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### WORKING PAPER

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### **WORKING DOCUMENT**

From:	General Secretariat of the Council
To:	Delegations
N° Cion doc.:	COM (2021) 559 final
Subject:	Proposal for a Regulation on the deployment of alternative fuels infrastructure, and repealing Directive 2014/94/EU (AFIR) - Presidency non-paper on ways forward (articles 5, 7 and 13)

In view of the working party on Transport - Intermodal Questions and Networks of 16 March, delegations will find in the annex a Presidency non-paper presenting a possible way forward for the negotiations with the European Parliament on the above-mentioned articles.

## Presidency compromise proposal (14 March 2023)

### Article 5 – Recharging infrastructure

Following the 3<sup>rd</sup> trilogue and further work at technical level, the Parliament can accept:

- To delete paragraph 1 and the payment methods in paragraph 2, as presented in the 4<sup>th</sup> column (lines 179 to 187). The Parliament can also accept lines 188a and 189.
- Paragraph 3 – line 190
- Paragraph 4 – line 191, EP agrees to drop line 191a
- Paragraph 6 – line 196, EP agrees to drop line 196b
- Paragraph 7 – line 197
- Paragraph 8 – line 198
- EP agrees to drop lines 198a, 198b, 198c,
- Paragraph 10 – line 200
- Paragraph 11 – line 201
- EP also agrees to drop lines 199a, 201a and 201b

#### *Outstanding issues in Article 5:*

- The retrofitting in paragraph (2) (line 188):

The Parliament finds that it is important for the users to be able to choose for ad hoc charging at all recharging stations. Therefore, the Parliament had introduced an amendment that would introduce a retrofit with payment terminals at all recharging stations. It seems that the Parliament now understands that this might be excessive. Still, the Parliament is asking for retrofitting of fast chargers (equal to or more than 50 kW).

The Presidency would propose the following:

#### Article 5(2), third subparagraph (line 188)

From 1 January 2027 onwards, operators of recharging points shall ensure that all publicly accessible recharging points **with a power output equal to or more than 50 kW installed on and along the TEN-T road network or installed on a safe and secure parking area** operated by them, including those points deployed before the date of application referred to in Article 24, ~~that meet the requirements set out in Article 3(2) and have a power output equal to or more than 50 kW,~~ comply with the requirements set out in points (a) or (b).

- The price components in paragraph (5):

The Parliament could agree on the differentiation of the price components, but does not see the business case for fast charger operators (equal to or more than 50 kW) charging different aspects than just the kWh. Therefore, the Regulation would clearly distinguish the price setting for the 2 types of chargers, slow (less than 50 kW) on the one side and fast (equal to or more than 50 kW) on the other side.

The text below is proposing to introduce the possibility to have a parking fee or blocking fee, once the charging sessions is finalised. As the charging session would have been finalised, it could be better to have the parking or blocking of the recharging point separate from the recharging

session. The text differentiates between on the one hand recharging stopped by the user and the user deciding to leave the vehicle parked at the recharging point and on the other hand when the battery is fully recharged and the recharging is stopped automatically and where the vehicle is left at the recharging point, in a situation where the driver might not be close by to move the vehicle.

Article 5(5), first subparagraph, introductory part (line 192)

Operators of recharging points **with a power output of less than 50 kW** shall clearly **and easily** make **available** the information on the ad hoc price, **including all its price components**, ~~available~~ at all publicly accessible recharging stations operated by them so that this information is known to end users before they initiate a recharging session **and price comparison is facilitated**. ~~This information shall include all applicable price components shall be presented in the following order: charged by the operator to calculate the price of a recharging session such as price per session, price per minute or price per kWh.~~

- price per kWh;**
- price per minute;**
- price per session and**
- any other price component(s) that may apply.**

Article 5(5), first subparagraph, new subparagraph (line 192 -a)

**Operators of recharging points with a power equal to or more than 50 kW shall clearly and easily make available the information on the ad hoc price, expressed in price per kWh at all publicly accessible recharging stations operated by them so that this information is known to end users before they initiate a recharging session.**

