

Order on zero-emission zones in limited urban areas¹

Pursuant to Section 15f(3), (5) and (6), Section 15g(3), Section 15h(2), (4) and (5), and Section 80(1) and (2) of the Danish Environmental Protection Act (lov om miljøbeskyttelse), cf. Consolidation Act No 1093 of 11 October 2024, as amended by Act No 1468 of 10 December 2024, Section 1, the following is laid down:

Chapter 1

Objective and definitions

Section 1. The objective of this order is to lay down rules governing a municipal council's right to decide on the establishment, extension, limitation or termination of zero-emission zones, cf. Section 15f(1) and (2) of the Environmental Protection Act.

(2) The objective of the legislative decree is also to lay down rules for derogations and exemptions from the zero-emission zone requirements.

Section 2. The following definitions apply for the purposes of this order:

- 1) Zero-emission vehicles: Pure electric vehicles and fuel cell vehicles.
- 2) Urban zone: An area defined as an urban zone pursuant to Section 34(2) of the Danish Planning Act (lov om planlægning), cf. Consolidation Act No 572 of 29 May 2024, as amended.
- 3) Vehicle for disabled people: Vehicle for which financial support has been granted for its purchase pursuant to Section 114 of the Danish Social Services Act (lov om social service), a vehicle registered with the permit for vehicles for disabled people in the vehicle register or a vehicle driven by a person with a parking card for disabled people issued by a competent authority.
- 4) The strategic road network: Roads classified by the Danish Road Directorate as:
 - a) sections linking and distributing traffic throughout the country and which, irrespective of the level of congestion, are considered to be significant for overall road accessibility;
 - b) sections connecting the regional or local road network with high or medium traffic load;
 - c) sections designated as alternative routes to the above-mentioned sections and which, for periods of time, therefore serve as connecting or distribution routes.
- 5) Patient transport: Vehicles used for patient transport and either registered for patient transport or ambulance transport in the vehicle register, or the transport is covered by the rules laid down in the Order on

¹ A draft of this order has been notified in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council, laying down a procedure for the provision of information regarding technical regulations and rules on Information Society services (codification).

Transport and Transport Allowance in accordance with the Health Act (bekendtgørelse om befordring og befordringsgodtgørelse efter sundhedsloven).

6) Demand-responsive transport: Driving in vehicles covered by a commercial passenger transport permit pursuant to Section 3 of the Taxi Act or buses covered by a bus transport permit pursuant to Section 1 of the Bus Transport Act, which carry out the service for a public authority.

7) Taxis with lift: Vehicles covered by an authorisation for commercial passenger transport in accordance with Section 3 of the Taxi Act, which are equipped with a permanently fixed lift and designed for the transport of at least two wheelchairs.

8) Contiguous area: Naturally contiguous settlements with at least 200 inhabitants, where the distance between the houses does not normally exceed 200 metres unless the interruption is due to major through roads (without direct access roads between the settlements), cemeteries, sports grounds, parking and park facilities, railway and storage areas, land under subdivision and the like. Scattered settlements along a country road are not considered to belong to a city, even if the distance between them is less than 200 metres. At the same time, the area must not be divided by a road where zero emissions are not required.

9) Limited urban area: A small area that constitutes a continuous area in an urban zone pursuant to Section 34(2) of the Planning Act.

Chapter 2

Establishment, geographical extension, reduction or abolition of a zero-emission zone in a demarcated urban area

Zero-emission zone design requirements

Section 3. The municipal council must take the following into account when defining a zero-emission zone:

- 1) The zero-emission zone must constitute a limited urban area.
- 2) The zero-emission zone must not contain roads that are part of the strategic road network as shown on the Danish Road Directorate's website.
- 3) The zero-emission zone may not include businesses that are directly and significantly dependent on the access of customers with vehicles other than zero-emission vehicles.
- 4) The zero-emission zone may not include facilities where a large number of citizens usually arrive in vehicles which are not zero-emission vehicles, unless a possibility for parking can be provided for in the immediate vicinity of the facility outside the zero-emission zone.

