



Main Office	AGEG	c/o EUREGIO	36248599 Gronau (Germany)
Project Office		AEBR c/o BISON	10785 Berlin (Germany)
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AEBR Info Centre in Ukraine	Univ	Simon Kuznets (KhNUE)	pr. Lenina, 9a61001 Charkiw (Ukraine)



REPORT BY THE EXPERT

Advice case title: Local tariff fee for cross-border mobility

Thematic Area: Public Services (transport planning & regulation)

Full official name of the advised entity: Syndicat du Pays de Maurienne

Name of the expert contracted for the advice case: Prof. Michele Vellano

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I. Executive summary

The populations living in territories close to borders between EU Member States suffer most from any restrictions to mobility caused by physical or economic and legal obstacles linked to the existence of borders. In the case submitted to our attention, the physical obstacle to cross-border mobility (the presence of mountains at a considerable altitude) was brilliantly resolved through the construction of a car tunnel (the Frejus tunnel), operational since 12 July 1980. Nevertheless, the economic obstacle to mobility remained (high cost of the tunnel-crossing fee), which has consolidated and increased over time and which today constitutes an objective impediment to the effective movement of the residents of the Haute Maurienne Vanoise in France (8,000 ha) and of the residents of the Alta Valle di Susa in Italy (10,000 ha) beyond the borders of their respective territories. This report, based also on what has already been experimented in relation to a situation similar to the one examined here (that of the Mont Blanc tunnel crossing), aims to demonstrate the

absence of regulatory impediments to the introduction of a preferential tariff in favour of residents in the territories considered and the practicability in practice and without particular difficulties of the proposed solution.

II. Description of the obstacle with indication of the legal/administrative provisions causing the obstacle

II.1 The nature of the obstacle

The nature of the obstacle considered here is well described in the request for legal assistance submitted by the Syndicat du Pays de Maurienne. The existence of the Frejus tunnel, which joins, through an admirable engineering work 12.870 km long, 6.8 km of which are on Italian territory and the remainder on French territory, the Alta Valle di Susa (and Bardonecchia, in particular) with the Haute Maurienne Vanoise (and Modane, in particular), in abstract facilitates considerably the mobility of the population residing in the two territories (a total of approximately 18,000 residents). The alternative route via the Mont Cenis pass is closed from November to the beginning of May and is, in any case, very long and winding and, in the event of adverse weather conditions, hardly practicable even in summer (the map in Appendix A bears witness to this). The existence of a parallel railway tunnel is not, in turn, a valid alternative because it is currently used for long and fast rail traffic on the Milan-Turin-Lyon-Paris route (which is currently suspended *sine die* due to a landslide on the French railway section). Only at weekends, with frequent suspensions and interruptions especially in the autumn and winter period, does a shuttle run between Modane and Bardonecchia and vice versa. The use of the Frejus tunnel is, therefore, the only real option for residents who need or wish to travel across the respective national border. This concerns, in the first place, residents who already work or wish to work across the border in the future, or the same residents who wish to travel, respectively and reciprocally, to the Alta Valle di Susa or the Haute Maurienne Vanoise, for leisure, cultural or simply personal reasons. It should be added that the incidence of tunnel crossing (in both directions) by citizens residing in the two territorial districts considered is absolutely marginal compared to the overall car and lorry traffic that passes through that route every day (an average of about 7,000 vehicles every day in both directions, data for the first half of 2023).

The Frejus tunnel is managed by two companies: a French company (the Société Française du Tunnel Routier du Frejus - SFTRF- <https://www.sftrf.fr/fr/index.aspx>) and an Italian company (the Società Italiana per il Traforo Autostradale del Frejus - SITAF <https://www.sitaf.it/>), each for the national section under its jurisdiction. There is also an EEIG between the two companies which has specific tasks of joint management of certain operational aspects and maintenance of the tunnel in order to make the overall operation of the tunnel fully shared and efficient.

The system of fares charged to users follows a mechanism that is not particularly complex, which allows a maximum fare to be identified following a decision by a special joint French-Italian Commission and which leaves the two companies free, provided they agree among themselves, to practise forms of discount typically related to the number of journeys purchased (first and foremost, the 7-day round-trip formula and others that contemplate the purchase of 8/20/30 journeys respectively). In this regard, please refer to the sheet reproducing the fares in force and produced as Annex B.

The request, formulated by the Syndicat du Pays de Maurienne, to introduce a ticketing adapted to the special needs of border residents in favour of residents in the two territorial districts (Haute Maurienne Vanoise and Alta Valle di Susa) in question was opposed by the two Management Companies (SFTRF and SITAF) on the grounds that there would be a legal obstacle to such a possible choice, so as to render it illegitimate from the outset. In practice, the legal obstacle would derive from European Union law, considering that French and/or Italian national law would not have an impeding effect since the current international agreement in force between the two States deals with the mechanism for determining the maximum transit price, leaving the two Management Companies free to apply the discounts they deem appropriate, without losing sight of their entrepreneurial vocation and the overall balance of their respective budgets.

The question at this point is whether this is actually the case or not.

II.2 The absence of a regulatory obstacle arising from EU law.

In the present case, the introduction of a more favourable ticketing (especially but not only one by means of preferential tariff), conditional on the *status* of a citizen residing in a particular border territory (in the present case the two territorial districts under consideration), could lead to a positive discrimination in its favour and, consequently, to the disadvantage of all other citizens. Positive discrimination or action would concretely lead to a saving that would translate into an economic advantage or, in any case, in a more favourable tunnel passage condition for each percipient resident. On closer inspection, however, it must first be noted that the economic advantage is only possible (only crossing the tunnel would make it effective) and, in any case, entirely marginal because, as we shall see in the following paragraph, it is in fact equal to that enjoyed by any subject (even non-residents) who obtains a preferential tariff if they purchase a plurality of passages (20 or 30) in consideration, evidently, of the frequency with which they cross the tunnel. Any other more favourable conditions, such as, for example, a longer period of time for the use of season tickets by residents than for all others, would further reduce the extent of unequal treatment, which would in any case be marginal. The (theoretical) advantage would not, in any case, be of a discriminatory nature based on the nationality of the person who obtains it because it would be mirrored to the residents (therefore, even non-Italian or French citizens) of the two territories, in France and Italy, concerned (see paragraph IV of this report).

There are, moreover, a number of valid principles drawn from EU law to support the full legitimacy of the possible choice of a preferential ticketing dedicated to the cross-border resident population. We list them below:

- a) Promotion of free movement: The Union is based on the principle of free movement of persons and goods between the Member States. The introduction of a preferential tariff for residents in the cross-border area, who must necessarily cross the tunnel in order to move, would facilitate access to services and boost employment opportunities.
- b) Fairness and non-discrimination: Residents in the cross-border area are obliged to pay tolls whenever they have to go to work or have to cross the tunnel for

other needs. This situation may aggravate the already existing disadvantageous position compared to residents of other regions who do not face the same economic burden.

c) Increased cross-border cooperation: Reduced tariffs for residents in cross-border areas could promote economic and social cooperation between neighbouring regions, fostering the development of cross-border projects and promoting integration and cultural exchange between communities. In this respect, it would be consistent with the European Union's territorial cohesion policy, which aims to reduce economic, social and territorial disparities between European regions, including through European territorial cooperation programmes, known as INTERREG programmes, established to foster cross-border cooperation between neighbouring regions.

d) Environmental sustainability and reduction of road traffic: high tolls may discourage the use of the tunnels by cross-border commuters, favouring the use of city and mountain roads, which can easily be longer and very busy, congesting traffic in the region concerned; with obvious consequences in terms of pollution and environmental sustainability, in defiance of the objective of reducing CO2 emissions and of Directive 2022/362/EU on charging vehicles for the use of certain infrastructures, the so-called "Eurovignette", which pursues the "polluter pays" principle. so-called 'Eurovignette', which pursues the 'polluter pays' principle.