Article 5(5), first subparagraph, new subparagraph (line 192 -a1)

**As soon as the recharge is stopped or the battery is fully recharged, the operator of the recharging station can charge in addition to the ad hoc price, a parking fee for blocking the recharging point from being used by other users. Such fee shall be made clearly and easily available to end users before they initiate a recharging session.**

Article 5(5), second subparagraph (line 192a) - unchanged

With respect to publicly accessible recharging points with a power output equal to or more than 50 kW, deployed from the date of application referred to in Article 24 and with respect to those recharging points referred to in the third subparagraph of paragraph 2, this information shall be clearly shown at the recharging station.

- As regards the price monitoring in paragraph 6a, the Presidency would like to confirm the text, after further considerations by the Parliament and the Commission:

Article 5(6a) (line 196a)

Member States shall ensure that their ~~national competent~~ authorities, ~~in the exercise of their prerogatives~~, regularly monitor the recharging **infrastructure** market ~~with the overall objective of safeguarding competition on the market and consumer rights. This includes, in particular~~ monitoring ~~of the~~ compliance of operators of recharging points and mobility service providers with paragraphs 4 and 6. **Member States and shall also seek to ensure that their authorities regularly monitor** ~~of~~ possible unfair **commercial** practices ~~that~~

affecting consumers, including in relation to the prices set for the use of publicly accessible charging points, such as price gouging.

- As regards the signposting in paragraph (9), the Presidency confirms that the Commission proposal would be reintroduced, with some rewording:

Article 5(9) (line 199)

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 are installed, to enable their easy identification of the and exact location of the alternative fuels infrastructure.

- The Presidency would also agree to add the aspect of pricing in the review clause (Article 22)

Article 22 (line 348d)

(x) the functioning of the pricing mechanism for publicly accessible recharging stations and whether the pricing components laid down in Article 5(5), first subparagraph provide consumers with sufficient and clear information.

Finally, in line with the proposed changes to Article 5, the following changes would be made in the recitals.

Recital 24 (line 34)

Price transparency is crucial to ensure seamless and easy recharging and refuelling. Users of alternative fuel vehicles should be given accurate price information before the start of the recharging or refuelling service. The price should be communicated in a clearly structured manner to allow end users to identify the different price components charged by the operator to calculate the price of a recharging session and anticipate the total cost. The operator should also be allowed to charge a parking fee once the recharging session is either stopped by the user and the user decided to leave the vehicle parked at the charging point or as soon as the battery is fully charged. Laying down requirements on operators and mobility service providers would provide guarantees and predictability to consumers and thus contribute to ensuring confidence during the initial stages of uptake of electric mobility and encourage the rapid take-up of battery-electric and fuel-cell electric vehicles, which is essential for the achievement of the increased climate ambition of the Union and the European Green Deal. Prices should be reasonable, not exceeding incurred costs and a reasonable profit. This requirement should be without prejudice to the right of Member States to determine the applicable unit price of the electricity recharged from a charging station in accordance with Directive 98/6/EC.

Recital 25 (line 35)

New services emerge in support of the use of electric vehicles and offer a basis for the development of grid integration services. Incentives provided by Member states as well as binding measures adopted by Member States such as mandatory roaming capability on designated recharging points have played a significant role in the development of these new

~~such~~ services. Entities offering those services, such as mobility service providers, should be able to operate under fair market conditions. In particular, operators of recharging points should not give unduly preferential treatment to any of those service providers, for instance through unjustified price differentiation that may impede competition and ultimately lead to higher prices for consumers. **In order to ensure such transition and that users of such vehicles can easily and without any hinderance use recharging infrastructure everywhere in the Union, The Commission Member States** should monitor the development of the recharging market. When reviewing the Regulation, the Commission will take actions where required by market developments such as limitations of services for end users, **services misguiding consumers and hampering price transparency,** or business practices that may limit competition.

