

WRITTEN QUESTION E-3128/09
by Werner Langen (PPE-DE)
to the Commission

Subject: Restricted sales of Austrian motorway vignettes in German service stations

Licences for the sale of Austrian motorway vignettes are issued by the Austrian ASFINAG (Autobahnen- und Schnellstraßen-Finanzierungs-Aktiengesellschaft – Motorway and Expressway Funding Ltd). Owing to the restructuring of this company, opportunities for selling these vignettes have fallen drastically, with sales outlets being reduced from 280 to 130. Only service stations located within 20 kilometres of the border or directly on the motorway are henceforth entitled to sell such vignettes. The new rules create problems for operators of service stations or sales outlets which are not located directly on the motorway, so that customers are obliged to leave the motorway to reach them. Under ASFINAG's new rules, these service stations are no longer entitled to sell motorway vignettes for Austria.

In view of the above, will the Commission say:

1. On which legal basis has ASFINAG been able to alter provisions regarding entitlement to sell Austrian motorway vignettes?
2. Which legal remedies are available to service station operators who have not been granted authorisation to sell motorway vignettes under the new rules, particularly in view of continuing demand among service station customers?