

Stakeholder consultation on Regulation (EC) 1371/2007 on rail passengers' rights and obligations  
(Version for organisations)

Pages

Agreement on personal data

Agreement on personal data

(Mandatory) Please indicate your preference as regards publication of your contribution:



My contribution may be published mentioning the name of my organisation, but not my personal details (name, email address, etc.)



My contribution may only be published anonymously



I do not wish my contribution to be published at all

(Mandatory) May the Commission contact you, in case further details on the submitted information in this questionnaire are required?



Yes



No

PART I. IDENTIFICATION OF THE RESPONDENTS

(Mandatory) Please provide your first name

(Mandatory) Please provide your last name

(Mandatory) Please provide your email address

This is not a valid e-mail address!

(Mandatory) Which of the following categories best describes your activity or that of your members?



Organisation representing passengers/consumers



Organisation representing persons with disabilities or persons with reduced mobility



Railway undertaking



Station staff (station manager, other)



Infrastructure manager



Public authority (Member State representative, Ministry, Agency, National Enforcement body, other)



Consultancy



Workers' organisation



Ticket vendor

- ☐ Tour operator
- ☐ Industry federation
- ☐ Research / Academia
- ☐ Organisation representing environmental / climate stakeholders
- ☐ Other

(Optional) If other, please specify

(Mandatory) Please identify clearly which organisation / association / authority you represent?

(Mandatory) Is your organisation registered in the Transparency Register of the European Commission?

- ☒ Yes
- ☐ No

(Mandatory) If yes, please enter the identification number (numbers only)

(Mandatory) Please specify your main country(ies) of operations (max. 3) between 1 and 3 choices

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> EU-wide                | <input type="checkbox"/> Global         | <input type="checkbox"/> Austria        |
| <input checked="" type="checkbox"/> Belgium     | <input type="checkbox"/> Bulgaria       | <input type="checkbox"/> Croatia        |
| <input type="checkbox"/> Cyprus                 | <input type="checkbox"/> Czech Republic | <input type="checkbox"/> Denmark        |
| <input type="checkbox"/> Estonia                | <input type="checkbox"/> Finland        | <input type="checkbox"/> France         |
| <input type="checkbox"/> Germany                | <input type="checkbox"/> Greece         | <input type="checkbox"/> Hungary        |
| <input type="checkbox"/> Ireland                | <input type="checkbox"/> Italy          | <input type="checkbox"/> Latvia         |
| <input type="checkbox"/> Lithuania              | <input type="checkbox"/> Luxembourg     | <input type="checkbox"/> Malta          |
| <input type="checkbox"/> Netherlands            | <input type="checkbox"/> Poland         | <input type="checkbox"/> Portugal       |
| <input type="checkbox"/> Romania                | <input type="checkbox"/> Slovenia       | <input type="checkbox"/> Spain          |
| <input type="checkbox"/> Sweden                 | <input type="checkbox"/> Slovakia       | <input type="checkbox"/> United Kingdom |
| <input type="checkbox"/> Other (please specify) |   |   |

(Optional) Please specify Other

## PART II. QUESTIONS ON THE GENERAL RELEVANCE AND EFFECTIVENESS OF THE REGULATION AND WAY FORWARD

The Regulation aims to improve the attractiveness of rail passenger transport and its market functioning. This is meant to be achieved by ensuring a minimum level of protection for rail passengers across the EU, enhancing social inclusion for persons with disabilities or with reduced mobility (PRM) as well as by promoting a wider level playing field for rail operators in the EU with regard to passenger protection.

The Regulation establishes rules with regard to:

- the information to be provided by railway undertakings, the conclusion of transport contracts and the issuing of tickets;
- the liability of railway undertakings towards passengers, their luggage and their insurance obligations;
- railway undertakings' obligations with regard to assistance and financial compensation to passengers in the event of long delay(s) or missed connection(s).
- the prohibition of discrimination of, and the provision of assistance to, persons with disabilities or with reduced mobility, to allow them to use rail transport on an equal footing with other passengers;
- the definition and monitoring of service quality standards, and the handling of complaints;
- in cooperation with public authorities, the management of risks to ensure the personal security of passengers;
- and general rules on enforcement.

