

**Question for written answer E-000202/2024
to the Commission**
Rule 138
Paolo Borchia (ID)

Subject: New goods traffic bans introduced by the Tyrol Region in January 2024

In its response to written question E-000348/2020¹, the Commission discussed whether the decision published in Tyrol Official Journal No 81/2019 amending Section 3(1) of sector-specific traffic ban No 44/2016 was incompatible with EU law, particularly in the light of Court of Justice case-law. As justification, the Commission cited the Court's ruling that the measures in force at the time excluding lorries with a laden mass exceeding 7.5 tonnes from a section of the A12 motorway infringed Articles 34 and 35 TFEU.

On 1 January 2021, the government of the Federal State of Tyrol supplemented the aforementioned traffic bans on the A12 motorway by unilaterally introducing a further series of restrictions on heavy goods traffic through the Brenner pass.

On 13 January 2024, the State of Tyrol introduced new measures excluding vehicles with a laden mass exceeding 7.5 tonnes from the A12 and A13 motorways between the hours of 7.00 and 15.00.

In the light of the above:

1. Has the Commission finished its evaluation of Decision No 81/2019?
2. Can the Commission confirm that both the above decision and the additional restrictions imposed by the State of Tyrol are indeed incompatible with EU law?

Submitted: 24.1.2024

¹ https://www.europarl.europa.eu/doceo/document/E-9-2020-000348-ASW_EN.html