



## the european forum on intermodal passenger travel

### Contribution to the European Commission's Consultation "Future for Transport" COM(2009) 279/4



Status: 30 September 2009

Document type	Working document
Dissemination level	Public
Work Package	considering findings of different work packages
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Project Start, Duration	01/04/2007, 36 months

The LINK project is funded by the European Commission, Directorate-General Energy and Transport (DG TREN)  
within the 6<sup>th</sup> Framework Programme

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## 1 Introduction

The LINK project is a European Forum on Intermodal Passenger Travel pursuing to enhance the combined use of different transport modes in one single journey, with focus on long distance and cross-border travelling. The project - launched in April 2007 - is funded by the European Commission (DG Energy and Transport) within the 6<sup>th</sup> Framework Programme. It will last 3 years but the intention is to sustain this platform after that time.

The working groups are at the core of the LINK project. They are developing the basis for the elaboration of strategic recommendations in the thematic areas of the 5 working groups and bring together a wide range of stakeholders and experts from all over Europe for exchange and discussion.

The recommendations developed so far in LINK<sup>1</sup> serve as basis for this contribution to the consultation on the European Commission's Communication "A sustainable future for transport: Towards an integrated, technology-led and user friendly system" COM(2009) 279/4. The contribution does not reflect the view of the consortium as a whole nor that of the experts or other third parties involved by LINK.

## 2 Contribution to specific statements in EC's COM(2009) 279/4

The Communication analyses the transport policy in the first decade of the 21<sup>st</sup> century (chapter 2), identifies trends and challenges (Chapter 3), general policy objectives (Chapter 4) and broad policy instruments (Chapter 5) for transport. The contribution is structured by these chapters and the according marginal number.

### 2.1 Chapter 2

ad 8

Market opening is for most modes still a new condition. Further investigation still need to be done in order to give evidence to the efficiency claimed to be higher and – more difficult in terms of methodology – to prove lower costs. Here not only the costs for transport services have to be considered, but also the indirect costs (e.g. overhead/ transaction costs for management structures and procedures of tendering etc.).<sup>2</sup> Analysing different periods and levels of development (awarding by competition) should be taken into account.

From side of the LINK project it can be said that the different situation for running / offering transport services are a crucial factor for a higher share of intermodal transport. In particular taxation has to be mentioned. In some market segments in some countries legislation is more in favour of one mode resp. the operators of one certain mode than of others (e.g. licensing of in Germany coach services is dealt with very reluctant by the according authorities due to the protection of the economic basis of rail services).

ad 13

It is right that Quality services for transport users have been promoted by strengthening passenger rights. Nevertheless the current situation offers option to develop the situation much further and to make travel chains much more attractive. Travel chains require more attention as longer or long distance trips are often done in an unfamiliar context (at least more often than short trips, which are done often more regularly, e.g. for commuting). Thus intermodal long distance services, which also quite often cross national borders, could be fostered by improved passenger rights in terms of intermodal rights. This would create more confidence, particularly if supported by door-to-door

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<sup>1</sup> Working document (full lenght) available on:

[http://www.linkforum.eu/docs/214/LINK\\_recommendations\\_-\\_working\\_doc\\_Aug\\_2009.pdf](http://www.linkforum.eu/docs/214/LINK_recommendations_-_working_doc_Aug_2009.pdf)

<sup>2</sup> Studies show that in urban public transport transaction costs of tendering could be higher than the saved costs due to services awarded by tendering in contrast to direct awarding.

information services (which are flexible enough to inform not only about fix schedules, but also about disruptions and alternative solutions).

Within the LINK project a working group had sessions, which lead to the following multi-faceted recommendation 5.2 (cf. annex).

ad 14 / ad 54

The social resp. the working conditions in transport services have to be seen in relation to the effects of liberalised markets, e.g. the question has to be answered in how far lower wages or worse contractual situations are a result of competition or even a basis for savings in the context of market opening.

ad 17

The growing modal share of bicycles in many European cities should be seen in the light of the question, from which modes this shift has been made (i.e. how many trips really have not been made by individual motorised modes).

## 2.1 Chapter 3

ad 21

Next to perceived safety security is indeed another or even more powerful barrier for using collective and more sustainable modes. There are numerous studies about impacts of a negative image in terms of safety (including vandalism, etc.) which hinders people from using collective modes or at least in particular periods (e.g. evening/ night) or specific areas (lines, stations/ stops).<sup>3</sup> Higher satisfaction with perceived security is not exclusively a matter of video surveillance, but comprises the function and the design of stations and stops including their surroundings (the way to or from stations and stops is often neglected). This leads to the recommendation to develop standards for interchanges and to foster their application (cf. recommendation 2.1 in the annex).

ad 23

Migrants need to be sufficiently distinguished in groups with different attributes, needs and behaviour, but also different types of migration (e.g. transmigration). This could lead to a better understanding of different transport service offers for seemingly the same purpose (e.g. likelihood to use a long distance coach).

ad 27

Increasing extreme weather events do not only affect the safety of all modes, but have also a negative influence on the performance of the transport system (even massive disturbance of one mode is sufficient).

ad 31/32

It has to be highlighted that the ongoing and further envisaged urbanisation means very often a growth at the peripheries of core cities or in their adjacent smaller municipalities (urban sprawl). This is not only generating congestion to the road bound transport system, but is also often a barrier for increased offer/ use of collective modes (decrease of bundling effect).