The 2013 Commission Report identified the following areas for improvement:  
Extensive use of exemptions that Member States have granted to certain domestic services

Enforcement by Member States

Transport disruptions and mobility continuity

Delays caused by unforeseen and unavoidable events "Force Majeure"

Assistance to persons with disabilities or with reduced mobility

Definitions and some other issues.

(Optional)

1. Are you familiar with the provisions of the Regulation?

<input type="radio"/>	Yes, very well
<input checked="" type="radio"/>	Yes, well
<input type="radio"/>	No, not well
<input type="radio"/>	No, not at all
<input type="radio"/>	No opinion

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2. To what extent do you agree with the following statements?  
 (\*\*) Assistance in case of disruption: In the case of a delay in arrival or departure, passengers (including disabled persons and persons with reduced mobility and any accompanying persons) shall be kept informed of the situation and of the estimated departure and arrival time. In the case of delays of more than 60 minutes, passengers shall also be offered, free of charge, meals and refreshments or hotel and other accommodations, alternative transport services whenever necessary [see Article 18].

	Strongly disagree	Somewhat disagree	Neutral	Somewhat agree	Fully agree	No opinion/not sure
(Mandatory)Passengers are well-informed about their passenger rights	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(Mandatory)Passengers receive correct, complete and transparent information about the full ticket price	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(Mandatory)Passengers are well-informed about the details of the journey (schedule, on-board facilities including for disabled passengers, etc.)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(Mandatory)Passengers are well informed in the event of disruptions (such as long delays, cancellations)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(Mandatory)Passengers receive assistance(**) in the event of disruptions	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(Mandatory)Passengers with a travel pass or season ticket are adequately compensated when they encounter recurrent delays or cancellations during the pass's /ticket's validity period	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory)Passengers are well informed about where they can complain if their rights are not respected also in case of cross-border journeys	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

3. Overall, do you think that the Regulation has improved the protection of rail passengers?

- ☐ Yes, substantially
- ☒ Yes, to a limited extent
- ☐ No
- ☐ No opinion

(Optional) Comments

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Oui, le règlement a amélioré la p  
Elle comporte une section spéc  
Les dispositions en matière d'as

Proposition de commentaire à reprendre dans la fenêtre correspondante du questionnaire :

Oui, le règlement a amélioré la protection des passagers du rail. Elle comporte une section spécifiquement dédiée aux voyageurs handicapés (Chapitre V). Elle établit des règles d'assistance en gare et sur le matériel roulant. Elle prévoit la responsabilité des opérateurs pour les dégâts occasionnés au matériel de mobilité. Elle précise les droits des passagers en cas de délai ou d'annulation

Les dispositions en matière d'assistance en gare ont permis d'améliorer l'accès des personnes handicapées au voyage en train, en comparaison de la situation qui existait en 2007.

Cependant, un certain nombre d'aspects doivent faire l'objet de clarification et de renforcement de manière à rendre les voyages en train accessibles pour tous les passagers handicapés.

(Optional) 4. What do you think are the main benefits of the Regulation? Please explain.

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Proposition de commentaire à reprendre dans la fenêtre correspondante du questionnaire :

Le règlement établit que les personnes handicapées ont le droit de voyager par le train et que les opérateurs doivent leur garantir l'assistance nécessaire (malheureusement moyennant des modalités inacceptables)

