

Railway transport: international rail passengers' rights and obligations. 3rd package

2004/0049(COD) - 19/12/2006

The committee adopted the report by Dirk STERCKX (ALDE, BE) amending the Council's common position under the 2nd reading of the codecision procedure. It tabled a number of amendments reflecting Parliament's position at 1st reading on a number of issues, the main one being the scope of the regulation.

The committee again insisted that the regulation should be extended to cover all rail passengers and not just international passengers. It should therefore apply "to all rail journeys and services throughout the Community" provided by licensed railway undertakings. Temporary exemptions to the provisions applicable to national passenger transport systems should be allowed (for a maximum of 10 years) for some Member States which will be required to make major adjustments, in particular as regards ticket and information systems and reimbursement and compensation schemes. Moreover, those Member States in which public service contracts currently in force already contain arrangements for reimbursement and compensation for delays, missed connections and cancellations may accord railway undertakings a temporary exemption, for a maximum of 10 years. However, new contracts will have to comply immediately with the provisions of the regulation.

MEPs again introduced provisions on the liability of railway undertakings in the event of the death or injury of passengers, which were omitted from the regulation. They proposed an amount of up to EUR 120 000 per passenger, which is equivalent to that which applies in air transport under Regulation 889/2002.

Compensation for delays should be introduced not only in the event of one-off delays but also for passengers with season tickets who encounter recurrent short delays or cancellations over a given period.

The committee also redrafted Article 17 to make it clear that persons with reduced mobility can only be denied access to transport in accordance with non-discriminatory access rules determined in advance by railway undertakings and station managers, with the active involvement of representative organisations of persons with reduced mobility. Rail undertakings and station managers must ensure that persons of reduced mobility have access to rolling stock and stations, platforms and other facilities, and that when renovations are carried out or any new rolling stock is purchased accessibility for such persons is guaranteed. New provisions on assistance to persons of reduced mobility were introduced into the regulation, including clarification of the obligations of the station manager and the rail undertaking in an unstaffed station.

MEPs again insisted on the need to provide suitable information to passengers about their rights and obligations and to provide clear information on - and the contact details of - the body responsible for dealing with complaints. Lastly, they called for all trains to provide a specially designated area for baby carriages, wheelchairs, bicycles and sports equipment.