

European Commission announces proposed changes to European rail passenger rights

The European Commission has announced that it is proposing to update the European rules on rail passenger rights to better protect train travellers in case of delays, cancellations or discrimination. It wishes to ensure that rail passengers should be fully protected no matter where they travel in the EU. The Commission also wants to guarantee adequate passenger information and to significantly improve the rights of passengers with disabilities or reduced mobility. At the same time, the Commission's proposal recognises that rail operators can, under strict circumstances, be exempted from having to compensate passengers in the event of delay.

The Commission's proposal updates the existing rules on rail passenger rights in five key areas:

1. *Uniform application of the rules:* long distance domestic and cross-border urban, suburban and regional services can no longer be exempted from the application of passenger rights rules. Today, only 5 Member States (Belgium, Denmark, Italy, the Netherlands and Slovenia) fully apply the rules, while others have put in place varying degrees of exemptions. This significantly deprives passengers from their rights.
2. *Information and non-discrimination:* improved provision of information about passenger rights, e.g. by printing it on the ticket. Passengers who use connected services with separate tickets must be informed on whether their rights apply to the whole journey or only to the different segments. Discrimination on the basis of nationality or residence is prohibited.
3. *Better rights for persons with disabilities or reduced mobility:* mandatory right to assistance on all services and full compensation for loss or repair of mobility equipment. Relevant information has to be given in accessible formats and rail staff must receive disability awareness training.
4. *Enforcement, complaint-handling procedures and sanctioning:* clear deadlines and procedures for complaint handling and clear responsibilities and competencies of national authorities responsible for the application and enforcement of passenger rights.

Proportionality and legal fairness: a "force majeure" clause will exempt rail companies from having to pay compensation in the event of delays caused by natural catastrophes, which they could neither foresee nor prevent. Under the current rules, rail companies have to pay compensation even when faced with such events.

[Source: European Commission, 28/9/2017]