Council of the European Union
General Secretariat

Brussels, 04 April 2022

WK 4670/2022 ADD 2

LIMITE

TRANS	**ENV**
CLIMA	**ENER**
ECOFIN	**CODEC**
AVIATION	**IND**
MAR	**COMPET**

This is a paper intended for a specific community of recipients. Handling and further distribution are under the sole responsibility of community members.

WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Transport - Intermodal Questions and Networks
N° prev. doc.:	ST 7592/22
N° Cion doc.:	COM (2021) 559 final
Subject:	Fit for 55 Package - AFIR: Proposal for a Regulation on the deployment of alternative fuels infrastructure, and repealing Directive 2014/94/EU - Presidency compromise - Comments from the Netherlands

Delegations will find in the annex, comments from the Netherlands on the subject mentioned above.

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

General remarks

- NL would like to thank the Presidency (France) for their efforts to make the AFIR dossier a priority in the Intermodal working group, as this is a key element of the sustainable mobility ecosystem. We recognize the amount of work put into this process by the Presidency and it is much appreciated.
- Key points that we would like to address are the lack of a clear definition of publicly accessible charging, a stricter definition of e-roaming, new definitions for "non-discriminatory", "price-transparency" and "reasonable prices".
- We have concerns around the new prescriptions for payment systems for ad hoc recharging and the rules for the interaction between charging point operators and mobility service providers.
- We would like to see additional attention to digital cyber security beyond a description in the recitals. We believe that by including a reference to the NIS2 in the AFIR, cyber security becomes part of the legal obligation that CPOs have and the degree of cyber security is guaranteed to be technology-neutral (a dedicated standard can quickly become obsolete and therefore less effective).
- We believe that data provision is an essential element in the roll-out of recharging infrastructure. In the Netherlands we have the experience that reliably and qualitative trustworthy data comes at a cost. Therefore, we have serious concerns about the current formulation in Article 18.
- The table below reflects the Compromise proposal and the suggested changes in the left column:
    - **Text additions from compromise proposal**
    - ~~Text removal from compromise proposal~~
    - Text changes proposed by the Netherlands
- The right column contains remarks and justifications to highlight the suggested text changes and steps that we are still taking to assess the proposal.

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
1	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.	-
1	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.	-
1	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.	-
2	1-66	For the purposes of this Regulation, the following definitions apply: (1) 'accessibility of data' means a possibility to request and obtain the data at any time in a machine readable format, as defined in Article 2, point (5) of Commission Delegated Regulation (EU) 2015/962**1**; (2) 'ad hoc price' means the price charged by an operator of a recharging or refuelling point to an end user for recharging or refuelling on an ad hoc basis; (2a) 'along the TEN-T core or comprehensive network' means**:** for electric recharging stations that they are located on the TEN-T network or within 2 km driving distance from the nearest exit of a TEN-T road; for hydrogen refuelling stations that they are located on the TEN-T network or within [10] km driving distance from the nearest exit of a TEN-T road. (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, vessels or aircraft': – electricity, – hydrogen, – ammonia, (b) 'renewable fuels':	-

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
		– 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) 'transitional alternative fuels': – 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; **(3a) 'aircraft contact stand' means a stand in a designated area of the airport apron equipped with a passenger boarding bridge;** **(3b) 'aircraft remote stand' means a stand in a designated area of the airport apron not equipped with a passenger boarding bridge;** (4) 'airport of the TEN-T core and TEN-T comprehensive network' means an airport as listed and categorised in Annex II to Regulation (EU) No 1315/2013; (5) 'airport managing body' as defined in Article 2, point (2) of Directive 2009/12/EC of the European Parliament and of the Council**2**; (6) 'automatic authentication' means the authentication of a vehicle at a recharging point through the recharging connector or telematics; (7) 'availability of data' means the existence of data in a digital machine-readable format. (8) 'battery electric vehicle' means an electric vehicle that exclusively runs on the electric motor, with no secondary source of propulsion; (9) 'bi-directional recharging' means a smart recharging operation where the direction of the electricity flow may be reversed, allowing that electricity flows from the battery to the recharging point it is connected to; (10) 'connector' means the physical interface between the recharging **or refuelling** point and the electric vehicle through which the ~~alternative~~ **fuel or electric energy** is exchanged; (11) 'commercial air transport' means air transport as defined in Article 3, point (24) of Regulation (EU) 2018/1139 of the European Parliament and of the Council**3**; (12) 'container ship' means a ship designed exclusively for the carriage of containers in holds and on deck; (13) 'contract-based payment' means a payment for a recharging or refuelling service from the end user to a mobility service provider on the basis of a contract between the end user and the mobility service provider;	

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
		(14) 'digitally-connected recharging point' means a recharging point that can send and receive information in real time, communicate bi-directionally with the electricity grid and the electric vehicle, and that can be remotely monitored and controlled, including to start and stop the recharging session and to measure electricity flows; (15) 'distribution system operator' means an operator as defined in Article 2, point (29) of Directive (EU) 2019/944; (16) 'dynamic data' means data that do change often or on a regular basis; **(16a) 'electrical power demand at berth' means the demand in electricity from a ship at berth for powering all energy needs based on electricity on board;** (17) 'electric road system' means a physical installation along a road that allows for the transfer of electricity to an electric vehicle while the vehicle is in motion; (18) 'electric vehicle' means a motor vehicle equipped with a powertrain containing at least one non-peripheral electric machine as energy converter with an electric rechargeable energy storage system, which can be recharged externally; (19) 'electricity supply to stationary aircraft' means the supply of electricity through a standardised fixed or mobile interface to aircraft when stationed at **an aircraft contact stand or at an aircraft remote stand** ~~the gate or at an airport outfield position;~~ (20) 'end user' means a physical or legal person purchasing an alternative fuel for direct use in a vehicle; (21) 'e-roaming' means the exchange of data and payments between the operator of a recharging or refuelling point and a mobility service provider from which an end user purchases a recharging service; (22) 'e-roaming platform' means a platform connecting market actors, notably mobility service providers and operators of recharging or refuelling points, to enable services between them, including e-roaming; (23) 'European standard' means a standard as defined in Article 2, point (1)(b) of Regulation (EU) No 1025/2012. (24) 'freight terminal' means a freight terminal as defined in in Article 3 point (s) of Regulation (EU) No 1315/2013; (25) 'gross tonnage' (GT) means gross tonnage as defined in Article 3, point (e) of Regulation (EU) 2015/757 of the European Parliament and the Council **4**; (26) 'heavy-duty vehicle' means a motor vehicle of categories M2, M3, N2 or N3 as defined **respectively** in **Article 4 (1) (a) (ii), Article 4 (1) (a) (iii),**	