e) Economic benefits: facilitating the crossing of tunnels for residents in cross-border areas could have a positive impact on the economy of the regions involved. Cross-border workers contribute to the labour force and economic growth of the border regions: facilitating their mobility through preferential tariffs could support trade, tourism and job creation in the cross-border regions.

f) Promotion of European cohesion: the introduction of preferential tariffs for residents in cross-border areas is consistent with the European Union's commitment to promoting cohesion and integration between its border regions. Indeed, Article 174 TFEU states that 'in order to promote its overall harmonious development, the Union shall develop and pursue its actions leading to the strengthening of its economic, social and territorial cohesion. In particular, the Union shall aim at reducing disparities between the levels of development of the various regions and the backwardness of the least favoured regions. Among the regions concerned, particular attention shall be paid to rural areas, areas affected by industrial transition and regions which suffer from severe and permanent natural or demographic handicaps, such as the northernmost regions with very low population density and island, cross-border and mountain regions."¹

In addition to the principles referred to above, there are also specific references to specific rules of EU law that lead one to believe that it would not be an obstacle to the adoption of a preferential ticketing for residents.

In particular, the aforementioned Directive 2022/362/EU, the so-called *Eurovignette*, which aims to harmonise the criteria and methods for determining motorway tolls, with which the Member States must comply by 25 March 2024 [without prejudice, however, to compliance with the concession contracts still in force], although it does not expressly contemplate a duty of 'positive discrimination' in toll rates in favour of residents, expresses principles in favour of the thesis that is being argued here. Recital

¹ In the case examined, the area in question is both border and mountainous.

18 states that 'it is of particular importance that Member States establish a fair charging system and, in particular, one that does not penalise users of private vehicles who, because of their place of residence in rural or **difficult-to-access or isolated areas**, are obliged to use toll roads more regularly'. Accordingly, Article 1(13)(b) of the directive just referred to inserted paragraph 2a into Article 7i of Directive 1999/62/EC, providing that: "Member States may grant discounts or reductions in the infrastructure charge for passenger cars for frequent users, in particular in areas where settlements are isolated and on the outskirts of cities. A reduction in revenue due to discounts granted to frequent users shall not be imposed on other users who use the infrastructure less frequently".

This legal reconstruction supports the conclusion that proportionate measures, whether taken by national authorities or private entities acting in compliance with EU and national rules, and which discriminate positively (i.e. give more favourable treatment to some than to the generality of individuals) are legitimate because they are compensatory in nature for an objective and specific hardship (that experienced only by border residents) and are consistent with general interests and worthy of protection. The primary (in particular Article 174 TFUE) and secondary EU rules (in particular, the aforementioned Directive 2022/362/EU, the so-called Eurovignette) referred to above appear to constitute the effective legal basis on which **to justify** the legitimacy of a **positive discrimination** placed in the discretion of private actors (tunnel operating entities) with respect to their cross-border residents (those who pay to travel through the tunnel). The absence of specific case-law pronouncements by the EU Court of Justice, with respect to the prerequisites to justify the adoption of a choice entailing positive discrimination in favour of border residents, cannot constitute a limitation². In fact, the category of positive discrimination is general in scope and is already invoked in different contexts but not without analogies (typically with reference to economic operators who favour environmental protection or female workers or disabled workers). If one accepts the principle that border residents are deserving of protection, when this is possible, in order to compensate them, respecting the principle of proportionality, for their objective condition of particular territorial location (especially if this coincides with mountainous or, in any case, difficult-to-travel territories), then any dispute as to the abstractly discriminatory scope of the measures adopted in this as in other cases falls

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² It should be noted, moreover, that EU law in no way «requires Member States to provide for positive discrimination treating one or the other better, but merely leaves the possibility to them» naturally in the presence of the aforementioned conditions and with a compensatory purpose implemented in compliance with the principle of proportionality. In this sense see Advocate General Marco Darmon's general opinion delivered on 14 November 1989 in connection with the case C-177/88.

³ In the Opinion of Advocate General Yves Bot, delivered on 14 April 2016 Case C-492/14 *Essent Belgium NV v. Vlaams Gewest, Inter Energa and Others, Vlaamse*, one can read: « A third set of provisions provides for the possibility of positive discrimination justified by the objective of environmental protection ». The Court of Justice's ruling of 17 July 2008 Case C-303/06 *S. Coleman v. Attridge Law, Steve Law*, argues the legitimacy of positive discrimination actions in favour of disabled workers in the workplace in view of the legitimate aim pursued. See also: Opinion in Case C-236/09, *Association Belge des Consommateurs Test-Achats ASBL and others*, judgment of 1 March 2011, nyr, para 60. Advocate General Poiares Maduro has used positive action, positive discrimination and affirmative action in an apparently interchangeable manner: cf. Opinion in Case C-319/03, *Briheche*, of 12 May 2004, paras. 41–42. For a thorough theoretical examination, see L. WADDINGTON, M. BELL, *Exploring the boundaries of positive action under EU law: a search for conceptual clarity in Common Market Law Review*, 2011, 1503–1526. More precisely, affirmative action derogates from formal equality in order to implement substantive equality. In practice, unequal measures serve to compensate for disadvantages traditionally suffered

II.3 The absence of a regulatory obstacle stemming from national laws, indeed.

On 13 February 1972, a Convention was concluded between Italy and France concerning the Frejus motorway tunnel; the Convention was subsequently ratified and entered into force on 18 December 1972. According to Article 12 of the Convention: 'the concessionary companies shall collect tolls from tunnel users, the maximum rates of which shall be set by mutual agreement by the Governments on the advice of the [specially appointed] Intergovernmental Commission and the application rates of which shall be approved by the Commission. The maximum rates and the application rates will take into account the concessionaires' charges'.

Article 1 of Protocol I "Protocol Relating to Fiscal and Customs Matters" annexed to the Convention, provides that "each State shall apply its own legislation and fiscal regulations to the construction, maintenance and operation of the part of the tunnel which it entrusts under concession in accordance with Article 3 of the Convention. For this purpose, each concessionary company shall be considered to construct and operate alone and on its own account the part of the work corresponding to its concession, subject to the provisions of Article 3(3) of the Convention'.

Again, by virtue of the above-mentioned Italo-French Convention, a European Economic Interest Grouping was set up on 21 September 1988 between the two concessionaires SITAF and SFTRF, which was given a general mandate to manage the Frejus Tunnel, in accordance with Article 13 of the Convention of 23 February 1972 (G.E.I.E.-G.E.F.). In order to meet the European requirements for the operation of tunnels on cross-border road networks, as stipulated in Article 5 of European Directive 2004/54/EC of 29 April 2004, the GEF became a European Economic Interest Grouping (EEIG) in 2004. The GEF has been entrusted by the concessionary companies with the operation, maintenance and preservation of the tunnel, with the exception of new works, renewal of main equipment and facilities, extraordinary maintenance costs and toll collection, which remain the responsibility of the concessionary companies.

