the service users and the voters, contribute to maintain under pressure the managers of the companies producing the service and address them towards the achievement of more efficient results.

5. Conclusion

The legislative reform of the local transport started with the law n. 549/95 and completed with the D.L. n. 422/97 has given the reply to the need of reorganization of the sector risen during the past decades. The strong points that have been attributed to the reform and that, at least in part, have been put in practice through the regulation at regional level, can be listed below:

- the merging of financial and planning responsibility of the commissioning bodies, that is making explicit the cost-opportunity of the supplied service;
- the attribution to a single subject of the entire planning competencies concerning the local transport, provided either on the road that by railway, in order to have a coherent offer;
- the introduction of a contractual relationship between the commissioning subject and the company supplying the service, with the inclusion of mechanisms able to stimulate the productive efficiency of this latter, in order to avoid the build up of deficits to be covered by means of additional public resources.

There are also innovative elements that at the moment appear weakened mainly due to the protection still given to the public-owned companies:

- the clear separation between the planning role and the service management role;
- the reorganization of the monopoly areas and the introduction of forms of administrated competition, by the resort to tendering procedures for the allotment of the services provision.

As we have highlighted when we analyzed the suggestions expressed on this subject by the Antitrust Authority, the introduction of competition in the local public transport mainly requires the use of tendering procedures and the "third-part role" of the subjects in charge of the regulation[62], while the spaces for the real competition appear quite modest. The D.L.

[62] Namely, the local administrations have to change from commissioning-regulator-manager subjects into simple bodies commissioning the provision of transit services. Known are the restrictions to the competition - in this case to the administrated competition - that could derive from the overlapping of the three aforesaid functions (concerning this aspect see Heimler (1998)). D.L. n. 422/97, however, does not