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
		Article 4 (1) (b) (ii) and Article 4 (1) (b) (iii) of Regulation (EU) 2018/858 ~~Annex II to Directive 2007/46/EC **5**;~~ (27) 'high power recharging point' means a recharging point that allows for a transfer of electricity to an electric vehicle with a power output of more than 22 kW; (28) 'high-speed passenger craft' means a craft as defined in Regulation 1 of Chapter X of SOLAS 74, and carrying more than 12 passengers; 29) 'light-duty vehicle' means a motor vehicle of categories M1 or N1 as defined **respectively** in **Article 4 (1) (a) (i) and Article 4 (1) (b) (i) of Regulation (EU) 2018/858** ~~Annex II to Directive 2007/46/EC;~~ (30) 'mobility service provider' means a legal person who provides services in return for remuneration to an end user, including the sale of a recharging service; (31) 'normal power recharging point' means a recharging point that allows for a transfer of electricity to an electric vehicle with a power output less than or equal to 22 kW; (32) 'national access point' means a digital interface **as defined in Article [4(22)] 6 of Directive 2010/40/EU** ~~where certain static and dynamic data are made accessible for re-use to data users, as implemented by Member States in compliance with Article 3 of Commission Delegated Regulation (EU) 2015/962;~~ **(32a) 'on-shore power supply' means the system to supply electricity to ships at berth, at low or high voltage, alternate or direct current, including ship side and on-shore installations;** (33) 'operator of a recharging point' means the entity responsible for the management and operation of a recharging point, which provides a recharging service to end users, including in the name and on behalf of a mobility service provider; (34) 'operator of a refuelling point' means the entity responsible for the management and operation of a refuelling point, which provides a refuelling service to end users, including in the name and on behalf of a mobility service provider; (35) 'passenger ship' means a ship that carries more than 12 passengers, including cruise ships, high-speed passenger crafts and ships with facilities to enable road or rail vehicles to roll on and roll off the vessel ('ro-ro passenger ships');	

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
		(36) 'plug-in hybrid vehicle' means an electric vehicle constituted by a conventional combustion engine combined with an electric propulsion system, which can be recharged from an external electric power source; (37) 'power output' means the theoretical maximum power, expressed in kW, that can be provided by a recharging point, station, or pool or a **on-shore power** ~~shore-side electricity~~ supply installation to a vehicle or vessel connected to that recharging point, station, pool or installation; (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, 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; (39) 'Quick Response code' (QR code) means an ISO 18004-compliant encoding and visualization of data; (40) 'recharge on an ad hoc basis' means a recharging service purchased by an end user without the need for that end user to register, conclude a written agreement, or enter into a longer-lasting commercial relationship with the operator of that recharging point beyond the mere purchase of the service; (41) 'recharging point' means a fixed or mobile interface that allows for the transfer of electricity to an electric vehicle, which, whilst it may have one or several connectors to accommodate different connector types, is capable of recharging only one electric vehicle at a time, and excludes devices with a power output less than or equal to 3,7 kW the primary purpose of which is not recharging electric vehicles. (42) 'recharging point, station or pool dedicated to light-duty vehicles' means a recharging point, station or pool intended for recharging light-duty vehicles, either due to the specific design of the connectors/plugs or the design of the parking space adjacent to the recharging point, station or pool, or both; (43) 'recharging point, station or pool dedicated to heavy-duty vehicles' means a recharging point, station or pool intended for recharging heavy-duty vehicles, either due to the specific design of the connectors/plugs or to the design of the parking space adjacent to the recharging point, station or pool, or both; (44) 'recharging pool' means one or more recharging stations at a specific location; (45) 'recharging station' means a single physical installation at a specific location, consisting of one or more recharging points;	

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
		(46) 'recharging service' means the sale or provision of electricity, including related services, through a publicly accessible recharging point; (47) 'recharging session' means the full process of recharging a vehicle at a publicly accessible recharging point from the moment the vehicle is connected to the moment the vehicle is disconnected; (48) 'refuel on an ad hoc basis' means a refuelling service purchased by an end user without the need for that end user to register, conclude a written agreement, or enter into a longer-lasting commercial relationship with the operator of that refuelling point beyond the mere purchase of the service; (49) 'refuelling point' means a refuelling facility for the provision of any liquid or gaseous ~~alternative~~ fuel, through a fixed or a mobile installation, which is capable of refuelling only one vehicle, **one vessel or one aircraft** at a time; (50) 'refuelling service' means the sale or provision of any liquid or gaseous ~~alternative~~ fuel through a publicly accessible refuelling point; (51) 'refuelling session' means the full process of refuelling a vehicle at a publicly accessible refuelling point from the moment the vehicle is connected to the moment the vehicle is disconnected; (52) 'refuelling station' means a single physical installation at a specific location, consisting of one or more refuelling points; (53) 'regulatory authority' means a regulatory authority designated by each Member State pursuant to Article 57(1) of Directive (EU) 2019/944; (54) 'renewable energy' means energy from renewable non-fossil sources as defined in Article 2, point (1) of Directive (EU) 2018/2001; (55) 'ro-ro passenger ship' means a ship with facilities to enable road or rail vehicles to roll on and roll off the vessel, and carrying more than 12 passengers; (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 in Article 8a of Regulation (EC) No 561/2006 **and the delegated acts adopted on the basis thereof**; (57) 'ship at berth' means ship at berth as defined in Article 3, point (n) of Regulation (EU) 2015/757; (58) 'shore-side electricity supply' means the provision of shore-side electrical power through a standardised interface to seagoing ships or inland waterway vessels at berth;	

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
		(59) 'smart recharging' means a recharging operation in which the intensity of electricity delivered to the battery is adjusted **dynamically** ~~in real-time~~, based on information received through electronic communication; (60) 'static data' means data that do not change often or on a regular basis; (61) 'TEN-T comprehensive network' means a network as defined in Article 9 of Regulation (EU) No 1315/2013; (62) 'TEN-T core network' means a network as defined in Article 38 of Regulation (EU) No 1315/2013; (63) 'TEN-T core inland waterway port and TEN-T comprehensive inland waterway port' means an inland waterway port of the TENT-T core or comprehensive networks, as listed and categorised in Annex II of Regulation (EU) No 1315/2013; (64) 'TEN-T core maritime port and TEN-T comprehensive maritime port' means a maritime port of the TENT-T core or comprehensive networks, as listed and categorised in Annex II of Regulation (EU) No 1315/2013; (65) 'transmission system operator' means a system operator as defined in Art 2, point (35) of Directive (EU) 2019/944; (66) 'urban node' means an urban node as defined in Article 3, point (p) of Regulation (EU No) 1315/2013.	
3	1	Member States shall ensure that, **in their territory**, publicly accessible recharging stations **dedicated** to light-duty vehicles are deployed commensurate to the uptake of light-duty electric vehicles **and** ; – ~~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.	- NL proposes a more ambitious target under 1 (a), from 1 kW per battery electric light-duty vehicle to 3 kW, which means that this value is not agreed upon yet. - Additionally, we would like to reverse the change for PHEV light-duty vehicles from 0.5 kW per vehicle to 1 kW. - The research from our current rollout and plans via our National Charging Infrastructure Agenda (presented during the working group of 28 September) lead to minimum rollout numbers that are around 3 times higher than the current AFIR proposal. The existing proposal would lead to underdevelopment of publicly accessible charging infrastructure, especially for countries with high shares of housing without private parking.

