

**Opening national and international markets for coach services:
The European Commission is preparing a revision of regulation 1073/2009 to liberalise and
harmonise the long distance coach market in the European Union**

EPF's position paper, accepted 13.01.2019

Regulation 1073/2009 opened the long distance coach market with a cabotage possibility inside Member States only if the service is part of an international line. The European Commission's proposal is to create a single market for coaches inside the EU as it is being implemented for air and rail transport. Focus points of the future legislation are: fair access to domestic coach markets inside the EU, protection of existing public service contracts, minimal length of liberalised coach lines or access to coach stations. Some Member States having already liberalised their coach sector, the Commission's proposal is to harmonise the legislation on the European level.

The Commission proposes:

- to simplify the **authorization** procedure for new lines stopping in two or more countries,
- to harmonise rules for **access to national markets** for coach long distance services,
- to guarantee a level playing field and to ensure a non-discriminatory **access to coach stations**
- and to establish where it does not exist a **national regulatory body** for coach market with two main missions: a/ to assess if a new commercial service could endanger the economic equilibrium of an existing public service contract to prevent them from head-on competition and "cherry picking" and b/ to supervise access to and operations of terminals and intermodal hubs.

European Passengers' Federation considers that in general, opening competition and liberalization of passenger transport services can result in positive effects on quality and quantity of services delivered to passengers:

- Market liberalization **increases mobility**, as shown for example by France or Germany where about 18% of coach passengers would not have traveled without the new offer allowed by the domestic legislation;
- Coach market liberalization, as in rail services, is good for **sustainable mobility** as in the same countries, more than 30% of coach passengers are coming from the private car (as driver, passenger or car-pooler), which means a positive modal shift towards collective transport and reduction of greenhouse gas emissions.

However, The European Passengers' Federation considers that a special attention has to be paid to the passenger's interest with particularly three points of concern:

- According to the business model adopted by operating companies, i.e. services subcontracted to small or middle-sized coach companies, **quality delivered** may considerably differ between operators or even between drivers of a same company. Subcontracted companies can have very contrasted approaches towards service quality and its implementation, despite what is being done in terms of training and standards developed by mother companies. Passengers wishes are: a clear and on time information on services and stations served, reliable

timetables, properly trained drivers to service quality and safety, respect of domestic and European social regulations on driving times.

- **Coach station** is a sensitive issue, where the worst or the best can be proposed as far as passenger handling and proposed basic services are concerned. Without being too prescriptive, it is highly desirable that, above a certain amount of daily passengers, specific and precise requirements should be guaranteed to ensure a comfortable experience of the station by users: staff presence, real time information, waiting room, toilets, left luggage and other facilities. **Security** is becoming a priority and important or international coach stations need appropriate staff to prevent terrorism, thefts and other dangerous activities. **The responsibility** of the coach station or of the intermodal hub should be explicitly given to a unique body to ensure a smooth coordination of all operating companies and to manage problems occurring in case of service disruptions or other events affecting arriving and departing passengers.
- **“Connected mobility”** in on the agenda: it would be unconceivable that coach services, both international and domestic, remain isolated from other means of transportation, whether public (rail, bus, maritime ...) or private (taxi, car-sharing ...), at least in terms of coordinated information. Together with the coach station, an **integrated information system** is a “hub” which is essential to an optimal and efficient use of mobility services by customers.
- **Claim management:** passengers should be clearly and visibly informed to whom and how they should address in case of disruptions, delays, cancellations, etc. in stations, on travel documents and on board of vehicles.
- **Cancellation notice:** uncertainty of travelling may result of sudden service cancellation or substantial modification. A three week notice with appropriate information given by the operator should be compulsory before any service change so that people can consider alternative travel solutions in a reasonable period of time.

EPF is satisfied with the provision of the necessary assessment of **liberalised coach services of less than 100 km** to ensure they are not endangering the economic equilibrium of an existing public service contract. This assessment should be done by an independent and well-staffed regulatory authority to ensure transparent and neutral decision. Member States will have the possibility of reducing the authorized minimal length below 100 km, but not to increase it.

Social aspects should not be forgotten. Specific training for coach drivers regarding customer care should be the rule. As far as **safety** is concerned, respect of driving times and working conditions are a prerequisite and their enforcement has to be safeguarded. Especially **posting of drivers** should not lead to social dumping and existing EU and national social regulations applicable in Member States should be respected and enforced for both national and international lines.

Finally, the poor level of **coach passengers' rights** (Regulation 181/2011) should be reconsidered in parallel to Regulation 1073/2009 to allow increased protection and customer handling in case of delays or disruptions. They are currently applicable only for journeys above 250 km and only delays at departure are taken into account for compensation.

Last but not least, coach liberalization should not be used as an excuse to close rail services or lines. Mutual development and **complementarity of both modes** is desirable and should be targeted, as they are targeting different types of customers or different kinds of journeys.

MQ. 2/01/2019