

## CALL FOR EVIDENCE FOR AN INITIATIVE (without an impact assessment)

<b>TITLE OF THE INITIATIVE</b>	Measuring instruments – targeted technical update of EU rules
<b>LEAD DG – RESPONSIBLE UNIT</b>	Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs - H.2 Machinery and Equipment
<b>LIKELY TYPE OF INITIATIVE</b>	Legislative (proposal for a directive amending the Measuring Instruments Directive (2014/32/EU))
<b>INDICATIVE TIMING</b>	Q4 2024 – Q1 2025
<b>ADDITIONAL INFORMATION</b>	<p>This initiative is intended to broaden the scope of the Measuring Instruments Directive to include new devices and establish the corresponding harmonised essential requirements for them.</p> <p><a href="http://europa.eu">Legal metrology (europa.eu)</a></p>

*This document is for information purposes only. It does not prejudice the final decision of the Commission on whether this initiative will be pursued or on its final content. All elements of the initiative described by this document, including its timing, are subject to change.*

### A. Political context, problem definition and subsidiarity check

#### Political context

[Directive 2014/32/EU on measuring instruments](#) (the ‘Measuring Instruments Directive’, or ‘MID’) was adopted in 2014 to replace Directive 2004/22/EC. However, its scope and associated essential requirements have remained almost unchanged for more than 20 years.

For this reason, certain measuring systems that are now key for the successful roll-out of the **green and digital transitions** and to improve the **efficiency of energy distribution in the EU** are not covered by the MID. This means that it is no longer fit for purpose in several areas with fast technological progress (e.g. clean mobility, smart meters, biogases, hydrogen).

At present, there are no **uniform metrological requirements for electrical-vehicle charging and hydrogen refilling infrastructure in the EU**. This leads to a lack of clarity and to diverging technical requirements, which **create additional costs** and hurdles for manufacturers, who have to adapt their products to different national requirements. It also makes it harder to meet the ambitious (fleet and network-based) targets in the [Alternative Fuels Infrastructure Regulation](#) (AFIR), which are **prerequisites for the roll-out of clean mobility**.

Charging infrastructure has been identified as one of the necessary conditions<sup>1</sup> for a successful **transition to 100% zero-emission cars** as of 2035<sup>2</sup>. It is expected that by 2030, not less than 3 million charging points will be installed in the EU<sup>3</sup>.

An outdated MID also hampers the **deployment of smart metering systems**. Such systems help the energy transition by **empowering consumers** to make full use of **decentralised production** from small-scale renewables and of new energy services/schemes such as demand response and energy communities.

#### Problem the initiative aims to tackle

The absence of harmonised requirements for certain categories of measurement instruments (as regards electrical-vehicle and hydrogen charging infrastructures and smart electricity and gas meters) leads to the emergence of **diverging national legislation** and a **fragmentation of the single market**. **Such fragmentation would lead to more complexity, less predictability and higher costs for businesses and consumers. This could also delay the roll-out of technologies that are key for the EU’s Green Deal.**

<sup>1</sup> [Fit for 55: deal on charging and fuelling stations for alternative fuels | News | European Parliament \(europa.eu\)](#).

<sup>2</sup> [‘Fit for 55’: Council adopts regulation on CO2 emissions for new cars and vans - Consilium \(europa.eu\)](#).

<sup>3</sup> [Mobility Strategy \(europa.eu\)](#).

This initiative would tackle **the most critical and urgent gaps** that may impede both the green and digital transitions and the EU's energy resilience.

### Basis for EU action (legal basis and subsidiarity check)

In the absence of delegated powers in the Measuring Instruments Directive to amend its scope and its technical annexes, the legal basis for this initiative is [Article 114 of the Treaty on the Functioning of the European Union \(TFEU\)](#).

This initiative fulfils the principle of necessity and the EU added value test of subsidiarity.

This initiative is necessary to **avoid the fragmentation of the single market** regarding electrical-vehicle charging infrastructure, hydrogen refilling infrastructure and smart electricity and gas meters.

As this is a **technical targeted initiative**, it will lay down **harmonised technical requirements** for these types of measuring instruments. It will **complete the EU single market** for those instruments and ensure that **consumers are protected**, while taking account of the **latest technological progress**. Without action at EU level, Member States will develop their own national rules, resulting in the continued fragmentation of requirements and limitations, and preventing the establishment of a level playing field for measuring instruments in the single market.

### Legal basis

Article 114 TFEU.

### Practical need for EU action

To have an **effective, efficient and working EU single market** in the areas covered by this amendment it is necessary to have harmonised metrological requirements for electrical-vehicle and hydrogen charging infrastructures and smart electricity and gas meters.