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
3	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.	• We very much welcome your decision to revert to the Commission proposal, • We would like to raise the ambition of a charging pool in 3.2a (i) of 300 kW to 500 kW in 2025 and one charger with a power output of at least 250 kW. • For 2030, we would like to change the minimum power output of each charging pool from 600 kW to 1050 kW and at least one charger of 350 kW.
3	2a	**A single publicly accessible recharging pool dedicated to light-duty vehicles may be deployed along TEN-T roads for both directions of travel provided that such pool is easily accessible from both directions of travel and that the requirements set out in points a) and b) in terms of distance, total power output of the pool, number of stations and power output of single stations are complied with as for two directions of travel.**	
3	2b	**By way of derogation from 2a, along TEN-T roads with a total annual average daily traffic of less than [10.000] light duty vehicles and where the infrastructure cannot be justified in socio-economic cost-benefit**	- We kindly ask the Presidency to provide us with more information on what part of the TEN-T network has an annual Daily traffic (ADT) of below 10.000 light duty vehicles. We believe that the requirements as set out in AFIR serve the purpose to maintain a certain quality level along

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
		terms, Member States may provide that a publicly accessible recharging pool dedicated to light-duty vehicles may serve both directions of travel while meeting the requirements set out in points (a) and (b) in terms of distance, total power output of the pool, number of stations and power output of single stations applicable for a single direction of travel provided that the recharging pool is easily accessible from both directions of travel. Member States shall notify such exemptions to the Commission.	the TEN-T network and that the threshold for ADT should aim to provide an exception for the real exceptional cases on the TEN-T network. At the moment, it is unclear to us what proportion of the TEN-T network is covered by this threshold.
3	3	Neighbouring Member States shall ensure that the maximum distances referred to in paragraph 2, (a) and (b) are not exceeded for cross-border sections of the TEN-T core and the TEN-T comprehensive network.	
5	1	~~Operators of publicly accessible recharging stations shall be free to purchase electricity from any Union electricity supplier, subject to the supplier's agreement.~~	
5	2	Operators of recharging points shall, at the publicly accessible recharging points operated by them ~~deployed from the date referred to in Article 24~~,provide end users with the possibility to recharge their electric vehicle on an ad hoc basis without the need to register. **At those recharging points deployed from the date referred to in Article 24, ad-hoc charging shall be possible** using a payment instrument that is widely used in the Union (Directive PSD2). To that end, operators of recharging points, **at those stations,** ~~shall ensure that these public recharging points~~ accept electronic payments **through terminals and devices used for payment services, including** at least one of the following terminal and devices: : (i) payment card readers; (ii) devices with a contactless functionality that is at least able to read payment cards; (iii) **for publicly accessible recharging stations with a power output below 50kW, devices using an internet connection and allowing for a secure payment transaction such as those generating** ~~with which for instance~~ a specific Quick Response code ~~can be specifically generated and used for the payment transaction;~~ From 1 January 2027 onwards, operators of recharging points shall ensure that all publicly accessible recharging stations**,** ~~on the TEN-T network~~**, including**	• Ad-hoc payment solutions need to be flexible to offer different payment methods, so it is up to the operator to offer payment methods which fit in the EU rules for payment services (PSD2) and are suitable for the targeted customer group. With new payment technologies advancing, operators of a recharging point will steer for web-based solutions to avoid investment to devices and security. There should be an open approach defined in the article on the revision of the regulation, so that EV charging stations can work with all new payment technology options across the EU in future easily. We should keep mind, that the target is a an easy and instant payment system without the need to subscribe and/or register. • We think it is key to add text that you do not need to register for ad hoc recharging, otherwise the ad hoc character is compromised. • All recharging stations need to have internet, otherwise they cannot make transactions themselves, which would allow for internet-based payment solutions that allows consumers to pay with either a bank-card or bank-application. For high power recharging points, we could support including at least a payment card readers or devices that are able to read payment cards. - Electronic instruments for direct payments methods must support technologies used across Europe to support international passenger transit – i.e., German "Girocard" system is only supported in Germany. Mandatory additional hardware installations on recharging points and cash payments should be avoided, especially for existing recharging points.

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
		those stations deployed before the date of application referred to in Article 24 that meet the requirements set out in Article 3(3) with a power output equal to or more than 50 kW operated by them comply with the requirement **set out** in **points (i) and (ii).** **One payment terminal or device referred to in the first subparagraph may serve several recharging stations within a recharging pool.** The requirements laid down in ~~this paragraph~~ points (1) and (b) shall not apply to publicly accessible recharging points that do not require payment for the recharging service.	
5	3	Operators of recharging points shall, when they offer automatic authentication, based on communication standards in Art (19) 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 2, or use another contract-based recharging solution offered at that recharging point. Operators of recharging points and mobility service providers shall transparently display that option and offer it in a convenient manner, without the distortion of the recharging session to the end user, at each publicly accessible recharging point that they operate and where they make available automatic authentication.	• We would like to suggest several small text additions to cover both operators of recharging points and mobility service providers, as mobility service providers are generally the most direct contact point with end users.
5	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 to prices being charged to different end users, nor between prices charged to different mobility service providers. Where relevant, the level of prices may only be differentiated in a proportionate and reasonable manner, according to an objective justification.	• What can be considered an objective justification? This allows for multi-interpretable results. • To make the text more consistent, we propose to add to different end users as well. • We suggest to add reasonable next to/instead of proportionate, as proportionate is not defined in Article 2.
5	5	Operators of recharging points shall **clearly** make the information on the ad hoc price and all its components available at all publicly accessible recharging stations operated by them so that ~~these are~~ **this information is** known to end users before they initiate a recharging session. **This information shall include**	• There is no definition of 'reasonable price' included in any of the articles. We advised to have price per kWh as basis for payment, with EU regulated metering. Additional metric can be added for example in dense areas time metric to clear recharging spaces. Operators of recharging points and mobility service providers shall use a uniform terminology for the different tariff components. Terminology and costs must correspond to the invoice.

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
		at least the following price components, if applicable at the recharging station [1]~~shall be made available~~: – price per session, – price per minute, – price per kWh. **With respect to publicly accessible recharging stations with a power output equal to or more than 50 kW, deployed from the date referred to in Article 24 or referred to in the third subparagraph of paragraph 2, this information shall be clearly displayed at the recharging station.** For charging stations with a power output of less than 50kW, the exemption can be made that this data must be provided by the operator of a recharging point online, for instance via easy access to a smartphone or tablet application displaying	• Prices for ad-hoc charging should be presented at first glance, directly on the display of the charging station or via web/smartphone application regardless of power output. This provides a basis for comparison between, and full transparency of charging services for the EV drivers. The ad-hoc prices should also be made transparent before EV drivers start their journey, e.g. on the operators website. Therefore, we cannot agree with the addition that has been made that information should only made available if the power output is more than 50kW, unless text is included that states that for charging stations (less than 50kW) easy access to a smartphone or tablet application displaying this data must be provided by the operator of a recharging point.
5	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.	• Currently, pricing levels vary widely between different countries, charging point operators, mobility service providers, as well as between subscription prices, ad-hoc prices and e-roaming prices. Although it is logical that price differences exist, the current differences seem far from reasonable, and cannot be explained otherwise than aiming at creating competition barriers and locking-in customers. • We support the point to not charge extra for cross-border e-roaming, but this setup still allows for e-roaming between mobility service providers within a country. It is important to ensure that these national e roaming prices are also reasonable. **Price-transparency** • Member States must ensure that operators of a recharging point and mobility service providers clearly communicate all existing price components (incl. in the case of mobility service providers, possibly applying roaming fees) to consumers prior to the recharging session via a dedicated application (except for mobility service providers if only fixed subscription fees apply). **Non-discriminatory**

[1] Recital (24) will be amended as follows: '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 ~~all applicable~~ **the different** cost components **applicable at the recharging stations** and anticipate the total cost. **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.**

