

WIJ WILLEM ALEXANDER,
BIJ DE GRATIE GODS,
KONING DER NEDERLANDEN,
PRINS VAN ORANJE-NASSAU,
ENZ. ENZ. ENZ.

DRAFT DATED 26 March 2025

Decree of... amending the Decree on the labelling of the energy use of passenger cars in connection with the addition of power consumption to the label and some other changes

(KetenID WGK026752)

On the recommendation of the State Secretary for Infrastructure and Water Management, No IenW/BSK, General Directorate of Administrative and Legal Affairs; Having regard to Article 2(a) and Article 34 of the 1994 Road Traffic Act (Wegenverkeerswet);

Having heard the opinion of the Advisory Division of the Council of State (opinion of, No); Having regard to the detailed report of the State Secretary for Infrastructure and Water Management, No IenW/BSK, General Directorate of Administrative and Legal Affairs;

Have approved and hereby decree the following:

ARTICLE I

The Decree on the labelling of the energy use of passenger cars (Besluit etikettering energiegebruik personenauto's) is amended as follows:

A

Article 1 now reads as follows:

Article 1

In this Decree, the following terms and definitions shall apply:

fuel consumption means the fuel consumption accepted by the type-approval authority in accordance with Regulation (EU) 2017/1151 and listed in Annex VI to Regulation (EU) 2020/683 annexed to the EC type-approval certificate or in the certificate of conformity, provided that, where several variants or versions are grouped under one model, the value of the fuel consumption of that model to be declared is based on the variant or version with the highest fuel consumption within that group;

fuel economy guide means a guide containing information for consumers on the energy consumption of all new passenger car models available on the Dutch market;

certificate of conformity means the document referred to in Article 36(1) of Regulation (EU) 2018/858;

CO₂ emission means the emission measured in accordance with Regulation (EU) 2017/1151 and listed in Annex VI to Regulation (EU) 2020/683, attached to the EC type-approval certificate or in the certificate of conformity, provided that, where several variants or versions are grouped under one model, the CO₂ value to be

declared of that model is based on the variant or version with the highest CO₂ emission within that group;

energy label means a label providing consumers with information on the energy consumption of the car on which it is affixed;

energy consumption information means information on fuel consumption, CO₂ emissions, power consumption or other data relating to the energy consumption of new passenger cars;

supplier means the party placing new passenger cars on the market in the Netherlands;

make means the trademark of the manufacturer indicated on the certificate of conformity and in the type-approval documentation;

model means the commercial name of the make, type and, where available and appropriate, the design and version of a passenger car;

new passenger car means a passenger car that has not previously been sold to a person for a purpose other than sale or supply to a third party;

passenger car means a motor vehicle of category M1, as defined in Article 4 of Regulation (EU) 2018/858, covered by Regulation (EU) 2017/1151, with the exception of vehicles covered by Regulation (EU) No 168/2013 and special purpose vehicles as defined in Article 3(31) of Regulation (EU) 2018/858;

RDW means the Road Traffic Department (Dienst Wegverkeer), referred to in Article 4a of the 1994 Road Traffic Act;

advertising material means all printed material used in the marketing, advertising and promotion of the sale of vehicles to the public, including at least technical manuals, brochures and advertisements in newspapers and magazines, in the professional press and on posters;

Directive 1999/94/EC: means 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 (OJ L 12, 2000);

power consumption means the electricity consumption measured in accordance with Regulation (EU) 2017/1151 and listed in Annex VI to Regulation (EU) 2020/683 annexed to the EC type-approval certificate or in the certificate of conformity, provided that, where several variants or versions are grouped under one model, the value of the power consumption of that model to be declared is based on the variant or version with the highest power consumption within that group;

point of sale means a place where new passenger cars are displayed or offered for sale or lease to potential customers, including fairs where new passenger cars are presented to the public;

Regulation (EU) No 168/2013: Regulation (EU) No 168/2013 of the European Parliament and of the Council of 15 January 2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles (OJ L 60, 2013);

Regulation (EU) 2017/1151: Commission Regulation (EU) 2017/1151 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 Commission Regulation (EC) No 692/2008 (OJ L 175);