*The first deletion (in the first sentence) is what the Commission explained: the 'grid integration services' do not fit in this recital. The new text is what the Parliament would like to see added.*

Recital 31a (line 41a) – new recital (on safety issues)

**The safety and security of users, particularly at unattended charging stations, should be addressed, by equipping the charging stations with emergency buttons, displaying emergency services contact information, ensuring adequate lighting or any other appropriate measures.**

## Article 7 – Hydrogen refuelling infrastructure

As regards Article 7, the Parliament indicated that in the end it might not make sense to refer to different price components in paragraph 3 in the case of hydrogen refuelling.

As regards the retrofitting that has been added in paragraph 1, the Presidency will defend the general approach and explain to the Parliament that this is only reasonable.

1. Operators of hydrogen refuelling stations shall, at the publicly accessible refuelling stations operated by them provide end users with the possibility to refuel on an ad hoc basis.

Ad hoc refuelling shall be possible at all publicly accessible hydrogen refuelling stations using a payment instrument that is widely used in the Union. To that end, operators of those stations shall 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.

The requirements set out in this paragraph shall apply from the date of application referred to in Article 24 for those publicly accessible refuelling stations deployed after that date. For publicly accessible refuelling stations deployed before that date, those requirements shall apply from 6 months after that date.

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 **clearly make the information on the ad hoc make-price per kg information** available before the start of a refuelling session at the **publicly accessible** refuelling stations operated by them, **so that this information is known to end users before they initiate a refuelling session. This information shall include all price components charged by the operator to calculate the price of a refuelling session such as price per session, price per minute or price per kg.**

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 refuelling session, and specific to their intended 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 12a

This proposal from the European Parliament was discussed in the 3<sup>rd</sup> trilogue. The Presidency explained that in the Council's opinion, this is a challenge best resolved in the context of the TEN-T regulation. The TEN-T Regulation sets concrete targets for the full electrification of railways, including certain exemptions to be granted. Therefore, it was agreed in the 3<sup>rd</sup> trilogue that this could be resolved by focussing on Member States to assess the situation and the possibility to use alternative solutions for railway sections that are outside the scope of the TEN-T regulation. The Parliament's amendment would be reworded to that end.

It is the preference from the Parliament that this would be reflected in a stand-alone article.

### **Article 12a**

#### **Railway infrastructure**

**For railway infrastructure that is not covered by Regulation (EU) No 1315/2013, Member States shall assess alternative fuel technologies and propulsion systems for rail sections that cannot be fully electrified, such as hydrogen or battery-electric train and, if relevant, any refuelling and recharging infrastructure needs.**

This article would then be complemented in Article 13, where Member States shall include this in their National Policy Framework. This is explained below, in the proposal for Article 13.

A new recital would also be required and could replace recital (40a) (line 50a) that has been proposed by the Parliament.

(40a - new) **The development of alternative fuel technologies is also important for railways, where direct electrification of a segment is not possible for reasons of cost-efficiency of the service.** Different technologies are available to the rail sector to shift away from diesel trains, including direct electrification, battery powered trains and hydrogen applications. The development of these technologies requires the deployment of suitable recharging and refuelling infrastructure in Member States.

~~(40a) While only around only 56% of the existing European rail network is electrified, electricity-powered trains make up more than 80 % of total travelled train-kilometres. However, there are still an estimated 6,000 diesel trains in service today. Since they are dependent on fossil fuels, they generate greenhouse gas emissions and air pollution. The further deployment of alternative fuels infrastructure in the rail sector is therefore necessary and urgent to ensure a shift away from fossil fuel powered trains, and thereby to ensure that all transport sectors play their role in shifting towards a climate neutral economy. Consequently, it is appropriate for this Regulation to lay down concrete targets are proposed under this Regulation. Different technologies are available to the rail sector to shift away from diesel trains, including direct electrification, battery powered trains and hydrogen applications, where direct electrification of a segment is not possible for reasons of cost-efficiency of the service. The development of these technologies requires the deployment of suitable recharging and refuelling infrastructure in Member States. Before their deployment, Member States should carefully assess the best locations for such infrastructure, and should, in particular, consider deployment in multimodal hubs and urban nodes. The 'energy efficiency first' principle should be fully taken into account in planning and investment decisions.~~

## Article 13 – National policy frameworks

The Parliament seems to be ready to accept the revised structure as in the General Approach, differentiating between the SHALL-section and the MAY-section.

