

Rail passengers? rights and obligations. Recast

2017/0237(COD) - 15/11/2018 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 533 to 37, with 47 abstentions, a resolution on the proposal for a regulation of the European Parliament and of the Council on rail passengers rights and obligations (recast).

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the Commission's proposal as follows.

Purpose and objectives: the Regulation should establish rules applicable to rail transport to provide for effective protection of passengers and encourage rail travel as regards the following:

- non-discrimination between passengers with regard to transport and ticketing conditions;
- passengers' rights and compensation in the event of disruption such as cancellation or delay;
- minimum, accurate and timely information to be provided in accessible format to passengers, including the conclusion of transport contracts and the issuing of tickets.

Passenger rights and information: users rights to rail services include the receipt of information regarding those services and related matters both before and during and after the journey.

Railway undertakings and ticket vendors should provide this information, as soon as possible, in advance, or at least at the start of the journey. That information shall be provided in accessible formats for persons with disabilities or persons with reduced mobility and shall be available publicly. Railway undertakings shall provide this information to ticket vendors and other railway undertakings selling their services.

Travellers shall also be provided with information on possible connections with other modes of transport as well as information on accessible train connections and stations. An amendment also stipulates that railway undertakings should provide non-discriminatory access to all information on journeys, including real-time operational data and tariffs through application programming interfaces (APIs).

Tickets: railway undertakings, ticket vendors and tour operators shall offer direct tickets, through-tickets and reservations, including for journeys across borders or involving night trains and journeys with more than one railway undertaking. They should also offer the possibility of purchasing tickets on board a train unless this is limited or denied on well justifiable grounds.

Where there is no ticket office or accessible ticketing machine in the station of departure, or any other means of purchasing tickets in advance, passengers should be permitted to buy tickets on board the train at no extra cost.

Passengers with bicycles: passengers shall be entitled to take bicycles, whether assembled or not, on board the train, including on high-speed, long-distance and cross-border trains. No later than two years after the entry into force of the Regulation, all new or refurbished trains should have a well-indicated designated space for the carriage of at least eight assembled bicycles. Passengers should be informed of the space available for bicycles.

Compensation for delays: Parliament supported an increase in compensation, which means that a traveller who is delayed between the place of departure and the destination indicated on the ticket would be entitled to request compensation of:

- 50% of the ticket price for a delay of between 60 and 90 minutes;
- 75% of the ticket price for a delay of between 90 and 120 minutes;
- 100% of the ticket price for a delay of 121 minutes or more.

Members rejected the Commissions proposals aiming to exempt railway operators from paying compensation in the event of exceptional circumstances.

Missed connection: where it is expected, either at departure or in the event of a missed connection in the course of a journey that arrival at the final destination of an end-to-end journey under the transport contracts will be subject to a delay of more than 60 minutes or cancelled, the passenger shall have the possibility of continuing or re-routing, under comparable transport conditions and at no additional costs, to the final destination at the earliest opportunity, including in the event of missed connection due to delay or cancellation of the passengers earlier leg in the course of a journey. In such case, the passenger shall be allowed on the next service available to the final destination even if there is no specific reservation or the next train is operated by another railway undertaking.

Members specified that where a passenger receives separate tickets for a single journey or combined journey comprising successive railway services operated by one or more railway undertakings, his rights to information, assistance, care and compensation shall be equivalent to those under a through-ticket and cover the whole journey or combined journey from the departure to the final destination.

Persons with disabilities: Parliament clarified rules to ensure free assistance in stations for people with reduced mobility or disabilities. Railway undertakings and station managers shall, when complying with the TSI for persons with reduced mobility, also ensure that the station, platforms, rolling stock and other facilities are accessible to persons with disabilities and persons with reduced mobility.

Assistance in stations shall be provided during the operating hours of the railway services provided that the railway undertaking has been notified, at least 12 hours in advance, of the need for assistance of the disabled person or person with reduced mobility. In larger stations, no pre-notification is needed, however, the person in need of assistance shall be at the respective station at least 30 minutes before the departure of the train. In stations where daily traffic is between 2 000 and 10 000 passengers per day, the notification shall be reduced to maximum three hours.

Members also specified that railway operators and station managers have a responsibility to fully and promptly compensate passengers for any damaged or lost mobility equipment, or for the loss or injury of a service animal.

Complaints: rail passengers may be able to submit a complaint to any railway undertaking, ticket vendor, railway station or infrastructure manager involved regarding the rights and obligations conferred by this Regulation, and be entitled to receive a response within a reasonable period of time. Complaints may be made by organisations representing groups of passengers. The Commission shall adopt a standardised EU complaint form that passengers may use to apply for compensation in accordance with this regulation.