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
			• We see concerns of tying advantageous prices to other services, which should be prohibited. Note: The requirement to not discriminate, does not limit the possibilities for recharging point operator as well as for mobility service providers to offer various subscription and pricing models for their customers, however it does demand that the models are non-discriminatory made available to all customers. • Prices for ad-hoc charging should be reasonable and reflect the costs including reasonable margins that can be implemented in national or regional concessions or by fair competition between operators. **E-roaming** • We would like to go into further discussion how to properly embed e-roaming to prevent unnecessarily high prices for consumers. • Prices for e-roaming should be reasonable and reflect the cost of e-roaming. E-roaming costs should be minimalized via an efficient model for roaming accessible for all mobility service providers against equal conditions, without requiring mobility service providers to go into contracts with individual recharging operators and/or individual roaming platforms. • In order to define what e-roaming costs are reasonable, we suggest to setup benchmarks against the most cost efficient roaming models in place in the EU member states as well as against roaming cost in other industries.
5	7	operators of recharging points shall ensure that all ~~newly~~ **publicly accessible normal power recharging points** built or renovated **after the date of application referred to in Article 24** ~~accessible recharging points~~ operated by them are digitally-connected recharging points in line with the NIS2 Directive.	• We would like to see rapid implementation of these demands, as there are many electric vehicles on the road already and as it only concerns new or refurbished recharging points. Otherwise market uptake will slow down and other Fit-for-55 targets are in jeopardy. • We would like to emphasize that more should be said about cybersecurity in order to minimize risks of digital safety incidents (also relevant for 5.8). We recognize the many aspects cybersecurity has (connection between recharging infrastructure with the underlying electricity grid, vehicle-to-grid connection and other elements where internet connection is involved, such as payment and information apps, etc.) and see that given the technological differences in these aspects (Article 5.7 and Article 19.2) are needed. • We believe that by including a reference to the NIS2 in the AFIR, cybersecurity becomes part of the legal obligation that CPOs have and a high common level of cybersecurity in the EU is guaranteed.
5	8	Operators of recharging points shall ensure that all ~~newly~~ **publicly accessible normal power recharging points** built or renovated **after the date of**	

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
		application referred to in Article 24 ~~publicly accessible normal power recharging points~~ operated by them are capable of smart recharging.	
5	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.~~ Member States shall take the necessary measures to ensure that alternative fuels infrastructure is easy to find at least on the TEN-T road network, but also in other main road networks, including appropriate signposting on the roadside and within parking and rest area.	Signposts are key for road safety in order for drivers to know where they have to be in order to recharge their vehicle. We suggest to revert the deletion of this article, with the change that "Appropriate" signposting is not 100% clear. Easy-to-find should be added. Not only important within the parking and rest area but also on the roadside just as normal gasoline stations have clear road side signposting.
5	10	No later than one year **after the date of application as referred to in Article 24** ~~after this Regulation enters into force~~, the 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.	
5	11	Where the operator of a publicly accessible 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 all obligations in Article 5.	Why doesn't it state here comply with all paragraphs in article 5? When it is a publicly accessible recharging point it has to apply to all paragraphs in article 5. Otherwise, could the Commission clarify this distinction?
7	1	~~From the date referred to in Article 24 all~~ **O**perators of publicly accessible hydrogen refuelling stations **shall, at the publicly accessible refuelling stations** operated by them ~~shall~~ provide ~~for the possibility~~ for 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** ~~hydrogen refuelling~~ stations shall ~~ensure that these hydrogen refuelling stations operated by them~~ accept electronic payments **through terminals and devices used for payment services**. ~~Operators of refuelling points shall include, where appropriate,~~ **including** at least one of the following ~~terminal and devices~~: (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**	

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
		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.	
7	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.	
7	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.	
7	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 ~~recharging~~ session, and specific to their intended refuelling ~~recharging~~ 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.	
12	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[2]:	The proposed adjustments in Article 12 are in line with national policies.

[2] The following sentence would be inserted at the end of recital (36): **The external energy supply to aircraft could be ensured thanks to mobile ground power units, both at contact stands and remote stands.**

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
		(a) [1 January 2025], at all aircraft **contact stands** ~~gates~~ used for commercial air transport operations; (b) 1 January 2030, at all aircraft **remote stands** ~~outfield posts~~ used for commercial air transport operations.	
12	**1a**	Member States may exempt airports of the TEN-T comprehensive network, with less than [10 000] commercial flight movements per year, in the last three years, from the obligation to provide electricity to stationary aircraft at **all remote stands** ~~outfield posts~~[3].	
12	2	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 **without** using ~~alternative~~ **fossil** fuels.	
13	1	By 1 January 2024, 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. (a) **The** ~~that~~ national policy framework shall contain at least the following elements: (1) 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; (2) 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; […] (3) policies and measures necessary to ensure that the mandatory targets and objectives referred to in points (b) and (c) of this paragraph are reached; (4) measures 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; (5) measures to encourage and facilitate the deployment of recharging stations for lightduty and heavy-duty vehicles at private locations that are not accessible to the public;	

[3] To be complemented with a recital

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
		(6) measures to promote alternative fuels infrastructure in urban nodes, in particular with respect to publicly accessible recharging points; (7) measures to promote a sufficient number of publicly accessible high power recharging points; […] (8) 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, which have to be in line with the accessibility requirements of Annex I and Annex III of Directive 2019/882; (9) measures to remove possible obstacles with regards to planning, permitting and procuring of alternative fuels infrastructure; […] (b) **The** ~~That~~ national policy framework may contain the following elements: (1) a deployment plan for alternative fuels infrastructure in airports other than for electricity supply to stationary aircraft, in particular for hydrogen and electric recharging for aircrafts; (2) a deployment plan for alternative fuels infrastructure in maritime ports, in particular for electricity and hydrogen, for port services as defined in Regulation (EU) 2017/352 of the European Parliament and of the Council1 ; (3) a deployment plan for alternative fuels infrastructure in maritime ports other than for LNG and **on-shore power** ~~-side electricity~~ supply for use by sea going vessels, in particular for hydrogen, ammonia and electricity; (4) a deployment plan for alternative fuels in inland waterway transport, in particular for both hydrogen and electricity; (5) a deployment plan including targets, key milestones and financing needed, for hydrogen or battery electric trains on network segments that will not be electrified. (6) national targets and objectives for the deployment of alternative fuels infrastructure related to points (1), (2), (3), (4) and (5) of this subparagraph for which no mandatory targets are set out in this Regulation;	
13	2	Member States shall ensure that the national policy frameworks take into account the needs of the different transport modes existing on their territory, including those for which limited alternatives to fossil fuels are available.	
13	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.	

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
13	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.	
13	5	Support measures for alternative fuels infrastructure shall comply with the relevant State aid rules of the TFEU.	
13	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.	
13	7	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. 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.	
13	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.	
13	9	By 1 January 2025, each Member State shall notify to the Commission its final national policy framework.	

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
14	1	Each Member State shall submit to the Commission a standalone **national** progress report on the implementation of its national policy framework for the first time by 1 January 2027 and every **two** ~~three~~ years thereafter.	We consider this rather late given the ambitions stated in the AFIR. We suggest an earlier date.
	2	The progress reports shall cover the information listed in Annex I and shall, where appropriate, include a relevant justification regarding the level of attainment of the national targets and objectives referred to in Article 13.	
	3	**Member States** ~~or their the regulatory authority of a Member States~~ shall assess, at the latest by 30 June 2024 and periodically every ~~three~~ **four** years thereafter, how the deployment and operation of recharging points could enable electric vehicles to further contribute to the flexibility of the energy system, including their participation in the balancing market, and to the further absorption of renewable electricity. That assessment shall take into account all types of recharging points, whether public or private, and provide recommendations in terms of type, supporting technology and geographical distribution in order to facilitate the ability of users to integrate their electric vehicles in the system. It shall be made publicly available. **Member States may request the regulatory authority to carry out this assessment.** On the basis of the results of the assessment, Member States shall, if necessary, take the appropriate measures for the deployment of additional recharging points and include them in their progress report referred to in paragraph 1. The assessment and measures shall be taken into account by the system operators in the network development plans referred to in Article 32(3) and Article 51 of Directive (EU) 2019/944.	
	4	On the basis of input from transmission system operators and distribution system operators, the regulatory authority of a Member States shall assess, at the latest by 1 30 June 2024 and periodically every ~~three~~ **four** years thereafter, the potential contribution of bidirectional charging to the penetration of renewable electricity into the electricity system. That assessment shall be made publicly available. On the basis of the results of the assessment, Member States shall take, if necessary, the appropriate measures to adjust the availability and geographical distribution of bidirectional recharging points, in both public and private areas and include them in their progress report referred to in paragraph 1.	
	5	~~The Commission shall adopt guidance and templates concerning the content, structure and format of the national policy frameworks and the content of the national progress reports to be submitted by the Member States in accordance with Article 13(1) and six months after the date referred to in Article 24. The~~	