On the Italian side, as of today, the management of the A32 Turin-Bardonecchia Motorway and the T4 Frejus Tunnel are governed by the Single Convention pursuant to Law no. 296/2006 and subsequent amendments and supplements signed on 22 December 2009 between the then Grantor ANAS and the company SITAF S.p.a., supplemented and made executive by the Act implementing the CIPE requirements of 12 November 2010 and the subsequent Additional Act of 22 February 2018. The Transport Regulation Authority (ART), with resolution no. 78/2019 of 19 June 2019, in Annex A, concerning the "toll tariff system relating to the Single Agreement ANAS S.p.A. - SITAF S.p.A. Autostrada A32 Torino-Bardonecchia", at point 6.2, provides that "The concessionaire may be authorised by the grantor to implement forms of tariff modulation in addition to those referred to in point 6.1 [based on vehicle class and motorway section], provided that the overall revenue estimated on the basis of the tariff is equal, based, by way of example and not exhaustively, on [...] (f) facilities for frequent users'. The majority (66,943 %) of the capital of SITAF S.p.A. belongs to ASTM S.p.A.,

by a certain disadvantaged social group with specific advantages, resulting in active, promotional and positive interventions.

a private company specialised in the management of motorway concessions.

On the French side, the management of the Frejus tunnel is entrusted to the SFTRF. The latter was created in 1962 on the initiative of Pierre Dumas, then Mayor of Chambéry and Minister of Public Transport. The project led to the opening of the Frejus road tunnel in 1980, followed by the construction and commissioning of the Maurienne motorway between 1993 and 2000. The State, through Autoroutes de France (ADF), acquired 49% of the company's capital in 1992, and then took control of 84% in 1998, following a recapitalisation made indispensable by the company's financial situation due to the financing of the motorway. Currently, through a dedicated body, the State holds 99.94% of the capital and only 0.05% is in the hands of local municipalities. On the other hand, in the SFTRF's Board of Directors, both local authorities and the local economy are amply represented. As far as the determination of tariffs is concerned, SFTRF also follows the rules contained in the bilateral Convention and the internal rules which, as far as we are informed, follow the same procedural scheme adopted in the Italian legal system (predefined limit on maximum prices, discretionary margin of appreciation in the determination of preferential tariffs).

From the overall picture considered, it would appear that a bilateral regulation is emerging, aimed at ensuring that the maximum tariff prices are examined and then decided on the basis of a bilateral consensus of the two States concerned, renewed periodically (in practice, every year), while the discount policies are entrusted, on the assumption that a shared agreement is reached, to the two operating companies (SFTRF-SITAF), which, in fact, have already been in charge of them for some time (see, once again, the tariff schedule in force today).

On the basis of the reconstruction carried out, no obstacles of a regulatory and/or administrative nature have emerged in relation to both national legal systems concerned that would stand in the way of the possible adoption of a preferential ticketing in favour of cross-border resident users.

Indeed, following the entry into force of the Quirinal Treaty as of 1 February 2023, one could take a cue from its Article 10, dedicated to cross-border cooperation, which reads:

"1. The French-Italian land border constitutes an interconnected basin of life, where the Italian and French populations share a common destiny. The Parties undertake to facilitate the daily life of the inhabitants of these territories' added emphasis. The project that envisages the introduction of a facilitated tariff, in the manner described above, for the cross-border resident population fits perfectly into the commitment made by Italy and France through the Quirinal Treaty⁴ .

In our opinion, particular attention must be paid to the commitment made by the two States **to facilitate the daily life** of the inhabitants of these border territories if this is not to appear as a mere statement of principle. In particular, facilitating means making life easier for citizens and, in the case of mobility, making it possible to cross the border, even frequently, by adapting arrangements that are not provided for those who cross

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the border only occasionally because they live hundreds of kilometres away from it.

III. Description of possible solution(s)

The reconstruction carried out above, which comes to the conclusion of the practicability, if jointly approved by the two companies operating the Frejus tunnel, of a facilitated tariff for residents in the territorial districts considered, appears to be strongly supported by a factual circumstance particularly relevant for our purposes. In relation to the crossing of the Mont Blanc tunnel, following an agreement that came into force on 20 January 2020 between the Mont Blanc Tunnel European Economic Interest Grouping (GEIETMB), the Unité des Communes valdôtaines Valdigne-Mont-Blanc (UCVVMB) and the Communauté de Communes de la Vallée de Chamonix Mont-Blanc (CCVCMB), the residents of the Comunità Montana Valdigne Mont-Blanc [list of communes: Courmayeur, La Salle, La Thuile, Morgex, Pré-Saint-Didier, Chamonix-Mont-Blanc, Les Houches, Servoz, Vallorcine] can access a preferential tariff, through the "TMB resident card": in practice, the price of a one-way trip at the cost of the GEIE-TMB 20-transit season ticket (see, in this regard, the fares table attached as Appendix C and the TMB resident card presentation document, Appendix D).

In this regard, the absolute parallelism between the situation examined in this report and the one covered by the agreement concerning the Mont Blanc tunnel cannot be overlooked. In fact, the States concerned are the same (France and Italy), the facilitation concerns the crossing of a car tunnel and the tariff discount is granted to residents in two border territorial districts. If we compare the tariff schemes adopted for the crossing of the respective tunnels (the Mont Blanc and Frejus tunnels), we can see that the prices are substantially the same (at least as regards the classic round-trip tariff and the practice of discounts based on the number of passages), as is the mechanism that guarantees their adoption (the result of the determination of the maximums on a bilateral Franco-Italian basis and left to the free choice of the management companies as regards discounts). But there is more. There is already strong cooperation between the EEIGs set up to manage the two tunnels in the best possible way, which, for example, jointly share the production of information material on the safety of the respective tunnel crossings. In addition, given that the tunnels in question are the only two car and heavy goods tunnels in the western sector of the Alps, there is continuous concertation in order to better manage the overall traffic (think of the case, which will happen soon, of the total or partial closure of one of the two tunnels and the consequences for traffic in the other).

We could, therefore, say that we are dealing with twin tunnels.

The circumstance, therefore, that in one case (that of the Mont Blanc tunnel) a preferential tariff has already been successfully practised for two years in favour of residents of neighbouring territorial districts without, to our knowledge, any objections having arisen, can only reinforce the conviction that this route is effectively and legitimately practicable in the case of the Frejus Tunnel as well.

In conclusion, on this point, the solution proposed here is to substantially reproduce the scheme already adopted and in force with reference to the Mont Blanc tunnel (attached as Annex E) and thus:

1. Enter into an agreement along the lines of the one attached hereto and valid for the Mont Blanc tunnel between, on the one hand, the two companies (SFTRF-SITAF) operating the Frejus tunnel and, on the other hand, the Communauté de communes Haute Maurienne and the Communauté Haute Val Susa, i.e. the individual communes included in the two associations;
2. Provide, on the basis of the agreement referred to in point 1, for the issuing, by the GEIE- GEF on behalf of the two companies operating the Frejus tunnel or directly by the two operating companies, of a nominative card to residents of the two territorial districts who expressly request it and who certify by self-certification (Italian residents) or have their *status* as permanent residents of the territorial districts concerned certified by their respective municipalities (French residents);
3. A resident who shows his resident card when paying the toll to the French SFTRF or Italian SITAF concessionaire is granted a transit fare of an amount equivalent to that recognised by the 20 or 30-pass subscription.

The facilitation of being charged, when paying the toll at the tunnel entrance, the same rate that is currently guaranteed to anyone by the 20 or 30 pass, would allow the resident not to have to make a very significant *one-off* disbursement and, in any case, not to be conditioned by a time limit (24 months) as is the case with the pass. Not huge advantages, but certainly appreciated by residents.

As an alternative to the proposed solution inspired by the successful experience with the Mont Blanc tunnel, there are other avenues that can be explored with the two operating companies and that would achieve the result of facilitating the use of the Frejus tunnel by resident border crossers.

