

RECOMMENDATIONS

COMMISSION RECOMMENDATION (EU) 2017/948

of 31 May 2017

on the use of fuel consumption and CO₂ emission values type-approved and measured in accordance with the World Harmonised Light Vehicles Test Procedure when making information available for consumers pursuant to Directive 1999/94/EC of the European Parliament and of the Council

(notified under document C(2017) 3525)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 1999/94/EC of the European Parliament and of the Council of 13 December 1999 relating to the availability of consumer information on fuel economy and CO₂ emissions in respect of the marketing of new passenger cars ⁽¹⁾ and, in particular, Article 9(2)(c) thereof,

Whereas:

- (1) A new regulatory test procedure for measuring CO₂ emissions and fuel consumption from light duty vehicles, the World Harmonised Light Vehicles Test Procedure (WLTP) set out in Commission Regulation (EU) C(2017) 3521 ⁽²⁾, will replace the New European Test Cycle (NEDC), which is currently used pursuant to Commission Regulation (EC) No 692/2008 ⁽³⁾ but no longer corresponds to present-day's driving conditions or vehicle technologies. The WLTP will provide stricter test conditions and more realistic fuel consumption and CO₂ emission values to the benefit of consumers. Requirements regarding consumer information should include the manner in which access to this improved information will be ensured in order to provide for the necessary comparability of that information.
- (2) Directive 1999/94/EC aims to ensure that information relating to fuel consumption and CO₂ emissions of new passenger cars offered for sale or lease in the Union is made available to consumers in order to enable them to make an informed choice when purchasing a new car. That Directive requires, with regard to new passenger cars, that both official fuel consumption and official specific emissions of CO₂ of new passenger cars, as defined in points (5) and (6) of Article 2 of that Directive, are made available to consumers. The values to be used are those type-approved and measured by the type-approval authority in accordance with the provisions of Regulation (EC) No 715/2007 of the European Parliament and of the Council ⁽⁴⁾ and of Regulation (EC) No 692/2008, in particular Annex XII thereof, and included in Annex VIII to Directive 2007/46/EC of the European Parliament and of the Council ⁽⁵⁾. Those values are to be attached to the EC vehicle type-approval certificate and are to be included in the certificate of conformity.

⁽¹⁾ OJ L 12, 18.1.2000, p. 16.

⁽²⁾ Commission Regulation C(2017) 3521 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 (not yet published in the Official Journal).

⁽³⁾ Commission Regulation (EC) No 692/2008 of 18 July 2008 implementing and amending 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 (OJ L 199, 28.7.2008, p. 1).

⁽⁴⁾ 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 information (OJ L 171, 29.6.2007, p. 1).

⁽⁵⁾ Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive) (OJ L 263, 9.10.2007, p. 1).

