

2.1. Transport

2.1.1. Federal

a) Road Transport

ORGANISATION AND ADMITTANCE TO THE OCCUPATION

In the organisation of the carriage of passengers and goods by road, the economic, social and environmental aspects are integrated at multiple levels. With respect to on-board equipment, for example, the Royal Decree of 14/07/2005 mandates the use of a digital tachograph for all motor vehicles registered in Belgium that are used for these categories of transportation. This equipment, which records the working times and rest periods of drivers, makes it possible to monitor their working conditions and assists in reducing the risk of accidents caused by fatigue and against cases of unfair competition.

Admittance to the occupation of professional road transport operator is governed by strict conditions related to professional competence, good repute and financial standing, and, once authorisation has been granted, the driver is entitled to hold a road transport operator's permit. The permit, and the digital tachograph, as well, is personal, non-transferable, and can only be issued if the applicant satisfies specific requirements set by the Royal Decree of 14/07/2005 which implements EEC regulation no. 3821/85 of 20 December 1985.

Professional competence also entails having received training in economical driving. The principle of joint responsibility of the principal also applies, including the environmental dimension in case of damages.

DRIVER TRAINING

Driver training and the procedure for obtaining the driving licence have been improved in such a way that attention now is not only on learning the basic technical skills (i.e. control over the vehicle) and the highway code, but also on dealing with information on the street, on the correct evaluation of risks, on good driver conduct in traffic in general, on ecological driving and particularly on the driver self-control.

The transposition of directive 2003/59 concerning the professional competence of drivers of vehicles for the carriage of goods or passengers, will certainly have a positive impact on society (road safety, environment) and on the road transport sector itself.

Both during the initial qualification and the periodic training, there is an considerable investment in aspects regarding defensive driving, anticipating danger, making allowance for other road users and a rational fuel consumption.

ROAD PASSENGER TRANSPORT REGULATIONS

Directive 1998/76/EC on Admission to the occupation of road passenger transport operator was implemented in Belgian law by Royal Decree of 10/12/2003. Having entered into force on 1 January 2005, this directive sets the conditions for being admitted to the occupation of road passenger transport operator by strengthening the conditions of admission, that is, professional competence, good repute and financial standing. The notion of joint responsibility of the principal was introduced in this sector through an amendment of the decree law of 30 December 1946 on remunerated road passenger transport.

REGULATION ON ROAD SAFETY AND SENSITISATION

In striving to significantly reduce the number of accidents and deaths on the road, the government has devoted a great deal of attention to road-safety measures by reviewing, amending and adapting the coordinated acts of 16 March 1968 concerning the traffic police. In particular, the laws of 7 February 2003, 20 July 2005, 20 March 2007 and 4 June 2007 are liable to draw the attention of road users to the regulation of behaviour and offences that could or do create constitute a danger on public roads, or that could or do disturb other users. Furthermore, an appeal is made to all road users to be more considerate of the more vulnerable categories of users such as cyclists and pedestrians, and especially towards children and elderly or handicapped people, by adapting their behaviour to the local roadway patterns, to the degree of congestion, to the density of traffic flow, to the field of visibility, to road and weather conditions, to nature, to the condition of their vehicle and its load and also to the presence of other users.

The annual campaigns of the Belgian Institute for Road Safety (BIVV/IBSR) have been updated and better adapted by means of a specific approach to target audiences. The harmonisation of those campaigns with targeted controls and the actions of federal and local police has been optimised.

In addition to the annual 'Designated Driver' (BOB) campaign, special attention is being given to three major themes related to road safety: speed, wearing a safety belt, and driving while impaired. In view of the high number of casualties among motorcyclists, specific campaigns aimed at these road users have been and will be executed. The use of mobile phones while driving is also a recurrent theme in the campaigns conducted by BIVV/IBSR.

DATABANK

Vehicle central databank

The government has stated its intention of tackling several significant social issues related to vehicles. The most important points of its plans concern scrapped-vehicle fraud, recycling scrapped vehicles in a professional and ecologically responsible manner (in implementation of the relevant European Directive), and the growing number of uninspected and/or uninsured vehicles on public roads.

