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Proposal for a

**DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**  
**on the deployment of alternative fuels infrastructure**

(Text with EEA relevance)

{SWD(2013) 5 final}  
{SWD(2013) 6 final}

## **EXPLANATORY MEMORANDUM**

### **1. CONTEXT AND OBJECTIVES OF THE PROPOSAL**

The Europe 2020 strategy<sup>1</sup> for a smart, sustainable and inclusive growth, in its Flagship Initiatives “Resource efficient Europe” and “Innovation Union”, aims at tackling the social challenges like climate change, energy and resources scarcity, at enhancing competitiveness and meeting the energy security by more efficient use of resources and energy. In line with this strategy, the White Paper “Roadmap to a Single European Transport Area – Towards a Competitive and Resource Efficient Transport System”<sup>2</sup> called for breaking the oil dependence of transport and set a target of 60% greenhouse gas emissions reduction from transport by 2050. It announces that the Commission will develop “*a sustainable alternative fuels strategy including also the appropriate infrastructure*” (Initiative 24) and issue “*guidelines and standards for refuelling infrastructures*” (Initiative 26).

The Commission Communication on a European alternative fuels strategy<sup>3</sup> evaluates the main alternative fuel options available to substitute oil whilst contributing to reduce greenhouse gas (GHG) emissions from transport, and suggests a comprehensive list of measures to promote the market development of alternative fuels in Europe, complementing other policies for reducing oil consumption and GHG emissions from transport.

The main alternative fuel options are electricity, hydrogen, biofuels, natural gas (in the forms of Compressed Natural Gas (CNG), Liquefied Natural Gas (LNG), or Gas-To-Liquid (GTL)), and Liquefied Petroleum Gas (LPG).

Lack of alternative fuel infrastructure and of the common technical specifications for the vehicle-infrastructure interface is considered a major obstacle to the market introduction of alternative fuels and consumer acceptance.

This proposal for a Directive aims at ensuring the build-up of alternative fuel infrastructure and the implementation of common technical specifications for this infrastructure in the Union. Its objective is to facilitate the work of market forces and contribute with this initiative to economic growth in Europe.

### **2. CONSULTATION OF INTERESTED PARTIES AND IMPACT ASSESSMENT**

The Commission carried out extensive preparatory work and consultations with industry and civil society through the European Expert Group on Future Transport Fuels in 2010-2011 and a targeted consultation in November-December 2011, experts from the Member States through the Joint Expert Group Transport & Environment in 2011, automotive experts from Member States, industry and civil society in the CARS 21 High Level Group in 2010-2012, and the general public through an on-line public consultation between August and October 2011 as well as a conference on “Future Transport Fuels” in the frame of the 2011 “European Union Sustainable Energy Week”.

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<sup>1</sup> COM(2010) 2020 final.

<sup>2</sup> COM(2011) 144 final.

<sup>3</sup> COM(2013) 17.

The reports prepared by the two Expert Groups and the CARS 21 High Level Group, summaries of the public conference, and of the contributions received in the public and targeted stakeholder consultations have been published on the Commission website<sup>4</sup>.

Various studies have been undertaken. The “Study on Clean Transport Systems” explored possible contributions of alternative fuels to achieve the 60% greenhouse gas emissions reduction target of the White Paper on Transport. The “CTS Implementation Study on Alternative Fuels Infrastructure” assessed different options to develop an EU-wide alternative fuels infrastructure<sup>5</sup>. The “EU Transport GHG: Routes to 2050” study<sup>6</sup> specifically addressed decarbonisation issues of relevance to this initiative and its findings underlined the critical role that continued technical vehicle efficiency improvements must play in parallel to alternative fuels to ensure cost-effectiveness of the overall policy package.

The Impact Assessment, which is presented together with this proposal, investigated the situation with infrastructure for the main alternative fuel options. It assessed different policy options for the necessary build-up of alternative fuel infrastructure and the implementation of common technical specifications.

### **3. LEGAL ELEMENTS OF THE PROPOSAL**

This proposal for a Directive sets out requirements on establishing national policy frameworks for the market development of alternative fuels and on a minimum infrastructure build-up for alternative fuels, including the implementation of common technical specifications.

Minimum infrastructure coverage is proposed to be mandatory for electricity, hydrogen, and natural gas (CNG and LNG), which is key for acceptance for these alternative fuels by the consumers (market uptake) and further development and deployment of the technology by industry.

This proposal requires establishing a minimum number of recharging points for electric vehicles by each Member State, with 10% of them being publicly accessible. It defines minimum numbers per Member States, based on the national targets for electric vehicles already set in many Member States, and an extrapolation to the total number to be expected for the whole Union. A larger number of electric vehicles can be expected in Member States with a higher rate of urbanisation, as electric vehicles will be deployed predominantly in urban agglomerations, due to range limitations, and the large beneficial impact on reducing pollutant emissions and noise. Electric vehicles further need to have at least two recharging points per vehicles available for full recharging, and a certain number of publicly accessible recharging points for intermittent topping-up recharging to overcome range anxiety.

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<sup>4</sup> <http://ec.europa.eu/transport/urban/cts/doc/2011-01-25-future-transport-fuels-report.pdf>;  
<http://ec.europa.eu/transport/urban/cts/doc/2011-12-2nd-future-transport-fuels-report.pdf>;  
[http://ec.europa.eu/transport/urban/cts/doc/jeg\\_cts\\_report\\_201105.pdf](http://ec.europa.eu/transport/urban/cts/doc/jeg_cts_report_201105.pdf);  
[http://ec.europa.eu/enterprise/sectors/automotive/files/cars-21-final-report-2012\\_en.pdf](http://ec.europa.eu/enterprise/sectors/automotive/files/cars-21-final-report-2012_en.pdf)  
[http://ec.europa.eu/transport/urban/events/2011\\_04\\_13\\_future\\_transport\\_fuels\\_en.htm](http://ec.europa.eu/transport/urban/events/2011_04_13_future_transport_fuels_en.htm);  
<http://ec.europa.eu/transport/urban/consultations/doc/cts/report-on-results.pdf>;  
<http://ec.europa.eu/transport/urban/studies/doc/2012-08-cts-implementation-study.pdf>

<sup>5</sup> [http://ec.europa.eu/transport/urban/studies/urban\\_en.htm](http://ec.europa.eu/transport/urban/studies/urban_en.htm);

<sup>6</sup> [www.eutransportghg2050.eu](http://www.eutransportghg2050.eu)

The implementation of common technical specifications is required for the interfaces between recharging points and vehicles, and also for shore-side electricity supply to waterborne vessels.

Existing hydrogen refuelling points, built up so far in the frame of hydrogen vehicle demonstration projects, shall be complemented to allow area covering circulation of hydrogen vehicles within the national territory. This would allow hydrogen vehicles to circulate Union-wide. This can serve as the basis for a possible later build-up of a Europe-wide network. Implementation of common technical specifications is required for the hydrogen refuelling points.

LNG refuelling points shall be built in all maritime and inland waterway ports, and along motorways within maximum distances, of the Trans-European Transport (TEN-T) Core Network. Implementation of common technical specifications is required for the LNG refuelling points, and also for CNG refuelling points for motor vehicles.

CNG refuelling points shall be built up to the extent required to allow circulation of CNG vehicles Union-wide.

Clear and simple information on the compatibility between the fuels and the vehicles existing in the market is required for the sake of consumer information to be placed at the pumps in all refuelling points, in vehicle manuals, and on the vehicles.

Revisions of the portfolio of alternative fuels, the infrastructure coverage and adoption of technical specifications for the fuels and their infrastructure shall be enabled through delegated acts.

Definition of the means of consumer information on fuels and their compatibility with vehicles shall be enabled through implementing acts.

All essential elements required for the transposition of this Directive are included in the Articles, annexes, and recitals of this proposal. Explanatory documents are therefore not needed.

### **3.1. Legal basis – Form of the legal act**

This proposal for a Directive aims at contributing to sustainable transport on the long term through support for the build-up of alternative fuel infrastructure. This action is based on Article 91 lit d) of the Treaty on the Functioning of the European Union. Quantified obligations set in this proposal ensure a predictable framework for industry and customers. Member States are required to put into place national policy frameworks, for which a minimum set of elements is given in this proposal for the Directive. But the Member States keep the choice of the transposition methods to achieve the objectives set out. Flexibility in the transposition of the Directive allows Member States to use the instruments they consider most cost-efficient in attaining the targets defined by the Directive.

### **3.2 Content of the proposal**

Article 1 defines the scope of the Directive, requiring the implementation of common technical specifications and the build-up of minimum infrastructure for electricity, natural gas (LNG and CNG) and hydrogen as alternative fuels for transport.

Article 2 contains the definitions of terms for the purpose of this Directive.

Article 3 requires Member States to establish national policy frameworks for the market development of alternative fuels and their infrastructure. It contains also

provisions on cooperation between Member States and provisions on the reporting obligation to the Commission and the subsequent evaluation of those national policy frameworks by the Commission.

