

WRITTEN QUESTION P-1951/03
by Giacomo Santini (PPE-DE)
to the Commission

Subject: Provisions banning traffic in Austria

The President of the Tyrolean regional government, Herwig van Staa, recently issued an astonishing ban on the circulation of motor vehicles weighing more than 7.5 tonnes on a section of motorway between Kundl and Ampass in Tyrol, in accordance with the following provisions:

- from 1 June this year the ban on night traffic, which was in force during the winter, will be reintroduced;
- furthermore, from 1 August there will be a 24-hours-a-day ban on vehicles in certain sectors: waste, scrap metal, cereals, timber, minerals, motor vehicles, steel and stone;
- the ban will also affect the mining and transport of porphyry, which in the Alpine region is the sole and irreplaceable source of income for thousands of families and hundreds of SMEs, which would suffer incalculable damage.

Whilst one can understand the Tyrolean authorities' reasons for the ban, it is only fair to remind them that solutions of this kind contravene the provisions of the Treaty, in that they restrict the free movement of goods within the single market. It is unacceptable that regional authorities should be allowed to compromise a great deal of work which has already been done by adopting unilateral decisions outside the sphere of Community rules.

Furthermore, in view of the fact that the long-standing problem of eco-points applied unilaterally by Austria has been challenged by all the other Member States and is going to be abolished as a result of European Parliament pressure, can the Commission say:

1. whether it does not consider, once again, that the Austrian Government and the Tyrolean regional government are contravening the EU Treaty as regards rules concerning the free movement of goods and persons;
2. what steps it intends to take to ensure the withdrawal of these unilateral decisions, which do not correspond to Community law;
3. whether it does not consider that these repeated violations of the Treaty should be brought before the Court of Justice in Luxembourg?