5. How do you assess the impact of the Regulation in the following areas?

	Very low	Low	No impact	High	Very high	No opinion
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(Mandatory)Information provided by railway companies or their agents to passengers	2 <input type="radio"/>	3 <input type="radio"/>	4 <input type="radio"/>	5 <input type="radio"/>	6 <input type="radio"/>	7 <input checked="" type="radio"/>
(Mandatory)Conclusion of transport contracts	2 <input type="radio"/>	3 <input type="radio"/>	4 <input type="radio"/>	5 <input type="radio"/>	6 <input type="radio"/>	7 <input checked="" type="radio"/>
(Mandatory)Ticketing (eg. availability, choice, sales channels)	2 <input type="radio"/>	3 <input checked="" type="radio"/>	4 <input type="radio"/>	5 <input type="radio"/>	6 <input type="radio"/>	7 <input type="radio"/>
(Mandatory)Liability of railway undertakings in the event of accidents and their obligations towards passengers and their luggage	2 <input type="radio"/>	3 <input type="radio"/>	4 <input type="radio"/>	5 <input type="radio"/>	6 <input type="radio"/>	7 <input checked="" type="radio"/>
(Mandatory)Obligations of railway undertakings to passengers in the event of delays, cancellations or missed connections (information, assistance, compensation)	2 <input type="radio"/>	3 <input type="radio"/>	4 <input type="radio"/>	5 <input type="radio"/>	6 <input type="radio"/>	7 <input checked="" type="radio"/>
(Mandatory)Travel opportunities for persons with disabilities or with reduced mobility (prohibition of discrimination, assistance)	2 <input type="radio"/>	3 <input type="radio"/>	4 <input type="radio"/>	5 <input type="radio"/>	6 <input type="radio"/>	7 <input checked="" type="radio"/>
(Mandatory)Accessibility of railway stations and rolling stock for persons with disabilities or with reduced mobility	2 <input type="radio"/>	3 <input type="radio"/>	4 <input type="radio"/>	5 <input type="radio"/>	6 <input type="radio"/>	7 <input checked="" type="radio"/>
(Mandatory)Service quality and complaint handling	2 <input type="radio"/>	3 <input type="radio"/>	4 <input type="radio"/>	5 <input type="radio"/>	6 <input type="radio"/>	7 <input checked="" type="radio"/>
(Mandatory)Personal security of passengers in railway stations and on-board trains	2 <input type="radio"/>	3 <input type="radio"/>	4 <input type="radio"/>	5 <input type="radio"/>	6 <input type="radio"/>	7 <input checked="" type="radio"/>
(Mandatory)Mobility continuity in the event of major disruption	2 <input type="radio"/>	3 <input type="radio"/>	4 <input type="radio"/>	5 <input type="radio"/>	6 <input type="radio"/>	7 <input checked="" type="radio"/>
(Mandatory)Enforcement by national authorities (NEBs)	2 <input type="radio"/>	3 <input type="radio"/>	4 <input type="radio"/>	5 <input type="radio"/>	6 <input type="radio"/>	7 <input checked="" type="radio"/>

#### (Optional) Comments

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Proposition de commentaire à reprendre dans la fenêtre correspondante du questionnaire :

La hiérarchie des réponses est étrange : « low » situé en-dessous de « none » est incohérent

Ligne 3, l'impact sur les canaux de vente a été plutôt négatif : au lieu de multiplier les canaux, le nombre de guichets a diminué. D'autre part, en cas de problème en lien avec l'accessibilité des guichets ou des appareils automatiques, il est souvent répondu que les personnes handicapées devraient privilégier l'achat « on-line »

(Optional) 6. In your opinion what are the main negative aspects of the Regulation, if any?

1500 character(s) maximum (1500 characters left)

#### Possible problem 1: Use of exemptions by Member States

Under Article 2 of the Regulation, Member States are allowed to grant exemptions from the full application of the Regulation. These exemptions can be applied to domestic services including long-distance national services (for a period of 5 years renewable twice, i.e. until 2024), to urban, suburban and regional services for an unlimited period of time, and to services or journeys where a significant part is carried out outside the Union for a period of 5 years which can be renewed without specifying how often this may be done (see also the Report from the Commission to the European Parliament and the Council on exemptions granted by Member States under Regulation (EC)1371/2007 on rail passengers' rights and obligations).

7a. How far do you agree/disagree with the following statements about the current exemptions for long distance national services [Article 2(4)]?

	Strongly disagree	Somewhat disagree	Neutral	Somewhat agree	Fully agree	No opinion /not sure
(Mandatory)They are necessary to safeguard certain services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory)They facilitate the operation of rail services for new entrants	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory)They lead to legal uncertainty for railway undertakings	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory)They lead to legal uncertainty for passengers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory)They should stay the same (i.e. max. until 2024)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory)They should be removed before 2024	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

(Optional) Please specify Other

(Optional) Comments

1500 character(s) maximum (1500 characters left)

7b. How far do you agree/disagree with the following statements about the current exemptions for services of which a significant part is operated outside the EU (Article 2 (6))?

