

## **"Know Before You Go"**

**A German attorney offers legal tips on travel in Europe...**

by Joerg Modelmog

A tour of duty in Europe provides unparalleled travel opportunities, but there are a few things you should know before you go. This article will highlight various legal requirements when it comes to traveling and crossing international borders within Europe, and certain rights you enjoy as an air or rail passenger in Europe.

Most European Union (EU) member states, and even some non-EU countries, have signed the so-called "Schengen Treaty." While that treaty abolishes border controls, it does not dispense with the requirement to carry a valid passport (and in certain cases, a visa), when crossing a border. In fact, the Schengen Treaty specifically allows for random checks at the border or within a certain distance of the border. It is also important to know that Great Britain and Ireland did not sign the Schengen Treaty and, therefore, those two countries still have mandatory passport controls. So if you are flying to London or Dublin for a visit, don't forget your passport! And even if you are just driving to Paris for the weekend, you must have your passport with you.

Your SOFA status is limited to the host country, in which you are stationed, so it is a good idea to carry a SOFA stamp [or a blue laminated SOFA card] in your passport with you when traveling in Europe, in order to prove your SOFA status. It may help explain any missing but otherwise required tourist entry/visa stamp, and will also help you get back into Germany after your trip.

A note of caution here: if your spouse is not a US citizen or comes from a non-EU country, you should check at the Consulate website of your desired destination for any special visa requirements. For example, if your spouse is a citizen of Korea, she only enjoys SOFA status within the host country, and she may have to comply with the visa requirements of other European nations if she wants to travel outside Germany.

Military personnel stationed in Europe should also check the DoD Foreign Clearance Guide at <https://www.fcg.pentagon.mil/> for any exceptions to the requirement to carry a passport in the countries they intend to visit, and make sure they have their leave form and any required border crossing documents with them when they travel.

When driving your privately-owned vehicle outside Germany, many EU member states require you to have an international driver's license. Generally, your USAREUR certificate of license is not accepted outside the country in which you are stationed. For more information on how to obtain an international driver's license, contact the Driver Testing Office on Daenner Kaserne (Bldg. 3104, Room 106) at DSN 483-7332/7482 or Civilian 0631-411-7332/7482. You must pick up a request for an international driver's license and have it stamped by Driver Testing before taking it to the office that generates international driver's licenses for the town where you live. You will also need to take along €15.30 in cash and a "biometric" passport photo (head and shoulders, looking straight at the camera, no silly smiles), and your valid USAREUR driver's license. An international driver's license is normally valid for three years, unless your USAREUR driver's license expires sooner than that.

When traveling to another country by car, you should take time before you depart to research the traffic regulations and speed limits of the countries you will be visiting. A quick but incomplete summary of applicable traffic rules is generally posted at the place where you cross the border. However, the traffic regulations vary a lot within the different EU states, and you should not assume anything. For example, some countries, like Italy, require you to keep your driving lights on all the time or mandate that a reflective emergency warning vest be placed inside your car, as opposed to in the trunk.

Liability insurance on privately-owned vehicles is mandatory within all EU member states and provides coverage in case of an accident abroad. Some EU member states require drivers to carry an insurance card in their vehicles as proof of such coverage. These cards are easy to obtain and free of charge. Just ask your car insurer for a "green insurance card."

Finally, if you are traveling by air within the EU and you experience long delays, are denied boarding, or your flight is cancelled, you may be entitled to compensation for inconvenience and various incidental expenses, such as lodging and meals. There are big, brightly-colored posters in airports all over Europe advising passengers of "Your Rights" and where to complain. If you find yourself stuck in an airport, look for these posters and demand that the carrier comply with their obligations under EU law. Similar EU legislation affecting rail passengers is due to take effect on December 3, 2009. For more information on your rights as a passenger, check out the following link: [http://ec.europa.eu/transport/passengers/index\\_en.htm](http://ec.europa.eu/transport/passengers/index_en.htm).

If you have other legal questions related to travel in Europe, make an appointment to see a legal assistance attorney by calling DSN 483-8848 or Civilian 0631-411-8848.