An example could be the following: since there is already a *forfait nominatif* provided for 50 passages with a duration of 30 days (see Annex B), it would be enough for the two companies to reach an agreement between themselves and the the Communauté de communes Haute Maurienne and the Communauté Haute Val Susa **to extend the validity of the forfait nominatif from 30 days to 36 months in favour of border residents only**. This extension of the validity of use, subject to the same price and number of passes, would make it much easier for border residents who could make use of it "spread" over a regionally and not so concentrated period of time. In practice, nothing would change for the operating companies because the economic revenue would be exactly the same, but the resident border crossers would have an easier life and, in all likelihood, mobility between the two border communities (the Italian and the French) would be increased with further stimulus to the economic and cultural growth of the two territories in full coherence with the previously mentioned principles of the European Union law.

In any case, the tunnel operating companies do not appear to suffer any negative economic consequences from the possible granting of a concessionary fare to residents or an extension of duration of pass. In that regard, it is common ground that the economic impact of such a facilitation is insignificant in relation to the volume of traffic and, therefore, of revenue managed annually by the two companies (generated for the most part by heavy commercial traffic and medium- and long-distance tourism to and from the two States). Consequently, the economic impact of the novelty could

be neutral or even positive for the two operating companies because, thanks to the new solution, it could increase the traffic of border residents, which, as we have seen, is currently lacking. Moreover, the facilitation could generate a climate of greater mutual trust and cooperation between the tunnel operating companies and the border population, which faces direct and indirect consequences of the considerable amount of traffic crossing the Alps at that very point (essentially in terms of environmental impact and sustainability).

IV. Other relevant aspects to this case if relevant: in particular, the identification of residents to whom the preferential tariff should be applied

Once it has been admitted that a "positive discrimination" in favour of cross-border residents is legitimately practicable on the grounds of a "compensatory" character admitted by the European Union legal system with reference to mobility and not contradicted by national legislation, but rather supported by the content of the Quirinal Treaty, a profile that could give rise to some critical application issues concerns the identification and, consequently, the exact extension of the territorial districts to which the recognition of resident *status to which the* issuance of the relative card and, consequently, the facilitated tariff, should be linked.

Given that at present there is no rule of European Union or even national law that can dictate an unequivocal solution in this regard, reference can be made, once again, to the example provided by the solution adopted in the Mont Blanc tunnel case in relation to which identification has already taken place, and successfully so, by referring, respectively, to the Chamonix-Mont Blanc community - CCVCMB (for French territory) and the Valdigne-Mont Blanc community - UCVVMB (for Italian territory).

In the present case, the territorial authorities that have already expressed interest in becoming the bearers of the proposed agreement with the two tunnel management companies are, as already mentioned, respectively the Unione montana Alta Valle Susa, involving the municipalities of Bardonecchia, Chiomonte, Exilles, Giaglione, Gravere, Meana di Susa, Moncenisio, Oulx and Salbertrand, on the Italian side, and the Communauté de communes Haute Maurienne Vanoise (Le Freney, Saint André, Fourneaux, Modane, Villarodin-Bourget, Avrieux, Aussois, Val-Cenis, Bessans et Bonneval-sur-Arc), on the French side. These two authorities include the territory of municipalities that are actually close to or, in any case, near the Italian-French border at varying distances from the tunnel entrance or the border as such. However, these distances are limited to a maximum of a few kilometres.

If, however, we wish to be more precise and identify a peremptory territorial strip, an interesting application may be taken from Italian Law No. 948 of 1984 (ratification of the Madrid Convention of 1980 on cross-border cooperation of territorial collectivities or authorities of European Council-Conseil d'Europe), which, in Art. 4, provides that 'The bodies that may enter into the agreements and understandings provided for in the convention are, in accordance with the declarations made by the government when signing the convention, the regions, the provinces, the municipalities, the mountain communities, and the municipal and provincial services and works consortia. The depth of the strip, within which the Italian territorial entities authorised to enter into the aforementioned agreements and understandings and which are not directly bordering

on foreign states must be located, is 25 kilometres from the border'. This is a declaration by the Italian government made when the agreement was signed (and reiterated when the instrument of ratification was deposited), which defines the 25-kilometre strip as an express delimitation of the Italian order.

Especially if the interlocution is addressed to mountain communities, municipal consortia, etc., (subjects envisaged by the Madrid Convention), such as the Unione Montana Alta Valle di Susa, the aforementioned regulatory provision can be an excellent indication of the subjects to whom the benefit should be attributed, operating the 25 km limit as a condition preventing further expansion and, *ipso facto*, as a legitimate condition justifying the delimitation in the positive discrimination of only those subjects residing therein within that distance. In this last regard, it should be noted that the calculation of the distance of 25 km does not necessarily have to be with respect to the border that passes inside the Frejus tunnel, but from the French border in general (in the case of some of the municipalities included in the Unione Montana Alta Valle di Susa, the calculation can, in fact, be referred to the distance from the border immediately before the Moncenisio pass, i.e. the border closest to the municipal territory concerned).

On the Italian side, applying this criterion would include residents in the territory of the following municipalities (distance marked in green):

Municipality of Bardonecchia

- 11 km by the border line in the Frejus tunnel;

Municipality of Oulx

- 21 km by the border line in the Frejus tunnel;

Municipality of Salbertrand

- 27 km by the border line in the Frejus tunnel;

Municipality of Exilles

- 33 km by the border line in the Frejus tunnel;

Municipality of Chiomonte

- 38 km by the border line in the Frejus tunnel;

Municipality of Gravere

- 21 km by the border line of Mont Cenis;

Municipality of Giaglione

- 14 km by the border line of Mont Cenis;

Municipality of Meana di Susa

- 21 km by the border line of Mont Cenis;

Municipality of Moncenisio

- 11 km by the border line of Mont Cenis

As far as the French territorial side is concerned, it would appear that France has not adopted any territorial delimitation with regard to the entities entitled to enter into the agreements and arrangements provided for in the Madrid Convention. This is evident from the law approving and ratifying the convention (Loi n° 83-1131 of 1983), which refers to the text of the convention without exception. On the other hand, it is evident

that by operating a territorial boundary on one side of the border, the Italian side, it would make sense to take as reference a similar boundary on the French side as well, according to a criterion of specular reciprocity. Well, operating the 25 km limit on the French side, the territory of 7 municipalities out of 9 would be less than 25 km from the entrance to the Frejus tunnel, i.e. from the Italian border (distance highlighted in green), as can be seen from the following⁵.

Le Freney

- 16 km by the border line in the Frejus tunnel;

Saint André

- 17 km by the border line in the Frejus tunnel;

Fourneaux

- 16 km by the border line in the Frejus tunnel;

Modane

- 15 km by the border line in the Frejus tunnel;

Villarodin-Bourget,

- 19 km by the border line in the Frejus tunnel;

Avrieux

- 21 km by the border line in the Frejus tunnel;

Aussois

- 23 km by the border line in the Frejus tunnel;

Val-Cenis

- 22 km by the border line in the Frejus tunnel;

Bessans

- 31 km de la ligne frontière du col du Mont Cenis

Bonneval-sur-Arc

- 38 km de la ligne frontière du col du Mont Cenis

Should the solution, which follows the Mont Blanc tunnel experience and which in this specific case would only involve residents of the municipalities of Bardonecchia, Giaglione, Gravere, Meana di Susa, Moncenisio, Oulx, on the Italian side, and of the municipalities of Le Freney, Saint André, Fourneaux, Modane, Villarodin-Bourget, Avrieux, Aussois, Val-Cenis, on the French side, did not find room or unanimous agreement (**although it would seem more than reasonable and practicable**, also in view of the reference to the Madrid Convention ratified by both France and Italy), an interpretative question could be formulated to the Cross-Border Cooperation Committee provided for by Art. 10 of the Quirinal Treaty ("The Committee, which meets at least once a year, may propose cross-border cooperation projects in all areas of public policy, suggesting solutions for their implementation, including, as appropriate, conventional, legislative or regulatory solutions"), in force since 1 February 2023, asking for clarification on the criteria to be used to identify the territorial basin to be

⁵ On the other hand, the framework of the Interreg ALCOTRA programme does not provide any interesting ideas, since both on the Italian side (the territory of the Provinces of Cuneo, Imperia and Turin and of the Valle d'Aosta Region) and on the French side (the Departments of Haute-Savoie and Savoie (AUVERGNE-RHONE-ALPES Region) and the Departments of the Haute-Alpes the Alpes de Haute Provence and the Alpes-Maritimes (Provence-Alpes-Côte d'Azur Region) are taken into account territories that are clearly too large to be realistically considered in relation to the case in question

involved in the initiative. Such an indication would be decisive and definitive⁶ to overcome even the last possible resistance to the actual implementation of the project under consideration here.