Regulation (EU) 2018/858: Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC (OJ L 151);

Regulation (EU) 2020/683: Commission Implementing Regulation (EU) 2020/683 of 15 April 2020 implementing Regulation (EU) 2018/858 of the European Parliament and of the Council with regards to the administrative requirements for the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (OJ L 163).

hydrogen consumption means the hydrogen consumption accepted by the type-approval authority in accordance with Regulation (EU) 2017/1151 and listed in Annex VI to Regulation (EU) 2020/683, attached to the EC type-approval certificate or in the certificate of conformity, provided that, where several variants or versions are grouped under one model, the value of the hydrogen consumption of that model to be declared is based on the variant or version with the highest fuel consumption within that group;

B

Article 7 now reads as follows:

Article 7

If requested by the RDW at least 8 weeks in advance, the supplier shall provide the RDW with the following information before 1 October each year:

- a. the name of the models of new passenger cars that it knows or expects to be placed on the market in the Netherlands in the next calendar year;
- b. the grouping of variants or versions of a make into models of new passenger cars.

C

In Article 8(1), the words ‘and values’ are inserted after ‘constants’ and the words ‘regression formulae and the corresponding value of the average CO₂ emissions for petrol-fuelled passenger cars and for diesel-fuelled passenger cars’ are replaced by the words ‘energy efficiency class calculation method’.

D

Annex 1 is amended as follows:

Under ‘*Format*’, the image of the label is replaced by the following image:

Energie		Personenauto	
Fabrikant		Logo	
Model			
Energiedrager		Elektriciteit	
Brandstofverbruik	0 liter / 100 km		
<small>gemeten volgens de test van de typekeuring.</small>	<small>= --,- km per liter</small>		
Stroomverbruik	16,4 kWh / 100 km		
<small>gemeten volgens de test van de typekeuring.</small>	<small>= 6,1 km per kWh</small>		
Zuinig			
Onzuinig			
CO₂-uitstoot	0 gram/km		
<small>CO₂ is het broeikasgas dat bij de wereldwijde klimaatverandering de belangrijkste rol speelt</small>			
Jaar van toepassing	2026		
<small>Een gids betreffende het brandstofverbruik en de CO₂-uitstoot met gegevens voor alle nieuwe modellen personenauto's is gratis verkrijgbaar in elk verkooppunt. Deze gids is ook verkrijgbaar als PDF op www.rdw.nl.</small>			
<small>Naast de brandstofefficiëntie van een auto zijn ook het rijgedrag en andere, niet-technische factoren bepalend voor het brandstofverbruik en de CO₂-uitstoot van een auto. CO₂ is het broeikasgas dat bij de wereldwijde klimaatverandering de belangrijkste rol speelt.</small>			
<small>Richtlijn 1999/94/EG: Etikettering personenauto's</small>			

— I
— II
— III
— IV
— V

— VI

— VII
— VII

Energie, Personenauto, Fabrikant, Model
Energiedrager, Logo, Elektriciteit
Brandstofverbruik, gemeten volgens de test van de typekeuring, 0 liter/100 km, km per liter
Stroomverbruik, gemeten volgens de test van de typekeuring, km per kWh
Zuinig, Onzuinig
CO₂-uitstoot, CO₂ is het broeikasgas dat bij de wereldwijde klimaatverandering de belangrijkste rol speelt, 0 gram/km
Jaar van toepassing
Een gids betreffende het brandstofverbruik en de CO₂ - uitstoot met gegevens voor alle nieuwe modellen personenauto's is gratis verkrijgbaar in elk verkooppunt. Deze gids is ook verkrijgbaar als PDF of www.rdw.nl.
Naast de brandstofefficiëntie van een auto zijn ook het rijgedrag en andere, niet technische factoren bepalend voor het brandstofverbruik en de CO₂-uitstoot van een auto. CO₂ is het