The envisaged difficult public acceptability to construct new infrastructures for public or alternative means of transport is related to the political willingness to foster such by long-term policy, but also to make positive impacts of such measure visible (e.g. new bus lanes do not require massive infrastructure, but the political and public acceptance to dedicate public space formerly available for individual transport). The LINK project has concluded that professional education and training for

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<sup>3</sup> Cf. one of the latest studies: e.g. carried out in Munich/ Germany by the local public transport operator MVG (source: Der Nahverkehr 6/2009, p. 8-14). This study shows the tendency – in contrast to what can often be heard – that a feeling of lacking security is higher the younger passengers are.

practitioners are lacking topics which are crucial for integrated planning. LINK recommendation 4.1 (see annex) refers to improving this.

ad 38

It has to be highlighted that the further integration of modes is to be seen as a major and immediate (or ongoing) challenge for the future of transport. Intermodality<sup>4</sup>, which describes both a quality of the transport system and a policy objective, may offer a suitable approach. The current status in Europe is heterogeneous and includes many challenges, which are not only of technical nature, but are even more related to more co-ordination and cooperation of stakeholders and institutions. This is possible despite increased market opening.

ad 46

A better connection of aviation with high-speed rail is desirable. Nevertheless the accessibility of airport by all other means should not be neglected on the one hand and the massive investments for high-speed rail have to be considered on the other hand<sup>5</sup>. Next to come the problem of raising passenger figures of regional airports with uncertain passenger figures (related to the flexibility of low cost carriers to change locations) or the fact that even major airports often are not well located in relation to rail networks.

ad 57

Investments have indeed to be guided; next to price signals the conditions for co-operation are important. Amongst others the risk of investment and the possibilities for profit sharing are crucial in cases of multi-stakeholder arrangements/ projects. Within LINK a recommendation on this aspect has been elaborated (recommendation 4.3, see annex).

ad 59

The increased distances between users and locations have to be tackled by land use planning as well as by influencing travel behaviour of the citizens. The approach of mobility management offers suitable methods and experience in various EU countries.

Due to the increasing complexity of economic relations, long distance travel (business journeys) has accordingly to be considered.

LINK has produced a recommendation which is a push & pull strategy on business trips in order to foster the innovative and more sustainable options in this particular transport segment (for recommendation 5.3 see Annex).

ad 61

It is very doubtful that “virtual” accessibility through information and communication technologies has a positive impact on balance, i.e. that more trips are replaced than physically made in contrast to those trips which might have been facilitated (or even enabled) by information technologies<sup>6</sup>.

ad 69

Within the LINK project the aspect of information has been identified as a (or even the) crucial factor for intermodal transport. Whereas door-to-door information across different modes is meanwhile quite common for local public transport (often on regional level), this is still not yet achieved for long(er) distances and across borders. The achievements are at the same time an obstacle as the various

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<sup>4</sup> refers to the use of different modes on the same door-to-door journey (public transport is generally regarded as one mode in this sense)

<sup>5</sup> The case of the German airport Cologne/Bonn shows, that in 2006 only 2% of the passengers used high-speed rail (ICE) to get to the airport (using the 2004 opened rail stop within the airport buildings). It has nevertheless to be considered that also regional rail services use this facility, accounting for another 16% of the departing passengers. So the actual achieved share of rail is far less than the forecasted 30% (source: Der Nahverkehr issue 1-2/2008, p.62-66).

<sup>6</sup> e.g. the rise of low cost airlines has been facilitated by according internet portals and easy booking opportunities.

solutions hardly connected or fitting to each other or even related to overall approaches. The LINK projects has developed a couple of recommendations on overall door-to-door information systems and related ticketing structures (LINK recommendations 1.1 – 1.4, see annex).

ad 72

Many planning models focussing on a particular mode or business type exist, which almost explicitly exclude a holistic view of e.g. an interchange environment which is necessary to understand the potential benefits. So far no methodology has been designed specifically meeting the needs and interests of projects involving several stakeholders and modes. A framework assessment methodology that considers the whole picture could help to better identify optimum opportunities for investments and cooperation complex projects and show possible added value in terms of indirect impacts (e.g. on environment). LINK has set up an according recommendation (4.2, see annex).

ad 70 – 75 (Funding)

European Transport Policy has achieved progress in many fields, but in many areas further improvements are still urgently needed. The integration of different transport modes is recognised as a key priority to tackle existing and future problems in transport, but so far the integrated approach is not ranking very high on the agenda of relevant actors, especially for the long distance dimension. A dedicated funding programme for this area (as existing for the freights sector in the Marco Polo programme) could raise awareness and help to overcome barriers that stakeholders in the field often face (e.g. lack of risk funding for innovative solutions, difficult institutional cooperation). A “Vasco da Gama” programme (working title) would help to realise concrete projects on the ground and fill a real gap in the funding landscape. This would be complementary to TEN-T funding and to funding programmes for the level of urban (local) transport. Enhanced passenger intermodality does not only mean more sustainable transport, but also improve accessibility and increase the efficiency (see LINK recommendation 4.4 in the annex).

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### LINK Recommendation 1.1: White Paper for a European door-to-door intermodal passenger travel information service

There isn't sufficient strategic clarity or political support at the European level to build a door-to-door intermodal travel information system for the European traveller. The attempts so far such (like EU-SPIRIT) are limited services that do not enjoy strong enough backing to gain critical mass.

It is therefore necessary to create a White Paper for developing a European intermodal passenger travel information service including a European vision and implementation plan (or as part of a wider themed White Paper) which will serve as a unifying strategic document providing guidance for all countries and regions wishing to engage in such a service at a European level. This needs to be driven by a new European Steering Committee for Intermodal Passenger Travel Information and a supporting study.

The first missing link is a European document with rich input from key stakeholders, which lays out a clear vision and implementation path including clear actions at the European level.

There are three main steps to developing this White Paper

1. The EU needs to catalyse the set-up of fund a European Steering Committee for Intermodal Passenger Travel Information<sup>7</sup> (and perhaps a wider stakeholder forum) to guide the work and monitor progress including representatives of e.g. DG TREN, DG INFOSOC, UITP, POLIS, European Rail (e.g. ERA) and Air industry representatives, representation from the road sector (e.g. representation from the EASYWAY European Study on passenger information services and/or the roads directorates conference CEDR) and possibly from an ITS industry representative (e.g. ERTICO).

