



Brussels, **XXX**
[...] (2026) **XXX** draft

COMMISSION IMPLEMENTING REGULATION (EU) .../...
of **XXX**

laying down rules for the application of Regulation (EU) 2019/1242 of the European Parliament and of the Council as regards the detailed procedure for collecting real-world data relating to CO₂ emissions from heavy-duty vehicles

(Text with EEA relevance)

This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission.

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

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laying down rules for the application of Regulation (EU) 2019/1242 of the European Parliament and of the Council as regards the detailed procedure for collecting real-world data relating to CO₂ emissions from heavy-duty vehicles

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2019/1242 of the European Parliament and of the Council of 20 June 2019 setting CO₂ emission performance standards for new heavy-duty vehicles¹, and in particular Article 12(4) thereof,

Whereas:

- (1) Pursuant to Article 12 of Regulation (EU) 2019/1242, the Commission is required to collect data on the real-world fuel consumption and energy consumption of heavy-duty vehicles that are recorded by on-board fuel and electric energy consumption monitoring devices as provided for in Commission Implementing Regulation (EU) 2025/2161².
- (2) To ensure the regular collection of real-world data pursuant to Article 12 of Regulation (EU) 2019/1242, while minimising the administrative burden of this procedure, real-world fuel and energy consumption data should be collected as part of the roadworthiness tests already performed in accordance with Directive 2014/45/EU of the European Parliament and of the Council³.
- (3) To allow the collection of real-world data, the bodies or establishments referred to in Article 4(2) of Directive 2014/45/EU should be equipped with the necessary tools to read out the data recorded by on-board fuel and electric energy consumption monitoring devices.
- (4) To ensure that the Commission can assess the real-world representativeness of the CO₂ emissions and energy consumption values, Member States should report data relating to the real-world CO₂ emissions and energy consumption of heavy-duty vehicles to the Commission, using the data transmission procedures provided by the European

¹ OJ L 198, 25.7.2019, p. 202, ELI: <http://data.europa.eu/eli/reg/2019/1242/oj>.

² Commission Implementing Regulation (EU) 2025/2161 of 27 October 2025 implementing Regulation (EC) No 595/2009 of the European Parliament and of the Council as regards the technical requirements of on-board devices for the monitoring and recording of fuel and energy consumption and mileage of certain heavy-duty vehicles, and for determining and recording the payload or total weight thereof (OJ L, 2025/2161, 31.10.2025, ELI: http://data.europa.eu/eli/reg_impl/2025/2161/oj).

³ Directive 2014/45/EU of the European Parliament and of the Council of 3 April 2014 on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC (OJ L 127, 29.4.2014, p. 51, ELI: <http://data.europa.eu/eli/dir/2014/45/oj>).

Environmental Agency. The Commission and the European Environment Agency should take appropriate steps to protect the confidentiality of the obtained information.

- (5) Real-world data on fuel and energy consumption should be collected together with the vehicle's identification number (VIN). A VIN constitutes personal data as defined in Article 4, point (1), of Regulation (EU) 2016/679 of the European Parliament and of the Council⁴ when it relates to a vehicle owned by a natural person and the controller has means to identify the owner. Where the vehicle is not owned by a natural person, the VIN does not constitute personal data.
- (6) The processing of the real-world data and VINs from heavy-duty vehicles for the purposes of Regulation (EU) 2019/1242 should be considered lawful pursuant to Article 6(1), point (c), of Regulation (EU) 2016/679. Controllers should use secure means of communication, and vehicle owners should be adequately informed.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Climate Change Committee.
- (8) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on XXX.

HAS ADOPTED THIS REGULATION:

Article 1 *Definitions*

For the purposes of this Regulation, the following definition applies:

'Real-world data' means the data regarding the lifetime values and static accumulated data referred to in point 3.3 of Annex I to Implementing Regulation (EU) 2025/2161 that has been obtained from on-board fuel and electric energy consumption monitoring devices.

Article 2 *Collection and reporting of data by Member States*

1. From 1 January 2028, Member States and the bodies or establishments referred to in Article 4(2) of Directive 2014/45/EU shall collect, for new heavy-duty vehicles registered from 1 July 2027 and equipped with on-board fuel and electric energy consumption monitoring devices in accordance with Implementing Regulation (EU) 2025/2161, when those vehicles undergo roadworthiness tests in accordance with Article 5 of Directive 2014/45/EU, the following data:
 - (a) real-world data;
 - (b) vehicle identification numbers;
 - (c) the vehicle odometer reading;
 - (d) the date on which the roadworthiness tests took place.
2. The real-world data shall be read out by using a device referred to in point (14) of Section I of Annex III to Directive 2014/45/EU. That device shall be capable of

⁴ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1, ELI: <http://data.europa.eu/eli/reg/2016/679/oj>).

reading out the data as recorded on the on-board fuel and electric energy consumption monitoring device.

3. The Member States and the bodies and establishments referred to in Article 4(2) of Directive 2014/45/EU responsible for the collection of the vehicle identification numbers shall use secure means of communication for that collection.
4. From 2028, by 30 November each year, Member States shall report the data referred to in paragraph 1 that were collected in the preceding reporting period to the Commission, via an electronic data transfer to the European Environment Agency.
5. Member States shall use the electronic tools and procedural guidance made available by the Commission and the European Environment Agency when reporting the data specified in paragraph 1.

Article 3

Obligations relating to the protection of personal data

1. The bodies or establishments responsible for roadworthiness testing, when collecting the vehicle identification numbers together with the real-world data directly from the vehicles shall, in relation to the collection and processing of the vehicle identification numbers, be considered as controllers of these data within the meaning of Article 4(7) of Regulation (EU) 2016/679, and shall provide information to vehicle owners in accordance with Article 13 of that Regulation.
2. Where the vehicle identification numbers together with the real-world data are obtained indirectly from vehicle owners, Member States, as controllers, shall provide information in accordance with Article 14 of Regulation (EU) 2016/679.
3. The European Environment Agency shall be regarded as a controller under Regulation (EU) 2018/1725 for the processing of vehicle identification numbers under this Regulation.

Article 4

Entry into force

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