

President Jean-Claude Juncker
President of the European Commission
European Commission
Rue de la Loi 200
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BELGIUM



By email

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Brussels, 1 February 2018

“BLOCKABFERTIGUNG” MEASURES FOR HEAVY GOODS VEHICLES IN TYROL

Dear President Juncker,

Since October 2017, IRU has been monitoring the impact of the recent “Blockabfertigung” measures that the Austrian state of Tyrol introduced for heavy goods vehicles driving south on the Austrian A12 motorway. The aim of the measures is to introduce a quota system for heavy goods vehicles during certain times of the day on given dates, whereby a maximum of 300 truck combinations can use the motorway per hour, in order to limit the impact of traffic on the environment due to excessive usage by heavy goods vehicles.

The Tyrolean government claims that the measures have been a success in improving traffic fluidity in the region. However, IRU and its member associations as well as the “Alpine Transit Group” of road haulage associations whose member companies are either established in the Alpine region or are very active in the region, are strongly concerned about the negative impact of the measures. Since implementation, enormous traffic jams on the approach routes to Kufstein/Kiefersfelden on the days when the “Blockabfertigung” is active have become a serious problem. Implementation of a possible extension of the measures could also block the Brenner Pass on the south-north route and see similar situations develop on the Italian side of the border in the Italian province of South Tyrol

IRU is aware that a number of neighbouring countries and regions have complained about the measures and that efforts are being made to set up a dialogue with Tyrol whereby the European Commission would play a mediating role. IRU welcomes and supports initiatives to try to find solutions, but is concerned about the delays being incurred in setting up a high-level meeting to discuss the issue. Serious problems continue to affect road users, especially road freight transport companies, on the days when “Blockabfertigung” is active.

Tyrol: Excessively restrictive measures

IRU must seriously question the intentions of Tyrol. It is correct to call Tyrol an essential transit route through the Alps to and from Italy. However, the majority of traffic does not originate in this region. Southern Germany, especially Bavaria, and the Italian province of South Tyrol equally have to cope with the same amount of transit traffic on their roads. Those regions also pursue objectives to reduce the environmental impact of road transport, but, unlike Tyrol, they do not use the same excessively restrictive measures for heavy goods vehicles such as traffic bans and special tolls.

Impact of the “Blockabfertigung”

The unilateral introduction of “Blockabfertigung” has a far reaching negative impact not only on road freight transport and logistics providers but also on the economy and citizens of the region as a whole.

In Southern Germany, huge traffic jams (20-30 km are not unusual) for long periods of time are caused by the measures which make it extremely difficult to estimate and guarantee delivery times for local distribution or long haul. There are also higher road safety risks as road accidents are more likely to happen where there is heavy congestion caused by the “Blockabfertigung”.

Tyrol’s demand for increased use of combined transport, for example through the “Rollende Landstrasse” from Wörgl to Trento, is also suffering a setback because the vehicles going to Wörgl are also stuck in traffic jams at the border and have trouble reaching the combined transport terminal in time. Unfortunately, currently there is no alternative terminal to access the “Rollende Landstrasse”.

Such a situation leads to penalties from customers due to delivery delays and subsequent slowdowns in production processes, issues with working times, and driving and rest times of the drivers, challenges for drivers frequently blocked in traffic jams for long periods of time, and an additional negative impact on the environment due to vehicle engines that continue running in traffic jams, or regularly need to be switched on and off to keep refrigeration and airco systems active.

Tyrol is unable to provide evidence supporting its claims

Until now, Tyrol has not produced any tangible evidence of the so-called “detour transit” of about 800,000 trucks per year that would be passing through its territory. It should not be a problem to produce this information via statistics systematically collected by the toll provider ASFINAG. However, the statistics should show that the 800,000 trucks also include a high number of journeys originating or ending in Tyrol itself.

Inadequate alternative rail freight capacity

In addition, Tyrol and Austria are still not in a position to offer a sufficient alternative rail capacity. The timetables of Rail Cargo Austria, who runs the “Rollende Landstrasse”, indicate that a maximum of 22 trains per day are available heading south from Wörgl to Trento. Every train heading south can carry 18 truck combinations providing a maximum capacity of 396 trucks per day or 17-18 per hour on average. Even when the maximum capacity is not used, because of certain trains being unable to run (see enclosed letter to customers from Kombiverkehr, in German), the potential to shift trucks to combined transport is extremely limited.

The capacity of unaccompanied combined transport from Munich or Nuremberg to Italy is also already saturated and for organisational reasons is only usable by a limited number of companies because substantial road freight transport capacity is also required in Germany and Italy to carry out legs of the combined transport journey by road and not all haulage companies have this service readily available, especially small and medium-sized enterprises (SMEs).

The alternative rail freight capacity also remains insufficient. The need for adequate alternative rail capacity was however an important argument raised by the European Court of Justice in its verdict in the first case related to the introduction of a sectoral traffic ban for the carriage of certain goods by heavy goods vehicles on the A12 motorway in 2005.

Use of counterproductive measures

Tyrol fails to introduce parallel measures that could alleviate the negative impact of the “Blockabfertigung”. A night time traffic ban for heavy goods vehicles on the A12 motorway from 20:00-05:00 is in place, however, Euro VI vehicles are exempt. A wider exemption for heavy goods vehicles, such as Euro V ones, from this traffic ban could help to avoid congestion and the challenges posed by transit traffic. In addition, between 22:00-05:00 the toll rate at the Brenner Pass is twice as high as the rate during the day time. This is yet another reason why the heavy goods vehicles only start their transit through Austria after 05:00 in the morning. Local distribution traffic and transit traffic use the road network at the same time. This can be avoided.