The Steering Committee needs to be high-level, laying out and monitoring progress in achieving the broad elements that need to be put in place in each Member State (according to a structure / protocols that allow European-wide integration). This committee *might* for example start from UITP's Travel Information Market (TIM) Group.

<sup>7</sup> There may be scope to include also ticketing and some other intermodal passenger issues in the remit of this group



Tasks of the committee should include, amongst others, to develop and ensure implementation of national standards within a European-wide framework, to develop a working system for gathering and maintaining data on public transport network features (not of the services operating on that network), including interfaces with transport network as used by car drivers. Only once it is clear that each Member State is following a 'road map' to achieving this, the focus should be moved towards a cross-European approach where different modal and other interest groups come together.

This committee should also push for and oversee the implementation of the following 2 key steps by the EU:

2. The EU should commission a study to assess what sort of European Long distance Passenger Travel information service is possible and realistic to deliver at the current time. This practical study drawing on previous and ongoing research work should lay out the current and near-future situation on the market and from previous trials: what services (including at the national level) are rolled out already, what is planned, what is known, what is possible, what works in terms of the market and technical solutions? It will lead to detection of gaps in knowledge and a better understanding of the market.

The results of EU research projects such as e-motion, KITE, LINK and i-travel and of other relevant activities such as EasyWay ([www.easyway-its.eu](http://www.easyway-its.eu)) and parallel forums for the development of standardised passenger travel information systems need to be fed into this study.

This study should be used as a key base document for the final step which is:

3. The EU should create a White paper on European door-to-door intermodal travel information, including at least the following aspects:
  - Providing a vision to inspire relevant stakeholders to participate in a European door-to-door travel information service.
  - Expressing how the system would look<sup>8</sup>.
  - Proposing an institutional arrangement including scope of legal requirements to provide data (see recommendation 1.2, 1.3).
  - Describing the European intermodal journey planner potentially based on a distributed system, anchored in long distance transport.
  - Recommending minimum technical requirements for participating systems.
  - Outlining differences in approaches between the pre-trip journey planning and on-trip journey planning and management, in particular issues of providing real time information.
  - Particularly indicating how all modes can be included in a rich way (in particular car highway transport and urban modes).
  - Recognising the need for an "agency of last resort" at national level to collate data not otherwise collated<sup>9</sup>.
  - Advising how to build a European backbone information system.
  - Recognising that coverage will be incomplete for many years + ensure that this can be handled.

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<sup>8</sup> Establishing the Scope of the service is important, particularly the distinction between universal features and discretionary features. It may be that there is a strong business case for some features of a European-wide service but not for others. It might also be the case that a European-wide service could build on existing commercial services (e.g. OAG Airline Routeing guide, or DB European Rail Journey Planner, or similar) and deliver European door-to-door functionality at limited EC marginal expenditure: this should be examined.

<sup>9</sup> This is essential to have, but it is equally critical to establish the robust business processes in all countries to ensure that this agency of last resort is not needed in practise

It may be that a white paper will be produced more realistically on the topic of implementing a concurrent set of European services for intermodal long distance passenger travel (e.g. including ticketing and interchange services) or an even wider sustainable transport document.

### **LINK Recommendation 1.2: European directive on availability of travel planning data by transport operators to journey planning providers**

Starting point is to define minimum content and quality of travel related information, which are to be made available to local/regional/national/European journey planning providers by transport operators respectively authorities. This is of key importance to kick-start cooperation on provision of long distance intermodal travel information in those countries where co-operation does not come so naturally culturally or is hampered by over-competitive relationships between transport operators or even between dominant national and metropolitan authorities. Lack of standardised data availability is probably the single greatest barrier to providing complete joined-up travel information systems in many European countries.

It is desirable to create and implement a European directive obliging transport/interchange operators and authorities to make available accurate and timely travel data in a standardised way to a nominated regional or national travel information co-ordinating agency as part of their contract terms or licence allocation conditions. Vertical data sharing links between these agencies should also be obligatory. This data would then be made freely available to journey planning providers.

The technical execution of the interface at the European level might well be through a standard distributed architecture and would probably not necessitate a European data collection organisation or central database (relevant up-to-date databases would need to be made available by operators and national/regional journey planner operators for interrogation in a format compatible with a European standardised interface and some work would be required on standard European dictionaries of place names, stops etc.).

At the national and regional level, the distributed architecture can work as well, although this is a regional decision and does not preclude the need for some organisation for regulation of compliance and quality control. The national or regional journey planners would take responsibility for supporting queries on planning of international trips (as in the example of EU-SPIRIT).

The directive should give clear instructions on the minimum content and quality of data (where available) that should be made available. The requirements should also apply to road operators.

In practice the requirements of this proposed directive, whether the directive is implemented or not, should be implemented in national regulatory frameworks and included in any tenders and consequent tenders and licence agreements, wherever there is a will and legislative possibility to do so.<sup>10</sup>

### **LINK Recommendation 1.3: Standardised tariff and timetable information**

#### *Further development of recommendation 1.2*

Passengers need standardised, complete, easily available, up-to-date and comparable information for long distance journeys to enable multi- and intermodal travel planning and ticket purchase planning with a full knowledge of comparative service quality, trip times and total fare costs. This is currently not consistently available for long distance door-to-door trips. It can only be done with the full support of transport operators providing services. Experience across the whole of Europe (standards of voluntary cooperation vary widely across Europe) indicates that this needs to be backed-up by European legislation. An obligation is required on transport service providers to make available tariff and

<sup>10</sup> Separate data provision requirements will be required for each separate mode to meet the Directive's requirements. e.g. in the UK, air and ferry services can be introduced or withdrawn almost instantaneously, and Transport Direct has had to establish a mix of different administrative procedures to capture their data and even then Transport Direct has not got 100% coverage.



timetable information of a standardised quality to the public authority responsible for providing travel information. This must be applied to all legally licensed operators' services in the EU. An obligation to directly distribute the information by the operators is not required.