Public consultation and publication of decisions

Section 4. In order to give the public the opportunity to express its opinion, the municipal council must carry out public consultations of draft decisions on the establishment, geographical expansion, limitation or termination of a zero-emission zone for a minimum of four

weeks. The announcement may be solely digital on the municipality's website.

(2) The announcement of the draft decision must contain at least the following information:

- 1) Description of the proposal and basis for information, cf. Sections 5 and 6.
- 2) Legal effects of the draft on citizens and businesses.
- 3) Where comments on the draft can be submitted.
- 4) Deadline for submission of comments on the draft.
- 5) Where any further information about the draft can be obtained.
- 6) That the municipal council's decision cannot be brought before any other administrative authority, cf. Section 15f(4) of the Environmental Protection Act.

(3) The municipal council's decision on the establishment, geographical expansion, geographical limitation or termination of a zero-emission zone must, as a minimum, be published at the place where the draft was announced in accordance with (1).

(4) After the publication of the municipal council's decision on the establishment, extension or limitation of a zero-emission zone, the municipality's website must contain the necessary information about the zero-emission zone, including details on limitation, maps of the zone and legal effects, cf. the order on the active dissemination of environmental information.

Information basis for the establishment or geographical extension of a zero-emission zone

Section 5. The municipal council must provide an information basis to be included in the consultation on the draft decision on the establishment or geographical expansion of a zero-emission zone. The information basis must include the following:

- 1) Description and illustration of the geographical delimitation of the proposed zero-emission zone, including information on whether the proposed zero-emission zone is to apply to passenger traffic, cf. Section 15g(1) of the Environmental Protection Act, or all traffic, cf. Section 15g(2) of the Environmental Protection Act.
- 2) Estimate of the number of residents in the intended zero-emission zone.
- 3) Estimate of the number of residents of the intended zero-emission zone who own or are registered users of a vehicle that is not a zero-emission vehicle.
- 4) Traffic counts or calculations of traffic in the intended zone for the vehicle types covered.
- 5) Information on the number of public parking spaces in the immediate vicinity of the zero-emission zone.
- 6) Information on public transport options in the intended zero emission zone and in close proximity to the zero-emission zone.
- 7) Impact assessment explaining that the envisaged zero-emission zone will not lead to a disproportionate increase in roundabout traffic.
- 8) Impact assessment for the existing businesses in the intended zero-emission zone.

9) Description of the environmental benefit and the noise and climate impact of the establishment or geographical extension of a zero-emission zone.

Information basis in case of geographical limitation or termination of a zero-emission zone.

Section 6. The municipal council must provide an information basis to be included in the public consultation on the draft decision on geographical limitations or termination of a zero-emission zone. The information basis must include the following:

- 1) Impact assessment for the existing businesses in the zero-emission zone due to the termination or limitation of a zero-emission zone.
- 2) Information on the justification for the limitation or termination of a zero-emission zone.
- 3) Traffic counts or calculations from the area where restriction or elimination is desired, broken down by zero-emission vehicles and other vehicles.

Consultation of authorities

Section 7. Simultaneous to publication under Section 4, the municipal council sends proposals for decisions and information bases, cf. Sections 5 and 6, to the Danish Environmental Protection Agency and state, regional and municipal authorities whose interests are affected by the proposal, including the Ministry of Justice, Ministry of Industry, Business and Financial Affairs and Ministry of Transport.

The Environmental Protection Agency's right of objection

Section 8. After public consultation, cf. Section 4, the municipal council sends an updated proposal for a decision to the Danish Environmental Protection Agency. The proposal must contain, at a minimum, the information specified in Sections 5 and 6, as well as the responses to the consultation, the municipal council's consultation memorandum and any changes to the proposal that have resulted from the consultation.

(2) The Environmental Protection Agency may object to the municipal council's proposal for a decision within ten weeks of final receipt of information if the Agency considers that the establishment is contrary to general public interests, does not comply with the requirements laid down in Section 3 or the information basis is not sufficient in accordance with Sections 5 and 6. If the information basis is not sufficient, the Environmental Protection Agency may set a new deadline for objections.