Article 4 sets requirements on a minimum number of electric vehicle recharging points by each Member State and common technical specifications to be met by this infrastructure.

Article 5 requires that on the territory of Member States where hydrogen refuelling points already exist, a sufficient number of hydrogen refuelling points are provided to allow the circulation of hydrogen vehicles within the entire national territory. It also defines common technical specifications to be met by this infrastructure.

Article 6 requires that all maritime and inland ports and roads of the TEN-T Core Network are equipped with LNG refuelling points, and defines common technical specifications to be met by this infrastructure. It also requires providing a sufficient number of CNG refuelling points, within maximum distances, to allow Union-wide circulation of CNG vehicles and defines common technical specifications to be met by CNG refuelling points

Article 7 defines common elements of consumer information on fuels and compatibility with vehicles to be made available at the pump in the refuelling points, in vehicle manuals, and on the vehicles.

Articles 8 specifies the procedure for delegated acts.

Article 9 specifies the Committee procedure for implementing acts.

Article 10 outlines schedule and content of reports from the Member States and from the Commission.

Article 11 defines the time limit for the transposition of this Directive and the notification procedure of the national transposition measures.

Article 12 specifies the date of entry into force of this Directive.

Annex I defines the minimum number of elements to be contained in the national policy frameworks.

Annex II sets the minimum number of electric vehicle recharging points to be established in each Member State.

Annex III defines the technical specifications for electric vehicle recharging points, shore-side electricity supply for ships, hydrogen refuelling points, natural gas (LNG and CNG) refuelling points, and the fuel standards to be used for the consumer information to be provided on transport fuels.

### **Subsidiarity Principle**

The right for the Union to act in the field of transport is set out in Articles 90 and 91 of the TFEU, in Title VI on the Common Transport Policy.

A Union initiative in this field is necessary since Member States do not have the necessary legal instruments to achieve pan-European coordination in terms of build-up and technical specifications of infrastructure for the alternative fuels.

The value added by European action in this field derives from the trans-national nature of the identified problem of a lack of alternative fuel infrastructure. Vehicle, vessel, and equipment manufacturers need to produce on a large scale for a single Union market. They also need to be able to rely on consistent developments across

Member States. Similarly, consumers and transport users expect pan-European mobility for alternative fuel vehicles and vessels. European action can provide the requested coordination at the level of the entire Union market and the implementation of common technical specifications EU-wide.

#### **Proportionality Principle**

To comply with the principle of proportionality, the proposed action only addresses the alternative fuels of electricity, hydrogen, and natural gas (LNG and CNG) for which market failures require public intervention, and two modes of transport (by road and waterborne) for which the development of a minimum necessary network cannot be achieved without Union support. These sectors represent more than 80% of freight and passenger transport volumes. In these sectors, the use of alternative fuels is essential for breaking the oil dependence, improving the competitiveness of Europe, and reducing greenhouse gas and pollutant emissions.

#### **4. BUDGETARY IMPLICATION**

Only limited costs related to the follow-up on the implementation of the Directive will arise for the EU budget.

Proposal for a

**DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**on the deployment of alternative fuels infrastructure**

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the European Commission<sup>7</sup>,

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

Having regard to the opinion of the European Economic and Social Committee<sup>8</sup>,

Having regard to the opinion of the Committee of the Regions<sup>9</sup>,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) In its Communication "Europe 2020: A strategy for smart, sustainable and inclusive growth"<sup>10</sup> the Commission aims at enhancing competitiveness and energy security by more efficient use of resources and energy.
- (2) The White Paper "Roadmap to a Single European Transport Area – Towards a Competitive and Resource Efficient Transport System"<sup>11</sup> called for breaking the oil dependence of transport. In consequence the Commission undertook to develop a sustainable alternative fuels strategy as well as the appropriate infrastructure. The White Paper also set a target of 60% greenhouse gas (GHG) emissions reduction from transport by 2050.
- (3) Directive 2009/28/EC of the European Parliament and of the Council of 23/04/2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC<sup>12</sup> set a target of 10% market share of renewables in transport fuels.
- (4) Based on the consultation of stakeholders and national experts, as well as expertise<sup>13</sup> electricity, hydrogen, biofuels, natural gas, and liquefied petroleum gas (LPG) were identified as the main alternative fuels with a potential for long-term oil substitution and decarbonisation.

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<sup>7</sup> OJ C , , p. .

<sup>8</sup> OJ C , , p. .

<sup>9</sup> OJ C , , p. .

<sup>10</sup> COM (2010) 2020.

<sup>11</sup> COM(2011) 144.

<sup>12</sup> OJ L 140, 5.6.2009, p. 16.

<sup>13</sup> COM(2013) 17

- (5) The CARS 21 High Level Group report of 6 June 2012<sup>14</sup> states that the lack of a Union-wide harmonised alternative fuel infrastructure hampers the market introduction of vehicles using alternative fuels and delays their environmental benefits. The Commission Communication on a CARS 2020 Action Plan for the automotive industry in Europe takes up the main recommendations of CARS 21 High Level Group report and presents an Action Plan based on them<sup>15</sup>. This Directive on alternative fuels infrastructure is one of the key actions announced by the Commission.
- (6) Fragmentation of the internal market through uncoordinated market introduction of alternative fuels should be avoided. Coordinated policy frameworks of all Member States should therefore provide the long-term security required for private and public investment into vehicle and fuel technology, and infrastructure build-up. Member States should therefore establish national policy frameworks outlining their objectives, targets, and supporting actions on the market development of alternative fuels, including the necessary infrastructure to be put into place. Member States should cooperate with other neighbouring Member States on the regional or macro-regional level, through consultation or joint policy frameworks, in particular where continuity of alternative fuel infrastructure coverage across national borders or construction of new infrastructure in the proximity of national borders is required. A coordination of these national policy frameworks and their coherence at EU level should be ensured by the Commission, following a periodic evaluation thereof.
- (7) Only fuels included in the national policy frameworks should be eligible for Union and national support measures for alternative fuels infrastructure in order to focus public support on a co-ordinated internal market development towards Union-wide mobility using alternative fuels vehicles and vessels.
- (8) Support measures for alternative fuels infrastructure shall be implemented in compliance with the State aid rules contained in TFEU.
- (9) Biofuels are fuels produced from biomass, as defined in the Directive 2009/28/EC<sup>16</sup>. Biofuels are currently the most important type of alternative fuels, accounting for 4.4% in EU transport. They can contribute to a substantial reduction in overall CO<sub>2</sub> emissions, if they are produced sustainably and do not cause indirect lands use change. They could provide clean power to all modes of transport. However, supply constraints and sustainability considerations may limit their use.
- (10) The lack of harmonised development of alternative fuels infrastructure across the Union prevents the development of economies of scale on the supply side and EU-wide mobility on the demand side. New infrastructure networks need to be built up, in particular for electricity, hydrogen, and natural gas (LNG and CNG).
- (11) Electricity is a clean fuel particularly attractive for deployment of electric vehicles and electric two-wheelers in urban agglomerations which can contribute to improving air quality and reducing noise. Member States should ensure that recharging points for electric vehicles are built up with sufficient coverage, at least twice the number of vehicles, and 10% of them publicly accessible, focussing in particular on urban agglomerations. Private owners of electric vehicles depend to a

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<sup>14</sup> [http://ec.europa.eu/enterprise/sectors/automotive/files/cars-21-final-report-2012\\_en.pdf](http://ec.europa.eu/enterprise/sectors/automotive/files/cars-21-final-report-2012_en.pdf).

<sup>15</sup> COM (2012) 636 final 8.11.2012

<sup>16</sup> OK L140, 5.6.2009, p.16

large extent on access to recharging points in collective parking lots, such as in apartment blocks, office and business locations. Regulatory provisions should be set up by public authorities, assisting citizens by ensuring that the appropriate infrastructure with sufficient electric vehicle recharging points is provided by the site developers and managers.

- (12) When developing infrastructure for electric vehicles the interaction of that infrastructure with the electricity system, as well as the electricity policy of the Union, needs to be taken into account. The establishment and operation of recharging points for electric vehicles should be developed as a competitive market with open access to all parties interested in rolling out or operating recharging infrastructures.
- (13) Electric vehicles could contribute to the stability of the electricity system by recharging their batteries from the grid at times of low general electricity demand and feeding power from the batteries back into the grid at times of high general electricity demand. Therefore recharging points should use intelligent metering systems, and the price for electricity at a recharging point should be market based, so that flexible consumption (and storage) of electricity is promoted through dynamic pricing.
- (14) With respect to recharging points for electric vehicles which are not publicly accessible, Member States should ensure consistency and aim to maximise synergies with intelligent meter roll-out plans following the obligation under Annex I.2 of Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC<sup>17</sup>. Publicly accessible recharging points are currently not part of the regulated activities of a distribution system operator as defined in Chapter VI of Directive 2009/72/EC.
- (15) The Commission delivered in 2010 a Mandate (M468) to the European Standardisation Organisations (ESOs) in order to issue new standards or review the existing ones with the aim of ensuring the interoperability and connectivity between the electricity supply point and the charger of electric vehicles. CEN/CENELEC set up a Focus Group which published a report in October 2011. Whereas the report contains a number of recommendations, no consensus was found to select one standard interface. Therefore, further policy action is needed in order to provide a non-proprietary solution ensuring interoperability across the EU.
- (16) Shore-side electricity facilities can serve maritime and inland waterway transport as clean power supply, in particular in maritime and inland navigation ports where air quality or noise levels are poor.
- (17) Hydrogen vehicles, including hydrogen powered two-wheelers, have at present very low market penetration rates but a build-up of sufficient hydrogen refuelling infrastructure is essential to enable larger-scale hydrogen vehicle deployment.
- (18) Member States should ensure that publicly accessible infrastructure for the supply of hydrogen to motor vehicles is built up, with distances between refuelling points for motor vehicles allowing area covering circulation of hydrogen vehicles within the national territory, as well as a certain number of refuelling points located in urban agglomerations. This would allow hydrogen vehicles to circulate Union-wide.