To summarise, the “Blockabfertigung” in Tyrol, along with other restrictive measures for heavy goods vehicles such as the sectoral traffic and night time traffic bans, form a unilateral and disproportionate barrier to the free movement of goods and freedom to provide services that are fundamental rights embedded in the Treaty of the European Union. Tyrol has not yet produced any convincing evidence for the large number of “detour” trucks driving through its territory. Tyrol has also insufficiently considered the fall-out of these measures on neighbouring countries and regions. Using other modes of transport is not an option because of lack of capacity and due to repercussions of these measures that hamper the process. It must be repeated that there is no alternative route for the Brenner Pass traffic going from Southern Germany to Italy.

Therefore, IRU and the “Alpine Transit Group” call on the European Commission for support and to press for the following measures to alleviate the negative impact of the “Blockabfertigung”:

- Hindsight has shown that unilateral Tyrolean measures against the use of heavy goods vehicles have proven to be counterproductive. Austria and Tyrol should pursue a more constructive dialogue with all the stakeholders concerned, including the road freight transport industry and its customers. The introduction of unilateral measures must be avoided at all costs.
- Tyrol should justify its measures with more convincing evidence and statistics, including with traffic data from ASFINAG.
- Road freight transport to and from the combined transport terminal in Wörgl should be completely exempt from any traffic ban.
- Rail freight and combined transport providers should provide more service and more transparent information on guaranteed permanent capacity availability and on reserve capacity which could be deployed on short and medium term notice.
- Tyrol must consider abandoning the night traffic ban for heavy goods vehicles.
- More combined transport terminals should be considered, ensuring also adequate access for heavy goods vehicles.

At the high level meeting of 5 February 2018, should the concerned national, regional, and local governments not be able to come to an agreement on acceptable solutions to avoid the negative impact of “Blockabfertigung”, the European Commission should undertake a further investigation of the compatibility of the measures with the principals of the Treaty of the European Union and EU law and undertake appropriate measures against Tyrol where considered necessary.

IRU and the "Alpine Transit Group" are entirely at your disposal to further discuss this issue with you or your competent services and provide additional information or evidence where deemed necessary. Please do not hesitate to contact me if you have any questions.

I look forward to hearing back from you regarding this important matter and I remain,

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M. Maedge', with a long horizontal flourish extending to the right.

Matthias Maedge
General Delegate
IRU Permanent Delegation to the EU

An unsere Kunden im Brennerverkehr

Sehr geehrte Damen und Herren,

wir möchten Sie hiermit darüber informieren, dass wir auch über den Jahreswechsel hinaus mit erheblichen Problemen in der Durchführung der Brennerverkehre rechnen müssen.

Wie Sie vielleicht durch unsere Achsenbetreuung oder auch durch Presseveröffentlichungen erfahren haben, ist der Betrieb im Brennerverkehr seit mehreren Monaten nachhaltig gestört. Zum einen ist die Strecke aufgrund einer Nachtbaustelle mit Bauarbeiten zwischen 22:00 Uhr und 3:00 Uhr morgens, neben weiteren kurzfristig angekündigten Ad- hoc-Baustellen, ohnehin schon schwierig zu befahren. Hinzu kommt, dass nach wie vor in großem Umfang Grenzkontrollen stattfinden. Für unsere Eisenbahndienstleister bedeutet dies, dass Züge teilweise bereits vorab über mehrere Stunden im Raum München/Kufstein bis nach Südtirol zurückgehalten werden, ehe sie dann von den Behörden zu Grenzkontrollen zugelassen werden. Lokomotion ist es zwar gelungen, die Behörden davon zu überzeugen, die Kontrollen vom Platz Raubling nach Rosenheim zu verlegen, da dort die Infrastrukturen besser für derartige Kontrollen geeignet sind. Dadurch hat sich die Situation zwar leicht verbessert, aber die betrieblichen Probleme sind immer noch enorm.

Beides zusammen führt dazu, dass wir kaum noch in der Lage sind die Fahrpläne einzuhalten, denn die Züge werden teilweise bis zu sieben Stunden zurückgestaut, ehe sie ihre Weiterfahrt Richtung Norden antreten können. Dadurch geraten Lokumlaufpläne, Schichtpläne und Werkstatttermine außer Takt, sodass eine geregelte Zugplanung nicht mehr möglich ist. Wir versuchen in enger Abstimmung mit unseren Eisenbahndienstleistern, die negativen Folgen dieser Fahrtunterbrechungen so gering wie möglich zu halten. Dennoch müssen wir leider darauf hinweisen, dass eine kurzfristige Lösung dieser Situation nicht in Sicht ist.

Sowohl die Geschäftsführung von Kombiverkehr als auch die von Lokomotion haben versucht, mit Schreiben an die zuständigen Ministerien in Bayern und in Berlin auf diese unhaltbare Situation aufmerksam zu machen, leider bisher nur mit mäßigem Erfolg.

Wir würden uns freuen und erachten es als außerordentlich wichtig, wenn auch Sie die für Ihren Kreis zuständigen und / oder Ihnen bekannte politische Repräsentanten ansprechen könnten. Es muss gelingen, im Brennerverkehr wieder eine Planbarkeit herzustellen, damit wir die mit Ihnen vereinbarten Leistungszeiten wieder erreichen können.

Für Ihre Unterstützung danken wir Ihnen.

Mit freundlichen Grüßen

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