

KINGDOM OF BELGIUM

**FEDERAL PUBLIC SERVICES (FPS)
INTERIOR BELGIUM**

Draft Royal Decree of (date) laying down the fire and explosion prevention measures that car parks must comply with in order to park electric vehicles.

PHILIPPE, King of the Belgians,

To all who are here now or will be hereafter,
Greetings.

Having regard to the Act of 30 July 1979 on fire and explosion prevention and mandatory civil liability insurance in such cases, Article 2(§ 1) as amended in the Act of 22 December 2003;

Having regard to the opinion of the High Council for Fire and Explosion Safety of 21 September 2023;

Having regard to implementation of the formalities prescribed in Directive 2015/1535/EC of the European Parliament and of the Council, which provides for a procedure for the provision of information in the field of technical standards and regulations;

Having regard to the impact assessment on the legislation, conducted in accordance with Articles 6 and 7 of the Law of 15 December 2013 on various provisions concerning administrative simplification;

Having regard to the opinion of the Finance Inspector, issued on ** ***** 2024;

Having regard to the agreement of the State Secretary for Budget of ** ***** 2024;

Having regard to the opinion xxxxx/x of the Council of State, issued on ... (date);

At the proposal of the Minister of Interior and on the recommendation of the Ministers convened in the Council,

We have decided and hereby decree:

Chapter 1. Scope and Definitions

Article 1. This Decree regulates fire safety in relation to electric and hybrid vehicles, hereinafter referred to as electric vehicles, and charging infrastructures in new and existing car parks.

Article 2. This Decree shall apply to car parks with 10 or more parking spaces.

Article 3. For the purposes of this Decree and its Annexes, the following definitions shall apply: 1.

1. **Car park:** a building or part thereof, with one or more storeys, for the purpose of

parking vehicles therein.

2. **Electric (road) vehicle:** Any vehicle powered by an electric motor that extracts electricity from a rechargeable energy storage system, primarily intended for use on public roads.
3. **Charging device (for electric vehicle):** Permanently connected equipment or set of equipment of the fixed installation performing the functions intended for transferring electrical energy between an electric vehicle and the electrical source.
4. **Responsible person:** the person who controls access to the car park and its daily use, i.e. the owner, the manager or the operator.

Before and during the construction of the car park, the role of responsible person is performed by the contracting authority.

5. **Authorised person:** a person or an organisation, designated by the responsible person to perform certain tasks, possessing the necessary knowledge and competence and having the necessary resources to perform those tasks.

For tasks for which he or she has the appropriate skills, the role of authorised person may be performed by the responsible person.

6. **Risk analysis:** this is the process by which the presence of hazards can be identified for each essential objective, as well as the level of risk associated with these hazards. This analysis forms the basis for the assessment of needs.
7. **AREI:** Royal Decree of 8 September 2019 establishing Book 1 on low-voltage and very low-voltage electrical installations, Book 2 on high-voltage electrical installations, and Book 3 on electrical energy transmission and distribution

installations.

Chapter 2. Essential objectives

Article 4. Each car park shall be constructed, arranged, equipped, maintained and operated in such a way that it meets the following essential objectives:

- 1° the car park is fire-resistant from other parts of the building, and provides sufficient stability in the event of a fire;
- 2° the atmosphere can never become explosive;
- 3° the occurrence of a fire or a hazardous situation shall be communicated to all residents and emergency services as soon as possible;
- 4° the heat and smoke of a fire do not pose a danger to residents for the time needed to reach a safe place;
- 5° the heat and smoke of a fire do not prevent the fire brigade from acting safely;
- 6° after extinguishing the fire, the removal and monitoring of the electric vehicle can be carried out without excessive use of the fire brigade in terms of time and resources.

Chapter 3. Risk analysis and assessment of needs

Article 5. The responsible person shall carry out a risk analysis and an assessment of needs.

The responsible person may appoint an authorised person to carry out this task.

Article 6. The risk analysis and the assessment of needs shall be carried out in accordance with good practice in this regard.

Article 7. The risk analysis and the assessment of needs shall examine each of the essential objectives set out in Article 4, and provide clear answers to ensure that the essential objectives

are met.

Article 8. The risk analysis and the assessment of needs shall be carried out again in the event of any alteration that may affect the essential objectives.

Article 9. The responsible person shall draw up an action plan or arrange for one to be drawn up, and shall ensure its implementation.

Article 10. The action plan shall set out the measures to be implemented identified in the risk analysis and the assessment of needs, as well as the timeframe and level of competence required to implement each of these measures.

Chapter 4. Electrical installation

Article 11. The electrical installation of the charging infrastructure for electric vehicles shall comply with Book 1. 'Low-voltage and very low-voltage installations' of the AREI.

Chapter 5. Management and use in normal conditions

Article 12. The responsible person must ensure that during the operation of the car park (and throughout the lifetime of the building), the equipment and the organisation continue to comply with the applicable requirements and with the measures to be implemented as set out in the risk analysis and assessment of needs.

Article 13. The responsible person shall provide tailored information to residents and users through instructions, sufficient in number and in places where they are clearly legible. These shall include procedures to be followed in the event of fire.

Article 14. The responsible person shall inform and cooperate with the emergency services.

Article 15. The responsible person shall ensure that regular verifications and maintenance of fire

protection systems are carried out by authorised persons.

Article 16. The responsible person shall ensure and document structured and planned management of both the organisation and the technical resources.

Chapter 6. Role of the fire brigade

Article 17. The responsible person shall keep the following documents at the disposal of the fire brigade:

- the risk analysis;
- the assessment of needs;
- the action plan;
- the management documentation.

The fire brigade may request and verify these documents.

Such verification shall not constitute approval of these documents and shall not relieve the responsible person of his or her liability.

Article 18. If a particular aspect has not been dealt with or is manifestly incompletely dealt with and the fire brigade considers that there is a serious risk, the fire brigade may require the responsible person to review the risk analysis, the assessment of needs and/or the action plan within a specified time limit.

Chapter 7. Procedures and time limits

Article 19. The responsible person shall carry out, or have carried out, the initial risk analysis and assessment of needs referred to in Article 5 at the latest:

- a) For car parks to be established for which the construction application is submitted from 1 January 2026:
 - when the application for construction is

submitted;

- b) For car parks to be established or existing, for which the construction application was submitted before 1 January 2026:
 - b.1) Where the design or works for the installation or replacement of charging devices for electric vehicles are started from 1 January 2026:
 - before the start of the works;
 - b.2) Where no design or works for the installation or replacement of charging devices for electric vehicles are carried out from 1 January 2026:
 - 1° from 1 January 2028 for car parks with an area exceeding 10 000 m²;
 - 2° from 1 January 2030 for car parks with an area exceeding 2 500 m² and/or a depth exceeding 7 m;
 - 3° from 1 January 2032 for car parks with an area less than or equal to 2 500 m² and a depth less than or equal to 7 m.

Chapter 8. Final provisions

Article 20. The present Decree shall enter into force on 1 January 2026.

Article 21. The competent minister for internal affairs is hereby tasked with implementation of this Decree.

Brussels, ***.

On behalf of the King:

The competent minister for internal affairs,

Annelies Verlinden