



Bus and Coach Passenger Rights

EPF recommendations – August 2024

Bus and Coach Passenger Rights ([Regulation \(EU\) 181/2011](#)) continue to emerge as a vital issue, drawing the attention of EPF. In an effort to drive the discussion forward, EPF has contributed its insights to the on-going Fact-finding study, commissioned by DG MOVE. Our recommendations aim to identify legal gaps and to shed light on areas where improvement is necessary, with the aim of fair treatment, enhanced accessibility, and a smoother dispute resolution for bus and coach passengers.

To begin with, EPF advocates for **reducing the existing 250km threshold** outlined by Regulation (EU) No 181/2011, noting the current exclusion of numerous intercity connections. EPF proposes transitioning to passenger-centric thresholds instead of vehicle-centric ones, endorsing a lowered threshold of 50km (in different European countries, this is the maximum distance allowed to qualify as PSO services).

The Regulation should provide compensation for **damage to or loss of luggage** also for reasons other than accidents, in case the carrier or terminal has been negligent / is at fault (as is the case in other Passenger Rights Regulations). It is recommended that when passengers hand their luggage to the carrier, they receive a receipt, to present on arrival to get their luggage back (cf. CIV rules as referred to in the Rail Passenger Rights' Regulation). Any damage to mobility equipment should be compensated asap (the Regulation currently doesn't foresee any time limits).

Assistance for **PRM (Persons with Reduced Mobility)** should be provided at all terminals, starting with those terminals of a certain size (criteria to be defined). Accessibility of vehicles also needs to be addressed, whereby the UK PSVAR (Public Service Vehicles Accessibility Regulations) could serve as inspiration. Furthermore, we recommend (annual refreshment of) staff training on assisting PRM and people with a disability.

The right to **re-routing, reimbursement and assistance** should apply for delays starting at 60 minutes. EPF's forward-looking recommendations advocate for flexibility and suggest that rerouting should, where needed, encompass other carriers and alternative modes of transportation. In addition, passengers should have the agency to independently re-route if the carrier does not offer suitable alternatives within a predefined timeframe.

EPF reiterates the importance of **compensation for delays upon arrival**, similar to other modes of transportation. EPF suggests that passengers should be entitled to a compensation amounting to 25% of the ticket price after one hour of delay, and 50% compensation after two hours, with payments to be made within 7 days. Traffic conditions are normally not unforeseeable and operators should take this into account in their timetables. Hence, delays due to heavy traffic should not count as an 'extraordinary circumstance' exempting carriers from their obligations.

Moreover, EPF recognises the hurdles to submitting **complaints**, such as lack of awareness on passenger rights, complex procedures, difficulties in providing supporting evidence, not being confident of the outcome, amongst others. To improve the situation, EPF recommends simplifying procedures, increasing passenger awareness of their rights, and providing information in accessible formats. In the future, automatic compensation should be the goal, as is currently already applied in some parts of Europe for rail journeys.

In relation to the role of alternative dispute resolution (**ADR** **bodies**), EPF suggests that carriers bear the cost of participating (which should be mandatory), while passengers should be able to participate for free or at a nominal reimbursable fee. ADRs should be accessible in multiple languages. EPF also proposes that ADR bodies' decisions should be public (ensuring transparency and stimulating operators to provide better service) and binding.

Finally, **alignment** of bus & coach passenger rights with passenger rights in other modes (notably as reflected in the revised Rail Passenger Rights' Regulation that recently entered into force), is called for (e.g., regarding minimum service quality standards, information provision, personal security guarantees: aspects currently not covered by Regulation 181/2011), while also considering the relevance of the Package Travel Directive (transposed into national law) for some long-distance bus trips (notably on issues related to insolvency protection and self-cancellation) and the need for a broader framework on multimodal passenger rights (see EPF's position [here](#)).