At the moment, the Vehicle Registration Department (DIV) of the Federal Public Service Mobility and Transport only provides data regarding vehicles with it. This is not sufficient for dealing with the issues referred to above. Full control of the vehicle fleet is only possible if the owner of each vehicle is known as well. In addition to the record of the vehicle-registration holders, there is therefore also a need for a vehicle-owner registry. With each successive owner being recorded, it will be possible to trace each vehicle from manufacture or import to scrapping or export. At this moment, a lot of work is being done on achieving all of those objectives by means of the Mobivis Project (Mobility Vehicle Information System). Mobivis is a phased project whose final outcome will be the establishment of a Vehicle Central Databank. Completion of the project's first phase is planned for the end of 2010.

Authentic Source of Driving Licences

The creation of an 'authentic source of driving licences' to replace the current system of driving licence records is being studied. The project will be developed in phases, the first phase will be launched during the course of 2010.

The objective is the creation of a unique and reliable database of driving licences. This tool is indispensable for several reasons, notably:

- ▶ conducting effective roadside checks of possession of driving licences and for checking drivers' medical capacity or its degradation;
- ▶ exchanging driving licence data between the Member States as intended by the Driving Licence Directive;
- ▶ integrating the Belgian database into the expanded one;
- ▶ studying the link between having a driving licence and involvement in accidents;
- ▶ extending measures related to inexperienced drivers.

PROMOTING ENVIRONMENTALLY-FRIENDLY VEHICLES

In parallel with actions related to the mode of transfer, another spotlight relates to improving vehicles' environmental performance.

Fiscal Measures for Purchasing New Vehicles

With respect to private vehicles, starting with fiscal year 2006, a tax advantage is granted to the purchase of environmentally-friendly vehicles. For vehicles with emissions lower than 115 grams of CO₂ per km, the purchasers receive a tax deduction of 3 % of the purchase price. For vehicles with CO₂ emissions lower than 105 grams per km, the tax deduction increases 15 %, up to a maximum of € 3,280 (indexed). Starting on 1 July 2007, this measure has been changed into an immediate deduction on the invoice at purchase equivalent to 15 % of the purchase price (VAT

included) when buying a vehicle with CO2 emissions lower than 105 grams per km. For the calendar year 2009, the reduction is limited to a maximum of € 4,540 (indexed net amount).

For the vehicles with CO2 emissions of between 105 and 115 grams per km, a reduction of 3 % of the purchase price (VAT included) applies when purchasing a vehicle with CO2 emissions between 105 and 115 grams per km. For calendar year 2009, the reduction is limited to a maximum amount of € 850 (indexed net amount).

For company vehicles, starting on 1 January 2005, the solidarity contribution is calculated on the basis of the CO2 emission concentration of company vehicles. In fact, employers pay a 'so-called' monthly solidarity contribution when providing a company car to an employee.

With effect from fiscal year 2007, a tax deduction of € 150 (not indexed) is available for the purchase of new diesel vehicles equipped with a particle filter and with CO2 emissions not higher than 130 grams per km and those with PM (soot) of maximum 0.005 g/km. For calendar year 2009, a reduction of € 210 (indexed net amount) is available by direct deduction from the purchase invoice. This measure will probably remain in force until 2010. Beginning in 2011, the European Commission should institute the requirement for all diesel models to be factory-equipped with such a filter.

The Council of Ministers of Leuven has also decided upon specific measures for company vehicles. It has been decided that, for company vehicles purchased on or later than 1 April 2007, the tax deductibility for companies, other than those for fuel, which now stands at 75 %, will range from 60 % to 90 % depending on the CO2 emissions. Provisions have also been adopted to strengthen control over the level of vehicle emissions, for both private and company vehicles.

Promotion of the Purchase of Energy-saving Vehicles

In order to achieve the foreseen reductions in CO2 emissions, and as part of the revision of European Directive (1999/94/EC), the Federal Government is taking all necessary steps to correctly implement the Royal Decree of 05/09/2001, which aims to strengthen and monitor legal provisions related to referring to fuel consumption and CO2 emissions in advertising. The annual publication of 'Automobile CO2 Guide – Drive economically... a plus for you and for nature' allows the citizen who is willing to purchase a new vehicle to have objective and comparative information about the different models available on the Belgian market. The Guide uses the CO2 labelling standards [from A to G] and includes information related to possible tax deductions, the type of fuel used and consumption, etc.

