

26/01/2022

Department of Mobility and Public Works (Flanders)

Stimulating zero-emission transport – VLA (R-3.06)

**Adoption of a framework for the deployment of charging infrastructure in the Flemish Region**

**Evidence provided:**

Copy of decrees and formal documents related to the policy framework:

- VR 2020 2011 MED.0362-1BIS Laadinfrastructuur – mededeling
  - ➔ This is a “Communication to the Flemish Government” from 20.11.2020 with the general concept note for the approach of the roll-out of charging infrastructure in the period 2021-2025. The Communication has been signed by the Flemish Minister of Mobility and Public Works, but does not include binding law. However, in the meantime it has been elaborated into binding law (see legislation below).
  
- VR 2021 0907 DOC.0840-1BIS CPT visie 2030 – nota
  - ➔ Section 4 contains the final approval by the Flemish Government of the “Clean Power for Transport (CPT) policy for 2021-2030”. This has been approved by the Flemish Government on 09.07.2021.
    - 4. **PROPOSAL OF DECISION:** The Flemish Government decides:
      - to give its final approval to this vision;
      - to commission the minister responsible for mobility to coordinate the implementation of this vision.
  
- VR 2021 0907 DOC.0840.2BIS\_CPT visie 2030
  - ➔ This is the “Clean power for transport’ (CPT) policy for 2021-2030”, which has been approved by the Flemish Government on 09.07.2021 by the above mentioned document.
  
- Decreet (BS) VR 2021 1607 DEC.0073
  - ➔ The “Decree on zero-emission vehicles and vehicles powered by alternative fuels” has been formally ratified and proclaimed by the Flemish Government on 16.07.2021. Subsequently, it has been published in the Belgian Official Gazette on 25.08.2021 (Numac : 2021032395) and entered into force 10 days later (04.09.2021).
  
- 2021 1217 VR DOC 1571/2 BVR
  - ➔ This is the “Government of Flanders Order regarding the charging infrastructure for electric vehicles” which has been formally approved by the Flemish Government on 17.12.2021.

Subsequently, it has been published in the Belgian Official Gazette on 04.03.2022 (Numac : 2022030197) and entered into force 10 days later (14.03.2022).

### Detailed justification:

- **20/11/2020 → VR 2020 2011 MED.0362-1BIS Laadinfrastructuur – mededeling:** Notice to the Flemish government about the approach for the roll-out of charging infrastructure 2021-2025.

→ This is a “Communication to the Flemish Government” from 20.11.2020 with the general concept note for the approach of the roll-out of charging infrastructure in the period 2021-2025. In view of the switch to zero-emission vehicles, mainly powered by rechargeable batteries, an accelerated development of charging infrastructure is necessary. This includes public, semi-public and private charging points.

The concept note contains the following key elements:

- For the **public charging infrastructure** (Section C, part a (pp. 7-12)) the target is 30,000 additional charge equivalents (CPE) by 2025. The speed of the roll-out will be adapted as much as possible to the current number of electric vehicles. A combination of normal and (ultra) fast chargers will be used. Fast chargers will be rolled out at attractive locations along major transport axes and at strategic locations near or in the cities, preferably close to the medium-voltage network. A combination of framework agreements and several smaller lots will be used. The emphasis is on demand-driven rollout without subsidies (charging point follows car (“paal volgt wagen”) and charging point follows charging point (“paal volgt paal”), supplemented by project-based charging infrastructure. The concrete approach and the division of roles will be determined by the Flemish Minister of Mobility and Public Works in a uniform Flemish framework (see documents **VR 2021 1607 DEC.0073** and **2021 1217 VR DOC 1571/2 BVR**).
  - **Home charging** (Section C, part B (p. 12) and **charging at work** (Section C, part c (pp. 12-13)) are also favoured. For many reasons, these are the most preferential ways to charge electric vehicles, especially in combination with smart charging solutions. **Charging at other private car parks** (Section C, part D p. 13) also has advantages, especially if all these charging points can be opened up to the public on a part-time or full-time basis where possible. In this context, a link is made with the transposition of art. 8 of the EPBD directive (charging at car parks near buildings).
  - The note ends with **ideas on charging other vehicles** (Section C, part e (pp. 13-14). After all, specific measures are also needed for light electric vehicles, taxis and shared systems, delivery vans and trucks and certainly urban logistics, but also for buses.
- **09/07/2021 → VR 2021 0907 DOC.0840-1BIS CPT visie 2030 – nota:** Decision of the Flemish Government about the vision to identify the objectives and strategy lines of the 'Clean power for transport' (CPT) policy for 2021-2030 and to provide measures for the period up to 2025.
- This is the final approval by the Flemish Government of the “Clean Power for Transport (CPT) policy for 2021-2030” (see document VR 2021 0907 DOC.0840.2BIS\_CPT visie 2030).