Timetables must make a clear distinction between normal planned services, adapted schedules to temporary events (such as provisions of works or special needs) and real-time information, when available. For regional and local public transport, rules and regulations should stress the normal planned, stable timetable which can be updated easily. Real-time information can be seen are added-value services. The standardisation of the data and messages is already well advanced by CEN TC278.

Information about tariffs and fares is the second important aspect which needs to be defined by standards. It has to be considered that real-time pricing has many reasons to vary from standard fixed fares and that both operators and retailers continuously adapt prices. Two main types of information may be provided to the customers together with travel planning without interfering with these practises: guaranteed maximum price for the trip and possible conditions to get rebates from loyalty or concessionary fares.

The standardisation of the data and messages needs should be advanced, notably for regional and local public transport. EN 1545 needs to be complemented, which is also a conclusion of the IFM project (Interoperable Fare Management).

#### **LINK Recommendation 1.4: Standard for long distance electronic ticketing**

Neither paper nor ticketless solutions, as they are described in the current proposal for the TAP-TSI<sup>11</sup> for long distance rail trips are applicable in the growing number of regional or local networks which are often using automated contactless ticketing control systems. The possibility to issue long distance tickets in a format that would be compliant with contactless systems would open up intermodal solutions for long distance door-to-door internet remote ticket sales or electronic tickets which are usable on smart cards or on any other similar electronic devices (e.g. NFC smart phones). To meet this need, a standard data model should be developed for a long distance ticket to enable future compatibility with local transport fare management systems. This standardisation work item has to be reopened within TAP TSI. A link to Interoperable Fare management (IFM) needs to be made and the standard should be broadened to coach transport as well.

The ERA need to open this work item, DG TREN needs to push for this by mandating the ERA and CEN to work on it. The IFM forum needs to bring a migration scenario and the ERA members need to be persuaded to agree.

The technical feasibility is high, but the business case for long distance transport depends on the development of contactless equipment for inspection. The willingness of long distance operators to pay the extra cost is perceived to be lower as there is no demonstrated added value for them unless sufficient extra ridership or sufficient extra willingness to pay can be gained through the attractiveness of such measures. The commercial case stills needs to be made within a pilot. The passenger demand is there but it is not clear what are they willing to pay for it. A survey is needed to understand willingness to pay extra for such a service amongst existing customers and to what degree it can cover additional costs.

#### **LINK Recommendation 2.1: Quality Standards for Interchanges**

<sup>11</sup> Telematic Applications for Passenger Services (TAP) - Technical Specification for Interoperability (TSI) is a European rail technical specification for interoperability of passenger telematics applications as indicated in directive 2001/16 on interoperability and should be in line with rail passenger rights regulation 1317/2007.

Encouraging intermodal transport behaviour is one of the crucial objectives in transport policy for the purpose of achieving more sustainable growth in transport. In this context interchanges represent sensitive areas in the intermodal trip chain. The equipment and the design of interchanges have to be made in a way that the “feeling of disruption” of users can be kept as low as possible. Therefore standards as helping guidelines for stakeholders contribute to the harmonisation of the quality of interchanges on high level all over Europe.

Interchanges are composed by different “supply areas” with functional elements which can be distinguished as follows:

- Accessibility of the interchange

The quality of the embedment of an interchange within the whole transport network in the surroundings is crucial for the use of an interchange and the adoption for intermodal behaviour. For instance the attractiveness of an existing sophisticated bike parking facility at an interchange is less relevant if the access to the interchange by bike is not fast, direct and secure. For local public transport users the access is attractive if the interchange is served by a lot of lines with high frequency. Pedestrians on the other hand like to reach an interchange fast, secure and in a direct way without a lot of detours. For car drivers, park and ride facilities at an interchange become attractive if the access from the road network within the surroundings to the interchange is as easy as possible.

- Transport related infrastructure of the interchange

The transport related infrastructure includes on the one hand all type of parking facilities (for different modes resp. for different kinds of vehicles): park and ride, kiss and ride, parking facilities for taxi, public transport stops, car sharing parking, bike parking. Further elements are the connecting paths between the parking facilities and the train platforms. The infrastructure includes also elements like waiting facilities within the interchange and at the train platforms. The quality of the infrastructure is defined by elements like number and localisation of the parking facilities, distances to the platforms, quality of waiting facilities, equipment of the access to the train platform.

- Transport related information, sales and advice services

Transport related information services at the interchange itself are elements of a whole information chain, which includes also pre-and after-trip information. Available information, sales and advice services at an interchange can be distinguished on the one hand by the way of transmission (active vs. passive, personalised vs. standardised) and the kind of information (static vs. dynamic). Functional elements with a need for common standards are: information principles, sign-posting to and within the interchange, services quality of public transport shops and/or mobility centres, dynamic and static trip information, information in case of disruption, tourist information, ticket-machines, etc.

- Transport related rental services

This “supply area” includes car-rental, bike-rental and car pooling (car sharing) services. The attractiveness of rental services at an interchange depends on the quality and diversity of existing offers and quality, the price and the modalities of utilization.

- Additional services

In this “supply area” all not directly transport related services are included, which help to establish the waiting time of passengers as attractive as possible: Services in the field of luggage (delivery, custody), communication (fax, telephone, internet), sanitary, food (restaurants, bars, food stalls), business activities (meeting rooms, W-LAN zones), retail etc. The attractiveness of additional services at an interchange depends on the quality and diversity of existing offers and quality, the

price and the modalities of utilization, and concerning the demand, of the frequency of passengers and other users.<sup>12</sup>

The quality of the single elements in each of the listed “supply areas” at an interchange is determining (among other not directly interchange related factors) the frequency of use of an interchange. Survey results have shown that the following factors are crucial for interchanges from a user’s point of view: feeling of security, cleanliness and comfort. These factors have to be considered in the definition of quality standards at the single elements within all “supply areas”.