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<sup>17</sup> OJ L 211, 14.8.2009, p. 55.

- (19) As far as natural gas vehicles are concerned, around 3,000 refuelling points are in operation in the Union. Additional refuelling points could easily be put in place and supplied from the existing well developed area covering natural gas distribution network in the Union, provided that the quality of the gas is sufficient for use in current and advanced technology gas vehicles.
- (20) Member States should ensure that publicly accessible infrastructure for the supply of gaseous Compressed Natural Gas (CNG) to motor vehicles is built up, with distances between refuelling points allowing area covering circulation of CNG vehicles across the Union, as well as a certain number of refuelling points located in urban agglomerations.
- (21) Liquefied Natural Gas (LNG) is an attractive fuel alternative for vessels to meet the requirements for decreasing the sulphur content in maritime fuels in the Sulphur Emission Control Areas, affecting half of the ships sailing in European Short Sea Shipping, as provided for by Directive 2012/33/EU of the European Parliament and of the Council of 21 November 2012 amending Council Directive 1999/32/EC as regards the sulphur content of marine fuels<sup>18</sup>. A core network of LNG refuelling points for maritime and inland waterway vessels should be available at least by the end of 2020. The initial focus on the core network should not rule out that in the longer perspective LNG is also made available at ports outside the core network, in particular those ports that are important for vessels not engaged in transport operations (fishing vessels, offshore service vessels etc.).
- (22) LNG might also offer a cost-efficient technology for heavy duty vehicles to meet the stringent pollutant emission limits of Euro VI standards<sup>19</sup>.
- (23) The core network established in the Regulation of the European Parliament and of the Council on Union guidelines for the development of the trans-European transport network<sup>20</sup> should be the basis for the deployment of LNG infrastructure as it covers the main traffic flows and allows for network benefits.
- (24) With the increasing diversity in the type of fuels for motorized vehicles coupled with on-going growth in the road mobility of citizens across the Union, it is necessary to provide the consumers with a clear and easy to understand information on the compatibility of their vehicle with different fuels offered in the transport fuels market of the Union, without prejudice to Directive 2009/30/EC of the European Parliament and of the Council of 23 April 2009 amending Directive 98/70/EC as regards the specification of petrol, diesel and gas-oil and introducing a mechanism to monitor and reduce greenhouse gas emissions and amending Council Directive 1999/32/EC as regards the specification of fuel used by inland waterway vessels and repealing Directive 93/12/EEC<sup>21</sup>.
- (25) In order to ensure adaptation of the provisions of this Directive to market development and technical progress, the power to adopt acts in accordance with

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<sup>18</sup> OJ L 327 of 27 Nov 2012

<sup>19</sup> Regulation (EC) N° 595/2009 of the European parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and on access to vehicle repair and maintenance information and amending Regulation (EC) N° 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC, OJ L 188, 18.7.2009, p. 1-13.

<sup>20</sup> **OJ Lxxx**

<sup>21</sup> OJ L 140, 5.6.2009, p. 88.

Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the portfolio of alternative fuels, the infrastructure characteristics and the adequate coverage as well as the standards for the fuels. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level.

- (26) Technical specifications for interoperability of recharging and refuelling points should be specified in European standards which are fully compatible with relevant international standards. Lack of European standards prevents giving detailed references to some required specifications. Thus the Commission should ask European standardisation organisations to publish such European standards in accordance with Article 10 of Regulation (EU) No 1025/2012 of the European Parliament and of the Council on European Standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Decision 87/95/EEC and Decision No 1673/2006/EC<sup>22</sup>, and those standards should be based on current international standards or on-going international standardisation work, where applicable. Where international standards are already available, technical specifications contained in them should be used as an intermediate solution, pending the adoption of European standards. For standards not yet published, the work will be based on: (i) "Configuration FF, IEC 62196-3:CDV 2012" for fast DC electric recharging points for motor vehicles, (ii) ISO TC67/WG10 for LNG refuelling points for waterborne vessels iii) the work of ISO/TC 252 for CNG and L-CNG refuelling for motor vehicles. The Commission should be empowered to adapt the references to technical specifications given in European standards through delegated acts.
- (27) In the application of the Directive the Commission should consult relevant expert groups, such as the European Expert Group on Future Transport Fuels, consisting of experts from industry and civil society, as well as the Joint Expert Group Transport & Environment regrouping experts from the Member States.
- (28) The Commission, when preparing and drawing-up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and the Council.
- (29) In order to ensure uniform conditions for the implementation of this Directive, implementing powers should be conferred on the Commission to lay down common procedures and specifications. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers<sup>23</sup>.
- (30) Since the objective of promoting a broad market development of alternative fuels cannot be sufficiently achieved by the Member States individually, but requires action at Union level in order to ensure the demand for a critical mass of these vehicles for cost-efficient developments by European industry and allow Union-wide mobility of alternatively fuelled vehicles, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on

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<sup>22</sup> OJ L 316, 14.11.2012, p. 12

<sup>23</sup> OJ L 55, 28.2.2011, p. 13.

the European Union. In accordance with the principle of proportionality as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.

HAVE ADOPTED THIS DIRECTIVE:

*Article 1*  
*Subject matter*

This Directive establishes a common framework of measures for the deployment of alternative fuels infrastructure in the Union in order to break the oil dependence of transport and sets out minimum requirements on alternative fuels infrastructure build-up and common technical specifications, including recharging points for electric vehicles and refuelling points for natural gas (LNG and CNG) and hydrogen.

*Article 2*  
*Definitions*

For the purpose of this Directive, the following definitions shall apply :

(1) 'Alternative fuels' mean fuels which substitute fossil oil sources in the energy supply to transport and which have a potential to contribute to its decarbonisation. They include:

- electricity,
- hydrogen,
- biofuels as defined in Directive 2009/28/EC of the European Parliament and the Council,
- synthetic fuels,
- natural gas, including biomethane, in gaseous form (Compressed Natural Gas – CNG) and liquefied form (Liquefied Natural Gas - LNG), and
- Liquefied Petroleum Gas (LPG).

(2) "Recharging point" means a slow recharging point or a fast recharging point or an installation for the physical exchange of a battery of an electric vehicle.

(3) "Slow recharging point" means a recharging point that allows for a direct supply of electricity to an electric vehicle with a power of less than or equal to 22 kW.

(4) "Fast recharging point" means a recharging point that allows for a direct supply of electricity to an electric vehicle with a power of more than 22 kW.

(5) "Publicly accessible recharging or refuelling point" means a recharging or refuelling point which provides non-discriminatory access to the users

(6) "Electric vehicle" means a vehicle within the meaning of Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles<sup>24</sup>, with a maximum design speed exceeding 25 km/h, equipped with one or more traction motor(s) operated by electric power and not permanently connected to the grid, as well as their high voltage components and systems which are galvanically connected to the high voltage bus of the electric power train.

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<sup>24</sup> OJ L 263, 9.10.2007, p. 1.

(7) "refuelling point" means a provision of any fuel with an exception of LNG, through a physically established pump.

(8) "refuelling point for LNG" means a provision of LNG, either through a physically established pump connected to fixed or mobile installations (including vehicles and vessels) or through a movable LNG container.

### *Article 3*

#### *National policy frameworks*

1. Each Member State shall adopt a national policy framework for the market development of alternative fuels and their infrastructure, that will include information listed in Annex I, and contain at least the following elements:
  - assessment of the state and future development of alternative fuels;
  - assessment of the trans-border continuity of the infrastructure coverage for alternative fuels;
  - the regulatory framework to support the build-up of alternative fuels infrastructure;
  - policy measures to support the implementation of the national policy framework;
  - deployment and manufacturing support measures;
  - research, technological development and demonstration support;
  - targets for the deployment of alternative fuels;
  - number of alternative fuel vehicles expected by 2020;
  - assessment of the need for LNG refuelling points in ports outside the TEN-T core network that are important for vessels not engaged in transport operations, in particular fishing vessels;
  - where appropriate, cooperation arrangements with other Member States according to the second paragraph.
2. Member States shall cooperate, through consultations or joint policy frameworks, to ensure that the measures required to achieve the objectives of this Directive are coherent and coordinated.
3. Only fuels included in the national policy frameworks shall be eligible for Union and national support measures for alternative fuels infrastructure.
4. Support measures for alternative fuels infrastructure shall be implemented in compliance with the State aid rules contained in TFEU.
5. Member States shall notify their national policy frameworks to the Commission [within 18 months from the date of entry into force of this Directive].
6. The Commission shall evaluate the national policy frameworks and ensure that there is coherence at EU level. It shall forward to the European Parliament the report on the evaluation on the national policy frameworks within one year from the reception of the national policy frameworks.