Still, the Parliament would like (a) to add some features to be included in the national policy frameworks and (b) to move certain of the features from the MAY-section to the SHALL-section. In the technical meetings, it was provisionally agreed to clean up and no longer consider a number of the Parliament's amendments. However, it feels like the Parliament might still want to come back to this.

So far, the aspect of infrastructure for other alternatives (besides liquefied methane) in maritime ports has already been moved up to the SHALL-section (ix a) . The Parliament would also like to move other features, more future oriented and related to airports (b) (i) and inland waterways (b) (iv).

In order to facilitate this exercise, there is also the suggestion to change the wording and the reference to the 'deployment plans'. It is suggested that the concept of a 'deployment plan' will be replaced by 'An overview of the state of play, perspectives, and planned initiatives for deployment of infrastructure for...'

Below, delegations can find the state of play as the Presidency would like to present an outcome for Article 13 to the Parliament. The text is presented and changes are indicated compared to the text of the general approach.

### Article 13: National policy frameworks

1. By 1 January 2025<sup>4</sup>, each Member State shall prepare and send to the Commission a draft national policy framework for the development of the market as regards alternative fuels in the transport sector and the deployment of the relevant infrastructure.

*[The Presidency has already explained to the Parliament that with an adoption at the earliest in the last quarter of this year, it has become impossible for Member States to present the draft policy frameworks by the beginning of 2024. So that this date needs to be moved to a later date. The Presidency would like to agree on one year more. It might be difficult, and it would be good if delegations could consider six months. Still, the idea would be to keep the one year period for recommendations and finalising the national policy frameworks.]*



(a) The national policy framework shall contain at least the following elements:

(i) an assessment of the current state and future development of the market as regards alternative fuels in the transport sector, and of the development of alternative fuels infrastructure, considering intermodal access of alternative fuels infrastructure and, where relevant, cross-border continuity, **and the development of alternative fuels infrastructure on islands and in outermost regions;**

~~(aa) an assessment of how measures are implemented in full accordance with the energy efficiency first principle; Member States shall provide an account for how the 'energy efficiency first' principle has been applied when making planning and investment decisions related to the deployment of recharging and refuelling infrastructure of alternative fuels;~~ **[EP agrees to drop this, but would like the principle of energy efficiency mentioned in recital 38]**

~~(ab) an assessment of the current state and future development of grid connections and capacity, including any improvements and resilience measures needed, as well as the required financing;~~ **[EP agrees to drop this]**

~~(ac) an assessment of the prospects of changes in the amount of electricity available to the transport sector, as well as its sources;~~ **[EP agrees to drop this]**

(ii) national targets and objectives pursuant to Articles 3, 4, 6, 8, 9, 10, 11 and 12 for which mandatory national targets are set out in this Regulation;

(iii) policies and measures necessary to ensure that the mandatory targets and objectives referred to in point 2 **(ii)** of this paragraph are reached;

(iv) measures, **planned or adopted,** to promote the deployment of alternative fuels infrastructure for captive fleets, in particular for electric recharging and hydrogen refuelling stations for public transport services and electric recharging stations for car sharing, ~~where such measures are planned or have been adopted by the Member State;~~

(v) measures, **planned or adopted,** to encourage and facilitate the deployment of recharging stations for light-duty and heavy-duty vehicles at private locations that are not accessible to the public, ~~where such measures are planned or have been adopted by the Member State;~~

~~(ga) national targets and measures to promote alternative fuels infrastructure along the road networks which are not included in the core and comprehensive TEN-T networks, in particular with respect to publicly accessible recharging points;~~ **[EP amendment, moved to line 258e]**

(vi) measures, **planned or adopted,** to promote alternative fuels infrastructure in urban nodes, in particular with respect to publicly accessible recharging points, ~~where such measures are planned or have been adopted by the Member State;~~

(vii) measures, **planned or adopted,** to promote a sufficient number of publicly accessible high power recharging points, ~~where such measures are planned or have been adopted by the Member State;~~