V. A full list of all legal provisions relevant to the case

- Article 174 of the Treaty on the Functioning of the European Union - Article 174 of the Treaty on the Functioning of the European Union;
- Directive (EU) 2022/362 of the European Parliament and of the Council of 24 February 2022 amending Directives 1999/62/EC, 1999/37/EC and (EU) 2019/520 as regards the charging of vehicles for the use of certain infrastructures in *OJ L 69, 4.3.2022, p. 1-39*;
- Directive (EC) 2004/54 of the European Parliament and of the Council of 29 April 2004 on minimum safety requirements for tunnels in the Trans-European Road Network in *OJ L 201, 7.6.2004, p. 56-76*;
- Legge 12 luglio 2022, n. 90, recante ratifica ed esecuzione del Trattato tra la Repubblica italiana e la Repubblica francese per una cooperazione bilaterale rafforzata, fatto a Roma il 26 novembre 2021 in *Gazzetta Ufficiale n. 164 del 15 luglio 2022 - Law No. 90 of 12 July 2022, ratifying and executing the Treaty between the Italian Republic and the French Republic for Enhanced Bilateral Cooperation, done in Rome on 26 November 2022 in Official Journal No. 164 of 15 July 2022*
- Legge 19 novembre 1984, n. 948 ratifica ed esecuzione della convenzione europea sulla cooperazione transfrontaliera delle collettività o autorità territoriali, con allegato, adottata a Madrid il 21 maggio 1980 in *Gazzetta Ufficiale n.18 del 22-01-1985 - Suppl. Ordinario - Law No. 948 of 19 November 1984 ratifies and executes the European Convention on Transfrontier Cooperation of Territorial Communities or Authorities, with annex, adopted in Madrid on 21 May 1980 in Official Gazette No. 18 of 22-01-1985 - Ordinary Supplement*;
- Loi n°83-1131 du 23 décembre 1983 autorisant l'approbation d'une Convention-cadre sur la coopération transfrontalière des collectivités ou Autorités territoriales, ouverte à la signature à Madrid le 21 mai 1980 in *JORF du 27 décembre 1983 - - Law n°83-1131 of 23 December 1983 authorising the approval of a Framework Convention on cross-border cooperation between territorial communities or authorities, opened for signature in Madrid on 21 May 1980 in JORF of 27 December 1983.*

VI. References

- Commission européenne, *Communication de la Commission au Conseil et au Parlement européen, Stimuler la croissance et la cohésion des régions frontalières de l'UE*, COM (2017) 534 final, 20.9.2017 ;
- Philippe Cossalter (ed.), *La coopération transfrontalière en Grande Région*, Editeur Editions juridiques franco-allemandes, 2016;
- Michele Vellano, *Le molte varianti della cooperazione transfrontaliera: aspetti generali e peculiari rispetto al confine italo-francese*, in S. Doumbé-Billé and A. Oddenino (eds.),

⁶ The successful introduction of the resident card and the verification of its economic sustainability by the operating companies could, at a later stage, lead to the consideration of possible partial extensions, which, however, should remain faithful to the assumptions of always including border territories.

Le rôle des régions dans la coopération internationale transfrontalière - L'expérience franco-italienne, Editoriale Scientifica, Naples, 2016, pp.15-27

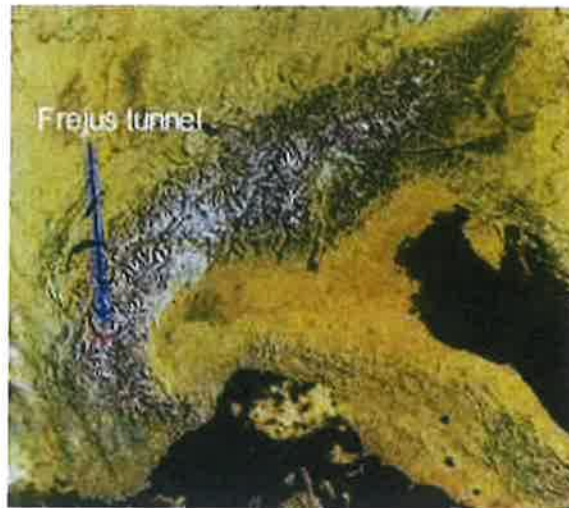
- Michele Vellano, *Regional Cooperation in the European Union*, Giappichelli Editore, Turin, 2014.

VII. Appendices

- A. Site map;
- B. Current tariff schedule for the Frejus tunnel crossing;
- C. Current tariff schedule for the Mont Blanc tunnel crossing;
- D. Prospectus TMB resident card;
- E. General conditions of use TMB resident card
- F. Map showing the territory of municipalities in France and Italy that could issue the Resident Card.