This contains the decision of the Flemish Government regarding the final approval of the CPT policy (**VR 2021 0907 DOC.0840.2BIS\_CPT visie 2030**). The nota contains the context as well as a short summary of the CPT policy. Section 4 contains the final approval of the Flemish Government.

- **09/07/2021 → VR 2021 0907 DOC.0840.2BIS\_CPT visie 2030**: the document about the vision.

→ This is the “Clean power for transport’ (CPT) policy for 2021-2030”. The CPT policy 2021-2030 consists of the following sections:

- Introduction and link with the European Alternative Fuels Directive 2014/94/EU, pp. 1-2
- State of play at the end of 2020, pp. 2-3
- Objectives for 2030, pp. 3-6
- Trajectory towards 2030 objectives, pp. 7-22

The CPT policy 2021-2030 aims to further reduce emissions from transport and proposes nine strategy lines for the period 2021-2030. The ambitions for the various vehicle types are outlined below.

	markt 2025	markt 2030
<b>PERSONENWAGENS</b>		
Zero-emissie	<b>20%</b>	<b>50%</b>
PHEV	<b>10%</b>	<b>20%</b>
CNG	<b>10%</b>	<b>10%</b>
<b>BROMFIETSEN</b>		
Zero-emissie	<b>100%</b>	<b>100%</b>
<b>MOTORFIETSEN</b>		
Zero-emissie	<b>20%</b>	<b>50%</b>
<b>BESTELWAGENS</b>		
Zero-emissie	<b>11%</b>	<b>30%</b>
PHEV	<b>7%</b>	<b>14%</b>
CNG	<b>10%</b>	<b>20%</b>

	markt 2025	markt 2030
<b>VRACHTWAGENS</b>		
Zero-emissie	<b>0%</b>	<b>5%</b>
CNG/LNG	<b>5%</b>	<b>15%</b>
<b>OPENBARE BUSSEN</b>		
Zero-emissie	<b>50%</b>	<b>100%</b>
PHEV	<b>20%</b>	<b>0%</b>
<b>ANDERE BUSSEN</b>		
Zero-emissie	<b>5%</b>	<b>10%</b>
PHEV	<b>10%</b>	<b>20%</b>
CNG	<b>10%</b>	<b>20%</b>

A first strategy line focuses on stimulating supply and demand on the vehicle market (1). Despite the positive evolution, the purchase price, the supply (models and volumes) and the action radius remain important thresholds for the breakthrough of zero-emission vehicles. A second strategy line describes how we can further shape a future-oriented charging and refuelling infrastructure and how it can be integrated into the energy system (2). The need for high-performance batteries (3) links up seamlessly with this. In a fourth section, a plea is made for better use of the efficiency of light electric vehicles (4) with a link to the mobility system. The CPT policy vision then zooms in on niche and corporate fleets as frontrunners in the transition to zero-emission (5) and on the (technological) challenges related to freight transport (6). This is followed by a side-step towards an area-oriented approach with the development of low and zero-emission zones (7). Next, the opportunities for the Flemish economy and employment are briefly mentioned (8). Finally, the organisation of the network is discussed, with a focus on cooperation and communication (9).