7. The Commission shall be empowered to adopt delegated acts in accordance with Article 8 to modify the list of elements provided for in paragraph 1 and information set out in Annex I.

*Article 4*  
*Electricity supply for transport*

1. Member States shall ensure that a minimum number of recharging points for electric vehicles are put into place, at least the number given in the table in Annex II, by 31 December 2020 at the latest.
2. At least 10% of the recharging points shall be publicly accessible.
3. Slow recharging points for electric vehicles shall comply with the technical specifications set out in Annex III.1.1. by 31 December 2015 at the latest.  
Fast recharging points for electric vehicles shall comply with the technical specifications set out in Annex III.1.2. by 31 December 2017 at the latest.  
Member States shall ensure that the equipment for slow and fast recharging points as set out in Annex III.1.1 and Annex III.1.2 shall be available on fair, reasonable and non-discriminatory terms.
4. Member States shall ensure that shore side electricity supply for waterborne vessels is installed in ports provided that it is cost-effective and has environmental benefits.
5. Shore-side electricity supply for maritime and inland waterway transport shall comply with the technical specifications set out in Annex III.1.3 by 31 December 2015 at the latest.
6. All publicly accessible recharging points for electric vehicles shall be equipped with intelligent metering systems as defined in Article 2(28) of Directive 2012/27/EU and respect the requirements laid down in Article 9(2) of that Directive.
7. Annex I.1 (h) and the last subparagraph of Annex I.2 of Directive 2009/72/EC shall apply to the consumption data and the metering system of the recharging point for electric vehicles.
8. Member States shall not prohibit electric vehicle users from buying electricity from any electricity supplier regardless of the Member State in which the supplier is registered. Member States shall ensure that consumers have the right to contract electricity simultaneously with several suppliers so that electricity supply for an electric vehicle can be contracted separately.
9. Member States shall ensure that any person can establish or operate publicly accessible recharging points and that distribution system operators cooperate on a non-discriminatory basis with any such person.
10. Member States shall ensure that prices charged at publicly accessible recharging points are reasonable and do not include any penalty or prohibitive fees for recharging an electric vehicle by the user not having contractual relations with the operator of the recharging point.
11. The Commission shall be empowered to adopt delegated acts in accordance with Article 8 concerning the updating of the technical specifications set out in Annex III.1.1, Annex III.1.2 and Annex III.1.3.

*Article 5*  
*Hydrogen supply for transport*

1. Member States on the territory of which exist already at the day of the entry into force of this Directive hydrogen refuelling points shall ensure that a sufficient number of publicly accessible refuelling points are available, with distances not exceeding 300 km, to allow the circulation of hydrogen vehicles within the entire national territory by 31 December 2020 at the latest.
2. All hydrogen refuelling points for motor vehicles shall be compliant with the technical specifications, set out in Annex III.2 by 31 December 2015 at the latest.
3. The Commission shall be empowered to adopt delegated acts in accordance with Article 8 concerning the updating of the technical specifications set out in Annex III.2.

*Article 6*  
*Natural gas supply for transport*

1. Member States shall ensure that publicly accessible LNG refuelling points for maritime and inland waterway transport are provided in all maritime ports of the Trans-European Transport (TEN-T) Core Network by 31 December 2020 at the latest.
2. Member States shall ensure that publicly accessible LNG refuelling points for inland waterway transport are provided in all inland ports of the TEN-T Core Network, by 31 December 2025 at the latest.
3. Member States shall cooperate to ensure that heavy duty motor vehicles running on LNG can travel all along the roads on the TEN-T Core Network. For this purposes, publicly accessible refuelling points for LNG shall be established within distances not exceeding 400 km by 31 December 2020 at the latest.
4. All LNG refuelling points for maritime and inland waterway transport shall comply with the technical specifications set out in Annex III.3.1 by 31 December 2015 at the latest.
5. All publicly accessible LNG refuelling points for motor vehicles shall comply with the technical specifications set out in Annex III.3.2 by 31 December 2015 at the latest.
6. Member States shall ensure that a sufficient number of publicly accessible refuelling points are available, with maximum distances of 150 km, to allow the circulation of CNG vehicles Union-wide by 31 December 2020 at the latest.
7. All CNG refuelling points for motor vehicles shall comply with the technical specifications set out in Annex III.3.3, no later than by 31 December 2015.
8. All CNG refuelling points for motor vehicles shall provide gas at a quality that is required for use in current and advanced technology CNG vehicles.
9. The Commission shall be empowered to adopt delegated acts in accordance with Article 8 concerning the updating of the technical specifications set out in Annex III.3.1, Annex III.3.2 and Annex III.3.3.
10. The Commission shall adopt implementing acts regarding:
  - safety regulations with respect to storage, transport and refuelling process of LNG;

- technical specifications for interoperability between ships and boats and refuelling points for LNG in maritime and inland waterway transport.

Those implementing acts shall be adopted in accordance with the procedure referred to in Article 9.

#### *Article 7*

##### *Consumer information for transport fuels*

1. Without prejudice to Directive 2009/30/EC, Member States shall ensure that relevant, clear and simple information on the compatibility between all fuels on the market and vehicles is available:
  - (a) at the pumps in all refuelling points, at vehicle dealerships and at technical control facilities in their territory;
  - (b) in vehicle manuals;
  - (c) on the vehicle. This requirement shall apply to all new vehicles sold on the territory of the Member States from [the date of the transposition of this Directive], and for all other vehicles registered on the territory of the Member States from the date of the first technical control of the vehicles following [the date of the transposition of this Directive].
2. The information about compatibility of fuels referred to in paragraph 1, shall be based, where available and suitable for reaching the objectives of the Directive, on the fuel labelling standards under the European Norm (EN) schemes, as listed in Annex III.4, and a graphical expression of those standards shall be implemented.
3. The same graphical expression mentioned in paragraph 2 shall be used for meeting the requirements set out in paragraph 1.
4. The Commission may adopt implementing acts, defining the specific location of the compatibility information on the vehicle and its graphical expression to ensure its harmonisation across the Union. Where EN schemes that include fuel labelling standards are not available or suitable for reaching the objectives of the Directive, the Commission may adopt implementing acts, determining the parameters of fuel labelling for fuels introduced in the Union market and reaching the level of 1% of the total volume of sales, in the assessment of the Commission, in more than one Member State.
6. The implementing acts referred to in the present Article shall be adopted in accordance with the procedure referred to in Article 9.

#### *Article 8*

##### *Exercise of the delegation*

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The delegation of power referred to in Articles 3, 4, 5, and 6 shall be conferred on the Commission for an indeterminate period of time.
3. The delegation of power referred in Articles 3, 4, 5, and 6 may be revoked at any time by the European Parliament or by the Council. A decision of revocation 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.

4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
5. A delegated act adopted pursuant to Articles 3, 4, 5, and 6 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.

#### *Article 9 Committee*

1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.
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.

#### *Article 10 Reporting and review*

1. Each Member State shall submit a report to the Commission on the national policy framework and its implementation by [two years after the entry into force of this Directive], and every 2 years thereafter. These reports shall include information set out in Annex I.
2. The Commission shall submit a report on the application of this Directive to the European Parliament and the Council every two years with effect from [two years after the transposition date of this Directive].

The Commission report shall contain the following elements:

- the assessment of the actions taken by each Member State;
- the assessment of the effects of this Directive on the market development of alternative fuels and the impact on economy and environment;
- information on technical progress and market development of the alternative fuels covered by this Directive and of any other alternative fuel.

The Commission may suggest any appropriate measures.

The Commission report shall assess the requirements and the dates set out in this Directive in respect to the infrastructure build-up and implementation of specifications, taking into account the technical, economic and market developments of the respective alternative fuels, accompanied if appropriate by a legislative proposal.

*Article 11*  
*Transposition*

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [18 months from the date of the entry into force of this Directive]. They shall forthwith inform the Commission thereof.
2. When Member States adopt those provisions, they shall contain a reference to this Directive, or be accompanied by such a reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.
3. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

*Article 12*  
*Entry into force*

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

*Article 13*  
*Addressees*

This Directive is addressed to the Member States.

Done at Brussels,

*For the European Parliament*  
*The President*

*For the Council*  
*The President*

## **ANNEX I**

### **National policy frameworks**

The National Policy Framework shall contain at least the following elements:

#### **1. A regulatory framework**

A regulatory framework shall consist of measures to support the build up of alternative fuels infrastructure, such as building permits, parking lots permits, environmental performance of businesses certification, fuel stations concessions.