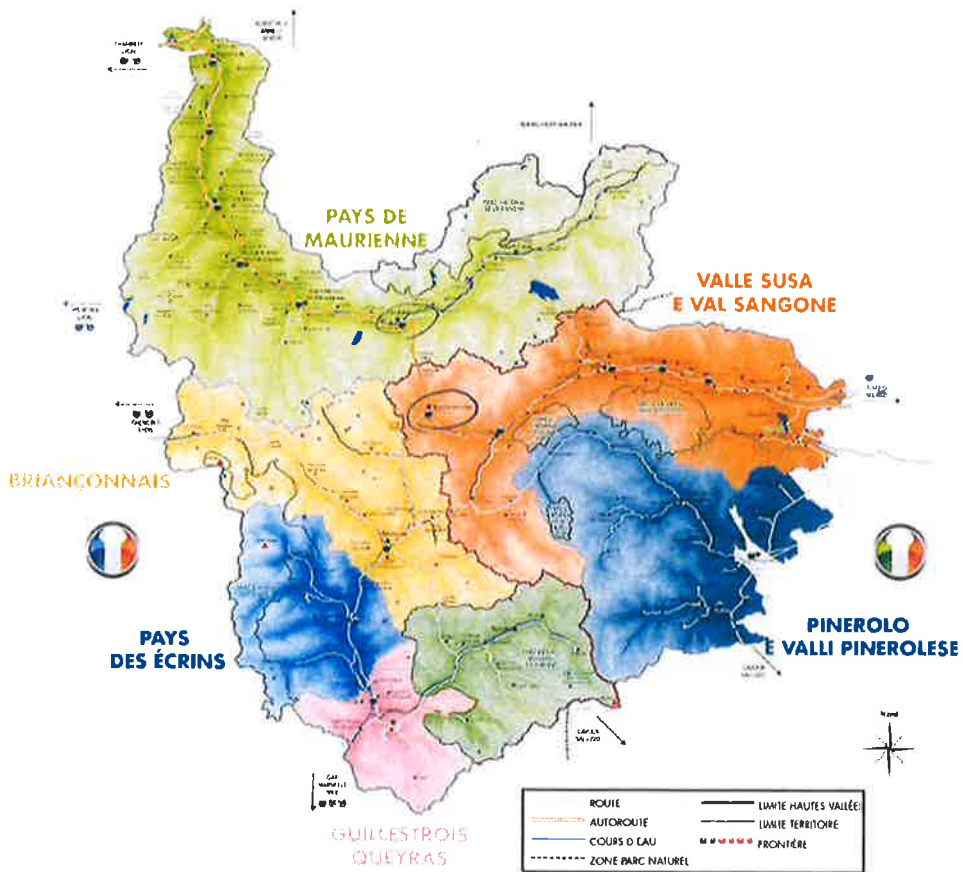
CARTES du territoire

Entre France et Italie

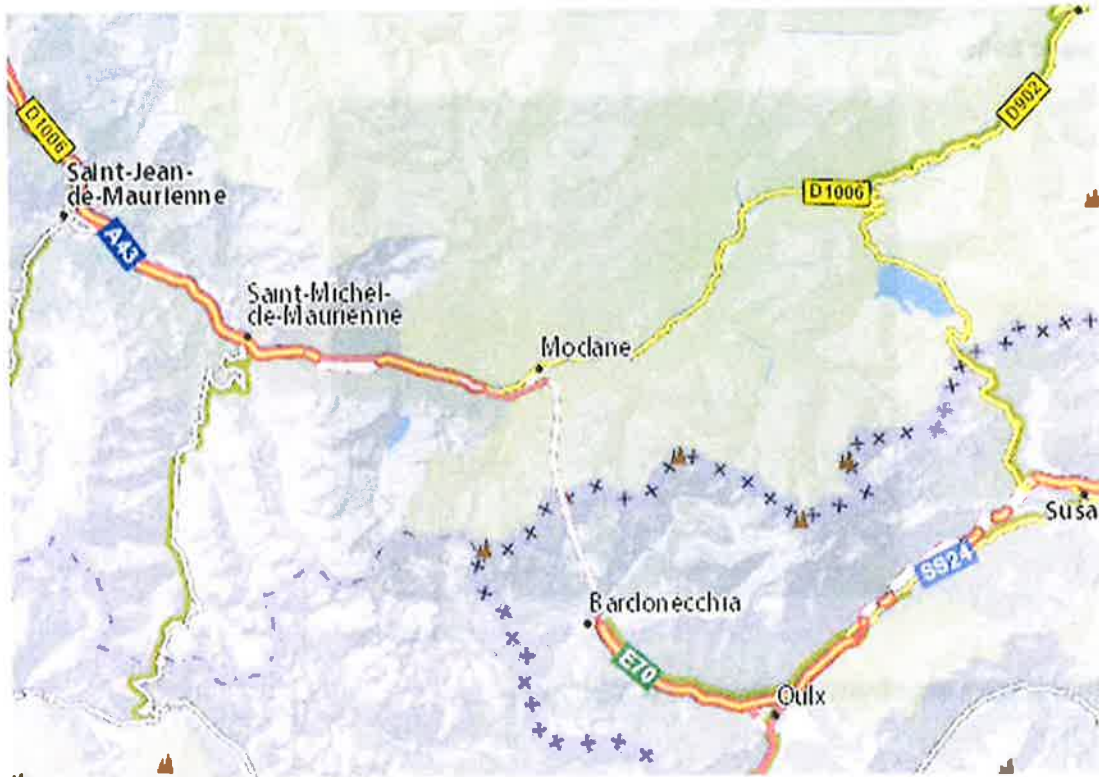


Wikipedia

Au cœur du territoire transfrontalier des Hautes Vallées



Entre la Haute Maurienne Vanoise et la Vallée de Susse



Viamichellin



SFTRF



France : TVA 20%

Tunnel Routier du Fréjus

Poids lourds : hauteur max => 4,30 m

Tarifs applicables à compter du 1^{er} janvier 2023 à 00h00



Italie : IVA 22%



Véhicules légers

En italique : tarifs appliqués sur la plateforme en Italie

Classe / Tarifs TTC en Euros	Course simple	Aller- Retour validité 7 jours * Retour sur Fréjus uniquement	Abonnement 8 passages validité 24 mois**	Abonnement 20 passages validité 24 mois**	Abonnement 30 passages validité 24 mois**	Forfait nominatif 50 passages validité 30 jours***
5 Moto, moto avec side-car, moto avec remorque	34,10 <i>34,60</i>	42,80 <i>43,50</i>	107,60 <i>109,50</i>	194,50 <i>197,70</i>	257,60 <i>261,80</i>	266,70 <i>271,00</i>
1 Véhicule ou ensemble de véhicules dont la hauteur au droit de l'essieu avant est inférieure à 1,30 mètres et la hauteur totale est inférieure ou égale à 2 mètres	51,50 <i>52,30</i>	64,20 <i>65,30</i>	164,60 <i>167,30</i>	301,30 <i>306,20</i>	397,10 <i>403,60</i>	
2 Véhicule ou ensemble de véhicules dont la hauteur totale est supérieure à 2 mètres et inférieure ou égale à 3 mètres	68,10 <i>69,30</i>	85,60 <i>87,10</i>	215,50 <i>219,30</i>	389,10 <i>395,50</i>	515,10 <i>523,60</i>	

N'hésitez pas à contacter le Service Relations Clientèle afin de connaître la classe de votre véhicule

ler-Retour *, pour les véhicules de classes 1, 2 et 5, le retour est valable jusqu'à 23h59 du 7ème jour suivant celui d'émission
 ... si achat le samedi, retour valide jusqu'au samedi suivant (23h59).

Pour les véhicules des classes 3 et 4, le retour est valable jusqu'à 23h59 du 15ème jour suivant celui de l'émission.
 Passager se présentant après l'échance ou sur la même plateforme qu'à l'aller devra, sans exception, payer la différence entre le
 if de deux passages simples et le prix déjà payé.

onnement ** dominant droit à 8, 20 ou 30 passages simples pour une période de 2-4 mois consécutifs en plus du mois de
 validation, sous le tunnel du Fréjus uniquement.

➤ Possibilité de rechargement en ligne (sftfr.fr : « ESPACE CLIENT ») ou auprès du péage dès que le solde de 3 transits est
 atteint avant échéance.

➤ L'historique des transits est disponible en ligne (sftfr.fr : « ESPACE CLIENT ») ou auprès du péage.
 Rendition de faire transiter 2 véhicules qui se suivent avec le même abonnement : délai de 6 heures entre 2 passages sur la même
 plateforme avec un titre identique.

onnement * nominatif** : renseignement Service Relations Clientèle => tel 04 79 20 26 15



Poids lourds

En italique : tarifs appliqués sur la plateforme en Italie

Classe Tarifs TTC en Euros	Sous classification Euro-polluant	Course Simple		Aller-Retour Validité 15 jours *	
		France	Italie	France	Italie
3 Véhicule à deux essieux dont la hauteur totale est supérieure à 3 mètres	PL Euro 5-6 Bus Euro 4- 5-6	186,90	190,00	290,90	295,80
	BUS Euro 3	196,30	199,50	305,50	310,50
	BUS Euro 0-1-2	197,80	201,10	307,80	312,90
4 Véhicule à trois essieux ou plus dont la hauteur totale est supérieure à 3 mètres	PL Euro 5-6 Bus Euro 4- 5-6	375,60	381,90	590,00	599,80
	BUS Euro 3	394,40	400,90	619,50	629,80
	BUS Euro 0-1-2	397,40	404,00	624,20	634,60
Exceptionnel classe B Véhicule dont la largeur est comprise entre 2,81 m et 3,50 m, véhicule lent, véhicule tracté	Euro 5-6	521,40	530,10		
	Exceptionnel classe E Véhicule dont la largeur est comprise entre 3,51 m et 6 m ou longueur supérieure à 25 m	Euro 5-6	1 035,10	1 052,30	
Escorte matières dangereuses	Euro 5-6	151,30	153,80		
Escorte spécifique F MD de classe 1, classification 1.3C et 1.3G (-5t) et de classe 2 Transit entre 23h00 et 5h00	MD de classification 1 (1.3C & 1.3G) et de Classification 2	698,70	710,40		

