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From:	General Secretariat of the Council
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Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the deployment of alternative fuels infrastructure, and repealing Directive 2014/94/EU of the European Parliament and of the Council - Presidency compromise proposal on the subject matter (art 1), some definitions (art 2), the targets and payment modalities for road transport (articles 3 to 8) and targets for airports (article 12).

Delegations will find, in view of the working party on 12 October 2021, annexed a Presidency compromise proposal on the subject matter (art 1), some definitions (art 2), the targets and payment modalities for road transport (articles 3 to 8) and targets for airports (article 12).

Recitals, remaining articles and definitions in article 2 and the annexes have been left out on purpose.

Changes compared to the Commission proposal are marked with bold and underline for **new text,** with striketrough for ~~deleted text~~ and in the **new article 3**, bold and double underlined for **new text** compared to the old articles 3 and 4.

ANNEX

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the deployment of alternative fuels infrastructure, and repealing Directive 2014/94/EU of the European Parliament and of the Council

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee[1],

Having regard to the opinion of the Committee of the Regions[2],

Acting in accordance with the ordinary legislative procedure,

Whereas:

[…]

[1] OJ C , , p. .
[2] OJ C , , p. .

HAVE ADOPTED THIS REGULATION:

Article 1

Subject matter

1. This Regulation sets out mandatory national targets for the deployment of sufficient alternative fuels infrastructure in the Union, for road vehicles, vessels and stationary aircraft. It lays down common technical specifications and requirements on user information, data provision and payment requirements for alternative fuels infrastructure.

2. This Regulation sets out rules for the national policy frameworks to be adopted by the Member States, including the deployment of alternative fuels infrastructure in areas where no mandatory Union wide targets are set and the reporting on the deployment of such infrastructure.

3. This Regulation establishes a reporting mechanism to stimulate cooperation and ensures a robust tracking of progress. The mechanism shall comprise a structured, transparent, iterative process between the Commission and Member States for the purpose of the finalisation of the national policy frameworks and their subsequent implementation and corresponding Commission action **to support the faster and coherent deployment of infrastructure for alternative fuels in Member States**.

Article 2

Definitions

For the purposes of this Regulation, the following definitions apply:

[…]

(3) ‘alternative fuels’ means fuels or power sources which serve, at least partly, as a substitute for fossil oil sources in the energy supply to transport and which have the potential to contribute to its decarbonisation and enhance the environmental performance of the transport sector, including:

(a) ‘alternative fuels for zero-emission vehicles’:

– electricity,

– hydrogen,

– ammonia,

(b) ‘renewable fuels’:

– biomass fuels**, including biogas,** and biofuels as defined in Article 2, points (27)**, (28)** and (33) of Directive (EU) 2018/2001,

– synthetic and paraffinic fuels, including ammonia, produced from renewable energy,

(c) ~~'alternative fossil fuels' for a~~ **'**transitional **alternative fuels'** ~~phase~~:

– natural gas, in gaseous form (compressed natural gas (CNG)) and liquefied form (liquefied natural gas (LNG)),

– liquefied petroleum gas (LPG),

– synthetic and paraffinic fuels produced from non-renewable energy;

[…]

(38) 'publicly accessible~~'~~ alternative fuels infrastructure**'**, means an alternative fuels infrastructure which is located at a site or premise that is open to the general public **on equal terms**, irrespective of whether the alternative fuels infrastructure is located on public or on private property, whether limitations or conditions apply in terms of access to the site or premise and irrespective of the applicable use conditions of the alternative fuels infrastructure;

[…]

(56) 'safe and secure parking' means a parking and rest area as referenced in Article 17, point(1)(b) **of Regulation (EU) No 1315/2013** that is dedicated to heavy-duty vehicles overnight parking **and has been certified pursuant to the provisions inArticle 8a of Regulation (EC) No 561/2006**;

[…]

***Article 3** (merging and replacing articles 3 and 4)*

Targets for electric recharging infrastructure dedicated to road transport

1. Member States shall ensure that:

– **publicly accessible recharging stations for light-duty vehicles are deployed commensurate to the uptake of light-duty electric vehicles;**

– **in their territory, publicly accessible recharging stations dedicated to light-duty vehicles are deployed that provide sufficient power output for those vehicles.**

To that end Member States shall ensure that, at the end of each year, starting from the year referred to in Article 24, the following power output targets are met cumulatively:

(a) for each battery electric light-duty vehicle registered in their territory, a total power output of at least 1 kW is provided through publicly accessible recharging stations; and

(b) for each plug-in hybrid light-duty vehicle registered in their territory, a total power output of at least ~~0.66~~ 0.50 kW is provided through publicly accessible recharging stations.