#### **2. Policy measures supporting the implementation of the national policy framework**

These measures shall include at least the following elements :

- Direct incentives for purchase of alternative fuels means of transport or building of the infrastructure;
- Possibility of tax incentives to promote alternative fuels means of transport and infrastructure;
- Use of public procurement in support of alternative fuels, including joint procurement;
- Demand side non-financial incentives: e.g. preferential access to restricted areas, parking policy, dedicated lanes;

#### **3. Deployment and manufacturing support**

Yearly public budget allocated for alternative fuels infrastructure deployment, differentiated by fuel and transport mode (road, rail, water and air).

Yearly public budget allocated to support manufacturing plants for alternative fuels technologies, differentiated by fuel and transport mode.

#### **4. Research, technological development and demonstration:**

Yearly public budget allocated to support alternative fuels RTD&D, differentiated by fuel and transport mode.

#### **5. Targets**

- 2020 national targets for the deployment of alternative fuels in the different transport modes (road, rail, water and air) and for the relevant infrastructure
- national targets, established year by year, for the deployment of alternative fuels in the different transport modes and for the relevant infrastructure in order to achieve 2020 national targets.

## **ANNEX II**

### **Minimum number of electric vehicle recharging points in each Member State**

| <b>Member State</b> | <b>Number of recharging points (in thousands)</b> | <b>Number of publicly accessible recharging points (in thousands)</b> |
|---------------------|---------------------------------------------------|-----------------------------------------------------------------------|
| <b>BE</b>           | <b>207</b>                                        | <b>21</b>                                                             |
| <b>BG</b>           | <b>69</b>                                         | <b>7</b>                                                              |
| <b>CZ</b>           | <b>129</b>                                        | <b>13</b>                                                             |
| <b>DK</b>           | <b>54</b>                                         | <b>5</b>                                                              |
| <b>DE</b>           | <b>1503</b>                                       | <b>150</b>                                                            |
| <b>EE</b>           | <b>12</b>                                         | <b>1</b>                                                              |
| <b>IE</b>           | <b>22</b>                                         | <b>2</b>                                                              |
| <b>EL</b>           | <b>128</b>                                        | <b>13</b>                                                             |
| <b>ES</b>           | <b>824</b>                                        | <b>82</b>                                                             |
| <b>FR</b>           | <b>969</b>                                        | <b>97</b>                                                             |
| <b>IT</b>           | <b>1255</b>                                       | <b>125</b>                                                            |
| <b>CY</b>           | <b>20</b>                                         | <b>2</b>                                                              |
| <b>LV</b>           | <b>17</b>                                         | <b>2</b>                                                              |
| <b>LT</b>           | <b>41</b>                                         | <b>4</b>                                                              |
| <b>LU</b>           | <b>14</b>                                         | <b>1</b>                                                              |
| <b>HU</b>           | <b>68</b>                                         | <b>7</b>                                                              |
| <b>MT</b>           | <b>10</b>                                         | <b>1</b>                                                              |
| <b>NL</b>           | <b>321</b>                                        | <b>32</b>                                                             |
| <b>AT</b>           | <b>116</b>                                        | <b>12</b>                                                             |
| <b>PL</b>           | <b>460</b>                                        | <b>46</b>                                                             |
| <b>PT</b>           | <b>123</b>                                        | <b>12</b>                                                             |
| <b>RO</b>           | <b>101</b>                                        | <b>10</b>                                                             |
| <b>SI</b>           | <b>26</b>                                         | <b>3</b>                                                              |
| <b>SK</b>           | <b>36</b>                                         | <b>4</b>                                                              |
| <b>FI</b>           | <b>71</b>                                         | <b>7</b>                                                              |
| <b>SE</b>           | <b>145</b>                                        | <b>14</b>                                                             |
| <b>UK</b>           | <b>1221</b>                                       | <b>122</b>                                                            |
| <b>HR</b>           | <b>38</b>                                         | <b>4</b>                                                              |

## **ANNEX III**

### **Technical specifications**

#### **1. Technical specifications for electric recharging points**

##### **1.1. Slow electric recharging points for motor vehicles**

Alternate Current (AC) slow recharging points for electric vehicles shall be equipped, for interoperability purposes, with connectors of Type 2 as described in standard EN62196-2:2012.

##### **1.2. Fast electric recharging points for motor vehicles**

Alternate Current (AC) fast recharging points for electric vehicles shall be equipped, for interoperability purposes, with connectors of Type 2 as described in standard EN62196-2:2012.

Direct Current (DC) fast recharging points for electric vehicles shall be equipped, for interoperability purposes, with connectors of Type "Combo 2" as described in the relevant EN standard, to be adopted by 2014.

##### **1.3. Shore-side electricity for waterborne vessels**

Shore-side electricity supply for waterborne vessels, including the design, installation and testing of the systems shall comply with the relevant EN standard, to be adopted by 2014, and, pending the publication of this standard, with the technical specifications of the IEC/ISO/IEEE 80005-1 standard.

#### **2. Technical specifications for hydrogen refuelling points for motor vehicles**

2.1. Outdoor hydrogen refuelling points dispensing gaseous hydrogen used as fuel on board land vehicles shall comply with the relevant EN standard, to be adopted by 2014, and, pending the publication of this standard, with the technical specifications of the ISO/TS 20100:2008 Gaseous Hydrogen Fuelling specification.

2.2. The hydrogen purity dispensed by hydrogen refuelling points shall comply with the relevant EN standard, to be adopted by 2014, and, pending the publication of this standard, with the technical specifications included in the ISO 14687-2 standard.

2.3. Hydrogen refuelling points shall employ fuelling algorithms and equipment complying with the relevant EN standard, to be adopted by 2014, and, pending the publication of this standard, with the ISO 20100 Fuelling Protocols for Light Duty Gaseous Hydrogen Surface Vehicles.

2.4. Connectors for vehicles for the refuelling of gaseous hydrogen shall comply with the relevant EN standard, to be adopted by 2014, and, pending the publication of this standard, with the ISO 17268 gaseous hydrogen land vehicle refuelling connection devices standard.

#### **3. Technical specifications for natural gas refuelling points**

##### **3.1. Technical specifications for Liquefied Natural Gas (LNG) refuelling points for waterborne vessels**

LNG refuelling points for waterborne vessels shall comply with the relevant EN standards, to be adopted by 2014.

##### **3.2. Technical specifications for Liquefied Natural Gas (LNG) refuelling points for motor vehicles**

LNG refuelling points motor vehicles shall comply with the relevant EN standard, to be adopted by 2014.

### **3.3. Technical specifications for Compressed Natural Gas (CNG) refuelling points for motor vehicles**

3.3.1. CNG connectors/receptacles shall comply with UN ECE Regulation 110 (referring to ISO 14469, parts I and II).

3.3.2. CNG and L-CNG refuelling points shall comply with the relevant EN standard, to be adopted by 2014.

### **4. Technical specifications for petrol and diesel fuels containing biofuels**

4.1. Petrol containing low-blend bioethanol shall meet the standard EN228.

4.2. Diesel containing low-blend biodiesel shall meet the standard EN590.

4.3. All fuel pumps serving petrol at refuelling points shall implement the fuel labelling requirements as defined in the standard EN228.

4.4. All fuel pumps serving diesel at refuelling points shall implement the fuel labelling requirements as defined in the standard EN590.

## **LEGISLATIVE FINANCIAL STATEMENT**

### **1. FRAMEWORK OF THE PROPOSAL/INITIATIVE**

- 1.1. Title of the proposal/initiative
- 1.2. Policy area(s) concerned in the ABM/ABB structure
- 1.3. Nature of the proposal/initiative
- 1.4. Objective(s)
- 1.5. Grounds for the proposal/initiative
- 1.6. Duration and financial impact
- 1.7. Management method(s) envisaged

### **2. MANAGEMENT MEASURES**

- 2.1. Monitoring and reporting rules
- 2.2. Management and control system
- 2.3. Measures to prevent fraud and irregularities

### **3. ESTIMATED FINANCIAL IMPACT OF THE PROPOSAL/INITIATIVE**

- 3.1. Heading(s) of the multiannual financial framework and expenditure budget line(s) affected
- 3.2. Estimated impact on expenditure
  - 3.2.1. *Summary of estimated impact on expenditure*
  - 3.2.2. *Estimated impact on operational appropriations*
  - 3.2.3. *Estimated impact on appropriations of an administrative nature*
  - 3.2.4. *Compatibility with the current multiannual financial framework*
  - 3.2.5. *Third-party participation in financing*
- 3.3. Estimated impact on revenue

## **LEGISLATIVE FINANCIAL STATEMENT**

### **1. FRAMEWORK OF THE PROPOSAL/INITIATIVE**

#### **1.1. Title of the proposal/initiative**

Directive on the deployment of alternative fuels infrastructures

#### **1.2. Policy area(s) concerned in the ABM/ABB structure<sup>25</sup>**

Transport

#### **1.3. Nature of the proposal/initiative**

☒ The proposal/initiative relates to **a new action**

☐ The proposal/initiative relates to **a new action following a pilot project/preparatory action<sup>26</sup>**

☐ The proposal/initiative relates to **the extension of an existing action**

☐ The proposal/initiative relates to **an action redirected towards a new action**

#### **1.4. Objectives**

##### **1.4.1. The Commission's multiannual strategic objective(s) targeted by the proposal/initiative**

The Flagship Initiative “Resource efficient Europe” of the Europe 2020 strategy

The WHITE PAPER Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system

##### **1.4.2. Specific objective(s) and ABM/ABB activity(ies) concerned**

Specific objective No.4

Make greater use of low-carbon transport modes and promote multi-modality (linked to the general objective "Efficient Transport").

