

# Rights of passengers in bus and coach transport; cooperation between national authorities

2008/0237(COD) - 04/12/2008 - Legislative proposal

**PURPOSE:** to ensure adequate levels of protection to passengers in bus and coach transport in particular to disabled persons and persons with reduced mobility.

**PROPOSED ACT:** Regulation of the European Parliament and of the Council.

**BACKGROUND:** the market for international carriage of passengers by bus and coach has already been liberalised. This mode of transport is characterised by a number of distinctive features which affect both the operators and passengers. In passenger-kilometre terms, bus and coach transport holds a 9.3 % share of all land transport services within the European Union and, after passenger cars (82.8%), it remains the most important means of transportation available to the public (8.3 % share in all modes of transport). The sector has seen steady growth of 5.8% from 474 million in 1995 to 502 million in 2004. It is estimated that the annual volume of international bus and coach passengers amounts to 72.8 million passengers.

In contrast to other modes of transport (notably air transport), there are neither international agreements (with the exception of the United Nations – Economic Commission for Europe Convention on the Contract for the International Carriage of Passengers and Luggage by Road (CVR), ratified by only three Member States) nor Community legislation establishing bus and coach passenger rights.

Protection of bus and coach passengers varies from one Member State to another. Rules on liability of operators tend to vary significantly, while compensation and assistance in the event of interrupted journeys are not generalised.

In its [Communication](#) of 22 June 2006, the Commission committed itself to examining how to increase quality of service and assurance of passenger rights in all modes of transport. With regard to coach transport, the Commission identified three main areas of concern: 1) the rights of persons with reduced mobility, 2) liability issues and 3) compensation and assistance in the event of interrupted travel.

**CONTENT:** the proposal aims at establishing rights of coach and bus passengers in order to improve the attractiveness of and confidence in coach and bus transport as well as to achieve a level playing field between carriers from different Member States and between other modes of transport.

In principle the proposal lays down provisions on:

- liability in the event of death or injury of passengers and loss of or damage to their
- luggage;
- non-discrimination on grounds of nationality or place of residence with regard to transport conditions offered to passengers by bus or coach undertakings, assistance for disabled persons and persons with reduced mobility;
- obligations of bus and coach undertakings in the event of cancellation or delay of a journey;
- information obligations;
- handling of complaints;
- general rules on enforcement.

The proposal for a Regulation will contribute to the achievement of the objectives of the Treaty by ensuring an enhanced level of consumer protection, combating discrimination and social exclusion of

persons with disabilities and allowing European citizens to take full advantage of the opportunities created by the internal market.

Establishing and further strengthening the rights of passengers reflects the high priority given by the Amsterdam Treaty to the protection of consumers.

The present proposal regarding the rights of passengers in bus and coach services is consistent with the objectives of combating social exclusion, as it establishes the principle of non-discrimination and assistance for disabled people.

The proposal is also in line with Article 21 of the Charter of Fundamental Rights and it also ties in with Article 13 of the EC Treaty, which enables the Community to combat discrimination in the areas of Community competence.