Energy, Passenger car, Manufacturer, Model
Energy carrier, Logo, Electricity
Fuel consumption, measured according to the type-approval test, 0 litres/100 km, km per litre
Power consumption, measured according to the type-approval test, km per kWh
Efficient, Inefficient
CO₂ emissions, CO₂ is the greenhouse gas that plays the greatest role in global climate change, 0 grams/km
Year of application
A guide on fuel consumption and CO₂ emissions with data for all new passenger car models is available free of charge at any point of sale. This guide is also available as a PDF at www.rdw.nl.
In addition to a car's fuel efficiency, driving behaviour and other, non-technical factors determine a car's fuel consumption and CO₂ emissions. CO₂ is the greenhouse gas that plays the greatest role in global climate

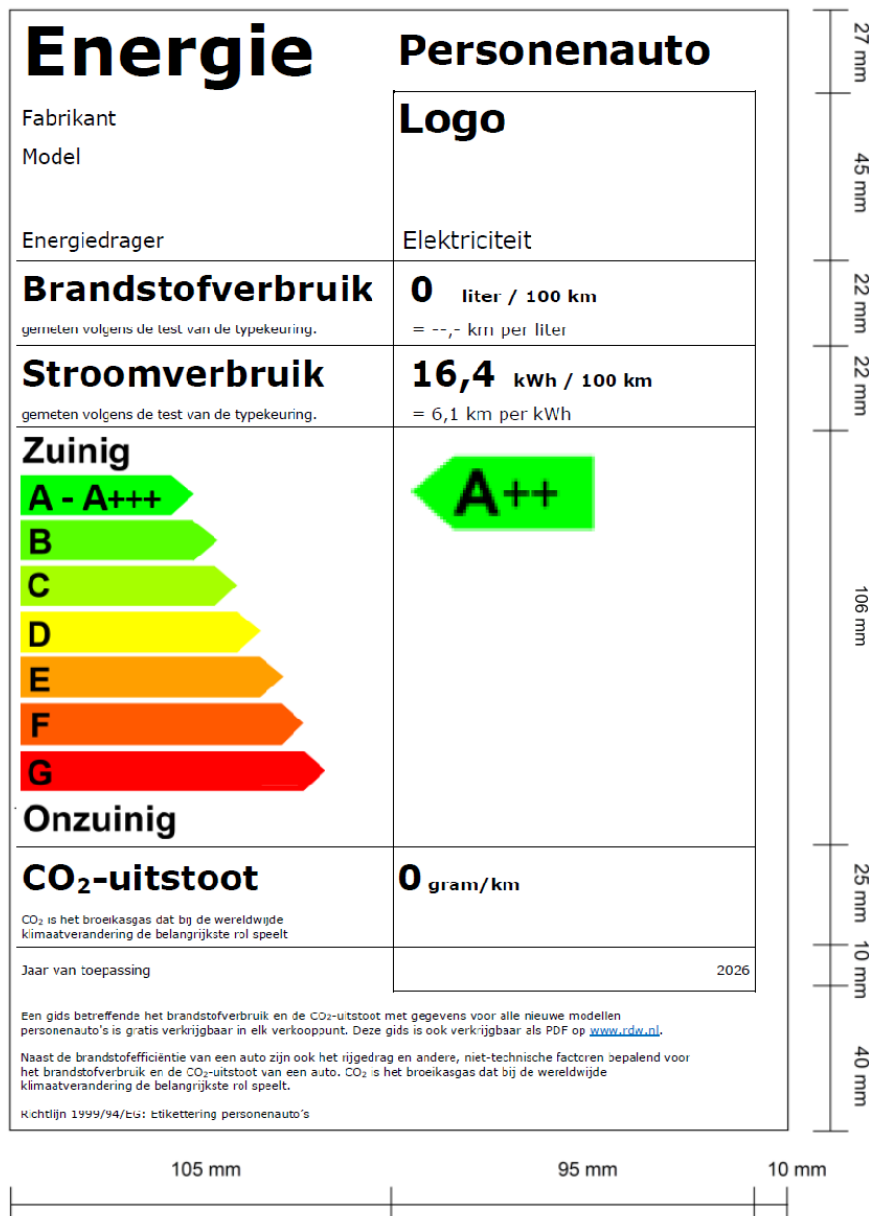
broeikasgas dat bij de wereldwijde
klimaatverandering de bolwangigste rol speelt.
Richtlijn 1999/94/ EG: Etikettering
personenauto's.

change.