2. **Member States shall ensure a minimum coverage of publicly accessible recharging points dedicated to ~~light-duty~~ road transport vehicles on the road network, in urban nodes and in safe and secure parkings in their territory. To that end, Member States shall ensure that:**

(a) **along the TEN-T core network, publicly accessible recharging pools dedicated to ~~light-duty~~ road transport vehicles and meeting the following requirements are deployed in each direction of travel, or double capacity of power and number of chargers in one direction of travel, when such a recharging station is serving both directions of travel, with a maximum distance of ~~60~~ 100 km in-between them:**

(i) **by 31 December ~~2025~~ 2026, each recharging pool for light-duty vehicles shall offer a power output of at least 300 kW and include at least one recharging station with an individual power output of at least 150 kW;**

(ii) **by 31 December 2030, each recharging pool for light-duty vehicles shall offer a power output of at least 600 kW and include at least two recharging stations with an individual power output of at least 150 kW;**

(iii) **by 31 December 2026, each recharging pool for heavy duty vehicles shall offer a power output of at least 700 kW and include at least one recharging station with an individual power output of at least 350 kW;**

(iv) **by 31 December 2030, each recharging pool for heavy duty vehicles shall offer a power output of at least 1400 kW and include at least two recharging stations with an individual power output of at least 350 kW;**

(b) **along the TEN-T comprehensive network, publicly accessible recharging pools dedicated to ~~light-duty~~ road transport vehicles and meeting the following requirements are deployed in each direction of travel, or double capacity of power and number of chargers in one direction of travel, when such a recharging station is serving both directions of travel, with a maximum distance of ~~60~~ 100 km in-between them:**

(i) by 31 December 2030, each recharging pool for light-duty vehicles shall offer a power output of at least 300 kW and include at least one recharging station with an individual power output of at least 150 kW;

(ii) by 31 December 2035, each recharging pool for light-duty vehicles shall offer a power output of at least 600 kW and include at least two recharging stations with an individual power output of at least 150 kW.

(iii) by 31 December 2030, each recharging pool for heavy duty vehicles shall offer a power output of at least 700 kW and include at least one recharging station with an individual power output of at least 350 kW;

(iv) by 31 December 2035, each recharging pool for heavy duty vehicles shall offer a power output of at least 1400 kW and include at least two recharging stations with an individual power output of at least 350 kW;

(c) by 31 December 2030, in each safe and secure parking area at least one recharging station dedicated to heavy-duty vehicles with a power output of at least ~~100~~ **150 kW is installed;**

(d) by 31 December ~~2025~~ **2030, in** ~~each~~ **urban nodes, where services for heavy-duty vehicles are offered, publicly accessible recharging points dedicated to heavy-duty vehicles providing an aggregated power output of at least 600 kW are deployed, provided by recharging stations with an individual power output of at least 150 kW;**

(e) by 31 December ~~2030~~ **2035, in** ~~each~~ **urban nodes, where services for heavy-duty vehicles are offered, publicly accessible recharging points dedicated to heavy-duty vehicles providing an aggregated power output of at least 1200 kW are deployed, provided by recharging stations with an individual power output of at least 150 kW.**

3. Neighbouring Member States shall ensure that the maximum distances referred to in points (a) and (b) of paragraph 2 are not exceeded for cross-border sections of the TEN-T core and the TEN-T comprehensive network.

Article 3

Targets for electric recharging infrastructure dedicated to light-duty vehicles

1. Member States shall ensure that:

- publicly accessible recharging stations for light-duty vehicles are deployed commensurate to the uptake of light-duty electric vehicles;
- in their territory, publicly accessible recharging stations dedicated to light-duty vehicles are deployed that provide sufficient power output for those vehicles.