The work on the development of Europe-wide quality standards for interchanges - with particular relevance for long distance travel - includes organisational and thematic aspects.

#### *Organisational aspects*

- Creation of a core working group composed by experts/representatives of national railway operators (e.g. Swiss Federal Railways SBB, Deutsche Bahn, SNCF, Dutch national railways, RENFE) and regional public transport associations (e.g. Transport for London, RATP, Zürcher Verkehrsverbund, transport association of Madrid, Stockholm) which are leaders in field of interchange equipment, and representatives from the European Committee of Standardization and national bike associations. The core group should be installed and directed by the EC and/or the UITP.
- Creation of an advisory group composed by representatives of “future users” of the standards. Possible institutions are: national rail service operators and (local) regional public transport associations of new EU (and selected old) member states, representatives from national and selected local and regional transport departments of bigger cities in Europe, etc.

#### *Thematic aspects*

The content of work includes roughly the following steps:

1. Compilation of findings of the previous research studies done in the field on European level (EC projects like PIRATE, MIMIC, GUIDE, etc.) and national level (SVI study in Switzerland, etc.).
2. Compilation of existing standards leading in the sector of national railway and regional/ local transport associations.
3. Definition of supply areas and functional elements to be treated.
4. Development of quality standards in terms of quality parameters and/or quantitative indicators for each functional element in form of datasheets.
5. Fixing the standards with the advisory group and final development in a guideline.
6. Development of spin-off products of standard guideline: self-assessment monitoring tool for stakeholders, benchmark database with best/good cases of interchanges all over Europe.
7. Development of a marketing plan and implementation to spread the guideline and the spin-off products to the relevant stakeholders all over Europe.

*Initiative:* The European Commission or the UITP should be the leading partner in the development of the standards. A close collaboration with the most important national railway operators, national transport departments and the CEN is a necessary precondition.

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<sup>12</sup> Other purposes than transport related like shopping, leisure, passage are depending to the specific situation (e.g. retail and food shops, location in the urban structure).

*Implementation:* The application of the standards has to be done by the relevant stakeholders (e.g. national railways operators, regional and local public transport companies, municipalities, regional authorities) involved in planning and building of concrete new or adapting existing interchanges.

#### **LINK Recommendation 4.1: Intermodal Education and Training**

Passenger intermodality, integrated planning and multi-stakeholder cooperation are still rare topics in transport training. Continuing education courses on these topics are also lacking, although in some countries these topics have become more popular. This development is too slow, while the importance of more integrated transport is widely recognised as important element of modern transport policy.

Intermodal related education must be provided from a total system perspective where the subject of intermodal transport becomes a component of existing and new degree and training programs for professionals.

New degree programs covering “Public Transport Management” need to enter the mainstream curricula of universities in Europe. In other words, initiatives that deal with “soft aspects” need to be coordinated with “hard aspects” of infrastructure platforms. “Public Transport Managers” (see definition in the appendix) facilitate the constructive interplay between infrastructure development and mobility management.

Passenger intermodalism deals not only with infrastructure integration and coordination, but also the human interface and behaviour. Consequently, it is pressing to provide, in professional training programs of potential stakeholders, cooperation as a matter of learning. A better knowledge in this field and a body of best practice incorporated in curricula would facilitate project success and move Europe forward on sustainable transport solutions.

The European Commission, in cooperation with national transport ministries and large transport operators or transport authorities should provide funding for the definition and development of relevant training contents. This could, partially, build on existing material from national, international or EU projects (see [www.eu-portal.net](http://www.eu-portal.net)) and research that have generated knowledge on passenger mobility and intermodality (cf. overview in EUPI study). The training material should take into consideration national specifics in the early implementation phases, eventually developing a “common language” of public transport management of which intermodalism is one important part, throughout the EU.

It is important that a curriculum contains widely accepted standards and best practice developed or used in one Member State and readily available to another one. Education programs are an excellent vehicle to achieve this, but they should, content wise feed on best practice and research that can be “general”, whilst the format and procedures can be different. In this context it is important to observe the standardisation sought in the EU through the Bologna process (or Bologna accords) which seeks to create “the European higher education area” by making academic degree standards and quality assurance standards more comparable and compatible throughout Europe, in particular under the Lisbon Recognition Convention. It is therefore recommendable that national institutions are involved in defining tailored education and training material for different countries. The introduction of passenger intermodality as a topic in the curricula of Universities would also need to take into account national or regional structures that define the content of the courses.

In a pilot project, continuing education establishments and universities can in cooperation with local authorities and businesses develop and deliver education and training programs on best practice in public transport management with clearly defined intermodal transport content. Such initiative could test and refine offerings, to eventually represent standard elements of exemplary curricula throughout the European Union. Provisions should be made at the European Union level to initiate education programs as widely as possible in the shortest possible time through existing and dedicated mechanisms. E-learning elements could help to disseminate the knowledge on a wider scale.

European and national associations in the field of transport (e.g. UITP, VDV - the public transport association in Germany) should actively make passenger intermodality a topic in training programmes for professionals. The training of practitioners should eventually become a task of stakeholders in the field of passenger intermodality and public transport management, as they would benefit most from better prepared staff in this field. There are two axes to this agenda:

- 1) “Mobility Managers” focusing on the soft aspects: facilitating use of existing provisions and creation of services using existing infrastructure; and
- 2) “Public Transport Managers” focusing on the coordination of infrastructure and service provisions.

