

Mrs. Ursula von der Leyen  
President of the European  
Commission  
Rue de la Loi 200  
1049 Brussels  
BELGIUM

October 11, 2023

### Problems in transalpine traffic through Tyrol: Block clearance / Sectoral driving ban / Night driving ban / Brenner toll

Dear Madam President,

The undersigned transport and logistics associations have already contacted you several times and pointed out the intolerable situation in transalpine traffic. Within the framework of the Tyrolean anti-road transport policy numerous measures have been enacted by the Tyrolean provincial government in recent years, leading to massive obstructions in transalpine road freight traffic via the Brenner route.

One of the most obvious measures is the one-sided block clearances at the Kufstein border crossing, which are to take place on 41 days in 2023. The result is regular lorry tailbacks of up to 70 kilometres and of up to ten hours of waiting time on the German side of the Inn Valley. Unbearable and traffic-endangering situations for all road users are the result.

In December 2020, the EU Commissioners for Transport, Internal Market and Environment already internally recommended to urgently initiate an infringement procedure regarding the sectoral driving ban, the night driving ban and the double Brenner toll at night. Furthermore, Italy asked the Commission some months ago to initiate infringement proceedings against Austria.

Since April 2022, the Commission has held several discussions with the three Member States concerned to find an amicable solution to the problems in transalpine traffic. According to our information, despite numerous meetings of the states involved, so far no agreement has been achieved on how the free movement of goods can be handled in conformity with EU law in the future. At the meeting of the Council of Transport Ministers in June 2023, numerous Member States, including Italy and Germany who are involved in the ongoing negotiations, manifestly voiced their discontent about the lack of progress in the negotiations and called on the Commission to finally act and find a solution to the Brenner problem.

Road goods transport operators are willing to use more combined and rail freight services. However, there is a structural shortage of capacity and service offer in combined and rail freight transport. In addition, this summer planned construction works together with unplanned weather- and accident-related events led to closures of important alpine transit routes by rail and road underlining the general fragility of alpine transit. In this context artificial restrictions must not be tolerated.

During talks with the Bavarian government in Bayreuth on 25 July 2023, you reported to the press that Austria had so far rejected all proposals for a solution. The Commission would now offer the states involved "a final mediation meeting".



#### Contact:

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According to our information, this meeting has not yet taken place. We would therefore highly appreciate any information on a foreseen date for this last mediation meeting and on measures the Commission has in mind if no result is achieved.

Should the last mediation meeting also fail, this can only mean, in our view, that the Commission finally initiates infringement proceedings against Austria.

We call on the European Commission as guardian of the Treaties to act decisively against actions of individual Member States that are hostile to the internal market. It is already five past twelve!

With kind regards

**IRU (the world's road transport organisation representing nearly one million transport companies in the EU)**

International Road Transport Union, Geneva



Secretary General Umberto de Pretto

**AISÖ (Austria)**

Arbeitsgemeinschaft Internationaler Straßenverkehrsunternehmer Österreich, Vienna



Chairman Alexander Klacska

**BGL e.V. (Germany)**

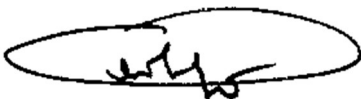
Bundesverband Güterkraftverkehr Logistik und Entsorgung, Frankfurt



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General Delegate FNTR

General Delegate Florence Berthelot

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CEO Stefan K. Schou

**NLA (Denmark, Norway, Sweden)**  
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A handwritten signature in black ink, appearing to read 'Erik Østergaard', with a stylized, cursive script.

Chairman Erik Østergaard

**TLN (Netherlands)**  
Transport en Logistiek Nederland, Zoetermeer

A handwritten signature in blue ink, appearing to read 'Elisabeth Post', with a stylized, cursive script.

CEO Elisabeth Post