

Position Paper on the Future Competition Law Framework applicable to the motor vehicle sector

AEGPL, the European LPG Association, is comprised of national LPG associations from across the European Union. In many countries, gas feeding systems designers, manufacturers and installers are represented within those national LPG associations. Trained professionals working in these companies install and maintain LPG feeding systems in the more than 5 million new and used vehicles currently driving on roads all over the EU territory.

Mobility and competitiveness are two important pillars of the European transport policy. Automotive LPG, often referred to as Autogas, is the leading alternative fuel in Europe. Autogas powered vehicles offer numerous advantages over conventional fuels, including: reduced pollutant and CO₂ emissions, enhanced security of supply, and lower running costs. The latter advantage is of increasing interest to European citizens eagerly looking for economical alternative in this period of economic crisis.

For decades, Autogas powered vehicles have been mainly offered to customers through the addition of a gas feeding system to new or used vehicles, helping expand Europe's total alternative fuel fleet. Indeed, 2 million vehicles have been converted to run on Autogas in Europe since 2005. This sector, which could be classified as part of the aftermarket sector, employs tens of thousands highly skilled workers, fitting equipment covered by international regulations (UNECE Regulation n°67_01 and, increasingly, Regulation n°115) under a clearly defined national framework. The sector has been granted access to vehicle repair and maintenance information thanks to its status as an "independent operator" as defined in the Euro 5-6 Regulation No 715/2007 ('independent operator' means ...manufacturers and repairers of equipment for alternative fuel vehicles).

Regrettably, in certain Member States, car retailers are creating an unnecessary obstacle to the continued development of Autogas by refusing to honour the terms of a vehicle warrantee for cars equipped to run on Autogas. The AEGPL would like to express its concern about this misuse of warrantee and this restriction on consumer freedom of choice. The forthcoming legislation and/or guidelines should clarify that the warrantee of the vehicle is not invalidated by the installation of a gas feeding system, provided it complies with relevant standards and regulations. This provision could be complemented by a kind of a safeguard clause allowing car retailers to challenge the application of the warrantee only in cases where grounds for legitimate technical and safety concerns can be demonstrated.

AEGPL fully supports the aim of the European Commission to simplify the rules for the motor vehicle sector, but this must not come at the expense of consumer protection and the promotion of alternative fuels, and an appropriate and necessary degree of legal security for all parties involved.

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