To that end Member States shall ensure that, at the end of each year, starting from the year referred to in Article 24, the following power output targets are met cumulatively:

(a) for each battery electric light-duty vehicle registered in their territory, a total power output of at least 1 kW is provided through publicly accessible recharging stations; and

(b) for each plug-in hybrid light-duty vehicle registered in their territory, a total power output of at least 0.66 kW is provided through publicly accessible recharging stations.

2. Member States shall ensure a minimum coverage of publicly accessible recharging points dedicated to light-duty vehicles on the road network in their territory. To that end, Member States shall ensure that:

(a) along the TEN-T core network, publicly accessible recharging pools dedicated to light-duty vehicles and meeting the following requirements are deployed in each direction of travel with a maximum distance of 60 km in-between them:

(i) by 31 December 2025, each recharging pool shall offer a power output of at least 300 kW and include at least one recharging station with an individual power output of at least 150 kW;

(ii) by 31 December 2030, each recharging pool shall offer a power output of at least 600 kW and include at least two recharging stations with an individual power output of at least 150 kW;

(b) along the TEN-T comprehensive network, publicly accessible recharging pools dedicated to light-duty vehicles and meeting the following requirements are deployed in each direction of travel with a maximum distance of 60 km in-between them:

(i) by 31 December 2030, each recharging pool shall offer a power output of at least 300 kW and include at least one recharging station with an individual power output of at least 150 kW;

(ii) by 31 December 2035, each recharging pool shall offer a power output of at least 600 kW and include at least two recharging stations with an individual power output of at least 150 kW.

3. Neighbouring Member States shall ensure that the maximum distances referred to in points (a) and (b) are not exceeded for cross-border sections of the TEN-T core and the TEN-T comprehensive network.

Article 4

Targets for electric recharging infrastructure dedicated to heavy-duty vehicles

1. Member States shall ensure a minimum coverage of publicly accessible recharging points dedicated to heavy-duty vehicles in their territory. To that end, Member States shall ensure that:

(a) along the TEN-T core network, publicly accessible recharging pools dedicated to heavy-duty vehicles and meeting the following requirements are deployed in each direction of travel with a maximum distance of 60 km in-between them:

(i) by 31 December 2025, each recharging pool shall offer a power output of at least 1400 kW and include at least one recharging station with an individual power output of at least 350 kW;

(ii) by 31 December 2030, each recharging pool shall offer a power output of at least 3500 kW and include at least two recharging stations with an individual power output of at least 350 kW;

(b) along the TEN-T comprehensive network, publicly accessible recharging pools dedicated to heavy-duty vehicles and meeting the following requirements are deployed in each direction of travel with a maximum distance of 100 km in-between them:

(i) by 31 December 2030, each recharging pool shall offer a power output of at least 1400 kW and include at least one recharging station with an individual power output of at least 350 kW;

(ii) by 1 December 2035, each recharging pool shall offer a power output of at least 3500 kW and include at least two recharging stations with an individual power output of at least 350 kW;

(c) by 31 December 2030, in each safe and secure parking area at least one recharging station dedicated to heavy-duty vehicles with a power output of at least 100 kW is installed;

(d) by 31 December 2025, in each urban node publicly accessible recharging points dedicated to heavy-duty vehicles providing an aggregated power output of at least 600 kW are deployed, provided by recharging stations with an individual power output of at least 150 kW;

(e) by 31 December 2030, in each urban node publicly accessible recharging points dedicated to heavy-duty vehicles providing an aggregated power output of at least 1200 kW are deployed, provided by recharging stations with an individual power output of at least 150 kW.

~~2. Neighbouring Member States shall ensure that the maximum distances referred to in points (a) and (b) are not exceeded for cross-border sections of the TEN-T core and the TEN-T comprehensive network.~~

Article 5

Recharging infrastructure

1. Operators of publicly accessible recharging stations shall be free to purchase electricity from any Union electricity supplier, subject to the supplier's agreement.

2. Operators of recharging points shall, at the publicly accessible recharging points operated by them, provide end users with the possibility to recharge their electric vehicle on an ad hoc basis using a payment instrument that is widely used in the Union. To that end~~:~~**,**

operators of recharging points shall ensure that all recharging points operated by them accept electronic payments through terminals and devices used for payment services.

