This Statutory Instrument has been made partly in consequence of an error in S.I. 2020/1402 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2025 No. 367

RETAINED EU LAW REFORM

ENVIRONMENTAL PROTECTION

The New Heavy-Duty Vehicles (Carbon Dioxide Emission Performance Standards) (Miscellaneous Amendments) Regulations 2025

Sift requirements satisfied	*11th March 2025*
Made - - - -	*19th March 2025*
Laid before Parliament	*21st March 2025*
Coming into force - -	*14th April 2025*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 14(1), (2) and (7) of the Retained EU Law (Revocation and Reform) Act 2023 ("the 2023 Act")(**a**).

The Secretary of State is a relevant national authority for the purposes of section 14(1), (2) and (7) of the 2023 Act.(**b**).

The requirements of paragraph 6(2) of Schedule 5 to the 2023 Act (relating to the appropriate Parliamentary procedure for these Regulations) have been satisfied.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the New Heavy-Duty Vehicles (Carbon Dioxide Emission Performance Standards) (Miscellaneous Amendments) Regulations 2025.

(2) These Regulations come into force on 14th April 2025.

(3) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Amendments to Regulation (EU) 2019/1242

2.—(1) Regulation (EU) 2019/1242 of the European Parliament and of the Council of 20 June 2019 setting CO_2 emission performance standards for new heavy-duty vehicles and amending

(**a**) 2023 c. 28.
(**b**) The term "relevant national authority is defined in section 21(1) of the Retained EU Law (Revocation and Reform) Act 2023.

Regulations (EC) No 595/2009 and (EU) 2018/956 of the European Parliament and of the Council and Council Directive 96/53/EC(**a**) is amended as follows.

(2) In Article 2 (scope), paragraph 2 is revoked.

(3) In Article 3 (definitions), after paragraph (21), insert—

"(22) "new heavy-duty vehicle" means—

(a) a heavy-duty vehicle registered in the European Union or the United Kingdom for the first time during the reference period which has not been previously registered outside the European Union or the United Kingdom three months or more before it was registered in the European Union or the United Kingdom for the first time; and

(b) a heavy-duty vehicle registered in the United Kingdom for the first time during any period of 12 months starting from 1 July 2020 or from 1 July in any subsequent year which has not been previously registered outside the United Kingdom three months or more before it was registered in the United Kingdom for the first time.".

(4) In Article 5 (zero- and low-emission heavy-duty vehicles), in paragraph 2, for "2019" substitute "2020".

(5) In Article 7 (emission credits and emission debts), in paragraph 1, in the second subparagraph, for "2019", in both places it occurs, substitute "2020".

(6) In Article 9 (verification of the monitoring data), for paragraph 2 substitute—

"2. The Secretary of State must take into account the deviations referred to in paragraph 1 and any other deviations from information provided by the manufacturer for the purpose of calculating the average specific CO_2 emissions of a manufacturer and the reference CO_2 emissions, but is not required to take into account such deviations if a recalculation of a manufacturer's average specific CO_2 emissions or the reference CO_2 emissions results in a deviation of less than 0.1% from the original calculation. The Secretary of State must, where appropriate, amend the list referred to in Article 11(1).".

(7) In Annex I (average specific CO_2 emissions, specific CO_2 emissions targets and excess CO_2 emissions)—

(a) in point 2.3.1 (the zero and low-emission factor referred to in Article 5), for "2019", in both places it occurs, substitute "2020";

(b) in point 5 (emission credits and emission debts referred to in Article 7)—

(i) in point 5.1, for "2019", in both places it occurs, substitute "2020";

(ii) in point 5.2—

(aa) for "2019" substitute "2020";

(bb) for "$dCO2_Y = 0$", in the second place it occurs, substitute "$cCO2_Y = 0$";

(iii) in point 5.4—

(aa) for

(**a**) EUR 2019/1242 was amended by S.I. 2020/1402, 2022/1361.

$$\text{“}\sum_{Y=\ 2019}^{2025}\text{”},$$

in both places it occurs, substitute

$$\text{“}\sum_{Y=\ 2020}^{2025}\text{”};$$

(bb) in the words immediately after the second mention of that formula, for “2019” substitute “2020”;

(c) in point 6 (a manufacturer’s excess CO_2 emissions referred to in Article 8(2))—

(i) for

$$\text{“}\sum_{Y=\ 2019}^{2025}\text{”},$$

in both places it occurs, substitute

$$\text{“}\sum_{Y=\ 2020}^{2025}\text{”};$$

(ii) in the words immediately after the second mention of that formula, for “2019” substitute “2020”.

Amendments to Regulation (EU) 2020/1079

3.—(1) Commission Implementing Regulation (EU) 2020/1079 of 20 July 2020 on the verification and correction of data referred to in Regulation (EU) 2018/956 on the monitoring and reporting of CO_2 emissions from and fuel consumption of new heavy-duty vehicles(**a**) is amended as follows.

