

The **10** points for success of the new Alternative Fuels Infrastructure Regulation (AFIR)

February 2022

The Platform for electromobility supports the AFIR proposal, which is vital for boosting the electrification of transport and providing the right tools to drive the growth of electromobility.

1. In particular, the Platform welcomes:

The switch from a Directive to a Regulation

As supported by our members in a [previous communication](#), a Regulation will ensure the strong, rapid and more uniform implementation in all Member States.

The setting of minimum mandatory targets for light-duty vehicles (art. 3)

The AFIR sends the right signals to meet the EV demand on the roads. The sales of electric vehicles (EVs) in the EU¹ continue to grow. Combined with the coming ban on sales of internal combustion engines by 2035 - as proposed in the revision of the Regulation on the CO₂ emission standards for cars and vans - it is key to speed-up the roll-out of charging infrastructure across Member States. This will require the deployment of operational and accessible charging points where they are needed, and capable of delivering the right power output. Combining fleet-based targets with distance-based targets on the TEN-T ensures that the roll-out of charging stations matches the uptake of EVs.

New mandatory targets for heavy-duty vehicles (HDVs), maritime and inland waterway ports and stationary aircraft (art. 4, 9, 10 and 12)

The Platform fully supports the proposal for setting mandatory targets for HDVs, as this addresses the specific charging needs of electric trucks on the TEN-T networks as early as 2025. We also **welcome the introduction of targets for maritime and inland waterway ports and stationary aircraft**, as it helps boost the electrification of the transport sector.

Keeping those provisions is the first priority to make AFIR a success. However, the Platform believes that further improvements are needed, and has therefore set out a series of recommendations:

2. Clarify the definition of “alternative fossil fuels for a transitional phase”

The definition of “alternative fossil fuels for a transitional phase” (CNG, LNG, LPG, synthetic and paraffinic fuels produced using non-carbon-free energy) should specify until when this transitional phase will last.

3. Strengthen the level of ambition of the mandatory targets for light-duty vehicles (LDVs) (art. 3)

Currently, the power ratio of 1kW per 100% battery EV (BEV) and 0.66kW per plug-in hybrid EV (PHEV) would be already met by all but one of the Member States. In addition, the Commission’s analysis follows a methodology in terms of kW used (consumption evenly distributed during the year), which does not allow a response to peak demand. It is essential to consider the actual power delivered by a charging station, not the maximum power output (art. 2.37).

¹ EV sales in Europe reached a record in 2020, representing a more than 10% the share of the European car market. This trend has been sustained into 2021 and is expected to continue.

- **Accordingly, the targets for BEVs and PHEVs should significantly increased** until a point where a market can function organically. The targets should then be progressively lowered as the EV fleet size grows, and then ultimately phased out entirely when it reaches 7.5% of the entire fleet, as by then there will be sufficient demand to support a competitive private sector for EV recharging.
- **The distance-based target of 60km between charging stations along the TEN-T network should be maintained during the upcoming negotiations.** The customer-friendliness of charging stations should also be taken into consideration.
- The **targets for the TEN-T comprehensive network should be brought forward by five years**, so that all citizens can reach any destination within the EU using an EV.
- The deployment of alternative fuels infrastructure at the local level should be based on systematic consultation with local authorities as well as on the content of Sustainable Urban Mobility Plans ('SUMP').
- A density parameter can be included, to ensure that urban areas are properly covered and that there is a balanced territorial coverage.

4. Increase the power output for HDV-charging targets and consider the development of electric road systems for HDVs (art. 4 and 13)

Member States should have the possibility of promoting the deployment of Electric Road Systems (ERS) on sections where this is appropriate, in order to complement the targets for electric recharging stations. The Commission's estimation of zero-emission trucks is significantly lower than the sales envisaged by truck makers.

- An **increase total power output of HDV-charging pools along the TEN-T network** should be considered, along with higher targets for urban nodes and for safe and secure parking areas.
- Targets for (semi-)public chargers at logistics centres and depots should also be introduced.
- The current timeline (targets starting from 2025 along the TEN-T core network) should be maintained, in order to not hinder the ramp up in the market for zero-emission trucks.

5. Complement rail electrification with additional guidance on deploying alternative fuels for the rail sector

We welcome the fact that the deployment of alternative fuels for railways has been included within the scope of the Regulation proposal, in the context of the National Policy Framework (art. 13). Setting decarbonisation targets for the rail sector would be consistent with the objectives set out in the European Green Deal and the Sustainable and Smart Mobility Strategy.

