



EUROPEAN COMMISSION  
Directorate-General for Mobility and Transport

Directorate B – Investment, Innovative & Sustainable Transport  
B4 – Sustainable & Intelligent Transport

## **SUSTAINABLE TRANSPORT FORUM: SUB-GROUP ON BEST PRACTICES OF PUBLIC AUTHORITIES TO SUPPORT THE DEPLOYMENT OF RECHARGING INFRASTRUCTURE**

### TERMS OF REFERENCE

#### **1. INTRODUCTION**

On 23 April 2015, the European Commission established the Sustainable Transport Forum ('the STF') by Commission Decision C(2015)2583 (the 'STF establishment decision')<sup>1</sup>. By Commission Decision of 9 December 2020<sup>2</sup>, the STF has been renewed until 31/12/2030 (the 'STF renewal decision'). The STF supports the implementation of Directive 2014/94/EU on the deployment of alternative fuels infrastructure<sup>3</sup> with technical expertise.

Under Article 5(2) of the STF establishment decision and Article 8 of the STF renewal decision, DG MOVE is entitled to set up sub-groups to prepare and support the work of the STF.

On this basis, DG MOVE has decided to set up a sub-group on best practices of public authorities to support the deployment of recharging infrastructure ('the sub-group').

Public authorities of all levels of government play a key role in supporting the deployment of recharging infrastructure. The decisions they take today, will shape the electromobility market of tomorrow. The sub-group therefore aims to share the experiences, lessons learned and best practices of the frontrunners, amongst public authorities throughout the EU.

#### **1.1. Context**

Innovation and investment in recharging infrastructure for road transport is one of the most impactful and rapid ways to reduce CO<sub>2</sub> emissions in the transport sector, due to the high modal share, globally, of commercial goods and passenger transport by road. In 2017,

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<sup>1</sup> Commission Decision C(2015)2583 final of 23 April 2015 on setting-up an expert group on alternative transport fuels ('the Sustainable Transport Forum').

<sup>2</sup> Commission Decision of 9 December 2020 on renewing the group of experts on alternative transport fuels ('the Sustainable Transport Forum') – C(2020)8535 final.

<sup>3</sup> OJ L 307, 28.10.2014, p. 1, Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure.

transport<sup>4</sup> was responsible for more than 30% of the EU's total CO<sub>2</sub> emissions, of which 71.7% came from road transport.<sup>5</sup>

Passenger cars and vans ('light commercial vehicles') are responsible for around 13% and 2.7%, respectively, of total EU emissions of carbon dioxide (CO<sub>2</sub>).<sup>6</sup> In 2017, passenger cars and vans accounted for more than 73.5% of total CO<sub>2</sub> emissions from road transport in Europe.<sup>7</sup> However, mature technologies and strategies exist to entirely decarbonise this transport segment, making it a segment with lower hanging fruits. For the next five years, automakers have announced plans to release another 200 new electric car models<sup>8</sup>, manifesting the mainstream commercial deployment of electric vehicles. This makes the deployment of a widespread and sufficiently dense recharging network pertinent and urgent.

Quick rollout of recharging is necessary to keep the pace with quickly growing vehicle fleets. Public authorities have a key role to play in this context. They should set the right framework conditions for market actors and support the deployment of recharging infrastructure, at scale, to enable transport operators to adopt alternative fuels rapidly. Infrastructure availability and standards must be harmonised between governments to allow cross-border operations.

## **1.2. How it started: the Recommendations**

In particular through their public procurement, concession, licence or grant award procedures, public authorities of all levels of government can help shape market developments in the area of electromobility. They can learn from the experience of frontrunners, by avoiding the mistakes they may have made and borrowing the practices that have proven to be successful.

Sharing experience and building common recommendations can moreover help to support a more coherent network of infrastructure that supports its easy and seamless use and thereby help to accelerate the ramp up of vehicles.