Directive 1999/94/EC: Labelling of passenger
cars.

1. In subparagraph II, the words 'in compliance with the provisions of Article 7 of the Decree' are deleted.
2. Subparagraph IV now reads as follows:
'IV. Fuel consumption, expressed in litres per 100 km and in km per litre for petrol, LPG or diesel, or in kg per 100 km and in km per kg for natural gas, accurate to one decimal place, and for hydrogen, to two decimal places.
3. Subparagraph V now reads as follows:
4. V. Power consumption, expressed in kWh per 100 km and in km per kWh, accurate to one decimal place.
5. In subparagraph VI, the words 'on the basis of relative energy efficiency' are deleted.

Under 'Print', the image of the label is replaced by the following image:



Personenauto, Logo, Elektriciteit
Brandstofverbruik, gemeten volgens de test van de typekeuring, km per liter
Stroomverbruik, gemeten volgens de test van de typekeuring, km per kWh
Zuinig, Onzuinig
CO₂-uitstoot, 0 gram/km
CO₂ is het broeikasgas dat bij de wereldwijde klimaatverandering de belangrijkste rol speelt.
Jaar van toepassing
Een gids betreffende het brandstofverbruik en de CO₂-uitstoot met gegevens voor alle nieuwe modellen personenauto's is gratis verkrijgbaar in elk verkooppunt. Deze gids is ook verkrijgbaar als PDF op www.rdw.nl.
Naast de brandstofefficiëntie van een auto zijn ook het rijgedrag en andere, niet-technische factoren bepalend voor het brandstofverbruik en de CO₂-uitstoot van een auto. CO₂ is het broeikasgas dat bij de wereldwijde klimaatverandering de belangrijkste rol speelt.
Richtlijn 1999/94/EG: Etikettering personenauto's.

Passenger car, Logo, Electricity
Fuel consumption measured according to the type-approval test, km per litre
Power consumption, measured according to the type-approval test, km per kWh
Efficient, Inefficient
CO₂ emissions, 0 grams/km
CO₂ is the greenhouse gas that plays the greatest role in global climate change.
Year of application
A guide on fuel consumption and CO₂ emissions with data for all new passenger car models is available free of charge at any point of sale. This guide is also available as a PDF at www.rdw.nl.
In addition to a car's fuel efficiency, driving behaviour and other, non-technical factors determine a car's fuel consumption and CO₂ emissions. CO₂ is the greenhouse gas that plays the greatest role in global climate change.
Directive 1999/94/EC: Labelling of passenger cars.

E

Paragraph 6 of Annex 2 is amended as follows:

1. In subparagraph a, the words 'subject to the provisions of Article 7 of the Decree' are deleted.
2. In subparagraph b, each instance of 'm³' is replaced by 'kg'.

F

In the fourth paragraph of Annex 3, each instance of 'm³' is replaced by 'kg'.

Article II

This Decree shall enter into force on a date to be determined by Royal Decree.

I hereby order this Decree and its associated explanatory notes to be published in the official journal.

STATE SECRETARY FOR INFRASTRUCTURE AND WATER MANAGEMENT – PUBLIC
TRANSPORT AND ENVIRONMENT,

C.A. Jansen

EXPLANATORY MEMORANDUM

General explanatory notes

1. Introduction

The purpose of this amendment to the Decree on the labelling of the energy use of passenger cars (hereinafter: Decree) is to make the energy label for new passenger cars suitable for electric passenger cars. The amendment adapts the format of the label in such a way that the electricity consumption can be indicated on the label. Only fields where fuel consumption and CO₂ emissions can be indicated are available on the current label. For electric passenger cars, these two values are zero. By including an additional field on the label, power consumption can also be indicated on the label for plug-in hybrid passenger cars. In addition, this amendment to the Decree makes it possible to simplify the procedure for compiling the fuel economy booklet.