	Strongly disagree	Somewhat disagree	Neutral	Somewhat agree	Fully agree	No opinion/not sure
(Mandatory) They are necessary to safeguard certain services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory) They facilitate operation of rail services for new entrants	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory) They lead to legal uncertainty for railway undertakings 2	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory) They lead to legal uncertainty for passengers 2	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory) They should stay the same	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory) They should be removed for the part carried out on EU territory	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory) They should be limited in time	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory) They should be limited in scope (e.g. the number of mandatory articles should be increased)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

(Optional) Please specify Other

(Optional) Comments

1500 character(s) maximum (1500 characters left)

(Mandatory) 8. Should exemptions for urban, suburban and regional services be modified (Article 2 (5))?

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<input type="radio"/>	Yes, they should be removed
<input type="radio"/>	Yes, they should be limited in time
<input type="radio"/>	Yes, they should be limited in scope (e.g. the number of mandatory articles should be increased)
<input type="radio"/>	Yes, they should be removed when cross-border services are concerned
<input type="radio"/>	No, the current system should be maintained
<input checked="" type="radio"/>	No opinion

(Optional) Comments

1500 character(s) maximum (1500 characters left)

(Optional) 9. What would be the main benefits in your view from phasing out and/or removing of exemptions? If possible, please include quantifiable examples.

1500 character(s) maximum (1500 characters left)

(Optional) 10. What would be the main negative impacts or costs in your view from phasing out and/or removing of exemptions? If possible, please include quantifiable examples.

1500 character(s) maximum (1500 characters left)

(Mandatory)

Do you think that a phasing out and/or removal of exemptions will increase the economic burden on railway undertakings?

<input type="radio"/>	Yes, significantly
<input type="radio"/>	Yes, to a limited extent
<input type="radio"/>	No

<input type="radio"/>	No opinion
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(Optional) If your reply is yes, please explain why you believe that the economic burden on railway undertakings would increase (significantly or to a limited extent)?

1500 character(s) maximum (1500 characters left)

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Possible problem 2: Enforcement by Member States

Member States are in charge of ensuring the correct application of the Regulation. The current Regulation leaves the definition of the precise roles and enforcement tasks of national enforcement bodies (NEBs) to the Member States and does not impose any rules and deadlines for complaint handling or on the nature of sanctions for infringements. While the Regulation requires NEBs to cooperate, it does not define provisions regarding cooperation on cross-border issues.

In addition, the evaluation report highlighted that missing rules for complaint handling by actors other than railway undertakings (e.g. station managers) also impede passengers' access to redress.

#### 11. Role and tasks of NEBs

	Strongly disagree	Somewhat disagree	Neutral	Somewhat agree	Fully agree	No opinion/not sure
(Mandatory)The role of the NEBs is clear	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory)The tasks of the NEBs should be harmonised in all Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory)The tasks and enforcement powers of the NEBs should be clearly spelled out in the Regulation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory)The role of the NEBs needs to be strengthened through new obligations (such as reporting, deadlines for complaint handling)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory)The Regulation should harmonise and specify the nature of sanctions for infringements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Other	2 <input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

(Optional) Please specify Other

▲

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▶

(Optional) Comments

1500 character(s) maximum (1500 characters left)

(Mandatory) 12. Should actors other than railway undertakings (e.g. station managers) also have a role in dealing with complaint handling?

<input type="radio"/>	Yes
<input type="radio"/>	No
<input checked="" type="radio"/>	No opinion

(Optional) If yes, which actors and which role?  
1500 character(s) maximum (1500 characters left)

Possible problem 3: Transport disruptions and mobility continuity  
In the event of major transport disruptions (e.g. massive, unannounced strikes, natural catastrophes, terrorist attacks etc.), Members States and transport industry responses vary or are inconsistent.

(Mandatory) 13. Do you think that passengers in all EU countries are sufficiently protected and assisted in case of major disruptions?

