

February 2014

Developments in EU Transport Law

By Mélanie Bruneau and Antoine de Rohan Chabot

Air

European Commission adopts new guidelines for state aid to airports and airlines - The European Commission adopted on 20 February 2014 new guidelines on how Member States can support airports and airlines in line with EU state aid rules. Key features include state aid for investment in airport infrastructure, operating aid to regional airports and start-up aid to airlines to launch a new air route. [For more information](#) and [Also](#)

European Parliament pushes for enforceable air passenger rights - on 5 February 2014, the European Parliament voted on proposals from the European Commission to strengthen passenger rights including: measures to ensure that air passengers have rights to information, care and re-routing when they are stranded at the airport. At the same time there will be clearer complaint procedures and enforcement measures. [For more information](#) and [Also](#)

Aviation emissions: Environment MEPs support airspace approach until 2016 – On 30 January 2014, the Environment Committee of the European Parliament voted to decide that the European Union Emissions Trading Scheme (EU ETS) will cover CO2 emissions from intercontinental flights to or from EU airports for the emissions over EU and EEA airspace from April 2015 to April 2016. The current full “stop the clock” regime, covering intra-EU flights only, will continue until April 2015. [For more information](#)

Single European Sky: Transport MEPs support more efficient air navigation services - On 30 January 2014, the Transport Committee of the European Parliament voted in favor of updated rules on air navigation services giving national regulators more independence in designing more efficient airspace navigation, in a vote on the Single European Sky (SES) 2+ package. The SES 2+ proposals deal with issues arising out of the insufficient efficiency of air navigation and fragmented air traffic management. [For more information](#) and [Also](#)

Pricing of checked-in baggage by air carriers: Court of Justice of the European Union - In his Opinion delivered on 23 January 2014 in Case C-487/12, Advocate General Bot considers that the Spanish legislation which prohibits air carriers from charging for checking in passengers' baggage in the form of an optional price supplement is incompatible with EU law. In his view, EU law allows air carriers pricing freedom for all commercial services associated with the performance of the contract of carriage by air. However, air carriers must communicate in a clear, transparent and unambiguous way the detailed rules for pricing relating to checking in of baggage and allow the customer to accept or refuse the service on an opt-in basis. [For more information](#)

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State Aid: Poland to recover incompatible state aid from Gdynia airport - The European Commission found that the public funding granted by the municipalities of Gdynia and Kosakowo to Gdynia airport gives the beneficiary an undue economic advantage over its competitors, in particular the Gdansk airport, in breach of EU state aid rules for the aviation sector. [For more information](#)

Shipping

Ports: Gateways of the TEN-T - The European Commission has published its new ports brochure which reviews the European Port Policy and supplements a proposal for a EU regulation establishing a framework on market access to port services and financial transparency of ports. [For more information](#)

State Aid: Commission orders recovery of incompatible state aid from Italian maritime company - The European Commission has concluded that part of the support measures that Sardinia had granted to the maritime company Saremar in 2011 and 2012 was incompatible with EU state aid rules. [For more information](#)

European Commission: Public consultation - Since 1995 liner carriers have been granted conditional exemption from competition rules when operating joint services. This exemption was reviewed and the 2009 Block Exemption Regulation for liner shipping consortia is in force until 2015. As markets change, a review of the 2009 Block Exemption Regulation for Liner Shipping Consortia is planned in March/April 2014. [For more information](#)

Inland Waterway Transport - Publications of the European Commission guidance document on sustainable inland waterway development and management in the context of the EU birds and Habitat Directives on 14 February 2014. [For more information](#)

Rail

ERTMS - European Rail Traffic Management System - The European Commission has published its staff working document on the state of play of the implementation of the ERTMS on 14 February 2014. [For more information](#)

Other Transport News

Public consultation on a funding scheme supporting sustainable and efficient freight transport services - This consultation - that will last until 2 April 2014 - concerns the new funding scheme for freight transport services which is foreseen in the 2014-2020 financing period. Its design will take account of new developments in the market, results of the Marco Polo programme and the new transport policy framework established inter alia by the revised Trans-European Transport Network Guidelines and the Connecting Europe Facility. [For more information](#)

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Road safety: Transport MEPs back vehicle inspections agreement - An informal agreement with EU member states on minimum common standards for periodic vehicle inspections, vehicle registration documents and roadside inspections of commercial vehicles was supported by the European Parliament's Transport and Tourism Committee on 21 January 2014.

[For more information](#)

French Supreme Administrative Court suspends decree on passenger transport sector - On 5 February 2014, the Supreme Administrative Court issued an interim measure suspending the application of the decree relating to car for tourism with drivers (VTC - Véhicules de tourisme avec chauffeur), which required Paris VTC companies to wait 15 minutes between reservation and the actual transport of the customer. The Court found that there was a serious doubt regarding the legality this provision, which infringes the VTC companies' freedom of commerce and industry, justifying a suspension pending an in-depth review of the decree at a later date.

[For more information](#) (in French)

Events

Upcoming: Greener Aviation 2014: Clean Sky breakthroughs and worldwide status - In the context of the Horizon 2020 framework programme for research and innovation, the purpose of the conference "Greener Air" is to display and discuss Clean Sky achievements with experts in all disciplines. In parallel, other worldwide programmes focusing on environment and fuel savings will be presented. It will be held from 12 to 14 March 2014 in Brussels.

[For more information](#)

Upcoming: Transport Business Summit 2014 on "Transport: Driving Europe's economy" - The second Transport Business Summit will bring together business leaders and decision-makers to discuss how transport can contribute to Europe's goals for jobs and growth. Hosted by the European Commission, Vice-President Siim Kallas and the Directorate-General for Mobility and Transport, the conference will feature Mario Monti, former Prime Minister of Italy as the keynote speaker and transport industry panelists. It will be held on 27 March 2014 in Brussels.

[For more information](#)

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