Examples of transport training programmes and teaching material on European level (e.g. TRUMP, UITP training programme) were successful and proved that there is demand for such activities (see box below). These programs have demonstrated that the emphasis should be wider than transport per se and incorporate the “mobility agenda” by incorporating behavioural and management aspects.

In the freight transport sector there is a good example of the “Intermodal Masterclass” which has been organised by the EIA (European Intermodal Association) in cooperation with renowned academic institutions (see box below). Similar initiatives could also be undertaken in the passenger intermodality sector.

The key issue with those initiatives that already exist is to ensure that these are recognised and the initiators become participants in the EU wide drive to bring nations, regions and cities onboard in developing and managing public transport well. This can be achieved by providing seedcorn research funding into public transport and intermodalism to strengthen teaching programs, curriculum development and enhance the attractiveness of the field.

The stronger introduction of training and education on passenger intermodality would have mid- to long-term benefits. It could help to make more people in charge of transport planning and related fields aware of the potential and the feasibility of multi-stakeholder cooperation to develop suitable intermodal products and services. Training and education on the topic of passenger intermodality should however not only focus on the direct contents of the topic but also link to topics such as public private partnerships, joint ventures, business planning and the wider aspects taught in the context of public transport management: management, psychology, marketing, strategy, sociology, etc.

Training arrangements seem to be suitable for the whole EU, while it is recommendable to take into consideration national and regional specifics for the content of the courses. While certain general aspects of passenger intermodality seem to be valid across countries (e.g. need for cooperative processes), the national framework conditions and mentalities may be very different. Yet, The Commission should make efforts to initiate and support degree programs in “public transport management” and ascertain that such programs do not only cover the management aspects of cooperation but also the physical aspects of intermodal transport.

#### **LINK Recommendation 4.2: Framework methodology for assessment of impacts**

Many planning models exist in this general area, but none of these are designed specifically with the needs and interests of intermodality. Indeed, the models that do exist tend to be focused on one particular mode or business type, and therefore almost explicitly exclude consideration of the holistic view of an interchange environment which is necessary to understand the potential benefits.

Where multimodal interests are addressed in models, these tend to be in large well developed and expensive models (e.g. London Transport Study Transport of TfL; Model for Scotland). Where such models exist it is clearly advantageous, but the creation of a European wide standard that is easy to modify and apply in any location is clearly desirable. Business plans of private stakeholders are often biased towards commercial short-term effects. Frequently this is enforced due to the short term nature of concessions granted by public sector bodies. Many measures in the field of passenger intermodality

do not show a quick return on investments and therefore do not seem to be attractive investments for private stakeholders. Indeed, they often have negative short term effects resulting from disruptions. The picture often changes, when strategic (private stakeholders) or societal benefits (public or semi-public stakeholders) are included in an appraisal. A framework assessment methodology that considers the whole picture could help stakeholders to better identify optimum opportunities for investments and cooperation in the field of passenger intermodality. This would also reduce the risks for the involved stakeholders, who can quickly gain a snapshot of viability.

A sound business plan should be developed in any intermodal planning process, e.g. the construction of an intermodal interchange, integrated ticketing services or better intermodal traveller information. This should not only include short term commercial aspects, but also strategic and societal effects. Several studies show that passenger transport generates high costs to society that are not directly attributed to the personal transport costs of the users<sup>13</sup>. Passenger intermodality has substantial potential to address this and to contribute to more sustainable transport patterns.

“Secondary effects” as for example property development revenues related to a transport measure should also be considered in a methodology for quantification and monetary assessment of impacts in business plans. Interchange developments for example can often cause a long term rise in property value. Appropriate public private partnerships can ensure that the public sector gains access to these benefits for the proper up front development of the necessary infrastructure. (e.g. avoiding a situation where the public sector, having created a successful interchange, is faced with costly-to-resolve capacity constraints many years later – at the same time as property investments are achieving excellent returns and transport operators are achieving efficient levels of fare box revenue).

A fundamental problem is that there is currently no suitable methodology available for the quantification and monetary assessment of measures in the field of passenger intermodality that takes all these aspects into account. Such a methodology is important as the costs and benefits of any intermodal development are spread unequally and in varying proportions amongst multiple parties.

An easily applicable appraisal methodology should be developed and made widely available to encourage and enable stakeholders to develop sound business plans in passenger intermodality. Such a methodology should take into account three possible levels of intermodal business plans:

1. Each stakeholder involved in an intermodal undertaking develops his own business plan for his mode, but including strategic benefits and indirect costs and revenues.
2. A joint business plan under participation of different private (or semi-public) stakeholders and modes.
3. A joint business plan under participation of different private stakeholders and the public sector (as well as semi-public institutions) which provides financial support as compensation for societal benefits of the intermodal product or service.

Such a methodology needs to cater for the varying levels of public and private sector involvement that might exist. A methodology focussed on public sector requirements cannot be expected to work in support of private sector organisations.

It cannot be expected that the private sector will develop such a methodology alone, the public sector would be needed to initiate and drive forward the development of an “assessment manual” in co-operation with practitioners that plan and implement intermodal solutions.

The European Commission and/or national authorities should provide funding for the development of such a methodology (e.g. in the 7<sup>th</sup> Framework Programme of the EC). The development of the methodology should be carried out by competent research institutes in cooperation with practitioners that provide input during the development and test the methodology (e.g. UITP, VDV, SLTF).

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<sup>13</sup> Cf. EUPI Study. ILS (2004), Towards Passenger Intermodality in the EU. Report 3: Recommendations for Advancing Passenger Intermodality in the EU, p. 11ff



When a mature methodology has been developed, an “Assessment Manual” could be made widely available, which guides stakeholders on an easily applicable methodology. To foster the use of this methodology selected public funding for implementing measures in the field of passenger intermodality could be made conditional to the application of the methodology.

#### **LINK Recommendation 4.3: Long term flexible profit sharing arrangements**

The current situation presents challenges in agreeing schemes where although the taxpayer and public will have a net benefit, individual actors may stand to lose or are faced with unacceptable risks relative to the proportion of gain they can reasonably expect.