In the Region of Wallonia, an ecotax incentive related to the purchase of an automobile by any natural person, has been in effect since 01/01/2008. Company vehicles are not affected. According to an established standard, a bonus is granted in case of CO2 emission reduction or a penalty is imposed if the CO2 emission levels are exceeded. In more precise terms:

1. If a new or used vehicle is purchased as a first vehicle:

A bonus of between € 100 and € 1,000 (depending on the CO2 emissions) is granted if vehicle has CO2 emissions of less than 146 gr/km;

A penalty of between € 100 and € 1,000 (depending on the CO2 emissions) is imposed if the vehicle CO2 emissions are above 196 gr/km;

A vehicle with CO2 emissions of between 146 and 196 gr/km, will be subject neither to a bonus nor a penalty. This range corresponds to the average CO2 emission of the car fleet.

2. When replacing a vehicle:

In this case, the CO2 emissions of the replacement vehicle must be compared to that of the vehicle being replaced.

The bonus is granted if the replacement vehicle achieves a reduction in CO2 emissions (gr/km) compared to the vehicle being replaced (however, the bonus is limited to vehicles with CO2 emissions lower than 146 gr/km).

A penalty is due when the CO2 emissions of the replacement vehicle are higher than the emissions of the vehicle being replaced.

Soot Filter Installation Bonus

Since February 2009, the Flemish Government has paid a bonus for the installation of a soot filter on diesel-powered vehicles with environmental class 'Euro 3' (Euro standard). The bonus can be applied for by every natural person who is resident in Flanders.

In order to be eligible for a bonus, soot filters must meet certain requirements. Each soot filter must be supplied with a secured copy of the validation report issued by the Department of Vehicles of the federal government. That will ensure that the soot filters collect at least 30 % of the soot and any excess fuel consumption is limited. It will also guarantee that the soot filter will operate effectively – in the long term, as well – and that it will not damage the type of vehicles for which it has been tested.

Eighty per cent of the total costs, up to € 400, will be refunded. Not just the costs of the soot filter, but also the costs for its installation and any additional costs (e.g. official inspection of the installation) may be taken into account.

VEHICLE MAINTENANCE

Proceeding from the determination that vehicle maintenance (lorries, buses and coaches, etc.) can be improved considerably, new stricter criteria have recently been introduced relative to occasional control (see Royal Decree of 10/11/2006 concerning the approval and control of diagnostic centres in the sense of the Royal Decree of 15 March 1968 which imposes general

regulations on the technical state of automobiles and their trailers, their parts and also safety accessories), a more in-depth control of heavy vehicles concerning emissions of exhaust gases and of brake devices according to the vehicle's maximum authorised weight (see the Royal Decree of 01/09/2006 which institutes roadside technical checks for commercial vehicles registered in Belgium or abroad), a compulsory control for motorcycles in case of resale or following an accident,...

Among other things, the Royal Decree of 1 September 2006 instituting roadside technical inspections of commercial vehicles registered in Belgium or abroad, in application of the 2000/30/CE Directive of the European Parliament and of the Council from 6 June 2000 on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Community as modified by Directive 2003/26/CE of 3 April 2003, authorises improved inspections by means of punctual, unexpected actions.

With respect to vehicles equipped with L.P.G. installations, a new Royal Decree intended to replace the Royal Decree of 9 May 2001 on the use of liquefied petroleum gas (L.P.G.) for the propulsion of automobiles will introduce new regulations such as the provisions of International Regulation no. 67 of Geneva updated by its supplements, series 01 of amendments and modifications thereto, as well as the relevant provisions of International Regulation no. 115 of Geneva. The decree project is in the final preparation phase.

A new Royal Decree, which is now being drawn up and is intended to replace the Royal Decree of 9 July 1997 on the use of compressed natural gas (C.N.G.) for the propulsion of automobiles, will introduce the conditions of the authorisation of C.N.G. installers at three levels, namely:

1. Workshops authorised to maintain and repair C.N.G. installations;
2. Workshops authorised as at 1, above, and also for carrying out C.N.G. installations;
3. Workshops authorised as at 1 and 2, above, but also for re-testing C.N.G. installations in service at high- pressure.

A whole series of European regulations related to the modification of vehicles to allow for technical progress has been implemented. This also refers to the regulation of the conditions of authorisation of driving schools for automobiles (Royal Decree of 11/05/2004), of the regulation amending the Royal Decree of 1 December 1975 establishing general rules for the traffic police and the use of public roads (Royal Decree of 09/05/2006), of the implementation of the European Community's Directives related to the acceptance of motor vehicles and their trailers, of agricultural or forestry tractors with wheels, their respective elements as well as their safety accessories (Royal Decree of 18/05/2006). The different measures refer successively to the blind spot, speed governors, devices that provide better protection for pedestrians in the event of a collision with a vehicle, about the obligation, for children and drivers of vehicles of C and D categories, to wear their safety belts, and also the obligation of placing the children who are not taller than 1.35 m in adapted seats, about the seats and belt anchoring.