- Given the specific circumstances for investing in railway infrastructure, the deployment of hydrogen refuelling points or electric recharging points for battery trains are best dealt with on a national level. This should be done via the National Policy Framework of article 13, respecting the **general EU principle of subsidiarity**.
- Investment in alternative fuels infrastructure should take into consideration the national context as well as those **rail network segments that are not going to be electrified**.
- Investment in alternative fuel infrastructure for railways would be consistent with the provision - under the **CEF2 Work Programme** - of funding eligibility for hydrogen refuelling infrastructures for rail. Therefore, **provisions of the Commission proposal for deploying rail alternative fuels infrastructure should be maintained (as set in art. 13.1 point (p))**.

6. Improve the requirements on smart charging (art. 2 and 5.8)

The Platform welcomes the Commission's recognition of the role of smart charging in the AFIR for enabling system integration. However, Platform has concerns over the retroactive effect of the measure. The following improvements should also be made to support smart-charging deployment.

- **Amend the definition of smart charging (art. 2.59) as follows:** “a recharging operation in which ***the power of charging can be*** adjusted ***within a specified time***, based on ***external commands in order to enable a better integration of EVs into the whole power system to allow the possibility of a grid- and user-friendly way services***”.
- **Clarify the scope of ‘digitally-connected charging’** (art. 2.14), which should be limited to communication capacity needed for availability status and payment methods. The definition as currently written is confusing, as it may interfere with the smart modulation of power, thus overlapping with the definition of smart and bidirectional charging. The definition should leave a degree of flexibility, in order to take into account the differing levels of technological maturity in Member States.
- Cater for the future introduction of bidirectional charging capabilities in art. 5.8, allowing this technology to advance in the coming years. In addition, the development of bidirectional charging should not be left to an assessment by System Operators alone (art. 14); it should involve all relevant stakeholders, in order not to limit its uptake.
- The obligation in art. 5.8 should apply to all newly installed and refurbished or replaced recharging facilities as well as those financed by public funds. Given the environmental issues and to avoid the high compliance costs for CPOs, Member States should evaluate regularly (e.g., every three years) the need to retrofit existing charging stations.
- **The reference to ‘normal power’ should be removed.** Smart charging should be done in coherence with the proposal of revision of the Renewable Energy Directive. Therefore, **para. 8 of art. 5 should be amended as follows:** “From the date referred to in Article 24, operators or recharging points shall ensure that publicly accessible ***newly built and refurbished normal-power as well as publicly funded recharging stations operated by them are capable of smart charging.***”

7. Harmonise the status of charging at EU level

The AFIR should harmonise the status of charging (as a good or as a service) **without modifying the statuses that are already in place at national level in the majority of the Member States.** The alignment between the different elements of legislation on the interpretation of what constitutes a recharging session would avoid business uncertainties.

- In art. 2.46, the ‘recharging service’ definition should be amended as follow: “***recharging service***’ means ***a service consisting of multiple elements, including*** the ~~sale or~~ provision of electricity ***and including-related*** services, through a ~~publicly accessible~~ recharging point;”

8. Remain flexible and forward-looking, in order to be ready for future innovation while avoiding prematurely mandating standards (art. 19 and Annex II)

We welcome the proactive identification of standardisation needs. This will bring benefit from an interoperability point of view. We support the fact that the proposal is not prematurely mandating unfinished standards (such as IEC 63110 and IEC63119) as to retain the possibility to identify additional needs at a later stage and avoid possible technology lock-ins.

- In line with this approach, **we would like to point out the need for additional technical specifications for communication between the EV, its owner and the EV services infrastructure.** This is necessary to ensure control for the user and a fair and open ecosystem. For example, EV

drivers should be able to connect their EV to any home energy or fleet management system, as well as to grant access to their charging data to the e-mobility service providers of their choice.

- ➡ This should be done in agreement with the expert group of the Sustainable Transport Forum mandated by the European Commission.

9. Bring forward the date of submission of the National Policy Frameworks (art. 13 and 16)

The Platform believes that the calendar for the NPFs (National Policy Frameworks) should be brought forward by one year, for both the submission of the first draft to the European Commission (to 2024) and the final NPFs (to 2025).

10. Maintain consistency with other 'Fit for 55' legislation

The Platform would also like to underline that **any definition and provisions set out in the AFIR, and the revision of the Renewable Energy Directive (REDIII), should be consistent² with the revision of the Energy Performance of Buildings Directive (EPBD)**, given that its art. 12 will address private charging. In particular, it will be vital to keep consistency between the different definitions on smart and bidirectional charging.

² The definitions of smart charging (in art. 2(49) of the AFIR) and bidirectional recharging (in art. 2(9) of the AFIR) should be harmonised in the AFIR and the REDIII.