For example, a station operator may face a certain future revenue loss from the removal of an existing retail concession to make way for improved bus stand provisions – yet has only indirect access to any revenue gain forecast as a result of the increased patronage such new bus stand provisions will bring. By bringing together all actors involved at a multimodal interchange, all parties benefit from actions taken which improve the success of the interchange.

While it could be left for each interchange to develop its own approach, this is costly and inefficient as well as slow. No individual project could develop and maintain the necessarily complex model necessary to support a truly effective allocation mechanism. Although each instance may require a degree of customisation, the basic template and approach can be the same for any location in Europe.

The nature of intermodal schemes is that there are a number of actors involved and/or affected. Almost always these actors will span the public and private sectors, and within each sector there may also be different ownership or governance arrangements in place.

This recommendation is aimed at creating a simple but established and well defined framework that mitigates interparty risk by sharing net profits over the life of a scheme according to an agreed and established method. This will enable parties to more readily agree a project. It may also reduce the burden of risk retained by the primary public sector actors since the private sector partners will have more certainty over their future revenues.

This approach is aimed at enabling economically viable schemes to proceed where the existing structure would lead to one or more of the affected parties bearing higher costs or risks than their expected future share of revenue.

An EU standard arrangement would enable speedier and more cost effective progress on individual schemes.

#### **LINK Recommendation 4.4: EU funding programme for passenger intermodality**

A European funding programme to enhance services and products in the area of long distance passenger transport would be very beneficial and is highly recommendable to overcome current barriers in this field. Funded project should focus on trip lengths >100 km and/or include a clear cross-border dimension, but also be open to urban and regional projects with a clear long distance dimension (e.g. airport access, ferries, congested sections of local infrastructure with international relevance). The focus should be on demonstration projects with a strong evaluation element that prove maturity of passenger intermodality solutions. Such a funding programme for integrated passenger transport would foster the better integration of modes and help to improve the overall efficiency of the whole transport system. Risk funding and properly evaluated demonstration projects would be a major contributor to establishing new technologies and innovation in long distance passenger transport.

The set up of a new “Vasco da Gama” programme for intermodal passenger transport seems well feasible within the context of a comprehensive Intermodality Funding Programme for both the

passenger and the freight sector that would also include the Marco Polo III (freight) programme from 2014 on. A phasing-in period could take place with first demos in FP7 and other programmes.

The following could be the priority aims of a “Vasco da Gama” programme:

- Foster the better integration of different modes of transport in the passenger sector and improve the overall efficiency of the transport system.
- Support actual modal shift that makes the overall travel chain “greener” in terms of CO<sub>2</sub> emission reduction and other environmental impacts.
- Counter negative economic effects of unsustainable forms of long distance passenger transport by making the “green” part of the journey as long as possible (e.g. rail, long distance coach, ship, public transport, human powered mobility). Making necessary car and air elements in the travel chain more sustainable where possible.
- Support provision of additional benefits for end-users to achieve a highly user-friendly transport system.
- Support market uptake of good practice.
- Support developing and implementing new technologies, innovative products and services.
- Support promotion and exchange on the European level.
- Support economic growth, job generation and European cohesion.<sup>14</sup>
- “Making the best better”, e.g. improving successful transport nodes (rather than trying to create new ones or improving failing ones).
- “Point to point” routes along corridors with currently high motorway congestion.
- Relieving congestion in agglomeration “bottlenecks”: Transport nodes with high activities of passenger transport and high levels of congestion (e.g. intersecting long distance corridors in urban areas).
- Improving accessibility: So far unconnected regions, e.g. with no long distance access (rail, long distance coach, air – if only option) to major hubs. Focus on regions with sufficient demand to support new services.

Possible administrative handling in EC

- The EACI seems to be the most suitable institution to administratively handle a new funding programme for passenger intermodality. The administrative requirements should be kept as simple as possible. The EACI could be supported by external partners particularly in the evaluation of funded projects (incl. assessment of economic and policy impact of the implemented measures).

Evaluation of proposals

- It is necessary to identify those solutions that have the highest added value in a system perspective and can realistically be sustained in the long-run under participation of public and/or private actors.
- The time consuming comitology process applied for Marco Polo (1 year delay before project start due to revision of projects) should be avoided, as this is a disincentive for potential applicants who want to realise their ideas in the current market situation and not later when conditions have already changed.

Evaluation of outcomes

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<sup>14</sup> Open discussion point: How to deal with possible generation of additional demand in sustainable transport? Should this be avoided or accepted?

- While some mechanisms of success control are clearly needed, a funding programme also needs to remain attractive to potential applicants. The monitoring and evaluation set-up in Marco Polo (freight), including a mid-term review, could be used as orientation.

#### Discussion of limits to EC activities due to subsidiarity and market distortion

- The issue of subsidiarity is not likely to be a problem. Vasco da Gama would include a requirement to show a clear border-crossing or transnational dimension. As the Vasco da Gama programme would support demonstration projects with a strong evaluation element and would address global issues such as CO<sub>2</sub> reduction and energy efficiency, a clear European added value would be given.
- State aid laws might be a risk in decisions on the layout of a passenger intermodality funding programme. Possible distortions of the market need to be avoided. The specific situation needs to be clarified for the passenger sector.<sup>15</sup>

Regarding the geographical scope of funded projects the focus of the funding programme should be on transport beyond urban transport (long distance). The minimum distance covered by an intermodal service could be 100 km from door to door. This can also include a link to intercontinental traffic.

For projects dealing with intermodal rail projects, the focus could be on the distance where rail services are most competitive. Depending on the type of connection (e.g. high speed rail) this would be 100-500 km.