With the transposition of Directive 1999/94/EC¹ (hereinafter: Directive) into the Decree, new passenger cars displayed at a point of sale must be labelled with the fuel consumption and CO₂ emissions of that car. The introduction of the labelling measure concerned only passenger cars equipped with an internal combustion engine. Due to changes in European legislation, the energy label has also applied to electric passenger cars since 2013. Despite the fact that European legislation requires electric cars to be labelled with an energy label, there is no European requirement for power consumption to be indicated on the label. Since more than 30 % of new sales now consist of electric passenger cars, the format of the label is being adjusted so that power consumption can be indicated. The requirement to indicate power consumption for electric and plug-in cars is being introduced nationally.

The Directive is currently being evaluated on behalf of the European Commission. The research report of this evaluation will be available in 2025. However, it is now expected that the European Commission will soon thereafter come forward with a proposal to amend the Labelling Directive. Each Member State has already introduced its own labelling approach for new passenger cars, so much alignment will be necessary for the adaptation of the Directive. If a new Directive is issued, it is expected that there will be an implementation period of approximately two years for the new regulations to enter into force. Given the expected lead times and the 30 % share of electric passenger cars in new sales, action is already being taken to indicate power consumption on the label. If, in the long term, it turns out that European rules are initiated that will lead to a comparable energy label with data on power consumption in the foreseeable future or that, also in the long term, will choose a different starting point for the indication of energy consumption for electric passenger cars, the amendment of the Decree can be reconsidered (principle of Community loyalty).

In the letter to the Parliament of 22 March 2022 on the Cabinet Approach to Climate Policy², the Lower House had already been informed of the adaptation of the energy label to electric passenger cars. This letter states that the spread in energy consumption of fully electric passenger cars is broadly comparable, by approximately a factor of two, to that of passenger cars with a conventional combustion engine. Furthermore, in the case of electric passenger cars, there is a similar correlation between the standard consumption and the practical consumption as in the case of conventional passenger cars. In view of these characteristics, it is appropriate to include power consumption on the energy label for electric passenger cars.

2. Outline of the proposal

¹Directive 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 (OJ L 12).

² *Parliamentary Proceedings II*, 2021/22, No 32 813 No 1004.

The most important part of this amendment to the Decree is that the format of the label is adapted so that the power consumption can be indicated for passenger cars that can be charged externally. This concerns both fully electric passenger cars and plug-in hybrid passenger cars that run partly on electricity. This amendment will allow buyers of new passenger cars to be informed about the power consumption of these passenger cars. The energy label currently provides that fuel consumption and CO₂ emissions can be indicated for electric passenger cars. However, for electric passenger cars, both values are zero. For plug-in hybrid passenger cars, the current label can state fuel consumption and CO₂ emission, but not power consumption. However, for plug-in hybrid passenger cars, power consumption is also an important part of the energy consumption declared by the manufacturer. This is particularly true for plug-in hybrid cars with a relatively large battery and therefore a long electric range.

As explained in Section 1, this amendment to the Decree does not contain a new obligation to provide an energy label for an electric car. Indeed, European legislation already requires electric passenger cars to be marked with an energy label. When the energy label was introduced in 2001, the label was only intended for passenger cars with an internal combustion engine. This resulted from the definition of 'passenger car' in Directive 1999/94, which provided that the label only applied to passenger cars that fell under the scope of Directive 80/1268/EEC³ for the measurement of fuel consumption and CO₂ emissions. In the meantime, this Directive has been succeeded by Regulation (EU) 2017/1151⁴ on type-approval of motor vehicles with respect to emissions. This Regulation also contains provisions on the measurement of power consumption of electric passenger cars. Since Regulation (EC) No 715/2007⁵ provides that references made to the old Directive 80/1268/EEC are to be construed as references to the new Regulation, electric passenger cars shall also be labelled.

In addition to the indication of the power consumption, this amendment to the Decree makes it possible to base the fuel economy booklet on the Certificates of Conformity of the passenger cars supplied. The provisions on data exchange between the RDW and the suppliers of new passenger car models for the compilation of the booklet are adapted accordingly. The RDW will have the option to compile the fuel economy booklet as usual on the basis of information provided by suppliers on the grouping of versions of a type to one model of new passenger cars. A new possibility will be introduced for the fuel economy booklet to be compiled on the basis of the Certificates of Conformity (CoCs) of new passenger cars. The RDW will be free to decide whether and if so when to switch to a different method.

