



Brussels, **XXX**  
[...] (2024) **XXX** draft

**COMMISSION DELEGATED REGULATION (EU) .../...**

**of **XXX****

**amending Regulation (EU) 2023/1804 of the European Parliament and of the Council as regards additional data types on alternative fuels infrastructure**

*This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission.*

## **EXPLANATORY MEMORANDUM**

### **1. CONTEXT OF THE DELEGATED ACT**

Data on alternative-fuels infrastructure plays a crucial role in supporting the development of reliable information services. These information services provide consumers with confidence regarding the usage of alternative fuels vehicles and infrastructure. Moreover, sufficient and high-quality data enable informed decision-making by data users<sup>1</sup> about market choices, infrastructure planning and investments. For this reason, Regulation (EU) 2023/1804<sup>2</sup> lays down in Article 20(2) that by 14 April 2025, operators of publicly accessible recharging points and refuelling points for alternative fuels, or, in accordance with the arrangements between them, the owners of those points, should ensure the availability of static data and dynamic data concerning alternative fuels infrastructure operated by them, or services inherently linked to such infrastructure that they provide or they outsource, at no cost.

Article 20(2) of Regulation (EU) 2023/1804 also lists a preliminary set of data types that operators of publicly accessible recharging points and refuelling points for alternative fuels should make available. Pursuant to Article 20(6)(a) of Regulation (EU) 2023/1804, the Commission must adopt delegated acts to amend Article 20(2) to include additional data types and, in doing so, consider technological developments or new services made available in the market.

Overall, it is necessary to require the availability of additional data types to ensure that end users can make fully informed decisions on the recharging and refuelling of their vehicles based on high-quality information services developed by the relevant market actors. In particular, additional data types are needed to ensure there is complete general information about the operators of recharging and refuelling points, including information on the presence of physical persons attending the recharging or refuelling station, or the existence of facilities offering associated services to the user. Another important aspect pertains to data on accessibility and operational aspects, where further data types are required detailing vehicle-type compatibility, such as specific vehicle specifications permitted. These data types are crucial for the seamless recharging and refuelling of heavy-duty vehicles. Additionally, there is a need for other data types to specifically address new technological developments and services entering the market, such as plug-and-charge or smart recharging services.

Therefore, this Commission Delegated Regulation amends Article 20(2) of Regulation (EU) 2023/1804 to include further data types, considering also new technological developments and new services coming to the market.

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<sup>1</sup> Under Regulation (EU) 2023/1804, Article 2(16) ‘data user’ means any public authority, road authority, road operator, recharging and refuelling point operator, research or non-governmental organisation, mobility service provider, e-roaming platform, digital map provider or any other entity interested in using data to provide information, create services or perform research or analysis on alternative-fuels infrastructure.

<sup>2</sup> OJ L 234, 22.9.2023, p. 1; ELI: <http://data.europa.eu/eli/reg/2023/1804/oj>.

## **2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT**

In preparing this Commission Delegated Regulation, the Commission consulted experts from Member States and from Norway, Liechtenstein and Iceland through several meetings of the implementation sub-group of the Sustainable Transport Forum (STF) expert group (E03321/4). In total, seven meetings took place between September 2023 and June 2024. Moreover, the general objectives and contents of this Commission Delegated Regulation were discussed in the Alternative Fuels Infrastructure Committee (C49500) on 23 November 2023.

This Commission Delegated Regulation builds on the outcomes of the Connecting Europe Facility (CEF) Programme Support Action (PSA) on Data collection related to recharging/refuelling points for alternative fuels and the unique identification codes related to e-mobility actors (IDACS). This PSA was concluded in 2022 and brought together 15 Member States.

Finally, industry experts were also informed of the preparatory work on this Commission Delegated Regulation as part of two STF sub-groups: the sub-group on governance & standards and the sub-group on data. These industry experts provided technical input and recommendations on the data types that are the subject of this Regulation.