ABM/ABB activity(ies) concerned

Inland, air, and maritime transport

<sup>25</sup> ABM: Activity-Based Management – ABB: Activity-Based Budgeting.

<sup>26</sup> As referred to in Article 49(6)(a) or (b) of the Financial Regulation.

1.4.3. *Expected result(s) and impact*

*Specify the effects which the proposal/initiative should have on the beneficiaries/groups targeted.*

Build-up of a minimum alternative fuel infrastructure and the implementation of common technical standards EU-wide

Keeping the leadership of EU vehicle and vessel industry; contribute to economic growth & jobs in Europe

Breaking dependence of transport on oil

Contribute to the achievement of the 60% reduction of greenhouse gas emissions from transport by 2050

1.4.4. *Indicators of results and impact*

*Specify the indicators for monitoring implementation of the proposal/initiative.*

Number of electric charging / refuelling points

Number of vehicles / vessels running with alternative fuels

Reduction percentage of oil import

Reduction percentage of greenhouse gas emissions from transport

**1.5. Grounds for the proposal/initiative**

1.5.1. *Requirement(s) to be met in the short or long term*

Short term:

Minimum infrastructure coverage for electricity, hydrogen, LNG (waterborne and trucks) and CNG)

Fuel labelling at refuelling points and on the vehicles

Long term: optimal infrastructure coverage for electricity, hydrogen, and LNG (waterborne and trucks) and CNG)

1.5.2. *Added value of EU involvement*

Facilitate the development of a single market for alternative fuel infrastructure and alternative fuel vehicles and vessels

Create the proper conditions for the various market actors to fulfil their respective functions

1.5.3. *Lessons learned from similar experiences in the past*

Past initiatives and support actions have mainly addressed fuel production, vehicle technology development, marketing of alternative fuel vehicles, whilst the build-up of the necessary infrastructures has been neglected.

The results of these experiences confirm the need for EU action in relation to infrastructures.

1.5.4. *Coherence and possible synergy with other relevant instruments*

Transport infrastructures - TEN-T Connecting Europe Facility

|  |
|--|
|  |
|--|

## 1.6. Duration and financial impact

☐ Proposal/initiative of **limited duration**

– ☐ Proposal/initiative in effect from [DD/MM]YYYY to [DD/MM]YYYY

– ☐ Financial impact from YYYY to YYYY

☒ Proposal/initiative of **unlimited duration**

– Implementation with a start-up period from adoption of Directive

## 1.7. Management mode(s) envisaged<sup>27</sup>

☒ **Centralised direct management** by the Commission

☐ **Centralised indirect management** with the delegation of implementation tasks to:

– ☐ executive agencies

– ☐ bodies set up by the Communities<sup>28</sup>

– ☐ national public-sector bodies/bodies with public-service mission

– ☐ persons entrusted with the implementation of specific actions pursuant to Title V of the Treaty on European Union and identified in the relevant basic act within the meaning of Article 49 of the Financial Regulation

☐ **Shared management** with the Member States

☐ **Decentralised management** with third countries

☐ **Joint management** with international organisations *(to be specified)*

*If more than one management mode is indicated, please provide details in the "Comments" section.*

Comments

|  |
|--|
|  |
|--|

<sup>27</sup> Details of management modes and references to the Financial Regulation may be found on the BudgWeb site: [http://www.cc.cec/budg/man/budgmanag/budgmanag\\_en.html](http://www.cc.cec/budg/man/budgmanag/budgmanag_en.html)

<sup>28</sup> As referred to in Article 185 of the Financial Regulation.

## **2. MANAGEMENT MEASURES**

### **2.1. Monitoring and reporting rules**

*Specify frequency and conditions.*

Member States shall submit a report to the Commission on the national policy framework for the market development of alternative fuels and their infrastructure and its implementation two years after the entry into force of this Directive, and every 2 years thereafter

The Commission shall submit a report on the application of this Directive to the European Parliament and the Council every two years with effect from two years after the transposition date of this Directive.

### **2.2. Management and control system**

#### **2.2.1. Risk(s) identified**

Delays in the transposal of the Directive

Inappropriate implementation

#### **2.2.2. Control method(s) envisaged**

Member States' periodic reports (first report two years after the entry into force of the Directive, and every 2 years thereafter)

### **2.3. Measures to prevent fraud and irregularities**

*Specify existing or envisaged prevention and protection measures.*

EU funding foreseen for monitoring studies. These studies will be appropriately followed by the Commission services.

### 3. ESTIMATED FINANCIAL IMPACT OF THE PROPOSAL/INITIATIVE

Investments will only be borne by industry. A study will be carried out by the Commission every two years.

#### 3.1. Heading(s) of the multiannual financial framework and expenditure budget line(s) affected

06.020300 Support activities to the European Transport Policy and Passenger Rights. Financing to be made by redeployment of credits (no impact on the new MFF)

- Existing expenditure budget lines

In order of multiannual financial framework headings and budget lines.

| Heading of multiannual financial framework | Budget line                                                                                                   | Type of expenditure     | Contribution                         |                                        |                      |                                                                     |
|--------------------------------------------|---------------------------------------------------------------------------------------------------------------|-------------------------|--------------------------------------|----------------------------------------|----------------------|---------------------------------------------------------------------|
|                                            | Number<br>06.020300<br>[Description Support activities to the European Transport Policy and Passenger Rights] | Diff./non-diff.<br>(29) | from EFTA <sup>30</sup><br>countries | from candidate countries <sup>31</sup> | from third countries | within the meaning of Article 18(1)(aa) of the Financial Regulation |
|                                            | [XX.YY.YY.YY]                                                                                                 | Non-diff.               | NO                                   | NO                                     | NO                   | NO                                                                  |

- New budget lines requested : NONE

In order of multiannual financial framework headings and budget lines.

| Heading of multiannual financial framework | Budget line              | Type of expenditure | Contribution           |                          |                      |                                                                     |
|--------------------------------------------|--------------------------|---------------------|------------------------|--------------------------|----------------------|---------------------------------------------------------------------|
|                                            | Number<br>[Heading.....] | Diff./non-diff.     | from EFTA<br>countries | from candidate countries | from third countries | within the meaning of Article 18(1)(aa) of the Financial Regulation |
|                                            | [XX.YY.YY.YY]            |                     | YES/NO                 | YES/NO                   | YES/NO               | YES/NO                                                              |

<sup>29</sup> Diff. = Differentiated appropriations / Non-diff. = Non-Differentiated Appropriations

<sup>30</sup> EFTA: European Free Trade Association.

<sup>31</sup> Candidate countries and, where applicable, potential candidate countries from the Western Balkans.

### 3.2. Estimated impact on expenditure

#### 3.2.1. Summary of estimated impact on expenditure

EUR million (to 3 decimal places)

|                                                    |                     |                                                                                  |
|----------------------------------------------------|---------------------|----------------------------------------------------------------------------------|
| <b>Heading of multiannual financial framework:</b> | Number<br>06.020300 | Heading Support activities to the European Transport Policy and passenger rights |
|----------------------------------------------------|---------------------|----------------------------------------------------------------------------------|

| DG: MOVE                                                                                                    |             |             | Year<br>N <sup>32</sup> | Year<br>N+1 | Year<br>N+2 | Year<br>N+3 | ... enter as many years as<br>necessary to show the duration<br>of the impact (see point 1.6) |         |         | TOTAL   |
|-------------------------------------------------------------------------------------------------------------|-------------|-------------|-------------------------|-------------|-------------|-------------|-----------------------------------------------------------------------------------------------|---------|---------|---------|
| • Operational appropriations                                                                                |             |             |                         |             |             |             |                                                                                               |         |         |         |
| Number of budget line 06.020300                                                                             | Commitments | (1)         | 0                       | 250,000     | 0           | 250,000     | 0                                                                                             | 250,000 | 0       | 750,000 |
|                                                                                                             | Payments    | (2)         |                         |             | 250,000     |             | 250,000                                                                                       |         | 250,000 | 750,000 |
| Number of budget line                                                                                       | Commitments | (1a)        |                         |             |             |             |                                                                                               |         |         |         |
|                                                                                                             | Payments    | (2a)        |                         |             |             |             |                                                                                               |         |         |         |
| Appropriations of an administrative nature financed from the envelope for specific programmes <sup>33</sup> |             |             |                         |             |             |             |                                                                                               |         |         |         |
| Number of budget line                                                                                       |             | (3)         |                         |             |             |             |                                                                                               |         |         |         |
| <b>TOTAL appropriations<br/>for DG MOVE</b>                                                                 | Commitments | =1+1a<br>+3 |                         | 250,000     |             | 250,000     |                                                                                               | 250,000 |         |         |
|                                                                                                             | Payments    | =2+2a<br>+3 |                         |             | 250,000     |             | 250,000                                                                                       |         | 250,000 | 750,000 |

<sup>32</sup> Year N is the year in which implementation of the proposal/initiative starts.