Simplification could be achieved by compiling the fuel economy booklet on the basis of CoC information. This new approach requires the guide to be updated at least twice a year. The Directive requires the guide to include all new passenger car models that are available on the date of its publication, rather than all new passenger car models available for sale. If the RDW wishes to continue compiling the fuel economy booklet in the current manner, the RDW can initiate this in the future by requesting the suppliers to provide the information on the grouping of versions into a new passenger car model to the RDW.

³ Council Directive 80/1268/EEC of 16 December 1980 on the approximation of the laws of the Member States relating to the fuel consumption of motor vehicles (OJ L 375).

⁴ Commission Regulation (EU) 2017/1151 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 Commission Regulation (EC) No 692/2008 (OJ L 175).

⁵ 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).

On the basis of the Directive, suppliers may group several variants or versions of a car type into one model. In this case, the declared fuel consumption and CO₂ emission values of this model shall be based on the variant and/or version with the highest fuel consumption and/or CO₂ emissions, respectively. Suppliers of new passenger cars have not used this grouping option in order to produce the energy label for some time. Since the introduction of the new test method for energy consumption, the name of new passenger car models and the values for fuel consumption and CO₂ emissions have been taken directly from the CoC. For posters and display, suppliers can continue to make use of the grouping option. As a result, suppliers have the option to keep the size of the poster limited.

3. Relationship to higher law

The Decree constitutes the transposition of the Directive. This Directive aims to ensure that data on fuel consumption and CO₂ emissions of new passenger cars offered for sale or lease in the EU are made available to consumers so that they can make an informed choice. The Directive contains minimum harmonisation: for example, Annexes I, II and III to the Directive set out the minimum requirements that Member States must comply with when monitoring fuel economy labels, the fuel economy guide and the poster. This leaves room for Member States to impose more requirements on these documents at national level. The amendment to this Decree makes use of this room.

This amendment provides for technical regulations. The amendment must therefore be notified to the European Commission under the Notification Directive. Accordingly, a draft of this Decree was submitted to the European Commission on [PM] (notification number 2024/xxx/NL). [PM results notification].

The legal basis of the Decree is Article 2(3)(a) of the 1994 Road Traffic Act. This Article provides that the rules adopted pursuant to this Act may be aimed at promoting the efficient or economical use of energy. In addition, Article 34 of the 1994 Road Traffic Act prohibits the making available or placing on the market of vehicles to be designated by general administrative order without complying with the requirements laid down in the measure as regards the availability of consumer information on fuel consumption and CO₂ emissions. In the event of a breach of this prohibition, the Minister of Infrastructure and Water Management can impose an administrative pecuniary penalty on the basis of Article 174c of the 1994 Road Traffic Act. In parallel with this amendment to the Decree, the 1994 Road Traffic Act is amended to bring this prohibition into line with the broadening of the type of consumer information that must be included on the energy label pursuant to the Decree. To this end, the term 'fuel consumption' used in Article 34 is extended to 'energy consumption'.

In addition, the 2026 Passenger Cars (Relative Fuel Economy) Regulation (hereinafter: Regulation) shall be adopted and shall enter into force at the same time as this amendment. It elaborates the new calculation method for determining the energy efficiency classes of all passenger cars. Additional classes are added to the calculation method to allow a comparison between diesel and petrol passenger cars and electric and hydrogen passenger cars. With the adoption of the new Regulation, the Passenger Cars (Relative Fuel Economy) Regulation, which laid down the old calculation method for the energy efficiency class, will be repealed.

4. Impacts

The financial impact of implementing the new energy label and the other method of collecting data for the fuel economy guide are explained below.

9

Implementation of the new energy label

The energy labels shall be provided to traders by or on behalf of the suppliers by electronic means. The Directive requires the energy label for all new passenger cars,

including those with no CO₂ emissions or fuel consumption. Suppliers will have to make a one-off change to their energy label production software for the new 'power consumption' information field on the energy label.