Transit des matières dangereuses : arrêté préfectoral disponible au www.tunneldufrejus.com
Transports exceptionnels : conditions particulières (renseignement auprès du Cesam - tel 04 79 59 34 01)



01.01.2023

IVA inclusa
TVA incluse
VAT inclusive
inklusive TVA/MwSt.
ITA 22% / FRA 20%

TARIFE
TARIFS
TOLLS
TARIFE

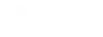
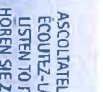
	CLASSE 5	CLASSE 1	CLASSE 2	CLASSE 3	CLASSE 4	CLASSE "D"	CLASSE "E"
Corsa semplice Course simple One-way Einfache Fahrt	34,60	52,30	69,30	190,00	381,90	396,90	1052,30
Andata-ritorno Aller-retour Return ticket Hin- und Rückfahrt	34,10	51,50	68,10	186,90	375,60	390,60	1035,10
Transiti Passages Journeys Fahrten	43,50	65,30	87,10	295,80	599,80	-	-
Transiti Passages Journeys Fahrten	108,70	163,30	217,60	290,90	590,00	-	-
Transiti Passages Journeys Fahrten	106,90	160,60	214,10	-	-	-	-
Transiti Passages Journeys Fahrten	152,20	228,60	304,70	-	-	-	-
Transiti Passages Journeys Fahrten	149,70	224,80	299,70	-	-	-	-
Fortfait 1 mese 1 mois 1 month 1 Monate	261,20	256,90	-	-	-	-	-

Abbonamento - Abonnement
Subscription card - Abonnement

= Tariffe lato Italia/Tarifs côté Italie
 = Tariffe lato Francia/Tarifs côté France
 = Tarifs French Side/Tarifs auf französischer Seite

[1] = 7 GIORNI/JOURS/DAYS/TAGE - Classi/Classes/Klassen 5, 1, 2
= 15 GIORNI/JOURS/DAYS/TAGE - Classi/Classes/Klassen 3, 4
 [2] = 2 ANNI/ANS/YEARS/JAHR
 [3] = MAX 50 TRANSITI/PASSAGES/JOURNEYS/FAHRTEN

Per le classi 3, 4, D e E possibilità di abbonamento post-pagamento.
Per les classes 3, 4, D et E possibilité d'abonnement post-paiement.
For classes 3, 4, D and E possibility of post-payment subscription.
Für die Klassen 3, 4, D und E Möglichkeit eines Abonnements mit Nach-Berzahlung.
clienti.geie@tunnelmb.com



ASCOLTATELA
ECOUTEZ-LA
LISTEN TO IT
HÖREN SIE ZU!



CARTA RESIDENTE TMB

In virtù di un accordo tripartito tra l'Unité des Communes Valdôtaines Valdigne Mont-Blanc (UCVVMB), la Communauté de Communes de la Vallée de Chamonix Mont-Blanc (CCVCMB) e il Gruppo Europeo di Interesse Economico del Traforo del Monte Bianco (GEIE-TMB), a partire dal 20 gennaio 2020 i residenti nei 9 comuni appartenenti alle comunità montane prossime al Monte Bianco (Courmayeur, La Salle, La Thuile, Morgex e Pré-Saint-Didier sul versante italiano - Chamonix, Les Houches, Vallorcine e Servoz sul versante francese) avranno la possibilità di usufruire di una nuova modalità di pagamento dei transiti effettuati al Traforo del Monte Bianco.

Grazie a questa modalità di pagamento, i residenti nei comuni suddetti potranno transitare al Traforo pagando ciascuna corsa semplice al costo praticato nell'abbonamento 20 transiti del GEIE-TMB.

Per usufruire di tale modalità, le persone interessate dovranno preventivamente richiedere il rilascio di una tessera, denominata "Carta residente TMB", che dovrà essere presentata al pedaggio del Traforo, all'atto di ciascun transito.

CARTE RÉSIDENT TMB

En vertu d'un accord tripartite entre la Communauté de Communes de la Vallée de Chamonix Mont-Blanc (CCVCMB), l'Unité des Communes Valdôtaines Valdigne Mont-Blanc (UCVVMB) et le Groupe Européen d'Intérêt Économique du Tunnel du Mont-Blanc (GEIE-TMB), à compter du 20 janvier 2020 les résidents permanents dans les 9 communes faisant partie des communautés de communes proches du Mont-Blanc (Chamonix, Les Houches, Vallorcine et Servoz sur le versant français - Courmayeur, La Salle, La Thuile, Morgex et Pré-Saint-Didier sur le versant italien) auront la possibilité de bénéficier d'une nouvelle modalité de paiement des passages effectués au Tunnel du Mont-Blanc.

Grâce à cette modalité de paiement, les résidents permanents de ces communes pourront traverser le Tunnel en s'acquittant du montant de la course simple de l'abonnement 20 passages du GEIE-TMB.

Pour bénéficier de cette modalité, les personnes intéressées devront préalablement demander leur carte, dénommée « Carte résident TMB », qui devra être présentée au péage du Tunnel lors de chaque passage.

La richiesta della "Carta residente TMB" dovrà essere inoltrata dalla persona interessata direttamente al GEIE-TMB tramite il sito internet:

www.tunnelmb.net

da un computer, da un tablet oppure da uno smartphone cliccando su "Residente Valdigne" oppure su "Residente Vallée de Chamonix", in fondo alla home page del sito.

La demande de la « Carte résident TMB » devra être adressée par la personne intéressée directement au GEIE-TMB par le site internet :

www.tunnelmb.net

à partir d'un PC, d'une tablette ou d'un smartphone en cliquant sur « Résident Vallée de Chamonix » ou sur « Résident Valdigne », en bas de la page d'accueil du site.



Dispositif Carte Résident TMB

CONDITIONS GÉNÉRALES D'UTILISATION

1 PRÉAMBULE

Dans un objectif d'amélioration de l'expérience client, le Groupement Européen d'Intérêt Économique du Tunnel du Mont-Blanc (GEIE-TMB) s'est rapproché de l'Unité des Communes valdôtaines Valdigne-Mont-Blanc (UCVVM) et de la Communauté de Communes de la Vallée de Chamonix Mont-Blanc (CCVCMB), pour co-construire un dispositif dénommé « carte résident TMB ».

C'est dans ce contexte que les soussignés ont établi, un protocole d'accord de partenariat.

2 OBJET DES CONDITIONS GÉNÉRALES D'UTILISATION

Les présentes conditions générales d'utilisation ont pour objet de définir les modalités d'utilisation du dispositif « carte résident TMB » conférant aux résidents permanents des communes de la CCVCMB et de l'UCVVM, l'éligibilité au bénéfice de la « modalité de paiement résident TMB ».

3 DÉFINITIONS

Résident : personne physique majeure, qualifiée comme résident permanent par les communes de la CCVCMB, ou par les communes de l'UCVVM.

Modalité de paiement résident TMB : modalité permettant de traverser le Tunnel du Mont-Blanc en s'acquittant du montant de la course simple de l'abonnement 20 passages du GEIE-TMB, arrondi au multiple de dix centimes le plus proche.

Carte résident TMB : carte physique, contenant nom, prénom et photo du détenteur de la carte, attestant de sa qualification de « résident permanent », et lui conférant ainsi l'éligibilité au bénéfice de la « modalité de paiement résident TMB ».