(3) By notice from the Environmental Protection Agency or after the deadline stated in (2) has passed, the municipal council may take a final decision on the proposal, cf., however (4).

(4) A final decision on the proposal for the establishment, geographical expansion, geographical limitation or termination of a zero-emission zone may not be made if the Environmental Protection Agency, in accordance with the rules laid down in (2), has made a written objection to the municipal council before the expiry of the deadline referred to in

(2).In the event of an objection, a final decision on the proposal can only be made once the necessary amendments have been agreed between the parties.

Municipal decision on the establishment, geographical extension, limitation or termination of a zero-emission zone

Section 9. After consultation, cf. Sections 4 and 7, and after compliance with the Environmental Protection Agency's right of objection, cf. Section 8, the municipal council may make a final decision on the establishment of a zero-emission zone. The municipal council may establish either a zero-emission zone for passenger traffic, cf. Section 15g(1) of the Environmental Protection Act, or a zero-emission zone for all traffic, cf. Section 15g(2) of the Environmental Protection Act.

(2) The municipal council may, after consultation, cf. Sections 4 and 7, decide on the geographical extension or limitation of an existing zero-emission zone or on the termination of a zero-emission zone.

(3) The municipal council's final decisions on the establishment or geographical expansion of a zero-emission zone can take effect at the earliest for vehicles that are used privately six months after the decision is published and for business-owned vehicles, 12 months after the decision is published, cf. Section 4(3).

Chapter 3
Exemptions

Section 10. At the request of the owner or user of a vehicle that is not zero-emission, the municipal council may grant a time-limited exemption from the requirements of Section 15g(1) or (2) of the Environmental Protection Act in special cases, including if it is assessed that a task cannot be performed with a zero-emission vehicle, and it is deemed necessary that the task is carried out in the zero-emission zone.

(2) The municipal council may lay down conditions for exemptions in accordance with (1), including a time limit.

Section 11. At the request of the owner or user of a vehicle that is not zero-emission, in exceptional cases, the municipal council may grant a time-limited exemption from the requirements of Section 15g(1) or (2) of the Environmental Protection Act.

(2) At the request of a long-term resident in a zero-emission zone, the municipal council may grant an exemption for a business-use vehicle to be used in connection with the performance of tasks at the applicant's place of residence.

(3) Exemptions pursuant to (1) and (2) may be granted for a period of up to three months at a time.

(4) The municipal council may lay down conditions for exemptions in accordance with (1) and (2), including on time limitation, cf., however (3).

Exemption in case of expropriation

Section 12. At the request of the owner or user of a vehicle that is not zero-emission or if the municipality otherwise becomes aware of it, the municipal council may grant an exemption from the requirements of Section 15 g (1) or (2) of the Environmental Protection Act if the requirements affect the person concerned in such a way that compliance with the requirements will constitute expropriation.

(2) The municipal council may lay down conditions for exemptions in accordance with (1), including a time limit.

Decision on exemption

Section 13. The municipal council decides on exemptions. If an exemption is granted, the applicant will receive a digital decision or a copy thereof, which may be used as evidence.

Chapter 4

Exemptions from zero-emission zone requirements

Section 14. The following vehicles are exempt from the zero-emission zone requirements set out in Section 15g(1) and (2) of the Environmental Protection Act in zero-emission zones established pursuant to Section 15f(1) of the Environmental Protection Act and the provisions of this order:

- 1) Vehicles for disabled people.
- 2) Taxis with lift.
- 3) Vehicles used for patient transport and demand-responsive transport.
- 4) Vehicles where the registered owner or user of the vehicle is a natural person with long-term residence in the relevant zero-emission zone.
- 5) Vehicles when used for urgent professional use in order to avert or mitigate an imminent risk of significant material damage to private or public property.

Chapter 5

Appeals

Section 15. Decisions made by the Environmental Protection Agency pursuant to Section 8(2) may not be appealed to any other administrative authority.

Chapter 6

Entry into force

Section 16. The order enters enter into force on 1 July 2025.

Ministry of the Environment and Gender Equality, X May 2025