<input type="radio"/>	Yes, in my country
<input type="radio"/>	Yes, in some EU countries
<input type="radio"/>	Yes, in all EU countries
<input checked="" type="radio"/>	No, nowhere
<input type="radio"/>	No opinion

(Optional) Comments  
1500 character(s) maximum (1500 characters left)

Proposition de commentaire à reprendre dans la fenêtre correspondante du questionnaire :

Les problèmes d'assistance existent pour tous les voyageurs, mais ils sont amplifiés pour certains groupes de voyageurs (Personnes handicapées notamment), voire pour certains sous-groupes de celui-ci

Remarque : les réponses possibles ne donnent qu'une option pour « non » alors qu'elles en donnent 3 pour « oui ». Le questionnaire aurait dû être affiné.

(Mandatory) 14. Do you think that the economic burden for passenger assistance is appropriately shared between railway undertakings and other parties in case of major disruption?

<input type="radio"/>	Yes
<input type="radio"/>	No
<input checked="" type="radio"/>	No opinion

(Optional) If the reply is no, should the Regulation contain obligations for other parties to share responsibilities with railway undertakings for the provision of assistance in the event of major rail transport disruption?

<input type="radio"/>	Yes
<input type="radio"/>	No
<input type="radio"/>	No opinion

(Optional) If yes, which parties?

1500 character(s) maximum (1500 characters left)

(Mandatory) 15. Should the requirement for contingency planning(\*\*) for rail transport operators in case of major rail transport disruption be part of the framework of rail passenger rights?

(\*\*) Contingency planning means to have measures in place to preserve passengers' mobility in the event of a major transport

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disruption and to provide information and assistance to passengers (see also the Commission Staff Working Paper on the Continuity of passenger mobility following disruption of the transport system).

<input checked="" type="radio"/>	Yes, there should be obligations for contingency planning
<input type="radio"/>	Yes, the Commission should develop guidelines on contingency planning
<input type="radio"/>	Yes, the operators and other actors involved should agree on and coordinate contingency planning
<input type="radio"/>	No, a requirement for contingency planning should not be part of the framework
<input type="radio"/>	No opinion

(Optional) Comments

1500 character(s) maximum (1500 characters left)

(Optional) 16. In your opinion, what would be the main benefits of contingency planning? If possible, please provide quantifiable examples.

Proposition de commentaire à reprendre dans la fenêtre correspondante du questionnaire :

La standardisation des procédures d'urgence serait un avantage en termes d'efficacité, d'autant plus quand il s'agit de lignes transfrontalières. Les personnes handicapées en bénéficieraient d'autant plus qu'elles sont potentiellement en besoin d'assistance accru par rapport aux autres voyageurs.

1500 character(s) maximum (1500 characters left)

(Optional) 17. In your opinion, what would be the main negative impacts of contingency planning? If possible, please provide quantifiable examples.

1500 character(s) maximum (1500 characters left)

Possible problem 4: Delays caused by unforeseen & unavoidable events ("Force Majeure")

According to the European Court of Justice ruling in case C-509/11, railway undertakings cannot be exempted from having to pay compensation for delays caused by unforeseen and unavoidable events which they could not have prevented even if all reasonable measures had been taken ('Force Majeure'). This puts railway undertakings in a different situation from all other modes of transport (notably air, bus & coach and waterborne transport), where passenger rights legislation includes a clause according to which carriers do not have to compensate passengers in such situations.

(Mandatory) 18. Do you think that railway undertakings should have to pay compensation to passengers even in cases where delays were caused by events beyond the control of railway undertakings and which they were not able to prevent?

<input type="radio"/>	Yes, in the event of long delays (>60 minutes) railway undertakings should always have to pay compensation to passengers irrespective of the cause of the delay.
<input type="radio"/>	Yes. If the cause of the delay was beyond the control of the railway undertaking and could not be prevented, railway undertakings should only pay compensation in the event of very long delays ( e.g. >180 minutes).
<input type="radio"/>	No, railway undertakings should not have to pay compensation in cases where delays were caused by events beyond their control and which they were not able to prevent.
<input checked="" type="radio"/>	No opinion

(Optional) 19. In your view, what would be the main benefits if railway undertakings were exempted from having to pay compensation in cases where delays were caused by events beyond the control of railway undertakings and which they were not able to prevent? If possible, please provide quantifiable examples.