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
		~~Commission may adopt guidance and templates to facilitate the effective application across the Union of any other provisions of this Regulation.~~	
14a		**The Commission shall adopt guidance and templates concerning the content, structure and format of the national policy frameworks and the content of the national progress reports to be submitted by the Member States in accordance with Article 13 and Article 14(1), no later than six months after the date of application referred to in Article 24. The Commission may adopt guidance and templates to facilitate the effective application across the Union of any other provisions of this Regulation.**	
15	1	By 1 January 2026, the Commission shall assess the **national** policy framework notified by Member States pursuant to Article 13(9) and submit to the European Parliament and to the Council a report on the assessment of those national policy frameworks and their coherence at Union level, including a first assessment of the expected level of attainment of the national targets and objectives referred to in Article 13 (1)	
15	2	The Commission shall assess the **national** progress reports submitted by Member States pursuant to Article 14(1) and shall as appropriate issue recommendations to Member States to ensure the achievement of the objectives and obligations laid down in this Regulation. Following those recommendations, the Member States shall issue an update of their **national** progress report within six months following the Commission's recommendations.	
15	3	The Commission shall submit to the European Parliament and to the Council a report on its assessment of the **national** progress reports ~~pursuant to Article 14(1)~~ one year after submission of **those** ~~national~~ progress reports by the Member States **pursuant to Article 14(1)**. This assessment shall contain an assessment of: (a) the progress made at Member States level on the achievement of the targets and objectives; (b) the coherence of the development at Union level.	
	4	On the basis of national policy frameworks, national progress reports **and reports submitted by** Member States pursuant to **respectively** Article 13 (**9**~~1~~), **Article** 14 (1) **and Article 16(1)** the Commission shall publish and regularly update information on the national targets and the objectives submitted by	

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
		each Member State regarding: (a) the number of publicly accessible recharging points and stations, separately for recharging points dedicated to light-duty vehicles and recharging points dedicated to heavy-duty vehicles, and in accordance with the categorisation provided in Annex III; (b) the number of publicly accessible hydrogen refuelling points; (c) the infrastructure for shore-side electricity supply in maritime and inland ports of the TEN-T core network and the TEN-T comprehensive network; (d) the infrastructure for electricity supply for stationary aircraft in airports of the TEN-T core network and the TEN-T comprehensive network; (e) the number of refuelling points for LNG at maritime and inland ports of the TEN-T core network and the TEN-T comprehensive network; (f) the number of publicly accessible refuelling points for LNG for motor vehicles; (g) the number of publicly accessible CNG refuelling points for motor vehicles; (h) refuelling and recharging points for other alternative fuels at TEN-T core and comprehensive maritime and inland ports; (i) refuelling and recharging points for other alternative fuels at airports of the TEN-T core network and the TEN-T comprehensive network; (j) refuelling and recharging points for rail transport.	
16	1	By ~~[28 February[~~ **31 March** of the year following ~~the entry into force of this Regulation~~ **the date of application referred to in Article 24** and every year thereafter by the same date, Member States shall report to the Commission the total aggregated recharging power output, the number of publicly accessible recharging points and the number of registered battery electric and plug-in hybrid vehicles deployed on their territory on 31 December of the previous year, in accordance with the requirements of Annex III	
	2	**Without prejudice to the procedure laid down in Article 258 TFEU** where it is evident from the report referred to in paragraph 1 of this Article or from any information available to the Commission that a Member State ~~is at risk of~~ **did** not meet~~ing~~ its national targets as referred to in Article 3(1), the Commission may issue a finding to this effect and ~~request~~ **recommend** the Member State concerned to take corrective measures to meet the national targets. Within three months following the receipt of the Commission's findings, the Member State concerned shall notify to the Commission the corrective measures that it	

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
		plans to implement to meet the targets set in Article 3(1) **including** ~~. The corrective measures shall entail~~ additional actions that the Member State ~~shall~~ **intends** implement to meet **those** targets set in Article 3 (1) and a clear timetable for actions that enables the assessment of the annual progress towards meeting those targets. Where the Commission finds that the corrective measures are satisfactory, the Member State concerned shall update its latest **national** progress report as referred to in Article 14 with these corrective measures and submit it to the Commission.	
17	1	Relevant, consistent and clear information shall be made available as regards motor vehicles which can be regularly fuelled with individual fuels placed on the market, or recharged **at** recharging points. ~~To that end, Member States shall ensure T~~hat information ~~is~~ **shall be** made available**:** **(i)** in motor vehicle manuals, **and on motor vehicles by manufacturers [as referred to in Article 3(40) of Regulation (EU) 2018/858],** **(ii)** ~~at refuelling that information shall be made available in motor vehicle manuals~~, at refuelling and recharging points **by refuelling and recharging point operators**, and **(iii)** in motor vehicle dealerships **by the distributors as referred to in Article 3(43) of Regulation (EU) 2018/858** ~~This requirement shall apply to all motor vehicles, and their motor vehicle manuals, placed on the market after 18 November 2016.~~	
17	2	Identification of vehicles and infrastructures compatibility as well as identification of fuels and vehicle compatibility referred to in paragraph 1 shall be in compliance with the technical specifications referred to in points 9.1 and 9.2 of Annex II. ~~Member States shall ensure that~~ Where such standards refer to a graphical expression, including a colour coding scheme, the graphical expression shall be simple and easy to understand, and it shall be placed in a clearly visible manner: (a) **by refueling point operators** on corresponding pumps and their nozzles at all refuelling points **operated by them**, as from the date on which fuels are placed on the market; or (b)**by manufacturers (as referred to in Article 3(40) pf Regulation (EU) 2018/858]** in the immediate proximity of all fuel tanks' filling caps of motor vehicles recommended for and compatible with that fuel and in motor vehicle	Placed on the market from which date onwards?