4 PRINCIPE ET MODALITÉ D'UTILISATION DU DISPOSITIF

Le dispositif consiste à permettre aux *résidents*, de traverser le Tunnel du Mont-Blanc, au tarif de la course simple de l'abonnement 20 passages du GEIE-TMB, **jusqu'à un maximum de 2 passages par jour sur une période de 24 heures consécutives.**

Il s'agit d'une modalité de paiement, réservée aux résidents.

La modalité de paiement sera proposée par les personnels péagers du GEIE-TMB au client **résident présent dans le véhicule** qui transitera dans le tunnel, qu'il soit conducteur ou passager, sur présentation de sa **carte résident TMB en cours de validité.**

A des fins de vérification, le péager pourra demander une pièce d'identité au client. En cas de refus, la modalité de paiement ne pourra pas être appliquée.

5 UTILISATION DE LA CARTE RÉSIDENT TMB

La **carte résident TMB**, est de la propriété du GEIE-TMB, et est strictement personnelle et non cessible.

Son utilisation est régie par les conditions générales d'utilisation du dispositif "carte résident TMB", en vigueur, et disponibles sur demande.

Le personnel du GEIE-TMB pourra réaliser des contrôles en demandant la présentation d'un document d'identité valide.

Elle pourra être suspendue, retirée ou annulée à l'initiative du GEIE-TMB.

6 CLASSE DE VÉHICULE

L'usage sera limité aux classes suivantes :

- **classe 1** : véhicule ou ensemble de véhicules dont la hauteur au droit de l'essieu avant est inférieure à 1,30 mètre et la hauteur totale est inférieure ou égale à 2 mètres ;
- **classe 2** : véhicule ou ensemble de véhicules dont la hauteur totale est supérieure à 2 mètres et inférieure ou égale à 3 mètres ;
- **classe 5** : moto, moto avec side-car, moto avec remorque.

7 DEMANDE DE LA CARTE RÉSIDENT TMB PAR LES HABITANTS DES COMMUNES DE LA CCVCMB

Les demandes sont à faire directement par les habitants au GEIE-TMB, via le site internet :

www.tunnelmb.net, en cliquant sur le lien « résident Vallée de Chamonix » en bas de page,

en mettant en pièce jointe les éléments suivants :

- copie de la carte « VIACHAM gens du pays » en cours de validité, ou attestation de résidence permanente de moins de 3 mois, délivrée par la commune de résidence ;
- copie de la carte d'identité recto verso ou du passeport ;
- photo d'identité récente.



8 DÉLIVRANCE DE LA CARTE RÉSIDENT TMB

La *carte résident TMB* sera produite, et distribuée par le GEIE-TMB, par voie postale après contrôle des éléments transmis par les demandeurs.

9 VALIDITÉ DE LA CARTE RÉSIDENT TMB

La *carte résident* est valable 2 ans à partir de la date d'émission par le GEIE-TMB. La durée de validité est insérée dans le système péage du GEIE-TMB, sans toutefois être inscrite sur la *carte résident TMB*.

Le détenteur de la *carte résident TMB* recevra un rappel par le GEIE-TMB, par voie électronique ou postale, deux mois avant la fin de validité de sa *carte*.

10 RENOUVELLEMENT DE LA CARTE RÉSIDENT TMB

La demande de renouvellement de la *carte résident TMB* doit être faite par son détenteur, avec la même procédure que pour la demande initiale. Il ne sera pas émis de nouvelle *carte* : la validité de la *carte* précédemment remise sera prolongée de 2 ans à compter de la date de la validation du renouvellement.

11 REFABRICATION DE LA CARTE RÉSIDENT TMB

En cas de perte, vol, ou endommagement de la *carte résident TMB*, une demande de refabrication devra être formulée directement au GEIE-TMB, par mail ou voie postale. Le GEIE-TMB enverra une nouvelle *carte*, à l'adresse précédemment communiquée.

12 ENGAGEMENT DU CLIENT

Le client s'engage à :

- utiliser la *carte résident TMB* conformément aux conditions générales d'utilisation en vigueur ;
- à respecter les règles de circulation en vigueur dans le Tunnel du Mont-Blanc et ses accès.

13 ENGAGEMENT DU GEIE-TMB

Le GEIE-TMB s'engage :

- à produire et distribuer les *cartes résident TMB* ;
- à proposer la *modalité de paiement résident TMB* à tout détenteur légitime d'une *carte résident TMB*.

14 RÉVOCATION DE L'ÉLIGIBILITÉ AU DISPOSITIF

L'éligibilité au dispositif *carte résident TMB* du client signataire pourra être révoquée de plein droit à tout moment en cas de non-respect des conditions générales d'utilisation en vigueur ou pour tout autre motif jugé légitime par le GEIE-TMB.

15 LITIGES

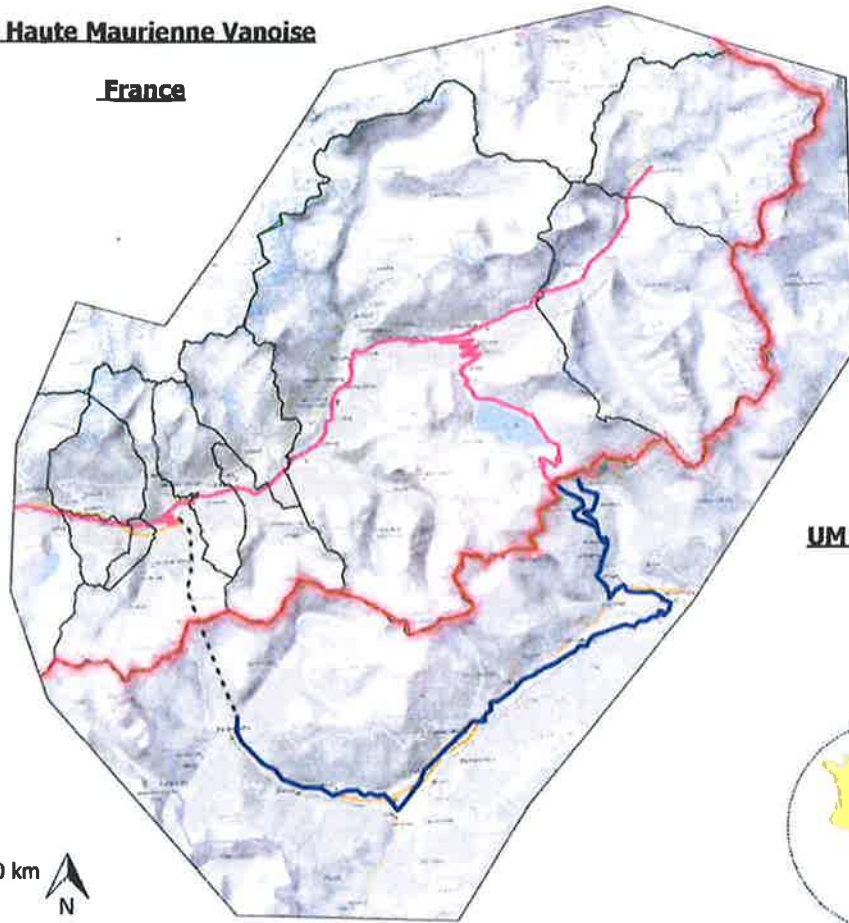
En cas de litige et pour toute contestation relative à l'interprétation des présentes conditions générales d'utilisation, les parties conviennent de l'application du droit français.

Le tribunal de commerce d'Annecy est compétent pour juger du litige.

CC Haute Maurienne Vanoise

France

- Légende**
- Frontière
 - Communes
 - Route FR
 - Route IT
 - Tunnel du Fréjus



UM Alta Valle Susa

Italia