~~(a) operators of recharging points shall, at publicly accessible recharging stations with a power output below 50 kW, deployed from the date referred to in Article 24, accept electronic payments through terminals and devices used for payment services, including at least one of the following:~~

~~(i) payment card readers;~~

~~(ii) devices with a contactless functionality that is at least able to read payment cards;~~

~~(iii) devices using an internet connection with which for instance a Quick Response code can be specifically generated and used for the payment transaction;~~

~~(b) operators of recharging points shall, at publicly accessible recharging stations with a power output equal to or more than 50 kW, deployed from the date referred to in Article 24, accept electronic payments through terminals and devices used for payment services, including at least one of the following:~~

~~(i) payment card readers;~~

~~(ii) devices with a contactless functionality that is at least able to read payment cards.~~

From 1 January 2027 onwards, operators of recharging points shall ensure that all publicly accessible recharging stations**, on the TEN-T network,** with a power output equal to or more than 50 kW operated by them **are equipped with a payment instrument that is widely used in the Union** ~~comply with the requirement in point (b).~~

The requirements laid down in points (a) and (b) shall not apply to publicly accessible recharging points that do not require payment for the recharging service.

3. Operators of recharging points shall, when they offer automatic authentication at a publicly accessible recharging point operated by them, ensure that end users always have the right not to make use of the automatic authentication and may either recharge their vehicle on an ad hoc basis, as provided for in paragraph 3, or use another contract-based recharging solution offered at that recharging point. Operators of recharging points shall transparently display that option and offer it in a convenient manner to the end user, at each publicly accessible recharging point that they operate and where they make available automatic authentication.

4. Prices charged by operators of publicly accessible recharging points shall be reasonable, easily and clearly comparable, transparent and non-discriminatory. Operators of publicly accessible recharging points shall not discriminate between the prices charged to end users and prices charged to mobility service providers nor between prices charged to different mobility service providers. Where relevant, the level of prices may only be differentiated in a proportionate manner, according to an objective justification.

5. Operators of recharging points shall ~~clearly display~~ **make the information on** the ad hoc price and all its components at all publicly accessible recharging stations operated by them **available in a convenient manner** so that these are known to end users before they initiate a recharging session. At least the following price components~~, if applicable at the recharging station,~~ shall be clearly displayed:

   – price per session,

   – price per minute,

   – price per kWh.

6. Prices charged by mobility service providers to end users shall be reasonable, transparent and non-discriminatory. Mobility service providers shall make available to end users all applicable price information, prior to the start of the recharging session, and specific to their intended recharging session, through freely available, widely supported electronic means, clearly distinguishing the price components charged by the operator of recharging point, applicable e-roaming costs and other fees or charges applied by the mobility service provider. The fees shall be reasonable, transparent and non-discriminatory. No extra charges for cross-border e-roaming shall be applied.

7. From the date referred to in Article 24, operators of recharging points shall ensure that all **newly built and refurbished** publicly accessible recharging points operated by them are digitally-connected recharging points.

8. From the date referred to in Article 24, operators of recharging points shall ensure that all **newly built and refurbished** publicly accessible normal power recharging points operated by them are capable of smart recharging.

~~9.~~ ~~Member States shall take the necessary measures to ensure that appropriate signposting is deployed within parking and rest areas on the TEN-T road network where alternative fuels infrastructure is installed, to enable easy identification of the exact location of the alternative fuels infrastructure.~~

10. **One year after the date referred to in Article 24,** operators of publicly accessible recharging points shall ensure that all direct current (DC) publicly accessible recharging points operated by them have a fixed recharging cable installed.

11. Where the operator of a recharging point is not the owner of that point, the owner shall make available to the operator, in accordance with the arrangements between them, a recharging point with the technical characteristics which enable the operator to comply with the obligation set out in paragraphs 1, 3, 7, 8 and 10.

Article 6

Targets for hydrogen refuelling infrastructure of road vehicles

1. Member States shall ensure that, in their territory, a minimum number of publicly accessible hydrogen refuelling stations are put in place by 31 December ~~2030~~ **2033**.

