

## PRESS RELEASE

### **The CNMC decides to challenge certain provisions of the VTC Decree issued by the Basque Government**

- The provisions being challenged require VTC customers to pre-hire the service 30 minutes in advance and prevent them from geolocating the vehicles available before hiring them.
- The CNMC asked the Basque Government to review the problematic provisions of the Decree in February, which said Government rejected.

**Madrid, 11 August 2020** - The CNMC has agreed to file an appeal before an administrative court against certain provisions relating to private hire vehicles (VTC in Spanish) introduced in *Decree 200/2019, on the conditions for nationally authorised operators to provide private hire services (VTC-N) in the Autonomous Community of the Basque Country*.

The CNMC does not question the regulation as a whole, but only some of its rules. Specifically:

- The requirement for a minimum pre-hire period of 30 minutes.
- The prohibition of driving on public roads when the service is not being provided.
- The obligation not to display the availability of the VTC vehicle when it is parked on a public road.
- The prohibition to geolocate the vehicles available.

The CNMC believes that said precepts restrict competition and are not sufficiently justified from the perspective of the general good. In February 2020, the CNMC formally asked the Basque Government to review the provisions in the Decree that were identified as problematic. The Basque Government rejected the request.

The CNMC is empowered to challenge acts from government agencies that are subject to administrative law and provisions of sub-statutory legal acts that result in obstacles to ensuring effective market competition, pursuant to [Article 5.4 of Law 3/2013 of 4 June, which created the CNMC](#).

Two directors voted to challenge the Decree.

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