EXCEPTIONAL TRANSPORTATION

With respect to so-called 'exceptional transportation', a Royal Decree is to be published shortly to update and supplement the regulation of such transport, to ensure better road safety for exceptional transportation and also to allow a more efficient treatment of the demands and authorisation delivery in an electronic mode.

A cooperation agreement between the Federal State and the Regions has also been proposed to, on the one hand, ensure better use of infrastructure and, on the other hand, to encourage and promote multimodality in the area of exceptional transportation to clients and carriers.

AIR-POLLUTION PEAK POLICY

The problems related to air pollution, especially pollution caused by fine particles, have led to an important awareness-building among all the actors involved. The Walloon and Flemish Governments have adopted increasingly severe measures to deal with peaks in air pollution. These measures consist of reducing vehicle speed from 120 to 90 km/h on the highways crossing sensitive zones. The Inter-regional Cell for the Environment 'IRCEL/CELINE' is responsible for monitoring the air quality, providing information on the concentrations of fine particles and other pollutants, and providing forecasts for the next few days.

b) Rail Transport

THE RER

The creation of the Regional Express Railway (RER), work on which is still in progress in Belgium, aims at creating an express railway network from, to, in and around Brussels. Under this programme, the government of the Brussels Capital Region has authorised the amendment of the Regional Land Use Plan in conjunction with the submission of a permit request for 'Diabolo', a project aimed at opening up Brussels-National airport, a dead-end station with only one way access from Brussels, and making it accessible directly from Brussels via Zaventem and Vilvoorde, from Leuven/Hasselt/Liège, and from Mechelen/Antwerp.

The contracts for the RER infrastructure work include a number of obligations that mandate taking the impact on the environment of railway transport via RER into account. These obligations are the basis for the studies into accompanying measures, such as tariff integration and ticket integration, parking policy, and improving intermodality and complementary conditions.

Within the framework of management contracts concluded successively between the State and the Belgian National Railways, and of the infrastructure projects that constitute the object of agreement in the Conciliation Committee State-Regions, a number of railway stations have been renovated to comply with the concept of ensuring total accessibility for all users.

The Belgian National Railways also has obligations towards local residents and the citizens, in general. It must develop a system of environmentally-friendly transportation. To this end, it contributes to management of land and property adjacent to railway lines, analyses the effects

of the rolling stock and railway activities on the environment, and gets involved in efficient management at the level of the property and in the investments in terms of renewable energies.

RAIL TRANSPORT OF GOODS AND INTERMODALITY

Starting in 2006, the Federal State has helped to consolidate and redeploy shuttles between internal terminals. This project made it possible to re-equilibrate the costs of railway offers and avoided the need to transport by road the 300,000 intermodal transport units (ITU) regularly transported on the railways and shipping operated by train. As a matter of fact, the costs for distances of less than 300 km are higher than market prices because of the transfer charges typical for this type of transport.

Infrabel, in turn, in cooperation with the Belgian National Railways and the other partners concerned with railway transport, is implementing a policy of sustainable mobility. Its missions are to implement intermodality for passenger or goods transportation alone, and for combined passenger and goods transportation.

This intermodality is expected to have several benefits: facilitated access, safety on platforms, optimal use of the infrastructures, optimal transport flows within the railway network, the modernisation and/or renovation of the railways to enable them to transport all types of intermodal units.

c) Inland Navigation

ASPECTS OF PROMOTING INLAND NAVIGATION

The Federal Government plans to promote inland navigation by means of a cooperation agreement with the Regions. Significant improvement consists of developing river and maritime navigation in order to make maritime ports accessible to inland navigation fleets. The capacity of the latter will have to be increased, and they will have to comply with standards in construction, technical equipment and crew training.

The Royal Decree of 23/02/2005 sets the basic requirements in terms of safety and of gases and sound emissions for pleasure craft.

With respect to safety in inland navigation, this concerns the totality of the logistical chain and it is not dealt with in isolation.

