

Passenger comments on the Transport Commission's draft report on the passengers' rights regulation

Amendment 4: The proposed amendment will not improve the current situation in which it becomes increasingly harder to get through tickets (or even connecting tickets) to a specific destination, although this should be relatively easy to implement with the present technological possibilities. When it is not specified that connecting tickets count as one through ticket, this could also have an impact on the right for assistance and compensation in case of delay.

Amendment 15: a 48 hours notice in advance is much too short for not regarding announced timetable changes as delays. Further, there is still missing a paragraph on how and where the changes have to be published. This will mean that a RU can put up a note at the directly affected railway stations 2 days in advance, where the passengers will then be unpleasantly surprised (this is already practised today). Passenger should have the right to cancel their booked journey when timetables change in such a way that they can no longer reach their destination in time.

Amendment 21: the proposed amendment will not change the current situation in which it becomes more and more difficult to find reliable information about timetables, fares, conditions and on-train services. It will not stimulate the railways to publish their engineering works timetables.

Amendment 22: considering the present technological possibilities, it should not be a problem for RU's to provide the passenger with this information. Continuing the current practice would imply that passengers have to contact each separate RU in order to be sure that all services are guaranteed.

Amendment 27: the draft report seems to assume that every RU should maintain its own reservation system. This isn't the case today. Railways should cooperate to implement a joint system.

Amendment 28: the draft report states that "railway undertakings in many cases already offer zone tickets". We acknowledge that tickets from or to zones do exist in some cases, but they are mostly very limited. Failure to implement this will mean that the current situation, in which several RU's don't want to sell tickets to other destinations, will continue to exist. In practice, the possibilities have become more limited every year.

Amendment 41: This amendment seems unacceptable and impracticable. Firstly, if a delay is caused by a third party, the RU can claim any damages from that third party. Several RU's (maybe even most?) already do this. Secondly, if it is unclear who or what caused a delay, RU's could be reluctant to give assistance to passengers. This is a step back from the current CIV (1980 version), under which RU's always have to re-route or re-book the passenger in case of a missed connection, no matter what the cause of the delay is. Some RU's are already reluctant to give assistance under the current CIV and this will certainly not improve if this amendment would be accepted. Assistance to passengers should always be given (re-route, re-book, hotel or taxi if necessary), claims and compensations could be made dependable on who caused the delay.

Amendment 45: 25% compensation for delays between 60 and 119 minutes is not much. This would mean that the majority of the delayed passengers are not entitled to any compensation, especially if there is a minimum threshold.

Amendment 46: This amendment is fully supported by EPF.

Amendment 47: We disagree with the proposition that "Requiring written agreement for compensation in vouchers is not practicable." Assuming some kind of form is needed to apply for compensation, it should not be a problem to add a checkbox in which passengers can indicate if they will accept vouchers. If vouchers are to be used, all railways should accept each other's vouchers or else many passengers will end up with vouchers that are worthless to them.

Amendment 71: In the justification, a reference is made to directive 2001/14, Annex III. This Annex is the schedule for the allocation process of timetables, but it does not mention anything a railway should do to inform the public about plans to discontinue services. If this amendment is included, the current practice of some RU's to keep everything secret until the timetables are published, will not change. Especially since no amendment on passenger consultation has been included, retaining article 37 of the directive is the least we as passengers expect.

About the explanatory statement:

It says in the first paragraph: "The Commission notes that the market share of international rail services has declined, particularly because of competition from budget airlines." This may be true on some lines, but certainly not for all. Another major cause is that the railways neglect international services for passengers on medium distances by favouring high speed trains that only serve the largest stations. The main competitor in this segment is not the airplane, but the private car. Examples can be found at the Belgian-French, the Belgian-German and the Dutch-German border and no doubt in many other regions.

Our conclusion about the amendments is that most of the steps forward, which were proposed by the European Commission, have been omitted and that the resulting regulation will not make rail travel significantly better or easier. The main complaints from passengers - problems with getting the desired tickets and information - are hardly addressed. This proposal will not help international rail travel, as the passengers will continue to walk away, except for a few main corridors.