

# SMOOTH TRAVELLING ACROSS BORDERS WITH ALTERNATIVE POWERTRAINS

Position paper of the Federation of German Consumer Organisations (Verbraucherzentrale Bundesverband – vzbv) regarding the proposal for a Regulation of the European Parliament and of the Council on the deployment of alternative fuels infrastructure

**vzbv welcomes the proposal for a Regulation on the deployment of Alternative Fuels Infrastructure (AFIR) to ensure a sufficient and comprehensive as well as a coherent and user-friendly infrastructure in the whole of Europe.**

In the light of accelerating climate change, the transformation of the mobility sector is urgently needed. In addition to the development of local public passenger transport, the development of safe bicycle lanes and the linking of different modes of transport in intermodal mobility platforms, the electrification of passenger cars is an important building block of a consumer-oriented transformation of the transport sector, as it is not always possible to refrain from using a car. According to a Forsa survey commissioned by vzbv in December 2021, 14 percent of consumers are considering switching to an electric car due to rising fuel prices.<sup>1</sup> In order to make it easier for consumers to switch to electric cars, a sufficient and easily accessible charging infrastructure is indispensable. This means that consumers must be able to move around Europe with an electric car without restrictions. This is of great importance for the achievement of the Paris climate goals and the success of electromobility. Therefore, vzbv welcomes the proposal for a regulation on the deployment of alternative fuels infrastructure.

A modern charging infrastructure fit for the future means that electric car drivers can charge everywhere in a simple way knowing in advance how much they will have to pay. Here, vzbv sees a need for improvement on a number of points. The most important are:

- ❖ In vzbv's opinion, it should be possible to pay by payment card at all charging stations from 2023 onwards.
- ❖ In addition, a price indication in kilowatt-hours (kWh) should be mandatory due to better comparability.
- ❖ Electric car drivers need comprehensive information on the daily prices for spontaneous charging, which is why price information for ad hoc charging must be transmitted to the respective competent authority in all EU Member States – in Germany, the Market Transparency Unit for Fuels.
- ❖ Furthermore, lawmakers need to ensure adequate and non-discriminatory prices and roaming charges.

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<sup>1</sup> Forsa-Umfrage des vzbv im Dezember 2021.

## VZBV RECOMMENDATIONS

### **Art. 3 (2) b: Minimum coverage of publicly accessible recharging points for light-duty vehicles along the TEN-T comprehensive network by 2027**

According to the proposal, member states have to ensure a minimum coverage of publicly accessible recharging points for light-duty vehicles. However, from a consumer perspective 2030 is too late for the comprehensive network. The ramp-up of electric vehicles is already ongoing and if user-friendly conditions are not established in time, this will harm the roll-out of electric vehicles.

❖ **By the end of 2027 at the latest** each recharging pool along the TEN-T comprehensive network should offer a power output of at least 300 kW and include at least one recharging station with an individual power output of at least 150 kW.

### **Art. 5 (2): Card payment option should also be mandatory for slow chargers**

As card payments are a common payment method, it is necessary that charging infrastructure does not constitute an exception. Everyone has to be able to charge a car easily without being technically savvy. It is therefore a welcome proposal to oblige charging point operators to offer card payment at all *fast* charging stations, either through payment card readers or devices with a contactless functionality that is at least able to read payment cards, to not exclude consumers without smartphone or with limited reception.

However, this obligation should be extended to *slow* charging stations as well. According to the proposal, operators of charging points with a power output below 50 kW can choose to offer a Quick Response (QR) code that can be specifically generated and used for the payment transaction. vzbv demands that also recharging stations with a power output below 50 kW shall offer a card payment option. This also corresponds to the wishes of consumers: A consumer survey commissioned by vzbv showed that 82 percent of those surveyed (multiple answers possible) want to pay with a debit or credit card when abroad in Europe.<sup>2</sup> Among younger people up to 29 years of age, the figure is as high as 94 percent. Payment by QR code is the least popular (22 percent), but also only 50 percent want to pay with a provider's charging card. Apps from digital payment services such as PayPal or Google Pay fare slightly better at 62 percent, but payment with a debit or credit card is the clear favourite.

Furthermore, 2027 is too late. The requirement to provide end users with the possibility to recharge their electric vehicle on an ad hoc basis using a card payment instrument that is widely used in the Union should be mandatory from 2023 onwards.

❖ Consumers should be able to **pay with a card at all public charging stations from 2023 onwards**.