The issuance of operating authorisations (gauging books, Rhine Certificate or Community Certificate, ADNR certificate, etc.) is subject to inspection of navigation material during periodical visits. The latter concerns such aspects as gauging, compliance with general safety regulations, compliance with hazardous goods transport regulations, etc.

FISHING CREWS' REGISTRATION

In 2005, the previous classical system of 'enrolling and dis-enrolling' the crews from the sea fishing boats will be simplified to the point of registration of the crew embarked for every sea trip, with a posteriori control.

INLAND NAVIGATION WASTE COLLECTION

The effective adoption of the Strasbourg Convention on the Collection, Deposit and Reception of Waste Produced during Navigation on the Rhine and on Inland Waterways will necessitate intensive work throughout 2005. Belgium will call for investments in cleaner engines, for technical modifications limiting waste generation, and for favourable tax regime for ecological investments. Regarding the preservation of the marine environment against the pollution of sea-going ships, the objective will be that of starting with priority and quickly obtaining the ratification of international treaties.

In 2006, to ensure a coherent and coordinated system of waste collection and elimination, and support the non-polluting character of inland navigation, Belgium ratified and implemented the Strasbourg Convention on the Collection, Deposit and Receipt of Waste Produced during Navigation on the Rhine and on Inland Waterways.

It will concern the rigorous application of the new regulations concerning the emission of exhaust gases of propulsion engines of riverboats, the ecological investments in favour of cleaner engines and the technical modifications limiting waste generation in inland navigation.

With respect to the marine environment, the policy in force is one of zero tolerance based on the following 5 pillars: maximisation of the probability of arrest, improvement in the policy of pursuit, active criminal-justice collaboration at the international level, the optimum availability of the pollution-fighting materiel, and total compensation of fees for environmental wastes.

INVESTMENTS IN ENVIRONMENT-FRIENDLY TECHNOLOGY

In 2008, Article 21 of the Royal Decree on the implementation of the Income Tax Code was revised at the initiative of the Federal Public Service Finance and in cooperation with the Federal Public Service Mobility and Transport. The revised article stipulates that river barges may enjoy a number of tax incentives (exemption of surplus values) when they invest in environment-friendly technology.

d) Maritime Transportation

ASPECTS OF PROMOTING MARITIME NAVIGATION

A major campaign has been created with the aim of building up the Belgian-flagged merchant fleet by proposing a quality flag and a new tax regime for operations. The purpose was to continue stimulating this (re)flagging so that vessels either come back to or are built under Belgian flag. In order to achieve that result, it was necessary, on the one hand, to maintain a policy of inspection of the technical condition of the vessels with limited delegation to

classification societies and, on the other hand, to modernise the legislation on the status of seafarers and their disciplinary system.

Such a desire was expressed in several regulatory measures, mostly within the framework of the following Royal Decrees:

- ▶ Royal Decree of 16/01/2004 which amends the Royal Decree of 23 October 2001 establishing a harmonised system for the safety of fishing boats by amending the Royal Decree of 20 July 1973 on maritime inspection.
- ▶ Royal Decree of 29/02/2004 establishing common rules and norms concerning the entities authorised to carry out inspections and visits of vessels and amending the Royal Decree of 20 July 1973 on the regulation of maritime inspection;
- ▶ Royal Decree of 19/3/2004 amending the Royal Decree of 20 July 1973 on the regulation of maritime inspection;
- ▶ Royal Decree of 17/9/2005 implementing the Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 on the establishment of a community system of monitoring ship traffic and of information and revoking Council Directive 93/75/EEC;
- ▶ Royal Decree of 21/11/2005 regulating the enquiries into accidents and incidents at sea;
- ▶ Royal Decree of 24 MAY 2006 on certificates for seafarers.

Among the projects that have already been launched, the one concerning the single-point-of-contact aims at simplifying and rationalising communication with clients. The objective is to gather all new requests addressed to different authorities into a single document and to avoid the situation in which clients have to go through multiple procedures. All operations and needs that are related to navigation and where authority is shared by several authorities, services and institutions, clients will therefore be addressed to only one office.

The implementation of the measures anticipated by the ERIKA-I and II packages has been achieved by strengthening inspections of the ships in the ports, in order to satisfy the European obligation of achieving rates of at least 25 % inspections. A more severe inspection will concern the functioning of the classification companies that carry out assignments on behalf of the State. Single-hull tankers have been progressively denied access to European ports. The inspections are carried out according to a calendar covering the period from 2003 to 2010. Starting in 2004, a quality system (ISO standards) was implemented to have the maritime inspection deliver navigation certificates.

