

# Improved rail passenger rights: Council approves the informal deal



EU ambassadors today endorsed a reform of rail passenger rights which will **strengthen the rights of all passengers, and in particular those with disabilities or reduced mobility**. The updated provisions will reinforce the rules on re-routing and make it easier to transport bicycles on trains. They will also promote the use of through-tickets, which improves protection in the event of missed connections. The reform had been provisionally agreed by the Council presidency and the European Parliament on 1 October.

These new rules will mean clearer and stronger protection for those who want to travel in an environmentally friendly manner, even by bringing their bikes along. People with reduced mobility also want to, and have the same right to, travel by train, and this will be made much easier. A modal shift to rail is vital for the EU's efforts to meet its climate targets and promote inclusive connectivity.

*Christine Lambrecht, German Federal Minister for Justice and Consumer Protection*

Rail companies will be encouraged to increase the offer of **through-tickets**. These are single tickets which are valid for successive legs in a journey, and they safeguard the rights to re-routing and compensation in the event of delays or missed connections. Through-tickets will be mandatory if connecting trains are run by a sole railway undertaking, for example when a journey involves a connection between a regional and a long-distance train.

Passengers must be clearly informed whether tickets bought in a single transaction constitute a through-ticket. The rail company will otherwise be liable as if those tickets were a through-ticket.

Passengers will enjoy **improved protection in an increased number of different rail services**, as a large number of exemptions allowed by the current regulation will be phased out.

Stronger rights for **people with disabilities or with reduced mobility** will apply in the future as the current exemption of regional trains from most of the provisions related to persons with disabilities or reduced mobility will be completely phased out by 2023. From that date on, in particular the right to receive assistance when boarding and disembarking from trains will apply to all regional and long-distance trains in the Union, provided trained staff are on duty. Other improvements include the right to buy a ticket on board if there is no accessible alternative to buy the ticket beforehand, improved provision of information, training of staff and clearer rules on compensation for lost or damaged mobility equipment. The advance notice to be given by

persons with disabilities or reduced mobility who require assistance will be reduced from a maximum of 48 hours to 24 hours, and voluntary arrangements for shorter pre-notification periods will be encouraged. Until June 2026, member states may allow a maximum pre-notification time of 36 hours if shorter periods are not feasible.

To encourage green mobility, it will become much easier for passengers to take their **bikes on board**. Passengers will be informed of available capacity. The transport of bicycles may be denied if the rolling stock does not permit it. So that such situations arise less often, railway undertakings will be obliged to install spaces for bicycles. The general rule will be at least four spaces for bikes per train. After consulting the public, railway undertakings may determine a different number of spaces based on the type of service, the size of the train and the foreseeable demand for the transport of bicycles. Member states may also set this number higher if there is more demand for carrying bikes. The bike place requirements will apply when a railway undertaking orders new rolling stock or when it performs a major upgrade of older rolling stock. These requirements will be applicable four years after the entry into force of the regulation.

The new rules will clarify and expand protection in cases where passengers need **re-routing** to their final destination. The rail operator will have to try to re-route the passenger in all circumstances, including cases requiring alternative modes of transport. If the operator has not managed to communicate the available options to the passenger within 100 minutes, the passenger may take alternative public land transport on his own initiative and the train company must reimburse the necessary cost.

The minimum **compensation for delays** will remain 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).

A **force majeure** clause addressing compensation for delayed rail services will bring legal clarity and create a more level playing field in relation to other modes of transport, for which such clauses already exist. Rail companies will not need to pay compensation for delays or cancellations in circumstances they could not have avoided, such as extreme weather conditions, major natural disasters or major public health crises, including pandemics. Rail staff strikes will not be covered by this exemption. In addition, re-routing obligations will apply even in the event of a force majeure.

As the regulation lays down a **minimum level of protection**, railway undertakings are free and encouraged to introduce more stringent rules to protect passengers' rights.

The revised regulation will enter into force twenty days after it is published in the EU Official Journal. It will be applicable **two years** later.

## **Procedure**

The Commission presented the proposal in September 2017.

Today's endorsement of the provisional agreement took place in the Council's Permanent Representatives Committee (Coreper). The European Parliament's transport committee is expected to vote on the provisional agreement shortly. The agreed text will then undergo legal-linguistic revision, and a formal vote in both Council and the Parliament ('early second reading') will follow at a later date.