
Regulation on the deployment of alternative fuel infrastructure

Adopting the regulation on deployment of an alternative fuel infrastructure (“AFIR”) aims to set mandatory national targets for the next few years to deploy an adequate alternative fuel infrastructure in the EU.

Portugal - Legal Update

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Key aspects

- The AFIR was approved as part of the “Fit for 55” package, which aims to reduce greenhouse gas emissions in the EU by at least 55% by 2030.
- It will ensure the deployment of more alternative fuel recharging and refueling points across Europe by establishing common technical requirements.
- It calls for easy and convenient payment methods, on an ad hoc basis, at electric or hydrogen-powered vehicle recharging or refueling points
- The AFIR establishes that users must be given full electronic information on availability, waiting time and price.



Introduction

In the context of the "Fit for 55" package, which triggered legislative initiatives at EU level to achieve a 55% reduction in greenhouse gas emissions by 2030, the European Parliament and the Council approved the new legal framework on alternative fuel infrastructure on July 25. The AFIR revokes Directive 2014/94/EU of the European Parliament and of the Council of October 22, 2014, which was not as effective as expected and failed to implement a uniform and interoperable development model for the recharging and refueling infrastructure in the EU and between all Member States.

Under the principle of subsidiarity established in article 5 of the Treaty on European Union, the AFIR launches a set of measures to fill the gaps identified during the period that Directive 2014/94/EU was in force.

Relevant aspects of the AFIR

The measures adopted under the AFIR Regulation include the following:

- **Ensuring a minimum coverage of recharging points for light-duty electric vehicles on national road networks.** By December 31, 2025, Member States are obliged to ensure the deployment of publicly accessible recharging pools with a minimum combined power output of 400 kW, at least one individual point of no less than 150 kW in the core Trans-European Transport Network ("TEN-T"), and no more than 60 km between them, with a gradual increase in the number and power output of these pools until 2035.
- **Ensuring a minimum coverage of recharging points for heavy-duty electric vehicles on national road networks.** By 31 December 2025, Member States must ensure the deployment of publicly accessible recharging pools with a minimum combined power output of 1,400 kW and at least one individual point of no less than 350 kW, accessible to the public, along at least 15% of the length of the TEN-T road network, with a gradual increase in number and power by 2035.
- **Extending hydrogen refueling coverage.** Hydrogen refueling stations for both passenger vehicles and trucks should be deployed from 2030 at all urban nodes and every 200 km along the TEN-T core network. Every urban node must have at least one hydrogen refueling station by December 31, 2030.
- **Supply of electricity from the onshore grid through high-capacity maritime ports.** By December 31, 2029, maritime ports in the TEN-T core and comprehensive networks that exceed a certain number of port calls and receive container ships, ro-ro passenger ships or oceangoing passenger ships of more than 5,000 gross metric tons must be equipped to supply electricity from the onshore grid in at least 90% of the total port calls.

- > **Electricity supply from the onshore grid in inland waterway ports.** By December 31, 2024, all the inland waterway ports in the TEN-T core network must be equipped with at least one onshore electricity supply facility. This obligation will be extended to the TEN-T comprehensive network ports by December 31, 2029.
- > **Liquefied methane refueling in ports.** By December 31, 2024, Member States must ensure that sufficient liquefied methane refueling points are installed in the designated TEN-T core network ports.
- > **Electricity supply at airports.** By December 31, 2024, Member States must ensure that all airports in the TEN-T core and comprehensive networks can supply electricity to stationary aircraft at all the parking gates used for commercial air transport operations for passenger boarding and disembarking and for loading and unloading cargo. This obligation will be extended to outfield parking positions by December 31, 2029, but it does not include special deicing areas, those located in military zones, and those for general aviation aircraft with a maximum take-off weight of less than 5.7 metric tons. As of January 1, 2030, Member States must ensure that the electricity supplied for this purpose comes from the electricity grid or is produced locally without using fossil fuels.
- > **Ad hoc basis and ease of payments.** The recharging of electric vehicles or refueling of hydrogen-powered vehicles must be ensured, and users should be able to pay easily and conveniently as needed at recharging or refueling points with widely used payment instruments in the EU. These include electronic payments through terminals and devices used for payment services, including but not limited to payment card readers or devices with a contactless feature that can read payment cards.
- > **Information transparency.** The recharging and refueling point operators must provide consumers with full electronic information on availability, waiting time and price at different stations.
- > **Common technical specifications.** The common technical specifications for the alternative fuels infrastructure are established in Annex II. For areas where the common technical specifications are necessary but do not yet exist and, considering the emerging technological developments, new technical specifications may be established and the regulation amended by adding new types of data through Commission delegated acts.

To adapt the AFIR to technological challenges, to the development of national action frameworks for implementing the approved measures, and to the competitiveness of the transport sectors involved, the Commission will review the regulation every five years and will be responsible for monitoring the implementation of these measures through reporting obligations. To this end, Member States will present an annual progress report on the implementation of the measures to the Commission, which will then submit a consolidated report to the European Parliament and the Council.

The AFIR will be published in the Official Journal of the European Union and will enter into force on the 20th day after publication. The rules established in the regulation will apply six months after it enters into force.

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