



# REMAINING CHALLENGES FOR EU-WIDE INTEGRATED TICKETING AND PAYMENT SYSTEMS

*Annex III.j*

*Country Report - Germany*

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Written by Simona Frazzani, Igor Taranic, Martin Jensen, Alessandro Zamboni, Kletia Noti, Martina Piantoni.

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*Contact:* Isabelle Vandoorne

*E-mail:* Isabelle.VANDOORNE@ec.europa.eu

*European Commission  
B-1049 Brussels*

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## Country reports

### GERMANY

#### Legislative framework

<p><b>General description of legal framework:</b></p> <p><b>Legislation in place and legislative initiatives mandating access to fare data and integrated ticketing schemes / Non legislative initiatives</b></p>	<p>Central to the German transport system is the zoning which is the foundation upon which ticket charges are based. The whole system is integrated, meaning that each transit company operates within an alliance (Verkehrsverbund). They must each offer and accept the same types of tickets across the network. Pricing and ticket types are determined by the alliance. Each area of Germany is represented by a Verkehrsverbund. Within each of these integrated public transit alliances, buses, trams and trains all operate seamlessly within the network, working under the same tariff rules, governed by the alliance.</p> <p>For many years now, interoperability has become crucial for German e-ticketing. Already in 2003, the Association of German Transport Companies (VDV: Verband Deutscher Verkehrsunternehmen), together with partners from industry and transport operators, took action to create a nationwide, standardised electronic fare management system, and kicked off the VDV Core Application. The App, operated by the company VDV eTicket Service, was developed in order to enable the transport operators and transport authorities to use one common standard which meets all specific requirements. It was meant to be an open data and interface standard for electronic ticketing and electronic fare management in German public transport. Standard has been introduced initially on smartcards, use of mobiles and media is also possible.</p> <p>From a legal point of view, there are no specific rules on fare data access or data format domestic regulatory requirements.</p> <p>As to rules requiring transport operators operating domestic passenger services to participate in common information and integrated ticketing schemes, § 12 of the General Railway Act ("Allgemeines Eisenbahngesetz [AEG]") lays down the obligation to participate according to tariffs schemes.</p> <p>In particular § 12 (1) of this act states: (1) Tariffs are transport charges and conditions of carriage of the railway undertakings. The conditions of carriage also include the fares. The railway companies are committed to work together to ensure that</p> <ol style="list-style-type: none"> <li>1. for the carriage of passengers and goods, referring to several adjoining railways of public transport, a direct handling is set up,</li> <li>2. direct fares are set up in passenger transport.</li> </ol> <p>§ 12 (7) of the General Railway Act reads: Section 1 of the Act against Restraints on Competition shall not apply to agreements between railway undertakings and railway undertakings and agreements between railway</p>
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	<p>undertakings and other undertakings which deal with the carriage of passengers, nor to resolutions and recommendations of associations of such undertakings, insofar as they are made in the interest of sufficient public service by means of local public passenger transport services and economic traffic management and serve to integrate local public transport services, in particular by means of transport cooperations, by means of the coordination and interconnection of transport charges and by means of the coordination of timetables. In order to be effective, they must be registered with the licensing authority. For associations of companies which conclude agreements, resolutions and recommendations within the meaning of sentence 1, § 19 paragraph 1 in conjunction with paragraph 2 number 1 of the German Competition Act shall apply mutatis mutandis against restrictions of competition. Decrees of the cartel authority to the effect that such agreements, Decisions or recommendations shall be taken in agreement with the competent licensing authority.</p> <p>As a consequence, only co-operation between regional operators and between them and other operators is liberated from the anti-trust demands laid down in § 1 of the Act against Restraints of Competition. The co-operation between long distance operators, however, does not enjoy this privilege as § 12 (1) of the General Railway Act lacks this reference.</p> <p>So in Germany there is cooperation on fares among the regional train operators and between them and the DB Fernverkehr AG operating long distance train. The co-operation between regional operators is organised through the “association to Federal and non-federal railways in Germany” (“Tarifverband der Bundeseigenen und Nichtbundeseigenen Eisenbahnen in Deutschland [TBNE]”). The TBNE comprises the federal railways and almost all of the non-federal railways. As tickets for DB Fernverkehr’s long distance trains are more expensive than tickets for regional trains, these long distance train tickets are accepted on all regional trains (so-called “downwards ticket compatibility”).</p> <p>Non-legislative initiatives concerning integrated ticketing:</p> <p>An example of non-legislative initiative is the TBNE, which goes beyond the demands set up in the General Railway Act. In fact, while § 12 (1) of the act only demands co-operation of adjoining railways, the TBNE also deals with through ticketing of railways operating parallel on the same lines (“on track competition”). There are also eTicket Deutschland-contractual framework (signed by about 420 Transport Companies); DELFI: national timetable information; Prospective: National Access Point (del. VO Nr. 2017/1926).</p>
<b>Status of legislation</b>	In force.
<b>Transport mode concerned by legislative/non-legislative initiatives</b>	There is integration between trains, buses and trams, but this is achieved mainly through agreements, not specific legislation.
<b>Level of integration (local or cross-border)</b>	Local.

<b>Main challenges and barriers setting up and implementing relevant legislation (according to stakeholders interviewed)</b>	N/A
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