MARITIME SAFETY

‘Sub-standard ships’ represent not only a threat to the safety and the marine environment, but their existence also constitutes unfair competition. In order to preserve the respect of the safety regulations via a sustained policy of inspection, Belgium, through the Directorate-General of Maritime Transport, supports the position that the State inspection policy needs to be

concerned not so much with the number but with the quality of more detailed inspections on the grounds of a risk analysis. This principle is incorporated into one of the eight new maritime regulatory instruments of the Erika III package, which was adopted by the European Council and the European Parliament in June 2009.

Protecting maritime navigation against terrorist attacks is a problem requiring a lateral and multidisciplinary approach that is beyond the competence of the Federal Public Service Mobility and Transport. The problem of adopting efficient measures is still in development.

e) Air Transport

DEALING WITH NOISE POLLUTION AT BRUSSELS-NATIONAL AIRPORT

European Directive 2002/30 on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at Community airports was implemented in Belgian law by the Royal Decree of 25 September 2003, which establishes rules and procedures for the introduction of operating restrictions at Brussels-National Airport. The operating restrictions (through a noise quota system) were imposed by the Ministerial Decree of 3 May 2004 concerning the management of noise pollution. Take-off fees for noisy aircraft taking off between 9 p.m. and 11 p.m. and also between 6 a.m. and 8 a.m. were increased, and new tariffs were in force starting on 1 April 2004. The Royal Decree of 21 June 2004, by granting the Brussels-National Airport operating licence and the airport's facilities to B.I.A.C after its transformation by the Royal Decree of 27 May 2004 into a private limited company, obliged it to comply with the noise standards adopted on the basis of an agreement designed to harmonise the federal and the regional positions on noise pollution.

Since then, in view of the number of complaints and legal procedures that have been launched in recent years, it has been found that a new approach to noise-pollution management is necessary for Brussels Airport. In December 2008, the Council of Ministers adopted new measures aimed at finding a solution that reconciles economic and environmental interests. These measures aim at reducing noise pollution and improving the operating procedures in the airport, at stabilising the legal situation and reactivating consultations with the municipalities concerned. This also implies operating restrictions (take-off free periods, reducing the number of night flights, expanding the noise-quota system), operating procedures (in terms of use of the runways, the airspace and flight routes), the establishment of a forum of consultation and setting the operating framework in a law (which will repeal and replace the above-mentioned Royal Decree of 25 September 2003 and the Ministerial Decree of 3 May 2004).

At this point, the various measures are coming into force progressively.

It should be noted that tests of the system of 'Continuous Descent Approach' (CDA) are now being carried out at Brussels Airport. This technique consists of continuous descent during landing instead of descent in stages and aims to reduce the noise level, fuel consumption and fuel emissions.

SAFETY FOR AIR NAVIGATION

Pursuant to the Royal Decree of 21 January 2005, which approves the second management contract between the State and Belgocontrol, the safety of air navigation is provided by Belgocontrol through systems of managing quality, security and safety by the ANS (Air Navigation Services) in accordance with the requirements set by European Commission (Regulation (EC) 2096/2005). These systems are overseen by the Civil Aviation Authority (DGTA). The Royal Decree of 11 July 2003 amending the Royal Decree of 14 February 2001, establishes the fees for establishing a fund to cover the costs of investigation in case of aviation accidents and incidents and to promote preventive programmes for the safety of air navigation. The fee is payable at each issue or renewal of an airworthiness certificate or an authorisation for limited air navigation and it is based on the maximum take-off weight (MTOW) of the aircraft expressed in kg.

RISK ANALYSIS AND CONTINUOUS MONITORING IN BRUSSELS-NATIONAL AIRPORT

The Civil Aviation Authority, which also presides over the National Committee for the Safety of Civil Aviation, coordinates the safety measures in Belgian airports in the following fields: the development of a national plan for air safety, the coordination of safety inspections in the aerodromes, national certification and training of the safety air crew, homologation of the safety material and monitoring compliance with this plan.

Particular attention is paid to safety of third-party airports from which flights to Belgian airports are made. In addition to that, the airports and air carriers will be invited to further develop a programme of internal quality control.