There are an estimated 33 suppliers (importers) with a total of around 1 800 sales outlets for approximately 70 vehicle brands. The service provider RDC (formerly RAI Data Centrum) has also made an estimate of the suppliers' adaptation costs on behalf of RAI Vereniging. These are the costs of adapting the software for printing the energy label. The costs are around one third lower if the supplier outsources the labelling system to a service provider such as RDC. The costs may also differ because they are higher for suppliers that have not yet invested in the new energy label. Depending on these variables, this one-time adjustment of the software will cost the import sector a total of around EUR 110 000 in man-hours (calculated at EUR 100 per hour) and in service fees.

Investments by any (new) suppliers that do not yet have a labelling system because they only sell zero-emission passenger cars are not included in this cost estimate because the labelling obligation already existed before this change, so there is no new regulatory burden.

There are no additional costs for traders (dealers) because in practice the labels on new passenger cars are replaced at the point of sale around 1 January each year, as the label shows a year.

In order to adapt the calculation method to the energy efficiency category for the energy label, the RDW must adapt its registration module. For this one-off adaptation, the RDW has provided an indicative cost estimate of 400 hours, in anticipation of the formal implementation test.

If the RDW continues to apply the current method for compiling the booklet (see section below), the one-off adjustment costs are limited to implementing the adapted formulas for determining the energy label. For this adaptation of its application, the RDW has provided an indicative cost estimate of 400 hours, in anticipation of the formal implementation test.

Other fuel economy guide data method

The wording of Article 7 allows the RDW to compile the fuel economy guide in a different way. For example, the RDW could base the fuel economy guide on the designations in the Certificate of Conformity (CoC) because these CoC data are already available at the RDW. In anticipation of the formal implementation test, the RDW estimates this saving to be an indicative 50 man-hours per year.

Suppliers will be spared the burden of this data exchange in this respect because the provision of information on the grouping of variants under a new passenger car model may be omitted. Currently, suppliers must provide all information on models and variants to the RDW annually. The fuel economy guide contains 1800 data records of all makes and models listed in it (2023 edition). The annual delivery is estimated by the service provider RDC to cost the suppliers an annual effort of (on average 20 minutes per data record =) 600 man-hours. Based on an estimated average of EUR 100, RDC's effort-related costs come to EUR 60 000 per year for all suppliers currently included in the fuel economy guide. The savings from this measure would therefore be EUR 60 000 under another approach by the RDW for the suppliers mentioned above.

For the RDW, however, the compilation of the fuel economy guide on the basis of the CoC would lead to an increase in costs given the current state of the art. The RDW would have to build a new application for this purpose. In anticipation of the formal implementation test, the RDW estimates the cost of building a new application to be approximately 2 000 man-hours. Issuing the booklet twice a year will entail an additional

annual cost of approximately EUR 7 500 and an additional effort from the organisation of approximately 50 man-hours.

Given the expected costs, the RDW has indicated that it does not want to use the CoC as a data source for the time being. However, this option is retained in the amendment in order to allow for changes in the methodology without the need for an amendment of the Decree.

Both the automotive sector (BOVAG, RAI Vereniging and VNA) and consumer representatives (ANWB and the Consumers' Association) were involved in the design of these changes. The Parties support the proposal.

5. Implementation, supervision and enforcement

The RDW has identified where the planned changes affect the work of the RDW. The changes in the systems and processes fit within the RDW's existing organizational structure and only involve an effort for processing new or changed data. Adjustments to the ICT infrastructure of the systems or the deployment of new systems shall not apply. Therefore, the RDW does not see any problems with the implementation of the envisaged amendments.

The Human Environment and Transport Inspectorate (ILT) has carried out an Enforcement, Feasibility and Fraud Resistance Test (HUF test). The ILT checks energy labels on a random basis against the CoC. These amendments do not affect this verification of compliance with the Decree. As regards feasibility, it is expected that no additional FTE is required and that it is possible to manage with the current staffing levels for energy labels. There are new laws and regulations in this respect, as a result of which an anti-fraud protection check has been omitted.

