Commission Implementing Regulation (EU) 2018/732 of 17 May 2018 on a common methodology for alternative fuels unit price comparison in accordance with Directive 2014/94/EU of the European Parliament and of the Council (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2018/732

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on a common methodology for alternative fuels unit price comparison in accordance with Directive 2014/94/EU of the European Parliament and of the Council

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THE EUROPEAN COMMISSION,

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

Having regard to Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure[(1)], and in particular Article 7(3) thereof,

Whereas:

(1) For the purposes of determining the methodology best suited under Article 7(3) of Directive 2014/94/EU, and following a call for tender, the Commission requested the German Energy Agency (dena) to carry out a study to identify possible options for a common methodology for alternative fuels unit price comparison[(2)].

(2) Four principal options were analysed in the study. The Commission considered all those options. It appeared that the option according to which fuel prices are expressed as amounts of applicable currency per 100 km, taking into account the price of the fuel per unit as referred to in Directive 98/6/EC of the European Parliament and of the Council[(3)] and the consumption of the vehicles as indicated in the certificate of conformity was most comprehensive, and it was based on measurable data. That option takes into account not only the energy content of the fuel but also other factors relevant to the fuel price per distance covered, in particular the energy efficiency of the respective technologies linked to the use of the different fuels in the vehicles.

(3) A methodology expressing fuel prices as amounts of applicable currency per 100 km was supported by consumers, according to a consumer survey on fuel price comparison[(4)], carried out by the Fédération Internationale de l'Automobile following a call for tender.

(4) The chosen methodology should allow users to make a straightforward comparison encompassing all the most relevant factors, also in view of future purchasing choices. The methodology appears thus best fitted for the purposes of increasing consumer awareness and fuel price transparency. It is also best fitted to the more general objectives of Directive 2014/94/EU, equally taken into account in the European

Strategy for Low-Emission Mobility[5] adopted in the framework of the Energy Union, namely to contribute to a diversification of energy sources in transport and to a reduction of CO_2 and other pollutant emissions in this area.

(5) The value of fuel consumption provided in the certificate of conformity of the vehicles should be used for calculating the fuel prices. This value is based on the World Harmonised Light Vehicles Test Procedure (WLTP)[6] starting from September 2017 for new types of vehicles and from September 2018 for all new vehicles. This test procedure replaces the currently used New European Test Cycle (NEDC). The WLTP provides for stricter test conditions and more realistic fuel consumption to the benefit of consumers. Reference to these values is consistent with the consumer information provided under Directive 1999/94/EC of the European Parliament and of the Council[7] relating to the availability of consumer information on fuel economy in respect of the marketing of new passenger cars, also in view of Commission Recommendation (EU) 2017/948[8].

(6) As no values for fuel consumption are provided in the certificate of conformity of the vehicles regarding the biofuel blends with petrol or diesel[9], Member States may use their own data in order to determine such values.

(7) In order to make the methodology workable at any moment in time, the fuel price to be taken into account should be the average price of the relevant fuel per conventional unit over maximum the last calendar quarter prior to the time of calculation.

(8) Because of the constraints inherent in the display of comparisons in fuel stations, it should be specified that the use of such methodology supposes the establishment of samples of passenger cars that are comparable, at least in view of their weight and their power, but use different fuels.

(9) To further facilitate comparisons based on the methodology established in this Regulation, Member States have the possibility to make use of the opportunities offered by digitalisation such as online tools. Such tools should provide the opportunity to obtain individual information for all or most models of vehicles existing in the market. Such tool would also offer the possibility to add other information.

(10) The Commission Multi-Annual Work Programme for financial assistance in the field of Connecting Europe Facility (CEF) —Transport sector for the period 2014-2020[10] provides for an action intended to assist Member States in the implementation of Directive 2014/94/EU. According to the Work Programme, the objective is notably to support a consistent implementation of Article 7(3) of that Directive in all Member States and to support Member States in making consumer information available in via digital tools.

(11) The measures provided for in this Regulation are in accordance with the opinion of the committee established by Article 9(1) of Directive 2014/94/EU,

HAS ADOPTED THIS REGULATION:

Article 1

The common methodology for alternative fuels unit price comparison within the meaning of Article 7(3) of Directive 2014/94/EU, based on prices expressed as amounts of applicable currency per 100 km, is set out in the Annex.

Article 2

This Regulation shall enter into force on the twentieth day following the date of its publication in the *Official Journal of the European Union*.

[[F1]It shall apply from 7 December 2020.**]**

Textual Amendments

F1 Substituted by Commission Implementing Regulation (EU) 2020/858 of 18 June 2020 amending Implementing Regulation (EU) 2018/732 as regards postponing its date of application (Text with EEA relevance).

This Regulation shall be binding in its entirety and directly applicable in all Member States.