1500 character(s) maximum (1500 characters left)

(Optional) 20. In your view, what would be the main negative impacts or costs if railway undertakings were exempted from having to pay compensation in cases where delays were caused by events beyond their control and which they were not able to prevent? If possible, please provide quantifiable examples.

1500 character(s) maximum (1500 characters left)

Possible problem 5: Assistance to persons with disabilities or with reduced mobility

The Regulation provides for non-discriminatory access conditions for passengers with disabilities or with reduced mobility (PRM). It imposes certain obligations on railway undertakings and station managers in order to allow PRM passengers to use rail services under comparable conditions as other passengers. However, from various sources, including passenger complaints, it appears that notably the assistance provided to passengers at stations and to embark and disembark trains still leaves room for improvement. Moreover, the Regulation is not fully aligned with the revised technical specifications for interoperability for PRM (PRM TSI) and the UN Convention on the rights of persons with disabilities (UNCRPD) that specify certain new obligations eg. regarding accessibility of stations and rolling stock, and the provision of disability awareness and assistance training.

22. How do you assess the following services offered to persons with disabilities or with reduced mobility when travelling?

	Very bad	Bad	Neither good or bad	Good	Very good	No opinion
(Mandatory)The general information about the accessibility of rail services and on the access conditions of rolling stock	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(Mandatory)Accessibility of travel information to be provided before and during the journey (including its provision in alternative formats)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(Mandatory)Accessibility of stations, platforms, rolling stock and other facilities	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(Mandatory)Assistance provided at stations, during boarding, disembarking and on-board	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(Mandatory)Financial compensation in case of loss or damage to mobility equipment	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please specify Other

(Optional)

Toutes les informations ne sont pas diffusées dans les différents formats nécessaires pour atteindre effectivement tous les voyageurs. L'accessibilité laisse à désirer, particulièrement pour ce qui est de l'accès aux quais. La hauteur variable des quais est la cause de beaucoup de problèmes qui empêchent les personnes handicapées de voyager en train de manière autonome.

Pire, les nouvelles voitures qui seront livrées prochainement en Belgique, nécessiteront une nouvelle hauteur de quai !!!

(Mandatory)

23. Does the assistance provided to persons with disabilities or with reduced mobility at stations, including to embark and disembark, need to be reinforced?

<input checked="" type="radio"/>	Yes, strongly
<input type="radio"/>	Yes, to a limited extent
<input type="radio"/>	No
<input type="radio"/>	No opinion

(Optional) Comments

1500 character(s) maximum (1500 characters left)

(Mandatory)

Proposition de commentaire à reprendre dans la fenêtre correspondante du questionnaire :  
Les processus d'embarquement doivent être plus accessibles, de manière à permettre aux personnes handicapées d'embarquer en autonomie : quais permettant l'accès de plain-pied au matériel roulant, par exemple  
Cela diminuerait le nombre de cas où une assistance est nécessaire et permettrait de proposer un service de meilleure qualité aux personnes qui ont toujours besoin d'assistance

24. Is there a need to enshrine provisions for minimum



compulsory awareness and assistance training for staff in the legal framework?

<input checked="" type="radio"/>	Yes
<input type="radio"/>	No
<input type="radio"/>	Do not know

(Optional) Please explain why  
1500 character(s) maximum (1500 characters left)



Proposition de commentaire à reprendre dans la fenêtre correspondante du questionnaire :

Il est apparu que sans dispositions contraignantes, les sociétés de transport ferroviaire ne rencontrent pas les besoins minimum en termes de formation de leur personnel

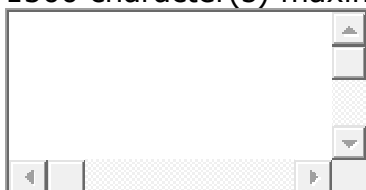
(Optional) 25. What would be the main benefits of staff training? If possible, please provide quantifiable examples.  
1500 character(s) maximum (1500 characters left)



Proposition de commentaire à reprendre dans la fenêtre correspondante du questionnaire :

Une formation adéquate du personnel amènerait une diminution des malentendus. C'est particulièrement important pour les situations qui peuvent déboucher sur des problèmes de sécurité

(Optional) 26. What would be the main additional negative impacts or costs for staff training? If possible, please provide quantifiable examples.  
1500 character(s) maximum (1500 characters left)



(Optional) 27. Which other measures should be taken to facilitate rail travel for persons with disabilities or with reduced mobility so that they would increasingly use rail transport? If possible, please provide quantifiable examples.

