

EN

E-003666/2025

Answer given by Executive Vice-President Séjourné
on behalf of the European Commission
(14.4.2026)

As indicated in the reply to written question E-003740/2025¹, the Spanish authorities replied on 17 September 2025 to the reasoned opinion issued by the Commission on 17 July 2025 under infringement procedure INFR(2021)4052². However, with a view to attaining an appropriate solution, the Commission is bound to maintain the confidentiality of the content of ongoing infringement procedures and cannot share any other detail at this stage.

Member States may award concession contracts for the construction and/or maintenance of motorways, which may include the payment of a toll by users to the concessionaire. However, this award must comply with the applicable EU public procurement rules, which are laid down for concessions in Directive 2014/23/EU³.

¹ https://www.europarl.europa.eu/doceo/document/E-10-2025-003740-ASW_EN.html.

² [https://ec.europa.eu/implementing-eu-law/search-infringement-decisions/?lang_code=hr&langCode=EN&version=v1&typeOfSearch=byDecision&page=1&size=10&order=desc&sortColumns=decisionDate&refId=INFR\(2021\)4052](https://ec.europa.eu/implementing-eu-law/search-infringement-decisions/?lang_code=hr&langCode=EN&version=v1&typeOfSearch=byDecision&page=1&size=10&order=desc&sortColumns=decisionDate&refId=INFR(2021)4052).

³ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014L0023>.