(vii a) measures, **planned or adopted**, necessary to ensure that the deployment and operation of recharging points, including the geographical distribution of bidirectional charging points, contribute to the flexibility of the energy system and to the penetration of renewable electricity into the electric system, ~~where such measures are planned or have been adopted by the Member State;~~

~~(ia) measures to guarantee accessibility of all territories to recharging and refuelling infrastructure, paying particular attention to rural areas to ensure their accessibility and territorial cohesion; targeted policies and measures should be considered and implemented for these territories by the Member States; [EP amendment, moved to line 258f]~~

(viii) measures to ensure that publicly accessible recharging and refuelling points for alternative fuels are accessible to older persons, persons with reduced mobility and with disabilities in line with the accessibility requirements of Directive 2019/882;

~~(ja) measures targeting the specific needs of outermost regions, where applicable; [EP agrees to drop this]~~

(ix) measures, **planned or adopted**, to remove possible obstacles with regards to planning, permitting, procuring and operating of alternative fuels infrastructure, ~~where such measures are planned or have been adopted by the Member State;~~

~~(ka) measures to ensure that the density of publicly accessible alternative fuels infrastructure available at national level takes into account the population density and the number of registrations of vehicles, powered by alternative fuels in the local area based on NUTS 3 level in accordance with the latest NUTS classification; [EP amendment, moved to line 258f]~~

~~(kb) measures to promote the use of electrically power assisted cycles as well as L-category vehicles such as powered electric cycles and e-mopeds; [Presidency is proposing to delete this, as this does not seem to be in the AFIR scope]~~

~~(kc) measures to support renewable energy communities, citizen energy communities and non-commercial operators in deploying recharging points, especially in sparsely populated areas. [EP agrees to drop this]~~

(ix a) **an overview of the state of play, perspectives, and planned initiatives for deployment of infrastructure** ~~a deployment plan~~ **for alternative fuels infrastructure in maritime ports other than for liquefied methane and shore-side electricity supply for use by sea going vessels, such as for hydrogen, ammonia, methanol and electricity.**  
[moved up from line 256]

(ix b) **an overview of the state of play, perspectives, and planned initiatives for deployment of infrastructure** ~~a deployment plan~~ including targets, key milestones and financing needed **for alternative fuel technologies and propulsion systems for rail sections that cannot be fully electrified, such as hydrogen or battery recharging and, if relevant, any refuelling and recharging infrastructure needs** ~~for hydrogen or battery~~

electric trains on network segments that cannot be electrified. [moved from line 258 – see also new Article 12a]

(b) The national policy framework may contain the following elements:

(i) **an overview of the state of play, perspectives, and planned initiatives for deployment of infrastructure** ~~a deployment plan~~ for alternative fuels infrastructure in airports other than for electricity supply to stationary aircraft, **such as** ~~for instance~~ for hydrogen and electric recharging for aircrafts;

~~(la) a deployment plan including targets and financing needed for pre-conditioned air systems at TEN-T core airports, as well as a feasibility study on the deployment of the relevant fixed or mobile infrastructure; [EP agrees to drop this]~~

(ii) **an overview of the state of play, perspectives, and planned initiatives for deployment of infrastructure** ~~a deployment plan~~ for alternative fuels infrastructure in maritime ports, **such as** ~~for instance~~ for electricity and hydrogen, for port services as defined in Regulation (EU) 2017/3521;

~~(iii) a deployment plan for alternative fuels infrastructure in maritime ports other than for liquefied methane and shore-side electricity supply for use by sea-going vessels, in particular for instance for hydrogen, ammonia and electricity [suggested to move this up the line 253d]~~

(iv) **an overview of the state of play, perspectives, and planned initiatives for deployment of infrastructure** ~~a deployment plan~~ for alternative fuels in inland waterway transport, **such as** ~~for instance~~ for both hydrogen and electricity;