## **3. LEGAL ELEMENTS OF THE DELEGATED ACT**

This Commission Delegated Regulation is based on point (a) of Article 20(6) of Regulation (EU) 2023/1804, which empowers the Commission to adopt delegated acts to amend Article 20(2) to include additional data types concerning publicly accessible recharging points and refuelling points for alternative fuels or services inherently linked to such infrastructure that the operators of that infrastructure provide or outsource in view of technological developments or new services made available on the market.

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**amending Regulation (EU) 2023/1804 of the European Parliament and of the Council as regards additional data types on alternative fuels infrastructure**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2023/1804 of the European Parliament and of the Council of 13 September 2023 on the deployment of alternative fuels infrastructure and repealing Directive 2014/94/EU<sup>1</sup>, and in particular Article 20(6), point (a), thereof,

Whereas:

- (1) Article 20(2) of Regulation (EU) 2023/1804 lays down that by 14 April 2025, operators of publicly accessible recharging points and refuelling points for alternative fuels, or, in accordance with the arrangements between them, the owners of those points, are to ensure the availability of static data and dynamic data concerning alternative fuels infrastructure operated by them, or services inherently linked to such infrastructure that they provide or they outsource, at no cost.
- (2) In order to provide a comprehensive set of data in a harmonised manner across the Union capable of fulfilling the future information needs of end users of alternative fuels infrastructure, providing them with sufficient information on the geographic location, overall characteristics and services offered at publicly accessible recharging and refuelling points, considering also new technological developments and new services coming to the market, it is necessary to amend the list of preliminary set of data types included in Article 20(2) of Regulation (EU) 2023/1804.
- (3) The additional data types introduced in this Regulation relate to general information about the recharging point and refuelling point operators, including information on the presence of physical persons attending the recharging or refuelling station, or the existence of facilities offering associated services to the user. In addition, some data types cover accessibility aspects, such as more detailed vehicle-type compatibility parameters by including vehicle specifications permitted and operational aspects, such as the daily cumulative capacity of hydrogen-refuelling stations or hydrogen pressure delivered at the refuelling point. Furthermore, other data types specifically address new technological developments and services coming to the market, such as plug-and-charge or smart recharging services. Overall, it is necessary to introduce these additional data types to ensure that end users can make informed decisions on their recharging and refuelling sessions on the basis of high-quality information services developed by the relevant market actors.
- (4) In order to avoid overlaps between existing and newly added data types, it is necessary to adjust certain data types listed in Article 20(2) of Regulation (EU) 2023/1804. For instance, the data type ‘geographic location of the recharging points and refuelling

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<sup>1</sup> OJ L 234, 22.9.2023, p. 1-47; ELI: <http://data.europa.eu/eli/reg/2023/1804/oj>.

points for alternative fuels' is replaced by several new additional data types 'global navigation satellite system (GNSS) geographic location information', 'additional geographic location information', 'country', 'region', 'city or town', 'postal code', and 'address name'.

- (5) The provisions of this Regulation complement the existing subsections under Article 20(2) of Regulation (EU) 2023/1804 by adding new points to Article 20(2) of Regulation (EU) 2023/1804 to cover static data for publicly accessible hydrogen refuelling infrastructure, further static data for publicly accessible refuelling infrastructure for alternative fuels, and further dynamic data for publicly accessible hydrogen recharging infrastructure.
- (6) The additional data types introduced in this Regulation are consistent with the technical specifications related to the format, frequency and quality laid down in accordance with Article 20(7) of Regulation (EU) 2023/1804 by [Commission Implementing Regulation (EU) XX:XXXX].
- (7) To anticipate future developments and the implementation of Article 20(5) of Regulation (EU) 2023/1804, the data types laid down by this Regulation should also be accessible through a common European access point that the Commission is to set up by 31 December 2026. This will allow data users to easily access data and compare information on the characteristics of the alternative fuels infrastructure, such as price, accessibility, availability or power capacity.
- (8) The additional data types mandated by this Regulation build on the outcomes of the Connecting Europe Facility Programme Support Action on Data collection related to recharging/refuelling points for alternative fuels and the unique identification codes related to e-mobility actors (IDACS) that was concluded in 2022.
- (9) Pursuant to Article 20(8) of Regulation (EU) 2023/1804, the delegated and implementing acts referred to in paragraphs 6 and 7 of that Regulation are to provide for reasonable transitional periods before the provisions contained therein, or amendments thereof, become binding on the operators or owners of recharging points and refuelling points for alternative fuels. Therefore, this Regulation is to apply from 14 April 2025 to coincide with the date of application of Article 20(2) of Regulation (EU) 2023/1804.
- (10) Regulation (EU) 2023/1804 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

