

## ECONOMY

Office of the Secretary of State for the Economy

### Ordinance No XXX/2024

Summary: This Ordinance approves the Regulation on the Legal Metrological Control of Compressed Gaseous Fuel Measuring Systems for Veículos.

The metrological control of measuring methods and instruments in Portugal complies with the provisions in the general framework approved by Decree-Law No 29/2022, of 7 April, as well as the general regulatory provisions laid down in the General Regulation on Metrological Control approved by Ordinance No 211/2022, of 23 August, and also the provisions contained in the ordinances specific to each measuring instrument.

In view of the publication of the aforementioned legal framework and the importance of its application in ensuring the accuracy of measurements and promoting consumer protection in the various fields and, in particular in new areas of measurement, it is necessary to approve specific rules governing metrological control of compressed gaseous fuel measuring systems for vehicles.

Indeed, the use of vehicular natural gas and hydrogen are increasingly strategically important to achieve climate targets, defined specifically to reduce greenhouse gas emissions and achieve carbon neutrality.

In this context, and in light of the absence of specific Community directives for this type of measuring instrument, as well as the function of such measuring systems, in particular for refuelling motor vehicles, the network of which is expanding, it is necessary to regulate the specific conditions to be observed in the exercise of

legal metrological control of such instruments and to lay down the requirements for such control.

This Ordinance has been subject to the information procedure in the field of technical regulations and rules on information society services, provided for in Directive (EU) 2015/1535 of the European Parliament and of the Council, of 9 September 2015.

Therefore:

Pursuant to Article 2(a) and Article 25(1) of Decree-Law No 29/2022 of 7 April, in conjunction with the provisions of Article 1(4) of the Regulation annexed to Ordinance No 211/2022 of 23 August, the Government, by the Secretary of State for the Economy, mandates the following:

#### Article 1

##### **Subject matter**

The Regulation on the Legal Metrological Control of Compressed Gaseous Fuel Measuring Systems for Vehicles is hereby approved as an annex to this Ordinance, of which it forms an integral part.

#### Article 2

##### **Entry into force**

This Ordinance shall enter into force on the day after its publication.

xx xxxxxx 2024. - The Secretary of State for the Economy.

## ANNEX

# **REGULATION ON THE LEGAL METROLOGICAL CONTROL OF COMPRESSED GASEOUS FUEL MEASURING SYSTEMS FOR VEHICLES**

### Article 1

#### **Scope**

This Regulation applies to measuring systems intended for the refuelling of motor vehicles, small vessels and aircraft with compressed natural gas, hydrogen, biogas, mixtures of gases or other compressed gaseous fuels, hereinafter referred to as Compressed Gaseous Fuel Measuring Systems for Vehicles.

### Article 2

#### **Definitions**

For the purposes of this Regulation, the definitions set out in the Recommendation of the International Organisation for Legal Metrology OIML R 139 shall apply.

### Article 3

#### **Putting into service**

Compressed Gaseous Fuel Measuring Systems for Vehicles shall comply with the metrological and technical requirements set out in Recommendation OIML R 139.

### Article 4

#### **Indication**

The indication of Compressed Gaseous Fuel Measuring Systems for Vehicles shall be expressed in appropriate units based on the International System of Units (SI) or units accepted for use with the SI.

## Article 5

### **Legal metrological control**

The legal metrological control of Compressed Gaseous Fuel Measuring Systems for Vehicles is the responsibility of the Portuguese Institute of Quality, I.P. (IPQ, I.P.) and includes the operations of Model Approval, First Verification, Periodic Verification and Extraordinary Verification.

## Article 6

### **Model approval**

(1) Model approval must comply with the requirements laid down in Article 7 of Decree-Law No 29/2022 of 7 April and Article 2 of the Regulation annexed to Ordinance No 211/2022 of 23 August.

(2) During the period of validity of the Model Approval, any or all changes made to the approved model, by replacement of components, by addition of a supplementary device, change of computer program (software) installed, or by modifications that may influence the results of measurements or the regulatory conditions of use, need a supplementary model approval.

(3) The software used by Compressed Gaseous Fuel Measuring Systems for Vehicles shall ensure the integrity and confidentiality of the data obtained and presented, and shall be subject to unique and unambiguous identification.

## Article 7

### **First verification**

- (1) The first verification is carried out before the instrument is put into service, or after its repair and whenever there is a violation of the sealing system, without periodic verification in that year, having the same validity period.
- (2) The first verification tests shall be carried out in accordance with the metrological and technical requirements laid down in Article 3 of this Regulation.
- (3) The values of the maximum permissible errors for the first verification are equal to the values of the maximum permissible errors established in Recommendation OIML R 139.

## Article 8

### **Periodic verification**

- (1) Periodic verification has an annual frequency and is valid for one year after its completion.
- (2) Periodic verification tests shall be the same as those established for the first verification.
- (3) The values of the maximum permissible errors in the periodic verification shall be equal to the values of the maximum permissible errors established for the first verification.

## Article 9

### **Extraordinary verification**

- (1) Extraordinary verification shall include the periodic verification tests.

(2) In the extraordinary verification, the values of the maximum permissible errors shall be equal to the values of the maximum permissible errors established for the periodic verification.

## Article 10

### **Inscriptions and markings**

(1) Compressed Gaseous Fuel Measuring Systems for Vehicles shall visibly and legibly bear inscriptions and marks of conformity with the metrological requirements set out in Article 3 of this Regulation.

(2) Compressed Gaseous Fuel Measuring Systems for Vehicles shall also contain the model approval symbol and other symbols or references useful for their use.

## Article 11

### **Transitional provision**

(1) Compressed Gaseous Fuel Measuring Systems for Vehicles in use may remain in use for as long as they are in good condition and provided that during metrological verification tests they do not incur errors exceeding the maximum permissible errors.

(2) For the purposes of the preceding paragraph, the first verification of the instruments in use shall be required by the users of the IPQ, I.P. or the entity designated by it, within 180 days from the date of entry into force of this Ordinance.

(3) The request for verification of Compressed Gaseous Fuel Measuring Systems for Vehicles shall be accompanied by a descriptive document, an operating schedule and, if this instrument is adjustable, by a regulation and adjustment schedule.

## Article 12

### **Final disposition**

The provisions of the preceding articles shall not prevent the marketing or subsequent use of the Compressed Gaseous Fuel Measuring Systems for Vehicles accompanied by conformity assessment certificates issued by bodies recognised under the applicable European Union legislation within the framework of the legal metrology activity, based on specifications and procedures ensuring metrological quality equivalent to that referred to in this Regulation, the equivalence being assessed by IPQ, I.P.