With respect to crisis management, a federal air-safety and security crisis plan (planning in case of disasters and terrorism, respectively) was developed in 2005 in collaboration with other public services concerned, such as the federal public services Justice and Internal Affairs.

f) Cross-Cutting Aspects of Transportation and Sustainable Mobility

PROMOTING THE PUBLIC TRANSPORTATION OF PASSENGERS

Several actions are being implemented to promote public transportation.

The Belgian National Railways has achieved ticketing integration in the Region of Brussels Capital in collaboration with other public transport societies (TEC, De Lijn and STIB). Measures aimed at encouraging public transportation concern, in particular, the prices for subscriptions which have been reduced for students over 18 years old and aligned with the prices of subscriptions for students younger than 18 years old. The share paid by these users was reduced to 20 %. With respect to employer's contribution to the subscription price of mixed-train cards, this is exempt to a level of 80 %.

Public Service employees benefit from free use of public transportation between home and work, whereas in the private sector, a gratuity system has been implemented, 'third party', within the framework of the management contract between the State and the Belgian National Railways. The programme law of 27 April 2007 also introduced a change to the deductibility of business vehicle-related expenses other than fuel, based on their CO2 emission levels.

Other measures focus on specific target groups such as senior citizens 65 years old and above, who benefit from the preferential tariff of €5 for a 2nd class round-trip ticket from Monday to Friday starting at 9.01 a.m.

Furthermore, the Belgian National Railways organises every year, in collaboration with the other public transport companies, one day Train-Tram-Bus or TTB using one or more concepts. The main objective is to promote the train and intermodality.

The use of cycling for leisure but also for travelling to work or school is encouraged by the transport of bicycles in adapted train cars.

CARPOOLING

To make carpooling more attractive, the Highway Traffic Code was amended in 2003 so that the road manager can reserve a traffic lane not only for public transport, but also for private vehicles with more than one occupant.

DIAGNOSIS OF HOME-WORK COMMUTING

Since 2005, a federal law (law of 08/04/2005) imposes a requirement on large employers (having more than 100 employees and at least 30 employees on their sites), in the private and in the public sector to carry out a survey every 3 years of the means of travel used by their employees and of the measures taken to favour alternative solutions to the car (public transport, bicycle, carpooling, etc.). This survey must be submitted to the employees for advice before it is finalised.

The objectives of this legislation are to:

- ▶ Obtain a complete and evolving 'diagnostic' of the home-work mobility demand in Belgium; the data being available to the bodies in charge of improving mobility
- ▶ Create a dynamic between social partners inside the working places to improve mobility in a sustainable way, including the voluntary creation of company' transportation plans.

The first two surveys, in 2005 and 2008, made it possible to draw up reports on the situation, to encourage the most effective measures, both at the federal level (for e.g. the legislation on the refunding of public transport and cycling fees, taxation), and the regional one (subsidising or establishing shuttle-bus services) and at a local level (local mobility plans).

The second survey 2008 showed a favourable evolution of the modalities of transport used:

- ▶ -1.6 % use of the car in 3 years (while the total road traffic was increasing); +1.2 % use of the train or other public means of transport; +0.5 % use of the bicycle.

For 2011, the plan is to focus even more on the diagnosis of the needs in terms of transportation modes by residence.

KYOTO TRANSPORT PLAN

The Kyoto Transport Plan is a Federal Public Service Mobility and Transport initiative addressed to the federal authorities in Belgium. It consists of 22 measures related to mobility in the broad sense, and its goal is to reduce CO2 emissions in the transportation sector (currently 27 million tonnes per year) to their 1990 levels by 2020.

This plan is necessary for several reasons:

- ▶ To participate in the fight against global warming and its consequences on the environment, the economy and human health.
- ▶ To contribute to reducing the problems of accessibility and congestion, which the citizens and the whole economy of the country suffer from.
- ▶ To have the public transportation sector take part in the objectives of the Kyoto Protocol.
- ▶ The new European commitments in terms of energy saving and reduction of greenhouse gas emissions will require our participation.

The 22 proposed measures can be combined without negative reciprocal effects.

If fully implemented, the plan would make it possible achieve a reduction of approximately 25 % of transport emissions by 2020.

2.1.2. Flemish Region

a) Policy and regulations

URBAN TRANSPORT PLANNING AND POLICIES: REALISING A MODAL SHIFT THROUGH INTEGRATION OF REGIONAL AND GLOBAL TRANSPORT SYSTEMS

Through the elaboration of a network of logistical centres, gateways such as harbours and airports become connected with interesting extended gateways in the hinterland. Through the principle of 'minimizing logistical costs' the best locations are then combined with new IT-applications that allow transport flows to be as optimized and integrated as possible. For example: in cooperation with the Flemish ports and representatives of the business community companies are monitored in optimizing their logistic chains and the economic and environmental benefits of a shift from road transport to inland navigation are considered.

