



August 17, 2012

Federal Trade Commission
Office of the Secretary,
Room H-113 (Annex N)
600 Pennsylvania Avenue, NW
Washington, DC 20580

Subject: "Alternative Fuels Labeling (16 CFR Part 309) (Matter No. R311002)"

-- Submitted electronically --

<http://www.ftc.gov/os/publiccomments.shtm>

Dear Madam or Sir:

The following comments are submitted on behalf of the Alliance of Automobile Manufacturers (Alliance), an association of 12 vehicle manufacturers including BMW Group, Chrysler Group LLC, Ford Motor Company, General Motors Company, Jaguar Land Rover, Mazda, Mercedes-Benz USA, Mitsubishi Motors, Porsche, Toyota, Volkswagen Group of America and Volvo Cars of North America.

Background

The Federal Trade Commission (FTC) is seeking public comment on two amendments to its "Labeling Requirements for Alternative Fuels and Alternative Fueled Vehicles" ("Alternative Fuels Rule" or "Rule") that would consolidate the FTC's alternative fueled vehicle (AFV) labels with new fuel economy labels required by the Environmental Protection Agency (EPA) and the National Highway Traffic Safety Administration (NHTSA) and eliminate FTC requirements for used AFV labels.

The Alliance submitted comments to the ANPRM supportive of the consolidation of the FTC label with the EPA label. In addition, the FTC has released a "no enforcement" letter addressing electric vehicles introduced pending completion of this rulemaking (the Commission issued a policy stating that it will not enforce current FTC labeling requirements for any electric vehicle bearing an EPA mandated fuel economy label and will encourage vehicle manufacturers to use the EPA label in lieu of the FTC label). Aligned with this proposal, the FTC has also issued a

**BMW Group • Chrysler Group LLC • Ford Motor Company • General Motors Company • Jaguar Land Rover
Mazda • Mercedes-Benz USA • Mitsubishi Motors • Porsche • Toyota • Volkswagen • Volvo**

staff opinion letter to General Motors indicating that staff will not recommend enforcement action if any manufacturer uses the EPA fuel economy label, with driving range information, in lieu of the FTC AFV label on dual-fueled vehicles.

A. Alliance supports consolidation of FTC AFV labels with fuel economy labels recently issued by EPA to provide a uniform label for consumers

The Alliance supports the proposal to require manufacturers to use the EPA fuel economy label for alternative fuel vehicles that includes the alternative fuel and gasoline driving ranges for alternative fuel vehicles, in lieu of existing FTC requirements. We further believe the EPA label will be adequate for the vehicle categories added by recent legislation.

We agree with the FTC that generally the EPA labels are likely to be more helpful to consumers in making choices and comparisons because they contain more vehicle-specific information than the current FTC labels. In addition, the EPA labels also link consumers to www.fueleconomy.gov, which provides comprehensive comparative information for conventional vehicles and AFVs. Consolidating the label would also eliminate the potential to confuse consumers when the FTC label and the EPA do not display the same driving range values. Under existing rules, the FTC label requires a lower range number based on city fuel economy and an upper range number based on highway fuel economy (e.g., 246-378 on one tank), while the EPA label presents a single number (e.g., 300 miles on one tank) based on the vehicle's combined city-highway fuel economy. It is preferable to have one universal label format that allows consumers to make apples-to-apples comparisons between vehicles.

The Alliance supported a "Single National Label" in our comments to the EPA rulemaking on the revisions to the fuel economy label (Alliance comments on Revisions and Additions to Motor Vehicle Fuel Economy Label; EPA-HQ-OAR-2009-0865; FR-9197-3; NHTSA-2010-0087; November 22, 2010).

Further, the Alliance supports the FTC's proposal to require use of only the EPA FFV fuel economy label that contains the vehicle's alternative fuel and gasoline driving range, in order to ensure that the label provides vehicle buyers with comparative driving range performance for both alternative fuel and conventional gasoline. As the FTC notes, this would effectively eliminate use of the EPA FFV fuel economy label that does not disclose driving range.

B. Labels for Used AFVs

The Alliance supports the proposal to eliminate the requirement for a separate AFV label for used vehicles. We agree with the FTC that, given the extensive information at www.fueleconomy.gov, the benefits of a separate used vehicle label that contains only generic tips for consumers seem small compared to the costs of affixing such labels. Such a label is not necessary to "reasonably enable the consumer to make choices and comparisons" as contemplated by the statute. In addition, the Alliance supports the comments of the National Automobile Dealers Association (NADA) regarding labeling requirements for used AFVs.

C. Alternative Fuel Labeling

The Alliance supports not making any changes to non-liquid alternative fuel labeling requirements.

In the interest of label harmonization and the reduction of potential consumer confusion, the Alliance urges the FTC to make the proposed amendments to the Alternative Fuels Rule, as detailed above, in a timely manner. If you should have any questions regarding these comments, please contact me at ().

Sincerely,

Giedrius Ambrozaitis
Director, Environmental Affairs
Alliance of Automobile Manufacturers

Cc: Lisa Snapp, EPA
Kristen Kenausis, EPA