- **16/07/2021 → Decreet (BS) VR 2021 1607 DEC.0073:** validation of the decree about the partial implementation of Directive 2014/94/EU of the European Parliament and the Council of 22 October 2014 on the deployment of alternative fuels infrastructure. This is the legal framework to make the switch to vehicles running on “Clean power”, including incentives for charging points in the private and public domain.
  - This is the “Decree on zero-emission vehicles and vehicles powered by alternative fuels”. The decree contains the following key articles, including *incentives for charging points in the private and public domain*:
    - Objectives: art. 4
    - Encouraging the purchase and use of vehicles using alternative fuels: art. 5-6  
*Article 5. The Flemish Government may take measures to promote the purchase and use of vehicles which use alternative fuels.*  
*Article 6. The Flemish Government may draw up a support programme containing concessions for the benefit of natural or legal persons, enterprises, or any other organisation without legal personality for the purchase and facilitating the use of zero-emission vehicles. Where appropriate, it shall also determine the conditions and modalities with which the support programme shall comply. The Flemish Government may limit the support programme as referred to in the first paragraph to certain categories or applications of zero-emission vehicles.*
    - Infrastructure for the distribution of alternative fuels: art. 7-10  
*Article 7 § (4). The Flemish Government may ensure that the prices charged by the charging point operators for the use of publicly and semipublicly accessible for the use of publicly and semipublicly accessible charging points are reasonable.*  
*Article 9. The Flemish Government may develop support measures for the benefit of charging point operators. It may limit the support measures as referred to in the first paragraph to publicly accessible charging points.*
- **17/12/2021 → 2021 1217 VR DOC 1571/2 BVR:** document about the partial implementation of Directive 2014/94/EU of the European Parliament and the Council of 22 October 2014 on the deployment of alternative fuels infrastructure: This is the practical framework to roll-out charging points in the public domain, for improving the accessibility of the charging points and for obtaining all possible data regarding these charging points. The minister determines and evaluates annually the objectives that apply to the roll-out of semi-public and publicly accessible charging points.
  - This is the “Government of Flanders Order regarding the charging infrastructure for electric vehicles”. The Order contains the following key articles and actions:
    - **Article 3. This article clarifies how the objectives for the number of semi-public and public charging points to be rolled out are determined.** The objectives shall be communicated per Communication to the Flemish Government. In determining the objectives, the number of charging points needed at a given time, the nature of these charging points and their geographical distribution, will be taken into consideration, based on the available data at [www.milieu vriendelijke voertuigen.be](http://www.milieu vriendelijke voertuigen.be). The most important criteria are included in this Government of Flanders Order, with room left to supplement them in the future, for example based on the expected European guidelines in this area. The targets will be reviewed on an annual basis in order to be able to achieve the intended alignment with the electric vehicle fleet. Also the advancing technology, both of the charging stations (e.g. capacity) and of the vehicles (e.g. range), may require adjustments in time.

- **Article 4. This article clarifies the division of roles in the roll-out of charging points.** In implementation of the aforementioned Communication to the Flemish Government regarding charging infrastructure (VR 2020 2011 MED.0362-1BIS), the text provides that the Flemish Department of Mobility and Public Works coordinates this centrally for the sake of uniformity and economies of scale. The roll-out on the ground is done in cooperation with the local authorities, other road authorities and the electricity grid operators.
- **Article 5. This article describes the principle of ‘charging point follows car’ (“paal volgt wagen”) and lays down the conditions for it.** Applications will be handled by the Flemish Department of Mobility and Public Works via a digital desk (“digitaal loket”). Paragraphs 3 and 4 of article 5 indicate the conditions under which one qualifies for the installation of a publicly accessible charging point. The regulation includes the main principles, but some discretion is left to the competent authority. After all, countless different situations can occur that cannot all be thought of and regulated beforehand. Moreover, the market is still in full development, both as regards vehicles and charging infrastructure. The competent authority will provide clear communication on this subject. Paragraph 6 indicates that the competent minister will determine when a charging point is classified as 'available'. After all, it is not enough that a publicly accessible charging point is present; it must also be readily usable at a reasonable cost. In paragraphs 7 to 9, the processing of applications is further specified.
- **Article 6:** This article states that a positively assessed request for a ‘charging point follows car’ (“paal volgt wagen”) will be realised in the current concessions within a walking distance of 250m, unless this possibility does not exist because, for example, there is no public domain, no parking possibility or no possibility to connect to the electricity grid. In that case, the charging point will be placed as close to that boundary as possible. The exact location will be determined in consultation with the charging point operator, the municipality and/or another road manager and the manager of the electricity network.
- **Article 7 to 9 include the conditions for all semi-public and publicly accessible charging points and charging point operators.**

The policy framework as indicated above shall enable the Flemish Government to:

- map the future charging points
  - ➔ “Decree on zero-emission vehicles and vehicles powered by alternative fuels” (VR 2021 1607 DEC.0073)
    - Article 7 §2. *The competent authority shall coordinate the roll-out of publicly accessible and semipublicly accessible charging points. The Flemish Government may determine the manner in which, and the criteria by which, such objectives shall be determined and the manner in which the objectives shall be evaluated. These targets may be determined for the entire territory of the Flemish Region or may be divided into several subareas.*
  - ➔ “Government of Flanders Order regarding the charging infrastructure for electric vehicles” (2021 1217 VR DOC 1571/2 BVR)
    - Article 3. *The Minister shall determine and evaluate annually the objectives that apply to the rollout of semi-public and publicly accessible charging points, as referred to in*

*Article 7 §2, second subparagraph of the Decree of 16 July 2021 on zero-emission vehicles and vehicles powered by alternative fuels, on the basis of the following criteria*

- *1° the number of registered electric vehicles*
- *2° the number of registered battery-electric vehicles*
- *3° the number of operational semi-public and public charging points and their capacity.*