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
		manuals, when such motor vehicles are placed on the market ~~after 18 November 2016.~~	
17	3	When fuel prices are displayed at a ~~fuel~~ **refueling** station, Member States shall ensure that a comparison between the relevant unit prices is displayed where appropriate, and in particular for electricity and hydrogen, for information purposes following the common methodology for alternative fuels unit price comparison referred to in point 9.3 of Annex II.	• This text is multi-interpretable. 'displayed' should be defined in more detailed. • ~~Fuel station is not defined in Article 2. Consider using refueling or recharging station with an eye on consistency of terminology.~~
17	4	Where European Standards setting technical specifications of a fuel do not include labelling provisions for compliance with the standards in question, where the labelling provisions do not refer to a graphical expression including colour coding schemes, or where the labelling provisions are not suitable for attaining the objectives of this Regulation, the Commission may, **by means of implementing acts in accordance with Article 21(2),** for the purposes of the uniform implementation of paragraphs 1 and 2: (a) mandate ESOs to develop compatibility labelling specifications, (b) ~~adopt implementing acts~~ **determine** the graphical expression, including a colour coding scheme, of compatibility for fuels introduced in the Union market which reach the level of 1 % of the total volume of sales, in the assessment of the Commission, in more than one Member State.	
17	5	Where provisions on labelling of the respective European Standards are updated, implementing acts regarding the labelling are adopted or new European Standards for alternative fuels are developed, as necessary, the corresponding requirements on labelling shall apply **24 months after their respective updating or adoption to** all refuelling and recharging points and **to all** motor vehicles **when they are placed on the market** ~~registered on the territory of the Member States 24 months after their respective updating or adoption.~~	Please specify placed on the market. Do you mean the registration of a new vehicle on EU territory (EU market) or registered by a national competent vehicle authority?
18	1	Member States shall appoint an Identification Registration Organisation ('IDRO'). The IDRO shall issue and manage unique identification ('ID') codes to identify, at least operators of recharging points and mobility service providers, at the latest one year after the date referred to in Article 24.	A reference should be made to the results of IDACS to this text to make it complete. The ID codes method should be harmonized across Europe.
18	2	No later than 1 year after ~~the entry into force of this Regulation~~ **the date of application as referred to in Article 24,** operators of publicly accessible recharging and refuelling points or, in accordance with the arrangement between them, the owners of those points, shall ensure the availability of static and dynamic data concerning alternative fuels infrastructure operated by them	• We do not agree with the formulation at no costs without setting proper boundaries to prevent duplication and unnecessary costs for MS, or extra costs that have to be carried by market players. If "at no cost" could be replaced in "against reasonable, non-discriminatory and only cost covering prices", it would prevent much more resistance from the market and, simultaneously, provide space for solutions where the market itself can fulfill a role.

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
		or services inherently linked to such infrastructure that they provide or they outsource and allow accessibility of that data through the National Access Points against reasonable, non-discriminatory and only cost covering prices.. The following data types shall be made available: (a) static data for publicly accessible recharging and refuelling points operated by them: (i) geographic location ((GPS location)) of the recharging or refuelling point, (ii) number of connectors, (iii) number of parking spaces with recharging points for people with disabilities, (iv) contact information of the owner and operator of the recharging and refuelling station. **(v) opening hours.** (b) further static data for publicly accessible recharging points operated by them: (i) identification (ID) codes, at least of the recharging point ~~and mobility service providers offering services at that recharging point, as referred to in paragraph 1,~~ (ii) type of connector, (iii) type of current (AC/DC), (iv) power output (kW) including minimum and maximum level, (v) power supplier, (vi) percentage of renewable versus non-renewable electricity, (viii) payment methods (c) dynamic data for all recharging and refuelling points operated by them: (i) operational status (operational/out of order), (ii) availability (in use/ not in use), (iii) ad hoc price. ~~(iv) opening hours~~ The requirements laid down in point (c) shall not apply to publicly accessible recharging points that do not require payment for the recharging service.	• Due to the text 'through the National Access Point', the article seems to be based on a National Access Point (NAP) in which there is actually data on the NAP (e.g. database solution). However, in several countries a register solution has been chosen, which contains meta data and links to the CPO's and their NAP data. In this case there is no NAP data within the NAP, only meta data. We suggest to describe the text in such a way that it does not implicitly assume a particular NAP solution. In our view, most important is that in general the interoperability of NAP data is guaranteed. • In line with the previous point, what exactly is 'at no cost': access to a NAP (which can also be a register) or the actual NAP data itself (which in case of a register can be delivered by CPO's). In the current text, this is interpretable: '….and allow accessibility of that data through the National Access Point at no cost'. We suggest to describe the text in such a way that this interpretation is not possible. • If 'at no cost' is about the NAP data itself, CPO's have to make costs to make all the data categories available. It is not in the interest of CPOs to do this at no cost. • It is pointed-out that the various EU regulations and directives are conflicting and do prevent that "at no cost" can be made obligatory. We do not agree with the formulation that Article 18, paragraph 2, section B states that operators also will have to ensure the availability of data concerning identification (ID) codes of the mobility service providers offering services at that recharging point, but we need time to provide an internally agreed text. • With regards to point b (i): Each recharging point has an ID code, there is no ID code on CPO level, only on recharging point level. • We do not agree with the addition that point (c) is not needed for recharging services that require no payment, as you still want to know whether the station is in operation and available. • Why is there a distinction between (a) and (b) as they are both static data?
18	3	Member States shall ensure the accessibility of data on an open and non-discriminatory basis to all stakeholders through their National Access.	
18	4	The Commission shall be empowered to adopt delegated acts in accordance with Article 20 to~~: (a~~) add **to the data types specified in paragraph 2** additional	

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
		data types **concerning alternative fuels infrastructure operated by them or services inherently linked to such infrastructure that they provide or they outsource** ~~to the ones specified in paragraph 2~~**, in view of technological developments or new services made available on the market;** ~~(b) specify elements related to the data format, frequency and quality in which these data shall be made available;~~ ~~(c) establish detailed procedures enabling the provision and exchange of data required pursuant to paragraph 2.~~	
18	**4a**	**The Commission may, by means of implementing acts adopted in accordance with Article 21(2):** **(a) specify elements related to the data format, frequency and quality in which these data shall be made available;** **(b) establish detailed procedures enabling the provision and exchange of data required pursuant to paragraph 2.** **Implementing acts adopted on the basis of the first subparagraph of this paragraph shall provide that the provisions of delegated acts adopted on the basis of Article 7(1) of Directive 2010/40/EU that concern the same elements and procedures with respect to the same data as the ones covered by such implementing acts shall cease to apply from the date of application of those implementing acts.**	• We do not agree with the addition of article 4.a. We believe elements such as data format, frequency , quality requirements and procedure should not be specified in AFIR. • In addition, we deem it not desirable if an implemented act under Article 18 within the AFIR establishes a procedure for the provision and exchange of these data which possibly deviates from the RTTI Delegated Regulation, especially given the close involvement of the experts and ITS Committee in the development of the RTTI Delegated Regulation combined with a less close involvement of MS in a possible implemented act under Article 18 AFIR.
18	**5**	The delegated **and implementing** acts referred to in paragraph 4 **and 4a** shall provide for **reasonable** transitional periods ~~of at least 24 months~~ before the provisions contained therein, or amendments thereof, become binding on the operators or owners of recharging and refuelling points	
19	1	Normal power recharging points for electric vehicles, excluding wireless or inductive units, deployed or renewed from the date **of application** referred to in Article 24, shall comply at least with the technical specifications set out in point 1.1 of Annex II.	
19	2	High power recharging points for electric vehicles, excluding wireless or inductive units, deployed or renewed from the date **of application** referred to in Article 24 shall comply at least with the technical specifications set out in point 1.2 of Annex II.	