1500 character(s) maximum (1500 characters left)

Actuellement, l'objectif déclaré de favoriser l'accès indépendant au voyage ferroviaire est loin d'être atteint. En ce, les attentes de l'UNCRPD ne sont pas rencontrées.

Le plus gros problème reste l'obligation de pré-notification. Le règlement prévoit une prénotification de 48 heures ce qui n'est absolument pas raisonnable : ne pas pouvoir décider du moment auquel on utilise le train est en contradiction avec la notion d'accès indépendant. Une personne qui n'est pas handicapée ne doit pas planifier ses déplacements 48 heures à l'avance. Pourquoi une personne handicapée devrait-elle le faire ?

En Belgique, ce délai a été fixé à 24 heures et ramené à 3 heures pour les usagers de ... 13 gares. Le problème est que s'il voyage entre une de ces 13 gares et une autre gare qui ne fait pas partie de ces 13, le passager retombe sous la logique de 24 heures et doit donc prénotifier.

Les solutions partielles en la matière ne sont pas de réelles solutions. La seule solution réaliste est que les opérateurs ferroviaires soient tenus de garantir l'accès en autonomie à leur matériel roulant ainsi que l'accessibilité jusqu'aux autres moyens de transports, dans une logique d'intermodalité.

Au niveau de l'assistance, celle-ci doit être accessible pendant l'ensemble des heures d'activité du réseau ferroviaire. Il est inadmissible que la plage horaire soit limitée, par exemple, de 9:00 à 17:00. Si tel est le cas, cela signifie qu'une personne qui a besoin d'assistance pour se déplacer se voit limitée dans l'exercice de son droit au travail, par exemple.

Enfin, il est essentiel d'ajouter au règlement des dispositions en matière d'accès à l'information. Ces informations doivent couvrir les horaires, les travaux en cours ou en prévision sur le réseau, les incidents et les interruptions. Ces informations doivent être diffusées dans les différents formats utiles de manière à ce que chaque voyageur puisse en avoir connaissance.

#### Possible problem 6: Definitions and other issues

In spite of the interpretative guidelines on the Regulation adopted in July 2015 some rules (e.g. related to railway undertakings' liability in case of accidents) and certain definitions (e.g. "carrier") remain unclear.

In addition, there could be potential conflicts between the Regulation and the internationally applicable Convention on International Carriage by Rail (Uniform Rules CIV of COTIF) reproduced partly in Annex I to the Regulation, which focuses on the contractual relationship between railway undertakings and passengers. The link between the CIV rules in Annex I and the provisions of the

Regulation is not always clear. Moreover, amendments of the Uniform Rules CIV could not automatically be reflected in the Regulation and its annex.

28. Do you consider that certain terms or rules in the Regulation are unclear / missing / or obsolete in the Regulation which might cause problems to the stakeholders involved?

	Yes, this is unclear	Yes, this is (partly) missing	Yes, this is (partly) obsolete	No	No opinion
(Mandatory)Notion of "carrier" (including in an intermodal context)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory)Notion of "missed connection" (including in an intermodal context)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory)Concept of "through tickets" (notably in the context of assistance and compensation in the event of delays and missed connections)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory)Rules on railway undertakings' liability for passengers and luggage in case of accidents	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

(Optional) Please specify Other

(Optional) Comments

1500 character(s) maximum (1500 characters left)

(Mandatory)

29. Should the general framework for rail passenger rights prohibit direct or indirect discrimination on grounds of nationality in addition to Article 18 of the TFEU, notably as regards contract conditions and tariffs (without prejudice to social tariffs)?

