

Committee on Technical Barriers to Trade

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

1.	Member to Agreement notifying: <u>BELGIUM</u> If applicable, name of local government involved (Articles 3.2 and 7.2): Belgium
2.	Agency responsible: Ministry of Communications and Infrastructure Agency or authority designated to handle comments regarding the notification shall be indicated if different from above: Department of Road Traffic and Infrastructure – Safety Service – D 1 Résidence Palace – Rue de la Loi 155 B – 1040 Brussels Tel.: +32 2 287 31 11 Fax: +32 2 287 44 00
3.	Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4.	Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Anti-theft devices for bicycles, bicycles
5.	Title, number of pages and language(s) of the notified document: Amendment to the Royal Decree of 1 December 1975 on the General Traffic Police Regulations (Anti-Theft Devices for Bicycles) (8 pages, in French and Dutch)
6.	Description of content: As part of a federal action programme to prevent the theft of bicycles, the Belgian authorities intend to make it mandatory to equip bicycles with an anti-theft device, while at the same time taking into account the habitual exemptions applicable to mountain bikes and racing bikes. Children's bicycles will be given partial exemption (final text: see Annex).
7.	Objective and rationale, including the nature of urgent problems where applicable: Before explaining the principal reasons, we wish to state clearly that this is not an obligation on producers but on cyclists. Retailers already sell the locks concerned, which are proposed by several makes and many different manufacturers and they can be fixed on bicycles either by bicycle repairers or by cyclists themselves. A large number of bicycles sold in Belgium already come equipped with an anti-theft device. It is estimated that around 150,000 people a year are victims of bicycle theft in

7. Objective and rationale, including the nature of urgent problems where applicable (cont'd):

Belgium. The negative impact on the feeling of security and the social cost is enormous. The economic loss suffered by the bicycle industry should not be underestimated either. As a result of the high number of thefts, many people will decide to abandon bicycles as a means of transport. This will also have consequences for mobility.

A study of the victims of bicycle theft carried out by Test Achats (July-August 1998) showed that in 30 per cent of the cases (i.e. 50,000 incidents) that occurred in Belgium, the anti-theft device on the bicycle was not being used at the time of the theft. This can be explained on the one hand by the fact that the bicycle did not have an anti-theft device and on the other by the fact that, when a bicycle is left for a short time, the anti-theft device is often not used because the majority of these devices require some action, which takes time.

In order to resolve this problem, the Government has decided to make it obligatory to equip bicycles with a simple anti-theft device fixed on the frame, which blocks the rear wheel.

The habitual exemptions applicable to mountain bikes and racing bikes will apply and partial exemption will also be allowed for children's bikes. Bicycles for older children are in fact very popular among bicycle thieves. From the age of six years, it is necessary to learn to use an anti-theft device before leaving a bicycle unattended (even at school). Promoting awareness of this question has played a decisive role. Consequently, the obligation applies to all bicycles ridden by cyclists older than six years.

In order to give producers, sellers and cyclists time to comply with these new regulations, there will be a relatively long introductory period of around two years (period between the enactment and the entry into force of the regulations). Prior to this, the sector was widely consulted.

Sixty per cent of bicycles are stolen in the course of use. Bicycles with no anti-theft device or whose anti-theft device is not properly fixed are the prime targets. This measure aims to reduce the number of bicycle thefts by 15 to 20 per cent (20,000 to 30,000 incidents a year).

Obviously only the use of anti-theft devices in the form of a U-lock, padlock, or disk lock is effective when a bicycle is left unattended for only a few minutes. This measure is part of the second federal action programme to prevent the theft of bicycles implemented by the Permanent Secretariat for Prevention Policy of the Belgian Ministry of the Interior. It is in no way an isolated measure. Encouraging cyclists to use anti-theft devices when they leave their bicycles unattended (i.e. they should attach the frame to a fixture when they leave the bicycle for any longer period) on an ongoing basis is an essential part of enhancing policies on the parking of bicycles.

8. Relevant documents:

9. Proposed date of adoption: }
Proposed date of entry into force: } 60 days

10. Final date for comments:

11. Texts available from: National enquiry point [X] or address, e-mail and telefax number of the other body: CIBELNOR