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
19	**2a**	**Recharging points for L-category motor vehicles, deployed or renewed from the date of application referred to in Article 24, shall comply at least with the technical specifications set out in point 1.4 of Annex II.**	
19	**2b**	**Recharging points for electric buses, deployed or renewed from the date of application referred to in Article 24, shall comply at least with the technical specifications set out in point 1.5 of Annex II.**	
19	3	Publicly accessible hydrogen refuelling points deployed or renewed from the date **of application** referred to in Article 24 shall comply **at least** with the technical specifications set out in points 3.1, 3.2, 3.3, and 3.4 of Annex II.	
19	4	**On shore power supply s**~~ide electricity~~ supply installations for maritime transport, deployed or renewed from the date **of application** referred to in Article 24 shall comply with the technical specifications set out in points 4.1 and 4.2 of Annex II.	
19	4a	**On-shore power supply for inland waterway vessels, deployed or renewed from the date of application referred to in Article 24 shall comply at least with the technical specifications set out in points 4.2 of Annex II.**	
19	5	~~CNG~~ refuelling points for **Compressed Natural Gas (CNG) for** motor vehicles deployed or renewed from the date **of application** referred to in Article 24 shall comply with the technical specifications set out in point 8**.1** of Annex II.	
19	5a	**CNG connectors/receptors deployed or renewed from the date of application referred to in Article 24 shall comply at least with the technical specifications set out in point 8.2 of Annex II.**	
	5b	**Refuelling points for LNG for motor vehicles deployed or renewed from the date of application referred to in Article 24 shall comply at least with the technical specifications set out in point 8.3 of Annex II.**	
	5c	**Refuelling points for LNG for inland waterway vessels or sea going ships deployed or renewed from the date of application referred to in Article 24 shall comply at least with the technical specifications set out in point 8.4 of Annex II.**	
19	6	In accordance with Article 10 of Regulation (EU) No 1025/2012, the Commission may request European standardisation organisations to draft European standards defining technical specifications for areas referred to in Annex II to this Regulation for which no common technical specifications have been adopted by the Commission.	We agree with the input by our colleagues from Germany that standardization under paragraph 6 and common technical specifications under paragraph 7 for communication exchange in the electric vehicle recharging ecosystem should not undermine the high level of (cyber) security requested at national level in the field of energy where smart metering systems subject to those national requirements are to be used.

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
19	7	The Commission shall be empowered to adopt delegated acts in accordance with Article 17 to: (a) supplement this Article with common technical specifications, to enable full technical interoperability, including cyber security requirements, of the recharging and refuelling infrastructure in terms of physical connections and communication exchange for the areas listed in Annex II; (b) amend Annex II by updating the references to the standards referred to in the technical specifications set out in that Annex. **When such delegated acts are to apply to existing infrastructures those acts shall be based on a cost-benefit analysis, submitted to the European Parliament and the Council together with those delegated acts**	We would like to see add "including cyber security requirements" as this is a crucial safety topic that is not mentioned properly in the current AFIR proposal (see comment article 5 (7) on the inclusion of a reference to the NIS2 Directive.
19	8	The delegated acts referred to in paragraph 7 shall provide for **reasonable** transitional periods ~~of at least 24 months~~ before the technical specifications contained therein, or amendments thereof, become binding on the infrastructure ~~to be deployed or renewed~~	
20	1	The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	
20	2	The power to adopt delegated acts referred to in Articles 18 and 19 shall be conferred on the Commission for a period of five years from the date referred to in Article 24. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
20	3	The delegation of power referred in Articles 18 and 19 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	
20	3a	Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.	
20	4	As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
20	5	A delegated act adopted pursuant to Articles 18 and 19 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by three months at the initiative of the European Parliament or of the Council.	
21	1	The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	
21	2	Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. Where the committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.	
21	3	Where the opinion of the committee is to be obtained by written procedure, that procedure shall be terminated without result when, within the time limit for delivery of the opinion, the chair of the committee so decides or a simple majority of committee members so request.	
22		By 31 December 2026, the Commission shall review this Regulation, and, where appropriate, submit a proposal to amend it. In support of this review, the Commission shall submit to the European Parliament and to the Council, 2 years after the entry into force of this Regulation, a focused technology-readiness report. **The Commission shall in particular assess the level of market development at which the requirements of the second subparagraph of Article 3(1) should ~~be discontinued~~ cease to apply throughout the Union in order to avoid adverse effects. It shall also review whether the electronic means of payment referred to in Article 5(2) are still appropriate.**	
23	1	Directive 2014/94/EU is repealed **with effect** from the date **of application** referred to in Article 24.	
23	2	References to Directive 2014/94/EU shall be construed as references to this Regulation and shall be read in accordance with the correlation table laid down in Annex IV.	

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
24	1	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	
Annex 1		The national progress report referred to in Article 14(1) of the Regulation shall include at least the following elements: 1. target setting (a) vehicle uptake projections for 31 December of the years 2025, 2030 and 2035 for: – light-duty road vehicles separately for battery electric, plug in hybrid, and hydrogen; – heavy-duty road vehicles, separately for battery electric and hydrogen; (b) targets for 31 December 2025, 2030 and 2035 for: – electric recharging infrastructure for light-duty vehicles: number of recharging stations and power output (classification of recharging stations following Annex III to this Regulation); **– development of recharging stations for light-duty vehicles not accessible to thepublic, if applicable;** – electric recharging infrastructure for heavy-duty vehicles: number of recharging stations and power output; **– development of recharging stations for heavy-duty vehicles not accessible to the public, if applicable;** – hydrogen refuelling stations: number of refuelling stations, capacity of the refuelling stations and connector provided; – LNG road refuelling stations: number of refuelling stations and capacity of stations; – LNG refuelling points at maritime ports of the TEN-T core and TEN-T comprehensive network, including location (port) and capacity per port; – – **on shore power** ~~shore-side electricity~~ supply at maritime ports of the TEN-T core and TEN-T comprehensive network, including exact location (port) and capacity of each installation within the port; – **on shore power** ~~shore-side electricity~~ supply at inland waterway ports of the TEN-T core and TEN-T comprehensive network including location (port) and capacity; – electricity supply for stationary aircraft, number of installations per airport of the	

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
		TEN-T core and TEN-T comprehensive network; – **other national targets and objectives for which no EU wide mandatory national targets exist, if applicable. For alternative fuels infrastructure in ports, airports and for rail the location and capacity/size of the installation has to be reported;**	
	2	utilization rates: for the categories under point 1(b), reporting the utilisation of that infrastructure;	
	3	the level of achievement of the **targets** ~~national objectives~~ reported for the deployment of alternative fuels in the different transport modes (road, rail, water and air): • level of achievement of the infrastructure deployment targets as referred to in point 1(b) for all transport modes, in particular for electric recharging stations, electric road system (if applicable), hydrogen refuelling stations, shore-side electricity supply in maritime and inland waterway ports, LNG bunkering at TEN-T core maritime ports, other alternative fuels infrastructure in ports, electricity supply to stationary aircrafts; • for recharging points, specifying the ratio of public to private infrastructure; • alternative fuels infrastructure deployment within urban nodes;	
	3a	**the review of the derogation pursuant to Article 3(2b);**	
	4	4. legal measures: information on legal measures, which may consist of legislative, regulatory or administrative measures to support the build-up of alternative fuels infrastructure, such as building permits, parking lot permits, certification of the environmental performance of businesses and **refuelling** stations concessions	
	5	. information on the policy measures supporting the implementation of the national policy framework, including: – direct incentives for the purchase of means of transport using alternative fuels or for building the infrastructure; – availability of tax incentives to promote means of transport using alternative fuels and the relevant infrastructure; – use of public procurement in support of alternative fuels, including joint procurement;	

