

Transport and Traffic

Due to our years of specialisation, we are highly familiar with the national and European law in this specially regulated area.

We have been, and continue to be, successful participants in the policy-making ministerial and court decisions in connection with the liberalisation of the railway transport markets. We advise and represent transport and infrastructure companies in their founding, their entry into the market, and their establishment of a market position. We support the public authorities responsible for local railway passenger transport, among others, in designing and handling transport contracts. We support railway companies in proceedings for vehicle registration and contract negotiation.

For airports and harbours, the main focus area of our activity is legal advising for procurement, awarding and state aid, and representation for the financing of construction, expansion and operation of infrastructure. Our specialisation extends over the support of building projects in the areas of procurement and awards, expert planning, and environmental law.

We support airlines entering the market. That covers the assessment under the state aid regulations of financial flows favouring established competitors, and the **preparation and execution of complaint proceedings and competitors' lawsuits.**

Our main areas of focus are:

Railways

- EU-conforming financing of infrastructure
- EU-conforming selection of infrastructure operators
- Market entry of foreign transport companies in Germany, access to infrastructure, allocation of railway routes
- Infrastructure user fees (especially recovery of excessive fees for the use of railway routes and stations)
- Development of conditions for infrastructure use and pricing systems
- Approval for railway and railway infrastructure companies, safety certification and approval
- Vehicle permits

- Infrastructure links, shutdown of railway operating facilities, exemption from rail operating purpose (change of designated use)
- Planning permission/approval of railway operating facilities
- Clearing and settlement of railway accidents
- Warranties for acquisition, rental and repair of railway vehicles
- Contract drafting for the cooperation of railway companies
- Proceedings for awarding contracts for local passenger rail traffic, tendering (including procurement of vehicles)
- Local passenger rail traffic verification proceedings
- Execution of traffic contracts (for contracting entities and rail traffic companies)

Air Traffic

- EU-conforming financing of airport construction, expansion and operation
- EU-conforming organisation of airport charges
- Transparency reports
- Sectoral planning law, construction law for airport infrastructure
- Market entry of foreign airlines (especially allocation of time slots)
- Legal complaint proceedings with respect to state aid
- Legal disputes among competitors for state aid
- Noise monitoring at airports

Waterborne Traffic

- EU-conforming financing of harbour construction, expansion and operation
- Promotion of inland and international navigation and maritime traffic
- State aid for ship construction
- specialised planning law, construction law for harbour infrastructure
- Support and planning of facilities for intermodal traffic
- Adaptation and dismantling of infrastructure (including urban construction development)

For further information, please contact your legal advisor at BSU Legal.