Based on these considerations, at its plenary meeting of 2019, the STF unanimously agreed to focus its work in 2020 on the development of "Guidelines on minimum quality requirements for infrastructure and best practices for public tendering". The mandate asked for the development of a toolkit for public authorities who want to grant concessions for or procure alternative fuels infrastructure, based on best practices from different contracting authorities and building on the findings of the STF 2019 stakeholder consultation as evidence base. Following the mandate provided by the STF 2019 plenary, the European Commission facilitated a process of STF members to draft recommendations for public authorities, with the assistance of TNO, a Dutch research organisation with amongst others expertise in sustainable transport policy, and POLIS, the network of European cities and regions cooperating for innovative transport solutions, both under the EAFO 2.0 contract with the

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<sup>4</sup> Excluding international maritime (international traffic departing from the EU), but including international aviation.

<sup>5</sup> DG MOVE, EU Transport in figures: Statistical pocketbook 2019, p. 143 and p. 151; available here: <https://op.europa.eu/en/publication-detail/-/publication/f0f3e1b7-ee2b-11e9-a32c-01aa75ed71a1>.

<sup>6</sup> Calculated based on figures from European Environment Agency EEA Report No 2/2020, Monitoring CO<sub>2</sub> emissions from passenger cars and vans in 2018, p. 11; available here: <https://www.eea.europa.eu/publications/co2-emissions-from-cars-and-vans-2018>.

<sup>7</sup> *Ibid.*

<sup>8</sup> IEA, Global EV outlook 2020 (Paris), available here: <https://www.iea.org/reports/global-ev-outlook-2020>. According to analysis by T&E, the total number of BEV models on the market in the EU will surpass 100 in 2022 and reach 172 in 2025; see Electric surge: Carmaker's electric car plans across Europe 2019-2025, p. 9; available here: [https://www.transportenvironment.org/sites/te/files/publications/2019\\_07\\_TE\\_electric\\_cars\\_report\\_final.pdf](https://www.transportenvironment.org/sites/te/files/publications/2019_07_TE_electric_cars_report_final.pdf).

European Commission. As the main deliverables of the STF 2020 workstreams, the STF on its Plenary of 26 November 2020 adopted the Recommendations for public authorities on procuring, awarding concessions, licences and/or granting support for electric recharging infrastructure for passenger cars and vans (the ‘Recommendations’), as well as the summary Handbook.

The Recommendations and Handbook aim to provide a toolkit for authorities that are either looking to procure recharging infrastructure or to award concessions for their roll-out and/or operation, possibly linked to the granting of government support. By offering an overview of best and innovative practices by frontrunners, these documents offer a set of minimum recommendations to public authorities seeking to support the deployment of recharging infrastructure in their territories.

### **1.3. The next steps**

Market uptake of electric vehicles and infrastructure is expected to accelerate in the coming years, driven by the need for Member States and automotive manufacturers to comply with relevant legislative provisions for reducing greenhouse gas emissions from transport, including the recently revised CO<sub>2</sub> emission performance standards for cars and vans and heavy-duty use vehicles. Similarly, other modes of transport may also increasingly use electric engines for propulsion, such as in inland waterways, maritime or even aviation transport. The Green Deal communication sets the objective of having at least one million public recharging and refuelling points on the roads in the Union by 2025. It is a clear European policy priority to ensure that recharging or refuelling alternative fuels vehicles is easy and related services and prices are transparent for users throughout the Union. This will bring with it new challenges regarding the interoperability of infrastructure, its user-friendliness (including for consumers with disabilities), cost-effectiveness as well as adequate user information, which will be addressed in the upcoming revision of Directive 2014/94/EU.

In support of the further implementation of the European policy framework, it is therefore necessary to keep the Recommendations up-to-date, in line with these market and regulatory developments, to facilitate and harmonise the deployment of recharging infrastructure in the EU. Moreover, it can be envisaged to expand the scope of the Recommendations, or adopt new recommendations, for other modes of transport. This requires continued expert support in the context of the STF.