<sup>33</sup> Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former "BA" lines), indirect research, direct research.

|                                                                                                       |             |       |  |           |  |         |  |         |  |                |
|-------------------------------------------------------------------------------------------------------|-------------|-------|--|-----------|--|---------|--|---------|--|----------------|
| • TOTAL operational appropriations                                                                    | Commitments | (4)   |  |           |  |         |  |         |  |                |
|                                                                                                       | Payments    | (5)   |  |           |  |         |  |         |  |                |
| • TOTAL appropriations of an administrative nature financed from the envelope for specific programmes |             | (6)   |  |           |  |         |  |         |  |                |
| <b>TOTAL appropriations under HEADING &lt;....&gt; of the multiannual financial framework</b>         | Commitments | =4+ 6 |  | 250,000   |  | 250,000 |  | 250,000 |  | <b>750,000</b> |
|                                                                                                       | Payments    | =5+ 6 |  | , 250,000 |  | 250,000 |  | 250,000 |  | <b>750,000</b> |

**If more than one heading is affected by the proposal / initiative:**

|                                                                                                             |             |       |  |  |  |  |  |  |  |  |
|-------------------------------------------------------------------------------------------------------------|-------------|-------|--|--|--|--|--|--|--|--|
| • TOTAL operational appropriations                                                                          | Commitments | (4)   |  |  |  |  |  |  |  |  |
|                                                                                                             | Payments    | (5)   |  |  |  |  |  |  |  |  |
| • TOTAL appropriations of an administrative nature financed from the envelope for specific programmes       |             | (6)   |  |  |  |  |  |  |  |  |
| <b>TOTAL appropriations under HEADINGS 1 to 4 of the multiannual financial framework (Reference amount)</b> | Commitments | =4+ 6 |  |  |  |  |  |  |  |  |
|                                                                                                             | Payments    | =5+ 6 |  |  |  |  |  |  |  |  |

|                                                    |          |                                |
|----------------------------------------------------|----------|--------------------------------|
| <b>Heading of multiannual financial framework:</b> | <b>5</b> | " Administrative expenditure " |
|----------------------------------------------------|----------|--------------------------------|

EUR million (to 3 decimal places)

|                                                                           |                | Year<br>N (€) | Year<br>N+1 (€) | Year<br>N+2 (€) | Year<br>N+3 (€) | ... enter as many years as<br>necessary to show the duration<br>of the impact (see point 1.6) (€) |         |         | TOTAL (€) |
|---------------------------------------------------------------------------|----------------|---------------|-----------------|-----------------|-----------------|---------------------------------------------------------------------------------------------------|---------|---------|-----------|
| DG: MOVE                                                                  |                |               |                 |                 |                 |                                                                                                   |         |         |           |
| • Human resources (staff redeployment)                                    |                | 131,000       | 131,000         | 131,000         | 131,000         | 131,000                                                                                           | 131,000 | 131,000 | 917,000   |
| • Other administrative expenditure: Management Committee – 1 meeting/year |                | 13,770        | 13,770          | 13,770          | 13,770          | 13,770                                                                                            | 13,770  | 13,770  | 96,390    |
| <b>TOTAL DG MOVE</b>                                                      | Appropriations | 144,770       | 144,770         | 144,770         | 144,770         | 144,770                                                                                           | 144,770 | 144,770 | 1,013,390 |

|                                                                                    |                                      |         |         |         |         |         |         |         |           |
|------------------------------------------------------------------------------------|--------------------------------------|---------|---------|---------|---------|---------|---------|---------|-----------|
| <b>TOTAL appropriations under HEADING 5 of the multiannual financial framework</b> | (Total commitments = Total payments) | 144,770 | 144,770 | 144,770 | 144,770 | 144,770 | 144,770 | 144,770 | 1,013,390 |
|------------------------------------------------------------------------------------|--------------------------------------|---------|---------|---------|---------|---------|---------|---------|-----------|

EUR million (to 3 decimal places)

|                                                                                          |             | Year<br>N <sup>34</sup> | Year<br>N+1 | Year<br>N+2 | Year<br>N+3 | ... enter as many years as<br>necessary to show the duration<br>of the impact (see point 1.6) |         |         | TOTAL     |
|------------------------------------------------------------------------------------------|-------------|-------------------------|-------------|-------------|-------------|-----------------------------------------------------------------------------------------------|---------|---------|-----------|
| <b>TOTAL appropriations under HEADINGS 1 to 5 of the multiannual financial framework</b> | Commitments | 144,770                 | 394,770     |             | 394,770     |                                                                                               | 394,770 |         | 1,329,080 |
|                                                                                          | Payments    | 144,770                 |             | 394,770     |             | 394,770                                                                                       |         | 394,770 | 1,329,080 |

<sup>34</sup> Year N is the year in which implementation of the proposal/initiative starts.

### 3.2.2. Estimated impact on operational appropriations

- ☐ The proposal/initiative does not require the use of operational appropriations
- ☒ The proposal/initiative requires the use of operational appropriations, as explained below:

Commitment appropriations in EUR million (to 3 decimal places)

| Indicate<br>objectives and<br>outputs<br><br>↓ |                                       |                                     | Year<br>N            |        | Year<br>N+1          |         | Year<br>N+2          |        | Year<br>N+3          |         | ... enter as many years as necessary to show<br>the duration of the impact (see point 1.6) |           |                      |         |                      |        | TOTAL                              |                 |
|------------------------------------------------|---------------------------------------|-------------------------------------|----------------------|--------|----------------------|---------|----------------------|--------|----------------------|---------|--------------------------------------------------------------------------------------------|-----------|----------------------|---------|----------------------|--------|------------------------------------|-----------------|
|                                                | OUTPUTS                               |                                     |                      |        |                      |         |                      |        |                      |         |                                                                                            |           |                      |         |                      |        |                                    |                 |
|                                                | Type<br>of<br>output<br><sup>35</sup> | Average<br>cost<br>of the<br>output | Number<br>of outputs | Cost € | Number<br>of outputs | Cost €  | Number<br>of outputs | Cost € | Number<br>of outputs | Cost €  | Number<br>of outputs                                                                       | Cost<br>€ | Number<br>of outputs | Cost €  | Number<br>of outputs | Cost € | Total numbe<br>r of<br>output<br>s | Total<br>Cost € |
| SPECIFIC OBJECTIVE No 4 <sup>36</sup> ...      |                                       |                                     |                      |        |                      |         |                      |        |                      |         |                                                                                            |           |                      |         |                      |        |                                    |                 |
| - Output                                       | Studies                               | 250,000                             | 0                    | 0      | 1                    | 250;000 | 0                    | 0      | 1                    | 250,000 | 0                                                                                          | 0         | 1                    | 250,000 | 0                    | 0      | 3                                  | 750,000         |
| - Output                                       |                                       |                                     |                      |        |                      |         |                      |        |                      |         |                                                                                            |           |                      |         |                      |        |                                    |                 |
| - Output                                       |                                       |                                     |                      |        |                      |         |                      |        |                      |         |                                                                                            |           |                      |         |                      |        |                                    |                 |
| Sub-total for specific objective N°4           |                                       |                                     | 0                    | 0      | 1                    | 250;000 | 0                    | 0      | 1                    | 250,000 | 0                                                                                          | 0         | 1                    | 250,000 | 0                    | 0      | 3                                  | 750,000         |
| SPECIFIC OBJECTIVE No ...                      |                                       |                                     |                      |        |                      |         |                      |        |                      |         |                                                                                            |           |                      |         |                      |        |                                    |                 |
| - Output                                       |                                       |                                     |                      |        |                      |         |                      |        |                      |         |                                                                                            |           |                      |         |                      |        |                                    |                 |
| Sub-total for specific objective N°2           |                                       |                                     |                      |        |                      |         |                      |        |                      |         |                                                                                            |           |                      |         |                      |        |                                    |                 |
| TOTAL COST €                                   |                                       |                                     | 0                    | 0      | 1                    | 250;000 | 0                    | 0      | 1                    | 250,000 | 0                                                                                          | 0         | 1                    | 250,000 | 0                    | 0      | 3                                  | 750,000         |

<sup>35</sup> Outputs are products and services to be supplied (e.g.: number of student exchanges financed, number of km of roads built, etc.).

