

European Commission staff working paper on “Passenger Rights in International Coach and Bus Services” - Position of the UITP European Union Committee -

11 October 2005

General remarks

The UITP European Union Committee represents public transport undertakings offering rail, road or waterborne urban and regional transport services. These include cross-border local and regional rail and/or bus services operated by some of our members. UITP EU Committee welcomes all initiatives of the European Commission to make public transport more attractive and would like to offer to bring in the sector's experiences in the discussions on passenger rights in public transport.

The UITP European Union Committee therefore has taken good notice of the consultation on the Commission's working paper on “Passenger Rights in international Coach and Bus Services”.

Comments to a possible regulation of passenger rights in international bus and coach services

1. Distinction of different types of transport services

The UITP European Union Committee would like to point out that the consultation paper referring to “international bus and coach services” mixes up completely different transport services which should be clearly distinguished:

- a. **international long distance coach services** which could be compared with flights and long distance train services (e.g. Eurolines Brussels – London):
 - operated purely on commercial basis,
 - exclusively operated by coaches (only seated places),
 - places normally booked in advance via travel agencies or internet,
 - few stops normally only at major bus stations in cities,
 - many passengers travel with luggage;

Representing only undertakings offering local and regional public transport services UITP EU Committee is unable to give comments on the needs for actions on EU level for such services.

- b. **local and regional cross border bus services** having the same characteristics than other local and regional public transport services that do not cross a border:
- services running over short distances (line length max. 50 km) and/or fulfilling public service obligations,
 - no “booking in advance” for a guaranteed seat and a single trip,
 - often integrated local tariffs and timetables (also with rail and waterborne short-distance services), many stops
 - often operated with buses (seated and standing places), sometimes coaches,
 - many commuters and passengers with periodic tickets (weekly, monthly, annually),
 - normally travel without luggage, etc.

The expectations of customers on those services are not at all the same than on long distance commercial coach services.

Thus, if the Commission decides to proceed with a proposal for international long distance coach services, it should exclude local and regional bus services – crossing a border or not - for the reasons mentioned above.

Inappropriate regulations targeting at commercially operated international long distance coach services could be a danger for the economic equilibrium of local and regional cross border bus services (e.g. the need to equip every single bus stop “in the countryside” with information facilities to announce delays). They could result in decisions of undertakings and/or authorities to abandon those services – a counterproductive development which is neither in the interest of customers nor in the one of the local and regional public transport sector.

2. Efforts of the sector to improve passenger rights and customer orientation

The UITP European Union Committee would like to inform the European Commission that against the background of continuous scarcity of public funds for public transport our members – public and private undertakings together with responsible authorities - have undertaken within the last ten years considerable efforts to increase their efficiency by two ways:

- a) **Decrease of costs** through new processes and optimization of production, new maintenance strategies, reduction of energy consumption, co-operations, etc.
- b) **Increase of revenues** through winning new passengers thanks to better passenger information, increased marketing activities, better comfort of vehicles and stations including improved accessibility, more service-orientation of staff, active complaint management, additional services, etc.

Due to these efforts local and regional public transport has achieved a high quality in many Member States. Public transport undertakings are well aware that only a clearly customer-oriented strategy guarantees a solid economic basis – particularly in an environment where public funds for public transport are more often decreasing than increasing. Today, UITP and its members stand for customer-orientation!

The UITP EU Committee therefore would like to point out that all our contributions to the discussions about passenger rights are driven by the philosophy to achieve the greatest benefit for **all** our customers. From our point of view all actions that might be discussed should follow this principle. This requires a balanced system of responsibilities for undertakings. It also requires that the rights of customers with special needs, or of anyone when things go wrong, should be proportionate, and not involve excessive compensation that becomes a burden on other customers.

Taking into account the considerable improvement of quality of public transport – mainly performed voluntarily by the different actors (undertakings and responsible authorities) UITP EU Committee does not see the necessity to regulate passenger rights in local and regional public transport on a European level.

This includes cross-border local and regional public transport services (on road, rail or waterborne) which normally do not differ in character from those services which do not cross a border.

The UITP EU Committee recommends voluntary solutions agreed by undertakings and responsible authorities on local and regional level according to the subsidiarity principle. Concerning accessibility, passenger information or compensation schemes for delays, those voluntary arrangements (e.g. passenger charters, ombudsmen, etc.) exist in many cities and regions and have shown to be very effective to increase the quality of public transport and enhance customer-orientation.

Further regulation of passenger rights on European and national level in legal texts bares the risk of overregulation. Every activity in this direction has to be questioned with the costs for undertakings/authorities – taking into account that those might have to be forwarded to the customers or might lead to a cut of services - against the **real benefit for all customers**. Alternative options such as voluntary agreements to make public transport more attractive must be fully considered.

The European Commission could help to improve quality of public transport and reduce reasons for customer complaints by urging Member States to promote public transport e.g. prioritization of public transport and investments in infrastructure like separate right-of-way for buses and trams, operation control centres and computer-based vehicle control systems.

Of course the UITP EU Committee is open for discussions and offers to bring in the sectors' experience to improve the attractiveness of public transport.