In addition, further exchange of best practices in other areas may be needed, to further address reduction of technical and administrative barriers to EU-wide deployment of recharging infrastructure. A possible candidate for further simplification and harmonization within Member States and across Member States would be the permitting procedure for developing recharging infrastructure. The 2019 STF stakeholder consultation identified lengthy permitting procedures, involving many different administrative procedures and actors as one of the more important barriers to a quick roll-out of recharging infrastructure in the EU. Also in their contributions to the Recommendations, CPOs identified compliance with a plethora of –often very local- permitting regulations as a main barrier to quick infrastructure roll-out, and one leading to unnecessary costs – which will eventually have to be borne by consumers.

All of the deliverables of this sub-group will be shared with other public authorities, and the public at large, at a to be established European knowledge platform, as part of the European Alternative Fuels Observatory (eafo.eu).

## **2. SUBJECT MATTER**

The Sustainable Transport Forum sub-group on best practices of public authorities to support the deployment of recharging infrastructure ('the sub-group') is set up.

## **3. MISSION**

The sub-group's main mission shall be to assist the Commission in developing a substantive understanding of and recommendations on how public authorities can best use the instruments at their availability to support electric recharging infrastructure rollout, including through their public procurement, concession, licence and/or grant award procedures. The outcomes of this work will support practice of public authorities and facilitate further development of markets.

The sub-group shall moreover function as a platform for exchange between public authorities on all matters to promote and facilitate the development of high quality recharging infrastructure. This includes for example possible approaches to harmonization and simplification of permitting procedures, harmonization and simplification of grid connection procedures, etc.

## **4. TASKS**

The sub-group's tasks shall non-exclusively encompass:

1. to assist the Commission in the development and implementation of a Strategic Roll-out plan of recharging infrastructure in Europe;
2. to assist the Commission to update, on a regular basis, the Recommendations for public authorities on procuring, awarding concessions, licences and/or granting support for electric recharging infrastructure for passenger cars and vans (the 'Recommendations'), as well as the summary Handbook;
3. to assist the Commission to determine the usefulness of and eventually propose other Recommendations, such as guidelines for public authorities on procuring, awarding concessions, licences and/or granting support for recharging infrastructure for other modes of transport, or for specialised and captive fleets such as taxis, (urban) logistics, etc.;
4. to assist the Commission to develop a best practice guide for permitting procedures regarding electric recharging infrastructure;
5. to the extent possible, to assist the Commission to develop different templates, standard contract provisions and other 'off the shelf' solutions for use by public authorities in their public procurement, concession, licence and/or grant award procedures for electric recharging infrastructure;
6. to discuss and propose other tools, guidelines and solutions that could help public authorities further improve their public procurement, concession, licence and/or grant award procedures for electric recharging infrastructure;
7. to inform the Commission and Member States of first hand problems experienced in the deployment of recharging infrastructure, where necessary preparing the ground for further legislative or regulatory action.

## **5. DELIVERABLES AND TIMETABLE**

The sub-group's work is expected to start at the beginning of 2021. The group will review in its first meeting its mission mandate and agree to a concrete work plan. The duration of the work group will depend on the continued relevance of the sub-group, based on the needs of public authorities as identified in the sub-group discussions.

The sub-group shall report to the plenary meetings of the STF. The reporting shall consist of a concise description of the progress of the tasks, escalating all relevant technical and political aspects which might benefit from a wider discussion with the members of the plenary of the STF. To facilitate the reporting process, the sub-group shall appoint a rapporteur who shall participate in the STF plenary meetings, informing about the progress and issues encountered.