(2) In Article 1 (heavy-duty vehicles of which the quality of the data is to be verified)—

(a) in paragraph 1—

(i) for “Commission”, in the first place it occurs, substitute “Secretary of State”;

(ii) omit the second sentence.

(b) in paragraph 2, for “Commission” substitute “Secretary of State”.

(3) In Article 2 (notification by the Commission and information provided by manufacturers and Member States)—

(a) in the heading—

(i) for “Commission” substitute “Secretary of State”;

(ii) omit “and Member States”;

(b) in paragraph 1, for “Commission” substitute “Secretary of State”;

(c) in paragraph 2, for “Commission”, in the first place it occurs, substitute “Secretary of State”;

(d) for paragraph 3 substitute—

(**a**) EUR 2020/1079.

"3. Upon request by the Secretary of State, manufacturers shall provide additional information in relation to the heavy-duty vehicles selected in accordance with Article 1(2).".

(4) In Article 3 (verification of the correctness of the cryptographic hash value and data reported by manufacturers)—

(a) in paragraph 1—

(i) in the first subparagraph—

(aa) for "Commission" substitute "Secretary of State";

(bb) for "Member State concerned" substitute "Secretary of State";

(ii) in the second subparagraph, for "Commission", in each place it occurs, substitute "Secretary of State";

(b) in paragraphs 2 and 3, for "Commission" substitute "Secretary of State".

(5) In Article 4 (notification of findings)—

(a) in paragraphs 1 and 2, for "Commission" substitute "Secretary of State";

(b) in paragraph 3, for "Commission", in both places it occurs, substitute "Secretary of State";

(c) in paragraph 4, for the words from "Business" to the end substitute "Secretary of State".

(6) In Article 5 (correction of data)—

(a) in paragraph 1, for "Commission" substitute "Secretary of State";

(b) in paragraph 2, for "Commission", in both place it occurs, substitute "Secretary of State";

(c) in paragraph 4, for "Commission" substitute "Secretary of State";

(d) after paragraph 4, insert—

"5. In paragraphs 1 and 4, "the Central Register for data on heavy-duty vehicles" means the Register referred to in Article 6 of Regulation (EU) 2018/956(**a**).".

(7) Omit Article 6 (entry into force).

Signed by authority of the Secretary of State for Transport

Lilian Greenwood
Parliamentary Under Secretary of State
Department for Transport

19th March 2025

(**a**) EUR 2018/956 was amended by S.I. 2019/846.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Regulation (EU) 2019/1242 of the European Parliament and of the Council of 20 June 2019 which sets emissions performance standards for new heavy-duty vehicles (the "HDV Regulation") as previously amended by the New Heavy Duty Vehicles (Carbon Dioxide Emission Performance Standards) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1402) and the Road Vehicle Carbon Dioxide Emission Performance Standards (Cars, Vans and Heavy Duty Vehicles) (Amendment) Regulations 2022 (S.I. 2022/1361). They also amend Commission Implementing Regulation (EU) 2020/1079 of 20 July 2020 on the verification and correction of data referred to in Regulation (EU) 2018/956 on the monitoring and reporting of CO_2 emissions from and fuel consumption of new heavy-duty vehicles ("the Data Regulation"). The HDV Regulation and the Data Regulation are secondary assimilated law within the meaning of section 11(2)(a) of the Retained EU Law (Revocation and Reform) Act 2023 (c. 28) read with section 5(1) of that Act.

Regulation 2 amends the HDV Regulation. Paragraphs (2) and (3) amend Articles 2 and 3 with the effect that where a heavy-duty vehicle was registered for the first time in the period from 1st July 2019 to 30th June 2020 in the European Union or the United Kingdom, or outside the European Union and the United Kingdom less than three months before that registration, its CO_2 emissions are used to calculate the reference emissions in accordance with point 3 of Annex I to the HDV Regulation. Its CO_2 emissions are the average of CO_2 emissions against which the extent of any subsequent reductions in emissions is measured. Paragraphs (4), (5) and (7) amend references to the first reporting period from the year 2019 to the year 2020. Paragraph (7) also corrects an error in a formula for calculating emission credits and emission debts for the years 2025 to 2029 (see sub-paragraph (b)(ii)(bb)). Paragraph (6) amends the provision relating to the deviations from reported information on CO_2 emissions which the Secretary of State must take into account for the purpose of calculating CO_2 emissions to include deviations reported by manufacturers. It also requires the Secretary of State to amend, where appropriate, the list which the Secretary of State is required to publish annually in relation to each manufacturer's CO_2 emissions.

Regulation 3 amends the Data Regulation to correct deficiencies in that Regulation to ensure its operability in the United Kingdom.

A de minimis impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available on request from the Department for Transport, Great Minster House, 33 Horseferry Road, London SW1P 4DR.

An Explanatory Memorandum has been prepared and is available alongside this instrument at www.legislation.gov.uk.

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