<input type="radio"/>	Yes
<input type="radio"/>	No
<input checked="" type="radio"/>	No opinion

(Optional) Comments

1500 character(s) maximum (1500 characters left)

(Mandatory) 30. In your opinion, what would be the best way to deal with inconsistencies between the Regulation and the uniform rules CIV in its Annex I?

<input type="radio"/>	Separate the body of the Regulation from the Uniform Rules (UR) CIV in its Annex I
<input type="radio"/>	Keep the body of the Regulation and the UR CIV together in a single piece of legislation and include a clause/article allowing amendment or updates
<input type="radio"/>	No change is necessary
<input type="radio"/>	Other
<input checked="" type="radio"/>	No opinion

(Optional) Please specify Other

(Optional) Comments

1500 character(s) maximum (1500 characters left)

(Optional) 31. The 2012 evaluation report on the application of Regulation (EC) N°1371/2007 identified a number of issues with its application in Member States who are in charge of monitoring and enforcing the Regulation. The issues relate, among others, to the adequacy and use of sanctions, NEBs' enforcement activities, the performance of inspections or cross-border cooperation. How could Member States ensure a better application of Regulation (EC) N° 1371/2007?

1500 character(s) maximum (1500 characters left)

32. In any policy initiative, the Commission must consider whether the level of EU intervention is appropriate, i.e. whether certain policy measures should be dealt with at EU level or at the Member State level.

a) In your view, is national level the most appropriate to address the following issues?				
	Voluntary agreements	New national legislation	Other	No opinion
(Mandatory)Information provided to passengers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory)Liability of railway undertakings in the event of accidents and their obligations towards passengers and their luggage	<input type="radio"/>		<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory)Obligations of railway undertakings to passengers in the event of delays, cancellation or missed connections (information, assistance, compensation)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory)Liability of railway undertakings to compensate passengers for delays caused by unforeseen and unavoidable events (force majeure)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory)Accessibility and assistance for disabled passengers and passengers with reduced mobility	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory)Enforcement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory)Complaint handling	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

(Optional) Comments

1500 character(s) maximum (1500 characters left)

b) In your view, is EU level the most appropriate to address the following issues?

	Voluntary agreements	New legislation	Revision of Regulation 1371/2007	Other	No opinion
(Mandatory)Information provided to passengers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory)Liability of railway undertakings in the event of accidents and their obligations towards	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

passengers and their luggage					
(Mandatory)Obligations of railway undertakings to passengers in the event of delays, cancellation or missed connections (information, assistance, compensation)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory)Liability of railway undertakings to compensate passengers for delays caused by unforeseen and unavoidable events (force majeure)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory)Accessibility and assistance for disabled passengers and passengers with reduced mobility	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory)Enforcement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
(Mandatory)Complaint handling	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

(Optional) Comments

1500 character(s) maximum (1500 characters left)

### PART III. OTHER QUESTIONS

(Optional) 33. Are there any other issues with the operation of the current Regulation to which you would like to draw our attention, or which you consider should be changed? Please give details.

3000 character(s) maximum (3000 characters left)

Proposition de commentaire à reprendre dans la fenêtre correspondante du questionnaire :

Même si la mise en œuvre du règlement semble être un succès, il apparaît que les passagers en ont une connaissance limitée. Il serait nécessaire d'informer les passagers sur leur droits, dans l'ensemble des formats accessibles nécessaires pour rencontrer les différentes situations de handicap.

Dans le même ordre d'idée, il faut que les procédures de plaintes pour les passagers soient faciles à utiliser et accessibles aux personnes handicapées.

(Optional) 34. Please provide references to any studies or documents that you think are relevant for this consultation, with links for online download where possible.

1500 character(s) maximum (1500 characters left)

(Optional) 35. Please provide information on any successful initiatives at regional, national or international level related to rail that could support the Commission in the impact assessment exercise.

1500 character(s) maximum (1500 characters left)

(Optional) 36. Please upload any additional documents (e.g. position papers) to support your contribution to the consultation.

Drop files here to upload

Select file to upload

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