*The Minister may specify additional criteria.*

→ *Additional input: at the end of 2021 the study about the mapping (studie Potentieelkaarten centrumsteden) was delivered. Cities and local communities can provide information about locations for the installation of potential charging point infrastructure. This was provided in point 2 of the concesión. This was also described in the manual “Lokaal Laden”, available on <https://www.vlaanderen.be/publicaties/lokaal-laden>. This way, the mapping of future charging points is facilitated.*

- **launch the concession tenders for charging points on public domain**

→ “Decree on zero-emission vehicles and vehicles powered by alternative fuels” (VR 2021 1607 DEC.0073)

- *Article 6. The Flemish Government may establish a support programme containing concessions for the benefit of natural or legal persons, enterprises, or any other organisation without legal personality, for the purchase and facilitation of the use of zero-emission vehicles. The Flemish Government may limit the support programme as referred to in the first paragraph to certain categories or applications of zero-emission vehicles.*
- *Article 7 §3 , second subparagraph. The Flemish Government may establish a financing mechanism to support the roll-out of these charging points for the benefit of the municipalities and legal entities referred to in the first paragraph. If necessary, it shall also determine the conditions and modalities to be met by such financing mechanism.*
- *Article 9. The Flemish Government may develop support measures for the benefit of loading point operators.*

- **stimulate the deployment of (semi-)public charging points on private domain**

→ “Decree on zero-emission vehicles and vehicles powered by alternative fuels” (VR 2021 1607 DEC.0073)

- *Article 7 §1. The Flemish Government may take measures to roll out an appropriate number of loading and refuelling points for alternative fuels.*
- *Article 7 §2. The competent authority coordinates the roll-out of the publicly accessible and semi-public charging points.*
- *Article 7 § 3. The Flemish Government may impose obligations as part of the roll-out referred to in paragraph 2 on municipalities and public-law and private-law legal entities entrusted with public utility tasks in the Flemish Region.*

→ *stimulate the deployment of (semi-)public charging points on private domain was described in the legislation (decree, specific decion of the Flemish Government about Project calls and a decisi3n of the secretary for a anual projectcall. Recently a projectcall was launched. This*

creates the stimuli for installing and deploying (semi-)public charging points on private domain.

- shorten the time line for the installation of charging points by reducing the administrative burden
  - ➔ “Decree on zero-emission vehicles and vehicles powered by alternative fuels” (VR 2021 1607 DEC.0073)
    - Article 8 §1. *The Flemish Government is setting up a digital desk. Via that digital desk, owners and users of battery-electric vehicles can request a publicly accessible charging point or a charging point for normal or high power for a specific application on the public domain.*
    - Article 8 §3. *If an application as referred to in paragraph 1 is approved, the applicant and the designated public domain manager will be informed of that decision through the digital counter. If the application is refused, the applicant will be informed of the decision through the digital counter.*
  - ➔ “Government of Flanders Order regarding the charging infrastructure for electric vehicles” (2021 1217 VR DOC 1571/2 BVR)
    - Article 5 §1. *The competent government organises a digital desk where the documents and information on the application for a charging point are exchanged electronically. The digital desk is accessible via a web application of the Flemish Government.*
  - ➔ *The continuous mapping of the future charging points (cf. Mapping), the limitation of time in the concession contracts (max. 6 months in between contact and start of deploying infrastructure) and the methodology described in the manual “lokaal laden” help to shorten the timeline for the installation of charging points.*
- stimulate smart electricity charging
  - ➔ “Decree on zero-emission vehicles and vehicles powered by alternative fuels” (VR 2021 1607 DEC.0073)
    - Article 10. *The Flemish Government may impose conditions on charging point operators, including, among other things, rules for the required interoperability of the publicly and semi-publicly accessible charge points, the technical specifications, the manner in which they must be accessible, the minimum payment options, and the manner in which the operators make available non-personal information about the charging points under their management.*
  - ➔ “Government of Flanders Order regarding the charging infrastructure for electric vehicles” (2021 1217 VR DOC 1571/2 BVR)
    - Article 7. *The Minister may lay down further rules for all semi-public and publicly accessible charging points with regard to interoperable access to the charging points and the charging services, the 'smart' character of the charging systems and with regard to the way in which they must be findable, accessible and usable.*
  - ➔ *In the Vision about CPT 2030 (CPT-visie 2030) is funding for Smart electricity charging provided for the call (Art. 7. Investerings voor de plaatsing, aansluiting en slimme*

*aansturing van laadinfrastructuur worden aan 20% vergoed met een maximum van 1.000 euro per gerealiseerde charge point equivalent (CPE)) en door hier aandacht voor te hebben in de uitrol van laadpunten via de concessie. This means for example: load balancing or the efficient use of loading infrastructure. Meanwhile there are also agreements made about bidirectional loading (extra). This Will be shortly published on the website of Flanders.be.*