

Rail passengers' rights and obligations. Recast

2017/0237(COD) - 29/04/2021 - Text adopted by Parliament, 2nd reading

The European Parliament adopted a legislative resolution approving the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council on rail passengers' rights and obligations (recast).

The general objective of the proposal is to strengthen rail passenger rights by better protecting train travellers in case of delays, cancellations or discrimination and reduce the burden on railway undertakings in specific cases, in particular related to delays caused by external reasons and outside the control of the railway undertaking (force majeure).

Disabled persons and persons with reduced mobility (PRM)

The Council position aligns the rights of persons with reduced mobility in the regulation with other legal instruments, including in particular the EU accessibility legislation (Directive (EU) 2019/882 on accessibility requirements for products and services) and the UN Convention on the Rights of Persons with Disabilities, and to ensure consistency with them.

Requests for assistance at stations should be sent 24 hours before the journey, instead of the current 48 hours, and at no extra cost; however, Member States should authorise, until 30 June 2026, the extension of this deadline to 36 hours. People with reduced mobility should be able to travel if needed with accompanying person or an assistant dog free of charge.

Installation of bicycle spaces on board rolling stock

In order to encourage green mobility, railway companies should provide specific spaces on board for bicycles: all new or renovated rolling stock should be equipped with at least four bicycle spaces, with the possibility of providing more. If bicycles are not accepted on board a particular train, reasons must be given and the passenger may be entitled to a refund. The railway undertaking may, where appropriate, charge a reasonable fee.

The railway undertaking should also publish information on the availability of such bicycle spaces.

Right to self-rerouting

If delays of over 100 minutes occur, rail operators will be under the obligation to offer rerouting options to passengers whatever the circumstances and help them find the best alternatives, as it is the case with air carriers. In case circumstances so require, meal and refreshment will need to be provided and accommodation costs will be reimbursed.

The minimum amount of compensation for delays remains unchanged (25% of the ticket price for a delay of 60 to 119 minutes and 50% of the ticket price for a delay of 120 minutes or more).

Through-tickets

Operators are obliged to offer through-tickets for services that are operated by a sole railway undertaking. This new obligation should apply from the date of application for international and long-distance services and after five years for regional services.

Real-time passenger information and force majeure

In the event of delays, where it will be mandatory to communicate all information to passengers as soon as it becomes known. In specific cases, the Member State can grant an exemption of nine years to the infrastructure manager.

In case of force majeure resulting from unforeseen circumstances such as extreme weather conditions, a major natural disaster or the occurrence of a serious public health crisis, including pandemics, operators would only be discharged of paying the compensation, whereas other reimbursements would still need to be made.

Complaint handling

The Commission should develop a template for requesting compensation and reimbursement and to ensure such forms are available in an accessible format for people with reduced mobility. Further, the cooperation between National Enforcement Bodies is improved, in particular through the introduction of the concept and the designation of a "lead body" for complex cases.

Use of exemptions

The new rules will enter into force after 24 months so as to allow operators and authorities to prepare for a smooth transition. The Council position foresees that current exemptions for domestic rail services should be eligible for a final extension of five years for those Member States that have been making use of these derogations. Member States can also decide, under specific circumstances and for an undetermined period, to partly exempt cross-border regional, urban and suburban services.

However, Member States cannot exempt the rights of persons with reduced mobility, bicycle carriage and the provisions on through-tickets and re-routing from cross-border services.