The sub-group's deliverables shall non-exclusively include:

1. the updating of the Recommendations for public authorities on procuring, awarding concessions, licences and/or granting support for electric recharging infrastructure for passenger cars and vans (the 'Recommendations'), as well as the summary Handbook, on a regular basis. The regularity of the updates should depend on the needs of public authorities. As an indication, an annual update would be preferred, but as a minimum the update should occur on a bi-annual basis.
2. to develop a best practice guide for permitting procedures regarding electric recharging infrastructure for proposal at the STF 2022 Plenary at the latest.
3. deliver on the other tasks set forth in Article 2 according to the identified needs and requirements, in particular with a view to setting up a "Knowledge platform" for public authorities at EU level, to be developed as an integral part of the European Alternative Fuels Observatory.

A detailed roadmap with a set of deliverables based on the specific needs identified by the sub-group members shall be defined, in agreement with DG MOVE, and attached to the Terms of Reference of this sub-group. The roadmap shall be drawn up following the first meeting of this sub-group, and will be updated every year in accordance with the deliberations at the first meeting of the sub-group in that calendar year.

## **6. CONSULTATION**

1. DG MOVE may consult the sub-group on any matter relating to the deployment of recharging infrastructure by public authorities.
2. DG MOVE may consult the sub-group on any legislative or regulatory proposals or ideas, or standardisation needs that concern recharging infrastructure.

## **7. MEMBERSHIP**

1. The sub-group shall be composed of up to 35 members.
2. Members of the sub-group are:
  - (a) organisations in the broad sense of the word, including companies, associations, Non-Governmental Organisations, trade unions, universities, research institutes, law firms and consultancies, active in or working on electromobility and/or active in or working on public procurement, concession

award, licence award or government support procedures, and/or active in or working on permitting procedures ('Type C members');

- (b) Member States' authorities, at national, regional or local level ('Type D members');
- (c) other public entities, such as third countries' authorities, including candidate countries' authorities, Union bodies, offices or agencies and international organisations ('Type E members').

3. The sub-group can have up to a maximum of 10 Type C members; DG MOVE reserves the right to appoint fewer than 10 Type C members.
4. Organisations, Member States' authorities and other public entities shall nominate their representatives considering their suitability with regard to the purpose of the sub-group, ensuring that their representatives provide a high level of expertise. DG MOVE may refuse the nomination by an organisation of a representative if it considers this nomination inappropriate in the light of the requirements specified in the call for applications. In such case, the organisation concerned shall be asked to appoint another representative.
5. Member organisations which are no longer capable of contributing effectively to the expert group's deliberations, who, in the opinion of DG MOVE, do not comply with the conditions set out in Article 339 of the Treaty on the Functioning of the European Union or which resign, shall no longer be invited to participate in any meetings of the group and may be replaced for the remainder of their term of office.

## **8. SELECTION PROCESS**

1. The selection of the sub-group's Type C members shall be carried out via a public call for applications, to be published on the Register of Commission expert groups and other similar entities ('the Register of expert groups'). In addition, the call for applications may be published through other means, including on dedicated websites. The call for applications shall clearly outline the selection criteria, including the required expertise and the interests to be represented in relation to the work to be performed. The minimum deadline for applications shall be four weeks.
2. Registration in the Transparency Register is required in order for organisations to be appointed.
3. Organisations shall be appointed as Type C members by the the Director General of DG MOVE from applicants with competence in the areas referred to in point 4 and which have responded to the call for applications.
4. Type D and E members shall be appointed by the Director General of DG MOVE by direct invitation.
5. Members shall be appointed for two year terms. Their membership can be extended by decision of the Director General of DG MOVE.
6. In order to ensure continuity and the smooth functioning of the group, DG MOVE may establish a reserve list of suitable candidates that may be used to appoint

replacements. DG MOVE shall ask applicants for their consent before including their names on the reserve list. The reserve list shall have a maximum validity of four years.

## **9. CHAIR**

The sub-group shall be chaired by a representative of DG MOVE (hereinafter referred to as 'the Chair').

