal, recent amendments to those regulations affected the provisions of Directive 1999/62/EC that refer to those regulations. This reduced legal clarity and increased implementation and administrative obstacles.

This amended proposal preserves the aims of the original proposal to include the effect of trailers on the CO2 emissions of heavy goods vehicle combinations in road charging schemes that differentiate road charges based on the vehicles' CO2 emissions. It aims to:

- adjust the references of Directive 1999/62/EC to those regulations to increase the legal clarity of those provisions;

- ensure that sufficient lead time is granted for implementing the changes to Regulation (EU) 2019/1242 that are reflected in Directive 1999/62/EC, such as the extension to new vehicle sub-groups;

- indicate how to treat certain vehicles covered by those regulations in cases that could lead to an ambiguous interpretation under Directive 1999/62/EC, in order to ensure a harmonised approach across the EU.

This proposal also simplifies Directive 1999/62/EC by deleting the provisions that allow the scope of the Directive to be extended to vehicle groups already covered by Regulation (EU) 2017/2400 but not yet covered by Regulation (EU) 2019/1242.

The Commission plans to repeal Commission Implementing Decision (EU) 2023/2698 when the reference CO2 emissions for certain vehicle sub-groups will be published under Regulation (EU) 2019/1242.

The proposed changes concern the **definitions** of CO2 emissions, zero-emission vehicle, low-emission heavy-duty vehicle, vehicle group, emission reduction trajectory and reference CO2 emissions, as well as of Article 7ga and Article 8(3), while preserving their original meaning.

The amended proposal for a directive aims, *inter alia*, to:

- clarify the point in time from when the obligation to vary road charges based on CO2 emissions for a vehicle sub-group applies;

- specify the date from which the adjustments to reference CO2 emissions adopted under Regulation (EU) 2019/1242 apply;

- clarify how to allocate CO2 emission classes to vehicles accompanied by a customer information file and first registered before the start of the emission reduction trajectory;

- specify how to allocate vocational vehicles to CO2 emission classes;

- specify how to allocate retrofitted zero-emission vehicles to CO2 emission classes;

- clarify how to allocate dual-fuel vehicles to CO2 emission classes;

- delete certain provisions that have become obsolete.

The amended proposal provides **greater clarity and legal certainty**, thus allowing national administrations and businesses to more clearly understand their rights and obligations.