

15 Feb 2011 - EU agrees new rights to benefit disabled and older bus passengers

The missing link on passengers' rights under EU law was finally put in place in Strasbourg on Tuesday when the European Parliament adopted new rules laying down greater rights for bus and coach passengers.

After two years of tricky negotiations, Parliament and the Member States have agreed on rules covering all long-distance scheduled services (250 kilometres or more), whether national or crossborder, starting in spring 2013.

Compensation

For such services, the new law provides for compensation of 50% of the purchase price as well as a full refund of the ticket, if an operator cancels a service and cannot honour the transport contract, even by other routes or means of transport, following a delayed departure of at least two hours. Passengers who prefer not to go ahead with their trip following a cancelled departure or a two-hour delay will be entitled to a full refund.

If there is a delay of over 90 minutes according to the timetable, passengers must be given snacks and refreshments. If a trip is broken or if there is an accident or a delay requiring passengers to spend the night on the spot, the operator will also be required to offer up to two nights in a hotel at a maximum price of €80. The operator can only be exempted from these obligations if the problem is caused by natural disasters or weather conditions that prevent the journey taking place under safe conditions.

In addition, the operator must provide for a refund with a ceiling of no less than €1200 if luggage is lost or damaged. In the event of death or injury as the result of an accident, the operator will be liable for payment of up to €220,000 (or more, if national law so provides).

To enable smaller firms to adjust to the new rules, Parliament voted to allow Member States to exempt certain regular national services or those where an important part of the service is provided outside the EU, for a maximum of four years, renewable once.

Fundamental rights

At the same time, thanks to MEPs a package of twelve fundamental rights was approved which will apply to all regular services regardless of distance. These rights include information before and during a journey and the needs of people with disabilities or reduced mobility. Non-discriminatory access to transport is guaranteed, with full compensation if wheelchairs or other mobility equipment are lost or damaged.

Staff training

Bus and coach staff must be trained, under the regulation, to provide appropriate assistance to reduced-mobility passengers who make a request at least 36 hours before a departure. If an operator is unable to provide suitable assistance, a reduced-mobility passenger will have the right to be accompanied at no extra cost by a person of his/her choice.

"This agreement is very important for transport and tourism. It embodies a strategic balance, as it protects smaller firms and will make life easier for people with disabilities", said Antonio Cancian (EPP, IT), who steered the legislation through Parliament.

Parliament adopted the legislation today under the co-decision procedure (third reading conciliation agreement) by 504 votes to 63 with 89 abstentions.