Publicly accessible hydrogen refuelling stations should be ~~To that end, Member States shall ensure that by 31 December 2030 publicly accessible hydrogen refuelling stations with a minimum capacity of 2 t/day and equipped with at least a 700 bars dispenser are~~ deployed with a maximum distance of 150 km in-between them along the TEN-T core ~~and the TEN-T comprehensive~~ network. ~~Liquid hydrogen shall be made available at publicly accessible refuelling stations with a maximum distance of 450 km in-between them.~~

Member States ~~They~~ shall ensure that by 31 December ~~2030~~ **2033**, at least one publicly accessible hydrogen refuelling station is deployed in each urban node. An analysis on the best location shall be carried out for such refuelling stations that shall in particular consider the deployment of such stations in multimodal hubs where also other transport modes could be supplied.

2. Neighbouring Member States shall ensure that the maximum distance referred to in paragraph 1, second subparagraph is not exceeded for cross-border sections of the TEN-T core and the TEN-T comprehensive network.

3. The operator of a publicly accessible refuelling station or, where the operator is not the owner, the owner of that station in accordance with the arrangements between them, shall ensure that the station is designed to serve light-duty and heavy-duty vehicles. ~~In freight terminals, operators or owners of these publicly accessible hydrogen refuelling stations shall ensure that these stations also serve liquid hydrogen.~~

Article 7

Hydrogen refuelling infrastructure

1. From the date referred to in Article 24 all operators of publicly accessible hydrogen refuelling stations operated by them shall provide for the possibility for end users to refuel on an ad hoc basis using a payment instrument that is widely used in the Union. To that end, operators of hydrogen refuelling stations shall ensure that all hydrogen refuelling stations operated by them accept electronic payments through terminals and devices used for payment services**.** ~~, including at least one of the following:~~

   ~~(a) payment card readers;~~

   ~~(b) devices with a contactless functionality that is at least able to read payment cards.~~

   Where the operator of the hydrogen refuelling point is not the owner of that point, the owner shall make available to the operator, in accordance with the arrangements between them, hydrogen refuelling points with the technical characteristics which enable the operator to comply with the obligation set out in this paragraph.

2. Prices charged by the operators of publicly accessible hydrogen refuelling points shall be reasonable, easily and clearly comparable, transparent and non-discriminatory. Operators of publicly accessible hydrogen refuelling points shall not discriminate between the prices charged to end users and those charged to mobility service providers as well as between the prices charged to different mobility service providers. Where relevant, the level of prices may only be differentiated according to an objective justification.

3. Operators of hydrogen refuelling points shall make price information available before the start of a refuelling session at the refuelling stations operated by them.

4. Operators of publicly accessible refuelling stations may provide hydrogen refuelling services to customers on a contractual basis, including in the name and on behalf of other mobility service providers. Mobility service providers shall charge prices to end users that are reasonable, transparent and non-discriminatory. Mobility service providers shall make available to end users all applicable price information, prior to the start of the ~~recharging~~ **refuelling** session, and specific to their intended ~~recharging~~ **refuelling** session, through freely available, widely supported electronic means, clearly distinguishing the price components charged by the operator of the hydrogen refuelling point, applicable e-roaming costs and other fees or charges applied by the mobility service provider.

Article 8

LNG infrastructure for road transport vehicles

Member States shall ensure until 1 January ~~2025~~ **2030** that an appropriate number of publicly accessible refuelling points for LNG are put in place, at least along the TEN-T core network, in order to allow LNG heavy-duty motor vehicles to circulate throughout the Union, where there is demand, unless the costs are disproportionate to the benefits, including environmental benefits.

[...]

Article 12

Targets for supply of electricity to stationary aircraft

1. Member States shall ensure that airport managing bodies of all TEN-T core and comprehensive network airports ensure the provision of electricity supply to stationary aircraft by:

   (a) **No later than 4 years after the publication of this regulation** ~~1 January 2025~~, at all gates used for commercial air transport operations;

   (b) **No later than 8 years after the publication of this regulation** ~~1 January 2030~~, at all outfield posts used for commercial air transport operations.

2. Member States may exempt airports of the TEN-T comprehensive network, with less than 10 000 commercial flight movements per year, from the obligation to provide electricity to stationary aircraft at all outfield posts.

3. ~~2.~~ **No later than 8 years after the publication of this regulation** ~~As of 1 January 2030 at the latest~~, Member States shall take the necessary measures to ensure that the electricity supplied pursuant to paragraph 1 comes from the electricity grid or is generated on site as renewable energy.

[...]

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

Done at Brussels,

For the European Parliament	*For the Council*
The President	*The President*