- (3) The WLTP is to be phased-in, starting with new passenger car types, as described in Part B of Annex II to Directive 2007/46/EC, from 1 September 2017, followed by new passenger cars from 1 September 2018. End-of-series vehicles, as defined in point (22) of Article 3 of Directive 2007/46/EC, which are type-approved and measured in accordance with the NEDC, may be placed on the market for a period of 12 months from the date on which validity of the EC type-approval expired, i.e. until 31 August 2019. As a consequence, from 1 September 2019 all new passenger cars placed on the Union market are to be tested in accordance with the WLTP.
- (4) During the phasing-in of the WLTP, the EC vehicle type-approval certificate and the certificate of conformity are to mention fuel consumption and CO₂ emission values type-approved and measured in accordance with the NEDC and/or the WLTP. For passenger cars type-approved in accordance with the WLTP, both WLTP and NEDC fuel consumption and CO₂ emission values will be recorded in the certificate of conformity.
- (5) For that transitional period of phasing-in of the WLTP, it is therefore important to clarify which values are to be used for consumer information purposes pursuant to Directive 1999/94/EC to ensure that consumer information remains comparable across all new passenger cars and all Member States.
- (6) It is very likely that the fuel consumption and CO₂ emissions values measured in accordance with the WLTP will be different from the ones measured in accordance with the NEDC. WLTP values will in many cases be higher compared to NEDC values for the same car. Furthermore, in contrast to the NEDC, the WLTP will provide for specific fuel consumption and CO₂ emission values for each individual vehicle reflecting the vehicle specifications and optional equipment that affect those values. That should be able to provide consumers with more precise and realistic information on each new passenger car or, in the case of a given car model, on the range of possible fuel consumption and CO₂ emission values.
- (7) Test results on fuel consumption and CO₂ emission values are recorded for different test phases. For vehicles type-approved in accordance with the NEDC, values are provided for 'urban' and 'extra-urban' conditions as well as 'combined' and 'weighted, combined' values. For vehicles type-approved in accordance with the WLTP, values are provided for 'low', 'medium', 'high', and 'extra high' as well as 'combined' and 'weighted, combined' values. In order to ensure comparability at least the 'combined' values of the applicable test method should be made available to consumers.
- (8) Where separate from the labels, guides, posters or promotional literature and material required under Directive 1999/94/EC information relating to fuel consumption or CO₂ emissions is made available to consumers based on non-harmonised test protocols within the scope of voluntary schemes by manufacturers, consumers should be made fully aware that such values are based on non-harmonised test protocols. Consumers should be advised that, in order to compare new passenger cars' fuel consumption or CO₂ emissions, values measured and type-approved in accordance with a harmonised EU test protocol should be used.
- (9) When transposing Directive 1999/94/EC, some Member States have chosen to include also information about air pollutants on the car labels in addition to the information on fuel consumption and specific CO₂ emissions. With the introduction of the WLTP and the real driving emission (RDE) test procedure and with the new requirements for declaring a maximum value of real-driving emissions on the certificate of conformity of new cars ⁽¹⁾, information on air pollutants will be available as of 1 September 2017 for all new vehicle types and as of 1 September 2019 for all new vehicles. In line with the recommendation by the European Parliament following the inquiry into emission measurements in the automotive sector ⁽²⁾, Member States should consider whether to make such information available to consumers with a view to raising awareness and enabling consumers to make an informed choice when purchasing a car.
- (10) In order to ensure that consumers fully understand the implications of the change to the WLTP, all concerned parties should run or contribute to information campaigns to explain the effects of the new test procedure on fuel consumption and CO₂ emission values. Those information campaigns should involve public authorities, consumer organisations, environmental and non-governmental organisations, driver associations, and the car industry.

⁽¹⁾ Commission Regulation (EU) 2016/646 of 20 April 2016 amending Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 6) (OJ L 109, 26.4.2016, p. 1).

⁽²⁾ P8_TA(2017)0100.

- (11) After having conducted consultations with the Expert Group for policy development and implementation of CO₂ from road vehicles, with experts from industry, consumer organisations and other non-governmental organisations and Member States, the Commission considers it appropriate to provide recommendations as to how the official fuel consumption and official specific emissions of CO₂ of new passenger cars should be expressed for consumer information purposes.
- (12) A recommendation should be adopted to enable consumers to make an informed choice and to encourage a harmonised application of Directive 1999/94/EC throughout the Union.
- (13) The measures provided for in this Recommendation are in accordance with the opinion of the Committee established under Article 10 of Directive 1999/94/EC,

HAS ADOPTED THIS RECOMMENDATION:

