

Terms of Use for the Munt La Schera road tunnel

1. General information

- 1.1 The Munt La Schera road tunnel (north tunnel portal, La Drossa customs office, 7530 Zernez to the top of the wall of the Punt dal Gall dam, paying agency barrier, 7530 Zernez) is privately owned and operated by Engadiner Kraftwerke AG. It is a private road. These terms of use form the basis for the use of the Munt La Schera road tunnel. Use of the road tunnel implies acceptance of these terms of use.
- 1.2 The road tunnel can only be travelled in one lane. Traffic is regulated by a traffic light system.
- 1.3 The passages are subject to a charge, with the exception of the contractually agreed free passages. The prices are available at www.tunnelticket.ch. Cash payments are made in CHF or EUR; if cash payments are made in EUR, change is given in CHF; no EUR coins are accepted. Payment can also be made by EC card, credit card or EKW prepaid card.
- 1.4 Parking without a valid transit ticket as well as camping and overnight stays on the entire dam site are prohibited.
- 1.5 Engadiner Kraftwerke AG is authorised to grant exceptions to the terms of use.
- 1.6 Engadiner Kraftwerke AG is authorised to demand fines or impose bans in the event of violations of these terms of use.
- 1.7 In order to determine the vehicle category, the collection staff are authorised to inspect the vehicle registration document.
- 1.8 Operating hours

The current operating hours are available at www.tunnelticket.ch.

Due to cleaning and maintenance work, the road tunnel is closed twice a year for around two weeks overnight, i.e. from 20:00 to 06:00 (except on weekends).

On days with heavy traffic, the road tunnel is operated for several hours in one direction only (Switzerland - Italy or Italy - Switzerland), i.e. without changing direction, to relieve traffic. This can result in longer waiting times.

Engadiner Kraftwerke AG is authorised to close the road tunnel at any time for the operation and maintenance of the power plant facilities, for safety reasons, for events or for other reasons.

- 1.9 Engadiner Kraftwerke AG has no obligation to keep the road tunnel open and is not liable for any damage resulting from the closure of the road tunnel (waiting time, diversions, overnight stays, hotel reservations, etc.) or from its operation. Any liability on the part of Engadiner Kraftwerke AG is excluded to the fullest extent permitted by law.

- 1.10 Insofar as these terms of use do not contain any provisions to the contrary, the provisions of federal and cantonal law relating to road traffic (in particular SR 741; general provisions, provisions relating to traffic regulations, signalling, liability and insurance, the construction and equipment of vehicles, admission to traffic and transport) are declared applicable.
- 1.11 The terms of use are subject exclusively to Swiss law. The place of jurisdiction is Zerneuz, unless another place of jurisdiction is prescribed by law.
- 1.12 The German version of the terms of use is binding; translations are for information purposes only.

2. Security

- 2.1 The traffic rules and signalled regulations must be observed.
- 2.2 It must be ensured that the vehicle is safe to operate and authorised.
- 2.3 In the case of vehicles with loads, it must be ensured that loads and parts of loads cannot be blown away. Any soiling of the road tunnel or carriageway must be avoided.
- 2.4 The maximum permissible vehicle height is 3.60 metres.
- 2.5 The maximum permissible vehicle width is 2.55 metres.
- 2.6 The signalled speeds must be observed. In general, the following speed limits apply:

Vehicles with a height of < 3.40 m	60 km/h
Vehicles with a height of > 3.40 m to 3.60 m	40 km/h
- 2.7 Vehicles with a total weight of > 40 tonnes are not permitted to drive through the road tunnel.
- 2.8 The road tunnel is equipped with a traffic guidance system and is video-monitored. Further information can be found in the privacy policy on the homepage of Engadiner Kraftwerke AG (www.tunnelticket.ch).
- 2.9 The information and instructions of the collection staff and traffic coordination personnel must be followed at all times.
- 2.10 When traffic lights are red, barriers are lowered or gates are closed, the road tunnel must not be used under any circumstances.
- 2.11 It is not permitted to stop in the road tunnel during the green phase.