<sup>36</sup> As described in Section 1.4.2. "Specific objective(s)..."

### 3.2.3. Estimated impact on appropriations of an administrative nature

#### 3.2.3.1. Summary

- ☒ The proposal/initiative does not require the use of administrative appropriations (**staff redeployment**)
- ☐ The proposal/initiative requires the use of administrative appropriations, as explained below:

EUR million (to 3 decimal places)

|  | Year<br>N <sup>37</sup> (€) | Year<br>N+1 (€) | Year<br>N+2 (€) | Year<br>N+3 (€) | ... enter as many years as necessary<br>to show the duration of the impact<br>(see point 1.6) (€) |  |  | TOTAL<br>(€) |
|--|-----------------------------|-----------------|-----------------|-----------------|---------------------------------------------------------------------------------------------------|--|--|--------------|
|--|-----------------------------|-----------------|-----------------|-----------------|---------------------------------------------------------------------------------------------------|--|--|--------------|

|                                                                          |        |        |        |        |        |        |        |                                        |
|--------------------------------------------------------------------------|--------|--------|--------|--------|--------|--------|--------|----------------------------------------|
| <b>HEADING 5<br/>of the multiannual<br/>financial framework</b>          |        |        |        |        |        |        |        |                                        |
| Human resources                                                          |        |        |        |        |        |        |        | <b>0 (staff<br/>redeploy<br/>ment)</b> |
| Other administrative<br>expenditure                                      | 13,370 | 13,370 | 13,370 | 13,370 | 13,370 | 13,370 | 13,370 | <b>96,390</b>                          |
| <b>Subtotal HEADING 5<br/>of the multiannual<br/>financial framework</b> | 13,370 | 13,370 | 13,370 | 13,370 | 13,370 | 13,370 | 13,370 | <b>96,390</b>                          |

|                                                                                      |  |  |  |  |  |  |  |  |
|--------------------------------------------------------------------------------------|--|--|--|--|--|--|--|--|
| <b>Outside HEADING 5<sup>38</sup><br/>of the multiannual<br/>financial framework</b> |  |  |  |  |  |  |  |  |
| Human resources                                                                      |  |  |  |  |  |  |  |  |
| Other expenditure<br>of an administrative<br>nature                                  |  |  |  |  |  |  |  |  |
| <b>Subtotal<br/>outside HEADING 5<br/>of the multiannual<br/>financial framework</b> |  |  |  |  |  |  |  |  |

|              |        |        |        |        |        |        |        |               |
|--------------|--------|--------|--------|--------|--------|--------|--------|---------------|
| <b>TOTAL</b> | 13,370 | 13,370 | 13,370 | 13,370 | 13,370 | 13,370 | 13,370 | <b>96,390</b> |
|--------------|--------|--------|--------|--------|--------|--------|--------|---------------|

<sup>37</sup>

Year N is the year in which implementation of the proposal/initiative starts.

<sup>38</sup>

Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former "BA" lines), indirect research, direct research.

### 3.2.3.2. Estimated requirements of human resources

- ☒ The proposal/initiative does not require the use of human resources: **staff will be redeployed**
- ☐ The proposal/initiative requires the use of human resources, as explained below:

*Estimate to be expressed in full amounts (or at most to one decimal place)*

|                                                                        | Year<br>N                       | Year<br>N+1       | Year<br>N+2       | Year<br>N+3       | ... enter as many years as necessary to show the duration of the impact (see point 1.6) |                   |                   |
|------------------------------------------------------------------------|---------------------------------|-------------------|-------------------|-------------------|-----------------------------------------------------------------------------------------|-------------------|-------------------|
| • Establishment plan posts (officials and temporary agents)            |                                 |                   |                   |                   |                                                                                         |                   |                   |
| XX 01 01 01 (Headquarters and Commission's Representation Offices)     | 0.5 AD + 0.05 AST               | 0.5 AD + 0.05 AST | 0.5 AD + 0.05 AST | 0.5 AD + 0.05 AST | 0.5 AD + 0.05 AST                                                                       | 0.5 AD + 0.05 AST | 0.5 AD + 0.05 AST |
| XX 01 01 02 (Delegations)                                              |                                 |                   |                   |                   |                                                                                         |                   |                   |
| XX 01 05 01 (Indirect research)                                        |                                 |                   |                   |                   |                                                                                         |                   |                   |
| 10 01 05 01 (Direct research)                                          |                                 |                   |                   |                   |                                                                                         |                   |                   |
| • External personnel (in Full Time Equivalent unit: FTE) <sup>39</sup> |                                 |                   |                   |                   |                                                                                         |                   |                   |
| XX 01 02 01 (CA, INT, SNE from the "global envelope")                  |                                 |                   |                   |                   |                                                                                         |                   |                   |
| XX 01 02 02 (CA, INT, JED, LA and SNE in the delegations)              |                                 |                   |                   |                   |                                                                                         |                   |                   |
| XX 01 04 yy <sup>40</sup>                                              | - at Headquarters <sup>41</sup> |                   |                   |                   |                                                                                         |                   |                   |
|                                                                        | - in delegations                |                   |                   |                   |                                                                                         |                   |                   |
| XX 01 05 02 (CA, INT, SNE - Indirect research)                         |                                 |                   |                   |                   |                                                                                         |                   |                   |
| 10 01 05 02 (CA, INT, SNE - Direct research)                           |                                 |                   |                   |                   |                                                                                         |                   |                   |
| Other budget lines (specify)                                           |                                 |                   |                   |                   |                                                                                         |                   |                   |
| TOTAL                                                                  |                                 |                   |                   |                   |                                                                                         |                   |                   |

**XX** is the policy area or budget title concerned.

The human resources required will be met by staff from the DG who are already assigned to management of the action and/or have been redeployed within the DG, together if necessary with any additional allocation which may be granted to the managing DG under the annual allocation procedure and in the light of budgetary constraints.

Description of tasks to be carried out:

|                                |  |
|--------------------------------|--|
| Officials and temporary agents |  |
|--------------------------------|--|

<sup>39</sup> CA= Contract Agent; INT= agency staff ("Intérimaire"); JED= "Jeune Expert en Délégation" (Young Experts in Delegations); LA= Local Agent; SNE= Seconded National Expert;

<sup>40</sup> Under the ceiling for external personnel from operational appropriations (former "BA" lines).

<sup>41</sup> Essentially for Structural Funds, European Agricultural Fund for Rural Development (EAFRD) and European Fisheries Fund (EFF).

|                    |  |
|--------------------|--|
| External personnel |  |
|--------------------|--|

### 3.2.4. Compatibility with the current multiannual financial framework

- ☒ Proposal/initiative is compatible the current multiannual financial framework.
- ☐ Proposal/initiative will entail reprogramming of the relevant heading in the multiannual financial framework.

Explain what reprogramming is required, specifying the budget lines concerned and the corresponding amounts.

- ☐ Proposal/initiative requires application of the flexibility instrument or revision of the multiannual financial framework<sup>42</sup>.

Explain what is required, specifying the headings and budget lines concerned and the corresponding amounts.

### 3.2.5. Third-party contributions

- ☒ The proposal/initiative does not provide for co-financing by third parties
- The proposal/initiative provides for the co-financing estimated below:

Appropriations in EUR million (to 3 decimal places)

|                                          | Year<br>N | Year<br>N+1 | Year<br>N+2 | Year<br>N+3 | ... enter as many years as<br>necessary to show the duration<br>of the impact (see point 1.6) |  |  | Total |
|------------------------------------------|-----------|-------------|-------------|-------------|-----------------------------------------------------------------------------------------------|--|--|-------|
| <i>Specify the co-financing<br/>body</i> |           |             |             |             |                                                                                               |  |  |       |
| TOTAL appropriations<br>cofinanced       |           |             |             |             |                                                                                               |  |  |       |

<sup>42</sup> See points 19 and 24 of the Interinstitutional Agreement.

### 3.3. Estimated impact on revenue

- ☒ Proposal/initiative has no financial impact on revenue.
- ☐ Proposal/initiative has the following financial impact:
  - ☐ on own resources
  - ☐ on miscellaneous revenue

EUR million (to 3 decimal places)

| Budget revenue line: | Appropriations available for the ongoing budget year | Impact of the proposal/initiative <sup>43</sup> |          |          |          |                                                                                                        |  |  |
|----------------------|------------------------------------------------------|-------------------------------------------------|----------|----------|----------|--------------------------------------------------------------------------------------------------------|--|--|
|                      |                                                      | Year N                                          | Year N+1 | Year N+2 | Year N+3 | ... insert as many columns as necessary in order to reflect the duration of the impact (see point 1.6) |  |  |
| Article .....        |                                                      |                                                 |          |          |          |                                                                                                        |  |  |

For miscellaneous assigned revenue, specify the budget expenditure line(s) affected.

Specify the method for calculating the impact on revenue.

<sup>43</sup>

As regards traditional own resources (customs duties, sugar levies), the amounts indicated must be net amounts, i.e. gross amounts after deduction of 25% for collection costs.