## **10. OPERATION**

1. The sub-group shall act at the request of DG MOVE in compliance with the Commission's horizontal rules on expert groups<sup>9</sup>.
2. Meetings of the sub-group shall, in principle, be held on Commission premises or in virtual form, as decided by the Chair.
3. DG MOVE shall provide secretarial services. Commission officials from other departments with an interest in the proceedings may attend meetings of the sub-group.
4. In agreement with DG MOVE, the sub-group may, by simple majority of its members, decide that deliberations shall be public.
5. Minutes on the discussion on each point on the agenda and on the opinions delivered by the group shall be meaningful and complete. Minutes shall be drafted by the secretariat under the responsibility of the Chair.
6. The sub-group shall adopt its opinions, recommendations or reports by consensus. In agreement with the Chair, the sub-group may adopt its opinions, recommendations or reports by voting. In the event of a vote, the outcome of the vote shall be decided by simple majority of the members. Members who have voted against or abstained shall have the right to have a document summarising the reasons for their position annexed to the opinions, recommendations or reports.

## **11. INVITED EXPERTS**

DG MOVE may invite experts with specific expertise with respect to a subject matter on the agenda to take part in the work of the sub-groups on an *ad hoc* basis.

## **12. OBSERVERS**

1. Individuals, organisations and public entities other than Member States' authorities may be granted an observer status, in compliance with the horizontal rules, by direct invitation.
2. Organisations and public entities appointed as observers shall nominate their representatives.
3. Observers and their representatives may be permitted by the Chair to take part in discussions and provide expertise. However, they shall not have voting rights and

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<sup>9</sup> C(2016) 3301, Article 13.1.

shall not participate in the formulation of recommendations or advice of the sub-group.

### **13. RULES OF PROCEDURE**

On a proposal by and in agreement with DG MOVE, the sub-group shall adopt its rules of procedure by simple majority of its members, on the basis of the standard rules of procedure for expert groups, in compliance with the horizontal rules and in line with the present terms of reference.

### **14. PROFESSIONAL SECRECY AND HANDLING OF CLASSIFIED INFORMATION**

The members of the sub-group and their representatives, as well as invited experts and observers, are subject to the obligation of professional secrecy, which by virtue of the Treaties and the rules implementing them applies to all members of the institutions and their staff, as well as to the Commission's rules on security regarding the protection of Union classified information, laid down in Commission Decisions (EU, Euratom) 2015/443<sup>10</sup> and 2015/444<sup>11</sup>. Should they fail to respect these obligations, the Commission may take all appropriate measures.

### **15. TRANSPARENCY**

1. The sub-groups shall be registered in the Register of expert groups.
2. As concerns the sub-groups composition, the following data shall be published on the Register of expert groups:
  - (a) the name of Member States' authorities;
  - (b) the name of other public entities, including the name of third countries' authorities;
  - (c) the name of member organisations; the interest represented shall be disclosed;
  - (d) the name of observers.
3. All relevant documents, including the agendas, the minutes and the participants' submissions, shall be made available on the Register of expert groups or *via* a link from the Register to a dedicated website, where this information can be found. Access to dedicated websites shall not be submitted to user registration or any other restriction. In particular, DG MOVE shall publish the agenda and other relevant background documents in due time ahead of the meeting, followed by timely publication of minutes. Exceptions to publication shall only be foreseen where it is deemed that disclosure of a document would undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) N° 1049/2001<sup>12</sup>.

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<sup>10</sup> Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

<sup>11</sup> Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).

<sup>12</sup> These exceptions are intended to protect public security, military affairs, international relations, financial, monetary or economic policy, privacy and integrity of the individual, commercial interests,



**16. MEETING EXPENSES**

1. Participants in the activities of the sub-groups shall not be remunerated for the services they offer.
2. Travel and subsistence expenses incurred by participants in the activities of the sub-group shall not be reimbursed by the Commission.

Done in Brussels, on **date**.