6. Advice and consultation

On 13 December 2024, this amendment decree was submitted to the Advisory Board on Regulatory Burden (Adviescollege toetsing regeldruk, ATR). The ATR has not selected this case for a formal opinion because it is not expected to have a significant impact on regulatory burden.

Online consultation

During the period from 19 December 2024 to 24 January 2025, 11 responses were collected to the amendment proposals. The responses to this online consultation indicate that the aim of this amendment is supported and that its introduction will not lead to any objections. The sentiment of the responses is predominantly positive. There is no reason to change the content or text of the amendment proposals.

The responses are grouped into four main topics.

The main topic 'Additions and improvements' highlighted the need for the label to explicitly inform the consumer about the fact that the most energy-efficient passenger car receives a class A+++ rating. Following this comment, the format of the label has been clarified. The adapted label is shown in Annex 1 to the Decree. Proposals have also been made to extend the labelling, for example to vans and used passenger cars. This has not been adapted as it would mean a major extension of the scope of the regulation. Environmental aspects have been addressed in the main topic 'Environmental aspects', such as the fact that the driver's actual travel and driving behaviour ultimately determines how much energy a car consumes. However, the energy label is limited to the passenger car's consumption as declared by the manufacturer. In addition, the label states that, in addition to the fuel efficiency of a passenger car, driving behaviour and other non-technical factors determine a car's fuel consumption and CO₂ emissions.

The main topic 'Definitions' highlighted, among other things, the alleged inconsistency of the term 'power consumption', with the car manufacturer using the term 'Electricity consumption' and the RDW using 'Electrical consumption'. This was chosen because 'power consumption' is a common concept, including for other energy-efficient products.

In the main topic 'Cross-compliance', questions were raised about the historical data of labels that the RDW provides on its website without obligation, and the automotive industry asked for a minimum of six months of adjustment time between the effective date of the amendments and their publication in the Bulletin of Acts and Decrees and the Government Gazette. The date of entry into force of this amendment will be agreed with the parties involved in the implementation of the energy label. For further reflection on the responses submitted, please refer to the full consultation report at https://www.internetconsultatie.nl/herziening_energielabel_personenauto/b1

7. Entry into force

This amendment decree shall enter into force on a date to be determined by Royal Decree. Entry into force on 1 January of any year is desirable in connection with the placement of the labels in the showroom. This is in line with the common commencement dates for legislation and the common implementation period between publication of this Decree and its entry into force.

Article-by-Article Explanatory Notes

Section A (Article 1)

In view of the number of amendments made to this Article, the terms and definitions have been re-established.

Most of the amendments to Article 1 concern references to European Directives and Regulations that have been repealed and replaced by new Directives and Regulations.

The terms *relative energy efficiency*, *reference value* and *regression formulas and energy efficiency class* have been transferred to the Regulation, as this new regulation also contains terms and definitions and these terms appear there and not in the body of this Decree. These concepts are essential for a proper understanding of the Regulation and are therefore better placed there. In the concept *information on energy consumption*, the reference to relative energy efficiency is deleted. This is because it concerns a correction of a misnomer that does not really play a role in this term.

Section B (Article 7)

Article 7 has been amended so that suppliers only have to provide the data referred to in this Article at the request of the RDW. The RDW will announce this in good time, at least 8 weeks before 1 October. Indeed, as explained in the general part of the Explanatory Notes, the RDW can also compile this information on the basis of the CoC. Paragraphs 2 to 5 are deleted. This is because in practice it appears that the interim adjustment is not taking place and this has not caused any problems. This is not an obligation under the Directive and it is therefore not problematic to delete this part.

Section C (Article 8)

Article 8 now refers more generally to the constants and values of the calculation method for the energy efficiency class, rather than to more specific parts of this calculation method that have been elaborated in the Regulation. The regression formulas are part of this calculation method and have therefore also been deleted.

Sections D, E and F (Amendment of Annexes)

The amendment of the annexes includes the new format for the energy label. In addition to fuel consumption, power consumption is now also indicated there.

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