Paragraph 2 of Article 20 of Regulation (EU) 2023/1804 is replaced by the following:

- 'By 14 April 2025, operators of publicly accessible recharging points and refuelling points for alternative fuels, or, in accordance with the arrangements between them, the owners of those points, shall ensure the availability of static data and dynamic data concerning alternative fuels infrastructure operated by them, or services inherently linked to such infrastructure that they provide or they outsource, at no cost. The following data types shall be made available:

- (a) Static data for publicly accessible recharging and refuelling infrastructure for alternative fuels operated by them:
- (1) Legal name of the recharging or refuelling point operator or owner,
  - (2) Commercial name of the recharging or refuelling point operator or owner,
  - (3) Number of recharging or refuelling points,
  - (4) Service support,
  - (5) Helpdesk telephone,
  - (6) Facilities offering associated services to the user,
  - (7) Global navigation satellite system (GNSS) geographic location information,
  - (8) Additional geographic location information,
  - (9) Country,
  - (10) Region,
  - (11) City or town,
  - (12) Postal code,
  - (13) Address name,
  - (14) Opening time,
  - (15) Time zone,
  - (16) Vehicle-type compatibility,
  - (17) Vehicle specifications permitted,
  - (18) Number of parking spaces,
  - (19) Number of parking spaces for people with disabilities,
  - (20) Payment device with bank card reader,
  - (21) Payment device with a contactless functionality that is at least able to read payment cards,
  - (22) Other ad hoc payment option,
  - (23) Additional information about payment providers accepted,
  - (24) Contract-based (subscription) payment option,
- (b) Further static data for publicly accessible electric recharging infrastructure operated by them:
- (1) Recharging point ID code (connector),
  - (2) Number of connectors,
  - (3) Type of connector (plug),
  - (4) Type of current,
  - (5) Recharging station maximum power,
  - (6) Recharging point maximum power,
  - (7) Mobility service providers offering contract-based recharging,

- (8) Plug-and-charge,
- (9) Smart recharging services,
- (10) Electricity supplied is 100% renewable,
- (c) Further static data for publicly accessible hydrogen refuelling infrastructure operated by them:
  - (1) Hydrogen state,
  - (2) Hydrogen pressure,
  - (3) Daily cumulative capacity,
  - (4) Hydrogen supplied is 100% renewable,
- (d) Further static data for publicly accessible refuelling infrastructure for liquified methane
  - (1) Liquified methane supplied is 100% renewable,
- (e) Further static data for publicly accessible refuelling infrastructure for alternative fuels operated by them:
  - (1) Type of connector (dispenser),
- (f) Dynamic data for publicly accessible recharging and refuelling infrastructure for alternative fuels operated by them:
  - (1) Operational status,
  - (2) Availability,
  - (3) Ad hoc price
- (g) Further dynamic data for publicly accessible hydrogen recharging infrastructure operated by them:
  - (1) Limited amount of hydrogen available?.

## *Article 2*

### **Entry into force and application**

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

It shall apply from 14 April 2025.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

*For the Commission*  
*The President*  
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