~~(v) an overview of the state of play, perspectives, and planned initiatives for deployment of infrastructure~~ ~~a deployment plan including targets, key milestones and financing needed, for hydrogen or battery electric trains on network segments that will not cannot be electrified;~~ [line 258 – proposed to be articulated in Article 12a and then also in the SHALL section]

~~(pa) a comprehensive investment plan, based on a socio-economic, environmental and cost-benefit analysis, laying out the investments necessary to achieve the targets set in the national policy framework and which shall also include the infrastructures outside the TEN-T network; [EP agrees to drop this]~~

~~(pb) a map of future appropriate locations for site development for all alternative fuels infrastructure, including information on sufficient grid capacity, based on demand, which shall be made publicly available; [EP agrees to drop this]~~

(v a) **national targets and measures to promote alternative fuels infrastructure along the road networks which are not included in the core and comprehensive TEN-T networks, in particular with respect to publicly accessible recharging points;** [EP amendment, moved from line 249a]

(v b) **measures to guarantee accessibility of all territories to recharging and refuelling infrastructure, paying particular attention to rural areas to ensure their accessibility and territorial cohesion;** [EP amendment, moved from line 251a]

**(v c) measures to ensure that the density of publicly accessible alternative fuels infrastructure available at national level takes into account the population density;** [EP amendment, moved from line 253a]

(vi) national targets and objectives for the deployment of alternative fuels infrastructure related to points (i), (ii), ~~(iii)~~, (iv) and (v), **(v a), (v b), and (v c)** of this subparagraph for which no mandatory targets are set out in this Regulation. *[this paragraph needs to be renumbered and moved to the end]*

~~1a. Without prejudice to paragraph 1 and before the deadline set therein, Member States are invited to submit preliminary national policy frameworks in order to ensure a smooth and quick development and deployment of the infrastructure. When a Member State decides to hand in a preliminary national policy framework, the Commission shall assess the preliminary national policy framework and issue recommendations no later than six months after the submission of the preliminary national policy frameworks. [EP agrees to drop this]~~

2. Member States shall ensure that the national policy frameworks take into account the needs of the different transport modes existing on their territory.

~~2a. Member States shall assess the cumulative contribution of the provisions laid down in paragraph 1 to the Union 2030 climate target and the objective of reaching climate neutrality by 2050, as laid down in Regulation (EU) 2021/1119 [EP agrees to drop this]~~

~~2b. Member States shall ensure the up-skilling and re-skilling of workers handling the alternative fuels deployed under this regulation and the appropriate investment in occupational health and safety, to ensure a social just transition. [EP agrees to drop this]~~

3. Member States shall ensure that national policy frameworks take into account, as appropriate, the interests of regional and local authorities, in particular when recharging and refuelling infrastructure for public transport is concerned, as well as those of the stakeholders concerned.

~~3a. Member States shall assess and report, as part of their national policy framework, how the provisions laid down in Articles 5 and 7 have been implemented by operators of recharging and refuelling points. On the basis of the results of the assessment, Member States shall take the appropriate measures to ensure operators of recharging and refuelling points comply with Articles 5 and 7. [EP agrees to drop this]~~

~~3b. Each Member State shall, preferably without creating an additional position, appoint a national coordinator for alternative fuels infrastructure who oversees the national coordination (inter-ministry) and implementation of the national policy framework. The national coordinator shall cooperate with the Commission, the responsible TEN-T coordinator and, if needed, other national coordinators, and assists regional and local authorities, e.g. by providing expertise, tooling, guidelines based on EU standards, and advises on regional coordination of the relevant local mobility plans. [EP agrees to drop this, but would like a reference to the possibility of having a national coordinator in recital 38]~~

4. Where necessary, Member States shall cooperate, by means of consultations or joint policy frameworks, to ensure that the measures required to achieve the objectives of this Regulation are coherent and coordinated. In particular, Member States shall cooperate on the strategies to use alternative fuels and deployment of corresponding infrastructure in waterborne transport. The Commission shall assist the Member States in the cooperation process.