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
		– demand-side non-financial incentives, for example preferential access to restricted areas, parking policy and dedicated lanes;	
	6	public deployment and manufacturing support, including: – annual public budget allocated for alternative fuels infrastructure deployment, broken down by alternative fuel and by transport mode (road, rail, water and air); – annual public budget allocated to support manufacturing plants for alternative fuels technologies, broken down by alternative fuel; – consideration of any particular needs during the initial phase of the deployment of alternative fuels infrastructures;	
	7	research, technological development and demonstration (RTD&D): annual public budget allocated to support alternative fuels RTD&D.	
Annex 2		Technical specifications 8. Technical specifications for electricity supply for road transport 8.1. Normal power recharging points for motor vehicles: - alternating current (AC) normal power recharging points for electric vehicles shall be equipped, for interoperability purposes, at least with socket outlets or vehicle connectors of Type 2 as described in standard EN 62196-2:2017. - **direct current (DC) normal power recharging points for electric vehicles shall be equipped, for interoperability purposes, at least with connectors of the combined charging system 'Combo 2' as described in standard EN 62196- 3** 8.2. High power recharging points for motor vehicles: – alternating current (AC) high power recharging points for electric vehicles shall be equipped, for interoperability purposes, at least with connectors of Type 2 as described in standard EN 62196-2:2017; – direct current (DC) high power recharging points for electric vehicles shall be equipped, for interoperability purposes, at least with connectors of the combined charging system 'Combo 2' as described in standard EN 62196-3:2014. 8.3. Wireless recharging points for motor vehicles ~~as specified by Commission Delegated Regulation (EU) 2021/ […/…] supplementing Directive 2014/94 EU of the European Parliament and of the Council with regards standards for wireless recharging points for motor vehicles .~~ 8.4. Recharging points for L-category motor vehicles **shall comply** with ~~as specified~~ by Commission Delegated Regulation (EU) 2019/1745.	- Given the vulnerability of EVs, recharging- and refueling infrastructure and the apps required for payment or information, We would like to see cyber security to be included in the list of topics with reference to a technical specification. - Given the targets for gaseous hydrogen (700bar) for HDV, it is important to quickly develop a supported standard. However, for liquid hydrogen it is still very early, technology is not that far along yet. This should be taken into account in planning towards CEN.

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
		8.5. Recharging points for electric buses **shall comply with** ~~as specified~~ by Commission Delegated Regulation (EU) 2021/**1444** supplementing Directive 2014/94 EU of the European Parliament and of the Council with regards standards **for electric buses** ~~wireless~~ ~~recharging points for motor vehicles.~~ 8.6. Technical specifications for battery swapping for motor vehicles. 1.7. Technical specifications regarding the connector for recharging heavy-duty vehicles (DC charging). 8.8. Technical specifications for inductive static wireless recharging for passenger cars and lightduty commercial vehicles. 8.9. Technical specifications for inductive static wireless recharging for heavy-duty vehicles. 8.10. Technical specifications for inductive dynamic wireless recharging for passenger cars and light-duty vehicles. 8.11. Technical specifications for inductive dynamic wireless recharging for heavy-duty-vehicles. 8.12. Technical specifications for inductive static wireless recharging for electric buses. 8.13. Technical specifications for inductive dynamic wireless recharging for electric buses. 8.14. Technical specifications for electric road system (ERS) for dynamic overhead power supply via a pantograph for heavy-duty vehicles. Technical specifications for electric road system (ERS) for dynamic ground level power supply through conductive rails for passenger cars, light-duty vehicles and heavy-duty vehicles. 1.16. Technical specifications for battery swapping for L-category vehicles. 1.17. If feasible, technical specifications for battery swapping for passenger cars and light-duty vehicles.	

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
		1.18. If feasible, technical specifications for battery swapping for heavy-duty vehicles. 1.19. Technical specifications for recharging stations to ensure access to users with disabilities. 2. Technical specifications for communication exchange in the electric vehicle recharging ecosystem 2.1. Technical specifications regarding communication between the electric vehicle and the recharging point (vehicle-to-grid communication). 2.2. Technical specifications regarding communication between the recharging point and the recharging point management system (back-end communication). 2.3. Technical specifications regarding communication between the recharging point operator, electromobility service providers and e-roaming platforms. 2.4. Technical specifications regarding communication between the recharging point operator and the distributed system operators. 3. Technical specifications for hydrogen supply for road transport 3.1. Outdoor hydrogen refuelling points dispensing gaseous hydrogen used as fuel on board motor vehicles shall **at least** comply with the technical specifications of the ISO/TS 20100 gaseous hydrogen fuelling specification. 3.2. The hydrogen purity dispensed by hydrogen refuelling points shall comply with the technical specifications included in the ISO 14687:2019standard. 3.3. Hydrogen refuelling points shall employ fuelling algorithms and equipment complying with the ISO 19880-1:2020 Gaseous Hydrogen Fuelling specification. 3.4. Connectors for motor vehicles for the refuelling of gaseous hydrogen shall comply with the ISO 17268:2020 gaseous hydrogen motor vehicle refuelling connection devices standard. 3.5. Technical specifications for connectors for refuelling points dispensing gaseous (compressed) hydrogen for heavy-duty vehicles. 3.6. Technical specifications for connectors for refuelling points dispensing liquefied hydrogen for heavy-duty vehicles. 4. Technical specifications for electricity supply for maritime transport and inland navigation 4.1. **On-shore power** ~~shore-side electricity~~ supply for seagoing ships, including the design, installation and testing of the systems, shall comply with the technical specifications of the IEC/IEEE 80005-1:2019 standard, for high-voltage and low-voltage shore connections respectively.	

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
		4.2. . **On-shore power** ~~shore-side electricity~~ supply for inland waterway vessels shall comply with Commission Delegated Regulation (EU) 2019/1745. 4.3. Technical specifications for shore-side battery recharging points for maritime vessels, featuring interconnectivity and system interoperability for maritime vessels. 4.4. Technical specifications for shore-side battery recharging points for inland navigation vessels, featuring interconnectivity and system interoperability for inland navigation vessels. 4.5. Technical specifications for port-to-grid communication interface in automated onshore power supply (OPS) and battery recharging systems for maritime vessels. 4.6. Technical specifications for port-to-grid communication interface in automated onshore power supply (OPS) and battery recharging systems for inland navigation vessels. 4.7. If feasible, technical specifications for battery swapping and recharging at onshore stations for inland navigation vessels. 5. Technical specifications for hydrogen bunkering for maritime transport and inland navigation 5.1. Technical specifications for refuelling points and bunkering for gaseous (compressed) hydrogen for maritime hydrogen-fuelled vessels. 5.2. Technical specifications for refuelling points and bunkering for gaseous (compressed) hydrogen inland navigation hydrogen-fuelled vessels. 6. Technical specifications for methanol bunkering for maritime transport and inland navigation 6.1. Technical specifications for refuelling points and bunkering for renewable methanol for maritime methanol-fuelled vessels. 6.2. Technical specifications for refuelling points and bunkering for renewable methanol for inland navigation methanol-fuelled vessels. 7. Technical specifications for ammonia bunkering for maritime transport and inland navigation	

Input of the Netherlands on REV1 (excluding the articles 9, 10 and 11)

Art	Par.	Art	Remarks and justification
		7.1. Technical specifications for refuelling points and bunkering for renewable ammonia for maritime ammonia-fuelled vessels. 7.2. Technical specifications for refuelling points and bunkering for renewable ammonia for inland navigation ammonia-fuelled vessels. 8. Technical specifications for natural gas refuelling points 8.1. Refuelling points for compressed natural gas (CNG) for motor vehicles shall comply with Commission Delegated Regulation (EU) 2019/1745. 8.2. CNG connectors/receptacles shall comply with UNECE Regulation No 110 (referring to ISO 14469:2017). 8.3. Refuelling points for LNG for motor vehicles shall comply with Commission Delegated Regulation (EU) 2019/1745. 8.4. Refuelling points for LNG for inland waterway vessels or sea-going ships shall comply with Commission Delegated Regulation (EU) 2019/1745. 9. Technical specifications related to fuel labelling 9.1. The 'Fuels - Identification of vehicle compatibility - Graphical expression for consumer information' label shall comply with standard EN 16942:2016+A1:2021. 9.2. The 'Identification of vehicles and infrastructures compatibility - Graphical expression for consumer information on EV power supply' shall comply with standard EN 17186:**2019.** 9.3. The common methodology for alternative fuels unit price comparison set out by Commission Implementing Regulation (EU) 2018/732.	