

WRITTEN QUESTION P-0563/09  
by Gilles Savary (PSE)  
to the Commission

Subject: Interpretation of Article 5.6 of Regulation No 1370/2007 on public passenger transport services by rail and by road

A legal debate on the interpretation of Article 5.6 of Regulation No 1370/2007<sup>1</sup> of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road has arisen in France and requires clarification from the European Commission.

Under Article 5.6 of this Regulation, do organising authorities, in particular regional authorities, have the freedom to issue invitations to tender for heavy-rail public passenger transport service contracts (as distinct from those for trams and metros)?

Should the application of this Regulation be deemed to transcend, in the legal hierarchy, any national legislation that might put an obstacle in the way of this freedom to issue invitations to tender by creating, for example, a legal monopoly in favour of an incumbent operator?

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<sup>1</sup> OJ L 315, 3.12.2007, p. 1.