FINANCIAL SUPPORT OF ENVIRONMENTAL FRIENDLY VEHICLES

An environmental grant scheme has been put into force for particle filters for lorries and for the purchase of Euro V lorries since July 2006. A decree grants subsidies for the retrofit of passenger cars with particle filters. Another form of financial support is the planned reform of the road tax, both the registration tax and the annual road tax. For passenger cars, the reform can be based on the ecoscore of the vehicle. The ecoscore reflects a car's overall impact on the environment and takes the polluting emissions (PM, NO_x, CO, HC) , CO₂ and sound into account. The registration tax for new vehicles will be adopted to encourage the achievement of vehicles with particle filter.

AREA SPECIFIC POLICY WHICH FOCUSES MORE SPECIFICALLY ON MOTORWAYS

The policy in this field is founded on a study into the 'immission problems caused by traffic' that was completed in September 2004. This study examined the bottlenecks for meeting air quality standards in 2010, in terms of both PM10 and nitrogen dioxide (NO₂). Meanwhile, a measure has been introduced in implementation thereof: a reduction of the speed limit to 90 kilometres per hour on certain sections of the motorways. These sections have been demarcated by the study as exceedance areas with housing. The measure is valid in case of peak exceedances, when more than 70 micrograms per m³ is predicted for two consecutive days – the so-called "smog alert". The Protocol between the administrations involved has become effective in the summer of 2007.

The idea is also to assess the situation in the longer term and to take structural measures to improve the air quality along motorways. To this end the impact of dynamic traffic management on air quality is looked into. It is examined how the flow can affect air quality bottlenecks.

GENERIC ACTIONS TO REDUCE THE SHIP EMISSIONS

A specific model is developed to model the emissions of shipping traffic (inland navigation and sea shipping, also for rail). Since 2007 a subsidy is given for ships (old and new) for introducing environmental engines (CCR-II norm) and for adaptation to engines (retrofit with a deNO_x-installation). The Flemish Government develops in consultation with the ship owning companies and the harbours authorities concrete actions. An agreement between government and shippers has been signed which contain concrete actions (3E covenant).

The action plan for the Port of Antwerp contains measures by the Port Authority and by the Flemish Government. Measures are: the continuation of the subsidy program, the study of the possibilities of an enhanced control of shipping fuels, off-shore facilities, differentiated taxes, environmental indexing, energy-saving navigating, awareness raising to enhance the operational efficiency.

PURCHASING POLICY OF GOVERNMENTS

For the Flemish public administration the action plan on environmental management in the fleet of vehicles has been approved by the Flemish Government. In implementation thereof

conditions have been entered in the standard specifications for the purchase of vehicles. These conditions are based on the car's ecoscore.

PUBLIC TRANSPORT

Within the management plan between the Flemish Government and the Flemish transport company "De Lijn" projects with the aim of reducing the environmental burden by public transport are included. For example, the use of alternative sources of energy such as fuelcellpowersystems, hybrid powersystems, biodiesel... are recommended; the purchase of new vehicles must comply with the Euro V standard, even only the Euro IV standard is required by law; older public transport vehicles are fitted with particulate filters; the re-use of rinse water is encouraged...

RAISING PUBLIC AWARENESS

In January 2008 an ecoscore campaign was launched. A radio spot was broadcasted and promotion was made at a stand at the European Motor Show. A brochure was produced as well as articles in newspaper and magazines and web banners. The main idea was to give more publicity to the website www.ecoscore.be which contains information about the ecoscores of cars.

Since 2003 a campaign is carried out to influence driving behaviour. A brochure, sticker, radio broadcast and a website (www.ikbenrob.be) are part of this campaign.

DEVELOPMENT OF TRANSPORT TECHNOLOGY RESEARCH IN THE PUBLIC AND/OR PRIVATE SECTOR

In Flanders a lot of research by different research institutes is done in the transport sector. For example, in cooperation with the University of Antwerp research good practices from home and abroad for an efficient transport of goods within an urban environment are examined. At a later stage, actions will be taken and implemented on the basis of the recommendations of the study.

b) Best practices

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