## B. What does the initiative aim to achieve and how

The initiative is intended to **revise and update the scope and annexes of the Measuring Instruments Directive** as regards electrical-vehicle and hydrogen charging infrastructure and smart electricity and gas meters. **It will also facilitate the roll-out of clean mobility, the green and digital transitions and the resilience of the EU's energy systems.**

This initiative would take the form of a **targeted technical amendment of the MID**. This amendment will take into account input received from stakeholders in the consultation process. This amendment would provide for:

- harmonised essential requirements for **measuring systems for electrical-vehicle supply equipment (electrical-vehicle charging stations)**;
- harmonised essential requirements for **measuring systems for compressed gas dispensers for road vehicles (e.g. hydrogen refilling infrastructure)**;
- technical adjustments of Annex V to the MID on **electrical energy meters** to take into account technological developments (e.g. use of direct current) and the roll-out of **smart meters**;
- some adjustments of the requirements in Annex IV to the MID on gas meters to take into account the increased **use of new gases** (e.g. hydrogen or other renewable gases) and the roll-out of **smart meters**;
- some adjustments of the general requirements set out in Annex I to the MID to take into account the roll-out of smart meters (e.g. **remote** metrologically controlled **displays** for electricity and gas meters).

When revising the Directive, all possible efforts will be made to simplify and reduce burdens, including by avoiding new unnecessary reporting requirements. This is with a view to the Directive's forthcoming evaluation, which will focus on possible digitalisation measures. The envisaged focus of the evaluation is outlined in the rationalisation plan for reporting requirements of DG GROW, the European Commission's Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs,

### Likely impacts

This targeted technical amendment of the MID would complete the EU single market for these instruments and ensure that consumers are protected, while taking into account the latest technological progress.

Harmonising metrology requirements for charging infrastructure would reduce the divergence of requirements across the EU and prevent fragmentation of the single market for charging equipment. It would also reduce costs for industry, as there would be no need to obtain certification from 27 Member States for the same device. Furthermore, in the absence of harmonisation, resources would have to be allocated to adapt hardware and software to 27 different (and possibly divergent) national requirements, which would generate additional costs for

<p>EU consumers. Harmonised metrology requirements would mean that industry can roll out charging infrastructure more easily, with consumer prices likely to be lower.</p> <p>In addition, modernising the requirements for electricity and gas meters to make them suitable for smart metering would enable the public to fully benefit from market rate savings by using hourly or even faster changing tariffs. This would increase the demand response and support smart grids. Gas meters would also be ready for the expected increased use of new gases (such as hydrogen and mixtures of it with natural gas) to address the shift to lower carbon gases.</p>
<p><b>Future monitoring</b></p> <p>Monitoring will take place in the context of the regular evaluation of the Measuring Instruments Directive.</p>
<p><b>C. Better regulation</b></p>
<p><b>Impact assessment</b></p> <p>As the Commission is not empowered to adopt a delegated act to update the scope of the MID to cover new emerging technologies, <b>a legislative proposal to amend the Directive itself is the only option</b> to avoid fragmentation of the single market.</p> <p>An impact assessment is not being carried out. This is due to the <b>technical nature of the initiative</b> and the fact that the only viable legislative option is to broaden the scope of the Directive and revise some of its requirements.</p> <p>Metrology requirements merely aim to ensure that measurements (which are used as the basis for bills) are correct. These requirements should be <b>technologically neutral and reflect the current state of the art</b>.</p> <p>This initiative <b>is not expected to generate additional costs</b> for industry and consumers. On the contrary, in the absence of action, costs are expected to keep on increasing.</p> <p>Moreover, there is an <b>urgent need to act to avoid single market fragmentation and facilitate the roll-out of new technologies</b>.</p> <p>It is also important to note that the MID (together with the Non-Automatic Weighing Instruments Directive) is at present being fully evaluated in parallel to this initiative. This evaluation may lead in due time to further changes to the legal framework for metrology. This targeted technical amendment aims only at fixing the most urgent issues.</p>
<p><b>Consultation strategy</b></p> <p>This call for evidence process aims to gather technical feedback as well as information about the expected costs and benefits. These can then be used to further preparatory work on this initiative. The call for evidence will be translated into all EU languages and will be open for feedback for 4 weeks.</p> <p>The technical work on the initiative has already started, with the support of WELMEC, the organisation gathering together all the Member States' metrology institutes. Industry and consumer associations have also been invited to contribute to this work, to ensure that the technical solutions developed are cost effective and that stakeholders' views are taken into account. Consultation also took place in the context of a meeting of the Measuring Instruments Working Group on 11 January 2024 and on 12 September 2024.</p>
<p><b>Why we are consulting?</b></p> <p>The aim of this call for evidence is to collect information on technical issues and expected economic impacts, as well as views and ideas that can assist the Commission in the preparation of a possible legislative proposal.</p>
<p><b>Target audience</b></p> <p>Contributions are welcomed from the public (e.g. non-experts and experts responding in an individual capacity), from businesses and organisations, from academic institutions and from research institutes.</p>