1. Member States should ensure that the NEDC values recorded in the certificates of conformity of new registered cars are used for the purpose of communicating the official fuel consumption and official specific emissions of CO₂, as defined in points (5) and (6) of Article 2 of Directive 1999/94/EC, to consumers until 31 December 2018, after which date all new vehicles placed on the Union market are to be tested and type-approved in accordance with WLTP.
2. From 1 January 2019, Member States should ensure that only WLTP fuel consumption and CO₂ emission values are used for consumer information purposes.
3. Member States should ensure that after 1 January 2019, when end-of-series vehicles may still have NEDC values only, those values are accompanied by a disclaimer that the vehicle is an end-of-series vehicle and that the values are not comparable to values based on the WLTP.
4. Member States should ensure that the label which is attached to or displayed near each new passenger car at the point of sale includes information on the official fuel consumption and official specific CO₂ emission values of the vehicle to which it refers.
5. Member States should ensure that the guide on fuel economy and CO₂ emissions as well as the poster or display to be displayed at the point of sale includes information on the official fuel consumption and official specific CO₂ emission values of the vehicle to which it refers. Where several variants and/or versions are grouped under one model, the values to be given should be those of the individual vehicle with the highest values within that group.
6. Member States should ensure that promotional material containing a reference to any particular new passenger car model, version or variant includes information on the official fuel consumption and official specific CO₂ emission values of the vehicle to which it refers. Where more than one model is specified, Member States should ensure that the information includes the official fuel consumption and official specific CO₂ emission values of all the vehicles to which it refers or the range between the worst and best values of all the vehicles to which it refers. For vehicles type-approved in accordance with the WLTP, the worst and best values should reflect the values of the new passenger cars available on the market, as recorded in the certificates of conformity.
7. Member States should ensure that promotional material distributed by electronic means which allow consumers to configure a specific vehicle, such as online car configurators, clearly demonstrate to consumers how different specific equipment and optional extras affect the fuel consumption and CO₂ emission values type-approved and measured in accordance with the WLTP.
8. In case Member States allow that WLTP fuel consumption and CO₂ emission values are provided as additional information prior to 1 January 2019 in order to provide consumers as early as possible with access to CO₂ emission and fuel consumption values that are more representative of real driving conditions, Member States should ensure that the additional information is presented clearly and separate from the labels, guides, posters or promotional literature and material required under Directive 1999/94/EC and that it contains the following information:

‘From 1 September 2017, certain new vehicles will be type-approved using the World Harmonised Light Vehicle Test Procedure (WLTP), which is a new, more realistic test procedure for measuring fuel consumption and CO₂ emissions. From 1 September 2018 the WLTP will fully replace the New European Drive Cycle (NEDC), which is the current test procedure. Due to more realistic test conditions, the fuel consumption and CO₂ emissions measured under the WLTP are in many cases higher compared to those measured under the NEDC.’

9. Member States should ensure that consumers, before taking a decision on the purchase of a car, are informed about the changes in fuel consumption and CO₂ emission values resulting from the introduction of the WLTP and about the implications that those changes may have at the time of registration.
10. Member States should ensure that the official fuel consumption and official specific CO₂ emission values include at least the 'combined' values measured in accordance with the relevant test procedure.
11. Where information relating to fuel consumption or CO₂ emissions based on non-harmonised test protocols within the scope of voluntary schemes by manufacturers is provided to consumers separate from the labels, guides, posters or promotional literature and material required under Directive 1999/94/EC, Member States should ensure that such information includes the following information:

‘The fuel consumption or CO₂ emission values provided are based on non-harmonised test protocols. They are provided for information purposes only. In order to compare new passenger car’s fuel consumption or CO₂ emission values, based on a harmonised EU test protocol, official fuel consumption or CO₂ emission values should be used [insert hyperlink to where these values are available]’.
12. Member States should consider the possibility of also including the information regarding the maximum value for real-driving air pollutants declared on each vehicle’s certificate of conformity on the label which is attached to or displayed near each new passenger car at the point of sale.
13. Member States should ensure that appropriate information campaigns are launched to explain to consumers the introduction of the WLTP and its implications for fuel consumption and CO₂ emission values, in particular the increase in those values compared to the values derived under the NEDC, and the meaning of the values resulting from different test phases.
14. This Recommendation is addressed to the Member States.

Done at Brussels, 31 May 2017.

For the Commission
Miguel ARIAS CAÑETE
Member of the Commission