3. Vehicles and persons excluded from transit

- 3.1 Vehicles transporting goods that are subject to the Ordinance on the Carriage of Dangerous Goods by Road (SDR).
- 3.2 Vehicles that cannot guarantee passage at a minimum speed of 40 km/h.
- 3.3 Vehicles that exceed the permitted height, width or total weight.
- 3.4 Bicycles (bicycles of all kinds, e-bikes incl. e-bikes 45 km/h, recumbents, unicycles, etc.).
- 3.5 Pedestrians.

4. Rules of behaviour in the event of an accident and emergency

- 4.1 In an emergency, the radio must be switched on (DAB band III / channel 12D (229.072 MHz), stations SRF 1-4, SRF Musikwelle, SRF Virus, SRF RTR, Radio Südostschweiz).
- 4.2 When traffic is at a standstill, keep a sufficient distance from the vehicle in front and switch on the hazard warning lights. The engine must be switched off immediately.
- 4.3 In an emergency or if a light signal in the road tunnel is switched to red while driving through, the vehicle must be stopped immediately and the hazard warning lights switched on. The engine must be switched off immediately.
- 4.4 In the event of a breakdown or accident, a breakdown bay must be approached if possible and the hazard warning lights switched on. The engine must be switched off immediately.
- 4.5 The vehicle may only be left to operate the SOS telephone or if there is a risk of fire. A high-visibility waistcoat must be worn outside the vehicle.
- 4.6 If there is a risk of fire, leave the vehicle and head for the nearest signposted emergency exit.

5. Damage to the vehicle

- 5.1 Damage caused to the vehicle while travelling through the tunnel must be reported immediately to the collection staff at the paying agency or in writing to ticketing@ekwstrom.ch. Damage recognised and reported at a later date shall not be accepted for reasons of proof.
- 5.2 The liability of Engadiner Kraftwerke AG for damage to vehicles is fully excluded to the extent permitted by law.

6. Damage to the operating facilities of the Munt La Schera road tunnel

- 6.1 Any damage caused to the operating facilities of the road tunnel must be reported immediately to the operating personnel at the paying agency or in writing to ticketing@ekwstrom.ch.
- 6.2 The party responsible is solely liable for damage to the operating facilities.

7. Violations

- 7.1 Engadiner Kraftwerke AG is authorised to carry out checks (in particular speed checks) in the road tunnel.
- 7.2 In the event of violations of the terms of use, users are obliged to provide Engadiner Kraftwerke AG with their personal data.
- 7.3 The following fines shall be imposed for violations of the terms of use:

General

Administration fee for violations (depending on expenditure)	CHF	30.00 to 150.00
---	-----	-----------------

Speed

Exceeding the speed limit by 1-5 km/h	CHF	40.00
Exceeding the speed limit by 6-10 km/h	CHF	120.00
Exceeding the speed limit by 11-15 km/h	CHF	250.00
Exceeding the speed limit by over 15 km/h	CHF	350.00
Minimum speed of 40 km/h not ensured	CHF	100.00

Vehicle height and width

Exceeding vehicle height >3.60 m	CHF	350.00
Exceeding vehicle width >2.55 m	CHF	350.00

Unauthorised stopping / parking

Unauthorised stopping in the road tunnel	CHF	80.00
Parking without a valid transit ticket	CHF	100.00
Camping or overnight stay at the dam	CHF	200.00

Other violations

Entry into the closed road tunnel	CHF	250.00
Driving with snow chains fitted	CHF	100.00
Driving without low beam	CHF	60.00
Pedestrian	CHF	100.00
Cyclist	Punishment request at regional court	
Soiling of carriageway or road tunnel	at cost	
Damage to carriageway, road tunnel, barrier, etc.	at cost	
Other violations of the terms of use	at cost	

Engadiner Kraftwerke AG is authorised to levy the fine directly upon discovery of the violation.

- 7.4 In the event of non-payment of fines and violations of the terms of use, a ban from the premises may be imposed.
- 7.5 Violations of judicial bans shall be reported to the regional court.

Zernez, 01.11.2023