~~4a. Where necessary, the Member States shall cooperate with third countries, especially candidate countries and those third countries in which transit corridors connecting Member States are situated. The Commission shall assist the Member States in this cooperation process.~~ [EP agrees to drop this]

5. Support measures for alternative fuels infrastructure shall comply with the relevant State aid rules of the TFEU.

6. Each Member State shall make available to the public its draft national policy framework and shall ensure that the public is given early and effective opportunities to participate in the preparation of the draft national policy framework.

7. The Commission shall assess the draft national policy frameworks and may issue recommendations to a Member State no later than six months after the submission of the draft national policy frameworks as referred to in paragraph 1. Those recommendations may, in particular, address:

(a) the level of ambition of targets and objectives with a view to meet the obligations set out in Articles 3, 4, 6, 8, 9, 10, 11 and 12;

(b) policies and measures relating to Member States' objectives and targets.

~~(ba) if policies and measures are geographically distributed across the regions within the Member State.~~  
[EP agrees to drop this]

8. Each Member State shall take due account of any recommendations from the Commission in its **final** national policy framework. If the Member State concerned does not address a recommendation or a substantial part thereof, that Member State shall provide a written explanation to the Commission.

9. By 1 January **2026**, each Member State shall **draft** ~~notify to the Commission~~ its final national policy framework **in an easily readable and understandable form and notify it to the Commission. Those final national policy framework shall be made publicly available by the Commission.**

#### Recital 38

*[Parliament would like to add energy efficiency principle (from the deployment plan) and the technology neutrality principle (from definition and recital 6a) / Parliament also suggest to drop the amendment regarding licencing in the national policy framework, but would like to see this mentioned in the recital).]*

(38) The revised national policy frameworks should include supporting actions for the development of the market as regards alternative fuels, including the deployment of the necessary infrastructure to be put into place, in close cooperation with regional and local authorities and with the industry concerned, while taking into account the needs of small and medium-sized enterprises. Additionally, the revised frameworks should describe the overall national framework for planning, permitting and procuring of such infrastructure, including the identified obstacles and actions to remove them so that **the time between the initial application and installation of the infrastructure is reasonable and** a faster rollout of infrastructure can be achieved. **When revising the national policy frameworks it would be important to observe the general principles of technological neutrality and energy efficiency first.** *[text copied from EP amendment for recital 6a (line16a)]* **Member States should list the measures that are being deployed, adopted but not yet deployed and the measures planned.**

#### Recital 39

*[new text on a national coordinator, EP then to drop line 260b]*

(39) The development and implementation of the revised national policy frameworks of the Member States should be facilitated by the Commission by means of exchanges of information and best practices between the Member States. **Each Member State may also decide to appoint a national coordinator for the deployment of alternative fuels infrastructure who could oversee the national coordination and implementation of the national policy framework.**

#### Recital 40

(40) In order to promote alternative fuels and develop the relevant infrastructure, the national policy frameworks could contain detailed strategies to promote alternative fuels in sectors that are difficult to decarbonise such as aviation, maritime transport, inland waterway transport as well as rail transport on network segments that cannot be electrified. In particular, Member States could develop clear strategies for the decarbonisation of inland waterway transport along the TEN-T network in close cooperation with those Member States concerned. Long term decarbonisation strategies could also be developed for TEN-T ports and TEN-T airports, in particular with a focus on the deployment of infrastructure for low and zero emission vessels and aircraft as well as for railway lines that are not going to be electrified. On the basis of those strategies, **and taking into consideration the national market and traffic share data and market projections** the Commission should review this Regulation with a view to setting more mandatory targets for those sectors.

Recital 41 (unchanged)

(41) Member States should make use of a wide range of regulatory and non-regulatory incentives and measures to reach the mandatory targets and implement their national policy frameworks, in close cooperation with private sector actors, who should play a key role in supporting the development of alternative fuels infrastructure.

Recital (41a) [EP amendment – considered outside of the AFIR scope]

~~(41a) Member States should introduce incentive schemes and should take all necessary measures when seeking to promote sustainable modes of transport. Particular emphasis should be placed on the role of municipal or regional authorities, which can facilitate the uptake of vehicles using alternative fuels through dedicated tax incentives, public procurements or local traffic regulations.~~