

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

2008/0237(COD) - 02/02/2011 - Report tabled for plenary by Parliament delegation to Conciliation Committee, 3rd reading

The European Parliament delegation to the Conciliation Committee, chaired by Rodi KRATSA-TSAGAROPOULOU (EPP, GR), tabled a report for third reading under the ordinary legislative procedure, proposing that Parliament should approve the joint text approved by the Conciliation Committee for a regulation of the European Parliament and of the Council concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004. The rapporteur for this procedure in the Committee on Transport and Tourism was Antonio CANCIAN (EPP, IT).

The main points of the agreement in conciliation, which was finally reached in the evening of 30/11/2010, can be summarised as follows:

Scope

- The Regulation would apply to all regular services, national and cross-border, where the scheduled distance was 250 km or over ('long distance'). Passengers travelling only a part of such a long-distance service would also be covered. It should be noted that the Council's initial negotiating position was that only 500 km or over should count as 'long distance'.
- Certain basic rights under the Regulation would also apply to passengers travelling over shorter scheduled distances and would focus on the needs of disabled persons and those with reduced mobility (non-discriminatory access to transport, compensation for loss of or damage to wheelchairs or other mobility equipment, disability-related training of staff of buses and coaches, information to be provided during the journey, etc.).

Time derogations

With the exception of these basic rights, Member States may exempt domestic regular services from the application of the Regulation for a period no longer than four years, renewable once (the Council had sought exemptions of up to 15 years).

Compensation and assistance in the event of accidents

- Passengers are entitled to compensation for death (including reasonable funeral expenses) or personal injury as well as to loss of or damage to luggage due to accidents. The ceilings for such compensation under national law must not be lower than the minimum amounts laid down in the Regulation, namely, EUR 220 000 per passenger and EUR 1200 per item of luggage. Damage to assistive devices such as wheelchairs must be compensated entirely.
- In the event of an accident passengers are also entitled to assistance to cover their immediate practical needs, including provision of food and clothes, transport, facilitation of first assistance, and accommodation of up to EUR 80 per night per passenger (as opposed to EUR 50 advocated by the Council) for a maximum of two nights.

Passengers' rights in the event of cancellations or delays

- Where a bus or coach service is cancelled or delayed for more than 120 minutes or overbooked, passengers shall immediately be offered the choice between continuation of the journey or re-

routing to their final destination at no additional cost or reimbursement of the ticket price; if the carrier fails to offer this choice, passengers shall have the right to compensation amounting to 50% of the ticket price, in addition to the reimbursement of the ticket price.

- Where the bus or coach becomes inoperable during the journey, the carrier shall provide either the continuation of the service with another vehicle or transport to a suitable waiting point or terminal from where the continuation of the journey becomes possible.
- In the event of cancellation or delay passengers shall be provided with all necessary information; where feasible, this information shall be provided by electronic means to all passengers, including those not departing from terminals, if the passenger has requested this and has provided the necessary contact details to the carrier.
- Where a journey of more than three hours is cancelled or departure is delayed for more than 90 minutes, passengers must be offered snacks, meals or refreshments, as well as hotel accommodation of up to EUR 80 per night per person (as opposed to EUR 50 advocated by the Council), for a maximum of two nights; however, the obligation to provide accommodation does not apply if the cancellation or delay is caused by severe weather conditions or major natural disasters.

Rights of disabled persons and persons with reduced mobility

- Bus and coach companies are required to provide assistance to disabled persons and persons with reduced mobility, provided that the passenger informs the company of his/her needs at the latest 36 hours before departure. If the operator is unable to provide suitable assistance, the passenger with reduced mobility may be accompanied at no extra cost by a companion of his/her choice.
- Any loss of or damage to wheelchairs or other assistance equipment must be compensated by the company or the management body of the station responsible.