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<sup>2</sup> Forsa survey of vzbv in December 2021: Question F18

**Art. 5 (3) and 5 (5): Ad hoc charging made easy**

Even if consumers do not have a contract with the charging station operator, they must be able to charge their car and find out the exact price beforehand. Therefore, vzbv welcomes that the European Commission proposes that it always has to be possible to recharge on an ad hoc basis (Article 5 (3)) and that the ad hoc price and all its components have to be clearly displayed at all publicly accessible re-charging stations (Article 5 (5)). Transparent ad hoc charging prices are also important since they contribute to greater competition between providers. vzbv especially welcomes that the proposed regulation adds in Article 5 (3) that the ad hoc payment option shall be transparently displayed and offered in a convenient manner to the end user. This makes spontaneous charging easier for consumers.

❖ Convenient and **transparent spontaneous charging** is essential to facilitate access to charging stations for consumers.

**Art. 5 (4) and 5 (6): Transparent and fair prices**

vzbv welcomes that the proposal introduces the obligation to clearly distinguish price components<sup>3</sup> also for contract-based payments. Prior to every charging process consumers need to receive uniform and transparent information to be able to estimate the costs for charging as accurately as possible. Furthermore, vzbv welcomes that no extra charges for cross-border e-roaming shall be applied. vzbv recommends that also national roaming costs should not make charging disproportionately more expensive. For this it is important that Article 5 (4) will not be weakened. Article 5 (4) establishes that prices shall be reasonable, easily and clearly comparable, transparent and non-discriminatory and charging point operators shall not discriminate between the prices charged to end users and prices charged to mobility service providers nor between prices charged to different mobility service providers. In the light of a new large market and the importance of the success of electromobility, it is essential to ensure that the level of prices is not differing in a disproportionate manner between different types of end users as well as different mobility service providers. vzbv therefore welcomes Article 5 (4) to prevent price discrimination and thus high roaming costs as well as a bad public image of electromobility. National supervisory authorities, in their role as enforcers, must ensure through regular audits that there is no price discrimination.

Furthermore, charges that make charging more expensive after a certain charging period should only apply during the day. There should be no blocking fee (also called standing time surcharge) at night. That is because night charging is indispensable for consumers without their own charging point at home.

❖ It must be ensured that **prices and roaming charges are reasonable and non-discriminatory**.

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<sup>3</sup> In addition to the kilowatt-hour price for electricity, all other price components, such as possible parking or service fees, must be shown.

**Art. 5 (4-6): Only prices in kWh are comparable**

vzbv welcomes that prices have to be, amongst other things, comparable (Art. 5 (4)). In vzbv's opinion, however, only a price per kilowatt-hour makes prices comparable. Time-based tariffs or session fees do not allow an easy comparison. Therefore, vzbv recommends an additional paragraph in Article 5 that makes a kWh-based price for spontaneous as well as contractual charging mandatory. Additional price components steering parking or charging behaviour are possible, but have to be displayed transparently. Furthermore, the legal text should include a rule according to which operators must ensure that consumers only pay for the amount of electricity that the charging station delivers to the electric car.

❖ Prices are only easily comparable if they are displayed in kilowatt-hours. Therefore, **prices in kilowatt-hour should be mandatory.**

**Art. 18: Adequate user information**

It is critical that consumers know where the nearest charging station is, what type of connection and power it has, and how many accessible charging spots are available for people with disabilities. Regarding dynamic data, it is important for consumers to know whether the charging station is in operation, whether it is currently in use, and what the ad hoc price is. Therefore, vzbv welcomes Article 18 and that operators of publicly accessible recharging stations and refuelling stations must ensure the availability of static and dynamic data concerning alternative fuels infrastructure they operate and provide free access to this data via the National Access Points (NAPs).

vzbv has been advocating for a long time that all charging station operators have to be required to send data from their charging stations to a central authority. In Germany, this would be the Market Transparency Unit for Fuels (MTS-K), whose remit should be expanded to include ad hoc prices for charging electricity. The European lawmakers could include such an obligation for all Member States in AFIR. This is also demanded by 81 percent of respondents to a Forsa survey commissioned by vzbv.<sup>4</sup> This data can then be made available to electric car drivers on various digital applications (e.g. apps).

❖ For market transparency and consumer information, all data and especially the **price information for ad hoc charging must be transmitted to the respective competent authority in all EU Member States – in Germany, the Market Transparency Unit for Fuels.** The European lawmakers should oblige the Member States to set up such authorities where they do not exist.

**Data protection and data security**

The proposed regulation does not provide for specific data protection rules. vzbv therefore demands that a high level of data protection and security must be ensured in all authentication, billing and payment processes. To this end, enforcement of the General Data Protection Regulation (GDPR) by the national data protection authorities must be improved.

<sup>4</sup> Forsa survey of vzbv in December 2021: Question F19

- ❖ To ensure a high level of data protection and security for charging stations, **enforcement of the GDPR** by national data protection authorities must be improved.

## Contact

*Verbraucherzentrale  
Bundesverband e.V.*

*Team  
Mobility and Travel*

*Rudi-Dutschke-Straße 17  
10969 Berlin*

*Mobilitaet@vzbv.de*