Three action fields should be established, similar to the Marco Polo programme for the freight sector:

- 1) **Modal shift demonstration actions** (and the related reduction of CO<sub>2</sub> and external costs) would be at the core of a funding programme for passenger intermodality. The criteria of CO<sub>2</sub> reduction, the reduction of external costs and modal shift achievements would be crucial criteria to provide funding for concrete intermodal demonstration projects on the ground with a sound evaluation component. It is subject to further discussion whether funding should be provided for investment costs, start-up operation costs or both. It could also be discussed if a “business model” for each measure would be required by the end of each project. Where possible, a success-based funding model should be applied. The difficulty however is how to measure modal shift in passenger kilometres or the concrete reduction of CO<sub>2</sub> emissions and external costs<sup>16</sup>. There is need for more in-depth discussion

<sup>15</sup> In the (freight) Marco Polo Programme, there is no problem with this as long as the distortion of competition is only related to the environmental friendly “green modes” (e.g. a road carrier is suffering from new rail competition). There is also no state aid problem if funding is not exceeding 35%. For the passenger sector, unclear situations might occur. If, for example, a new intermodal high speed rail service was introduced with EU co-funding and an airline would suffer from this new competition, it might happen that the airline would go to court. This point requires further clarification.

<sup>16</sup> The following points were discussed by the experts that developed and reviewed this recommendation:

- A shift in traveller-kilometres from unsustainable modes to rail is not easily measurable. Cause and effect are in most cases quite complex. Depending on action fields, there are however tools for ex-ante and ex-post studies that allow estimations of modal shift (e.g. air-rail projects). For other areas, e.g. traveller information, it does not seem to be possible to realistically measure these effects.
- Market studies for an appraisal of potential impacts of modal shift projects could be made a requirement for funding, without including requirements for monitoring and ex-post evaluation, except where easily possible (e.g. easily available data on market share of particular origin and destination pairs before and after project implementation). This would mean that funding would not be linked to a proven shift of traveller-kilometres, but to the expected impact (with all shortfalls of ex-ante market studies).
- If modal shift cannot be measured, so called performance indicators (cf. Eco Innovation programme of EACI) could be applied. This would mean that the output of the project would be the criteria for success (e.g. milestones in terms of new services opened, people reached in marketing campaign, deliverables). A mix of the 4-5 most important performance indicators (e.g. direct employment generated, number of access to new traveller info website) could be defined for each project to monitor and evaluate the success.

and possibly studies that would define sound criteria for modal shift actions and elaborate easily applicable methodologies for impact assessments. The criteria should however avoid too much administrative burden on the EC and the beneficiaries.

**“Quick and cheap wins” projects.** Within the Modal shift action, a part of the funding should be reserved for smaller projects that can be quickly realised in a cost efficient way. This would ensure that the funding affords good value for money and makes a visible return to investors/beneficiaries as soon as reasonably possible. It would also help to avoid an excessive concentration on long-term mega-projects.

- 2) **Catalyst actions** that focus on fostering innovation (e.g. products, services, organisation) in the field of passenger intermodality would receive cost based funding.
- 3) **Common learning actions** that foster European exchange between stakeholders (e.g. on spreading good practice, fostering market uptake) would receive cost based funding.

Possible measures that could be included:

- Integrated services that improve seamless travelling; reliable and guaranteed connections.
- Good quality physical interchanges.
- Innovative multimodal dynamic traveller information for door-to-door information (mobile). Expected modal shift effect if sufficient level of information is provided (travel time, number of stops, costs).
- Better service coordination of key players, e.g. in combined multi-modal ticketing for full travel chain and supplementary services (e.g. museum tickets).
- Liability, dispute settlement and complaint handling across the whole travel chain.
- Improved airport services with regard to interchange process (e.g. faster check-in, security).
- Integration of aviation with high-speed rail.
- Standardisation that contributes to integrated and interoperable transport system.
- Marketing and soft measures: Highly relevant to influence traveller behaviour.
- Include innovative new modes (e.g. car sharing) as add-on to the “last urban mile”, but always in intermodal connection to other modes.
- While this list is a starting point, at a later point the detailed results of the 5 different Working Groups within LINK and the EUPI recommendations will help to identify further potential priority fields that should be addressed in a potential funding programme.

### LINK Recommendation 5.1: Push & pull strategy on business trips

*Reducing monomodal business trips by car and achieving a shift towards inter-/multimodality by using the lever of car-related taxation (push factor/aspect), additionally embedded in mobility management with its ‘soft policy’ measures focusing on companies and institutions (pull factor/aspect)*

First, business trips account for a remarkable share of the transport market, probably more than widely supposed<sup>17</sup>, and they show an increasing tendency<sup>18</sup>.

In Germany, 17% of all long distance trips (>100 km) are business trips (average 1,3 business trips per person\*year), which are made by only 12% of the population (>14 years) which actually makes

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- As measuring modal shift is hard, the criteria could also relate to increased patronage or proof that the measure has had sufficient positive impact (survey).

<sup>17</sup> An overview of some European countries is given in the FP6 project KITE: Relevant Market Segments in Intermodal Passenger Travel (2008) [http://ifv-kite.ifv.uni-karlsruhe.de/kite/cms/images/stories/kite/Deliverable\\_4.pdf](http://ifv-kite.ifv.uni-karlsruhe.de/kite/cms/images/stories/kite/Deliverable_4.pdf)

<sup>18</sup> Number of business trips 2004-2007: +14% (companies and public institutions with ≥10 employees in Germany; source: Geschäftsreiseanalyse 2008)

long distance trips (INVERMO study 2005). Business trips in general have increased only slightly by number (1982/ 2002: about + 2 M. km/ +14 %; MiD 2002) but significantly by distance (1982/2002: about +50 %). A Germany-wide survey (MiD 2002) shows that the majority of business trips is made by jobholders, mostly by those with (permanent) access to a car. This is corresponding with the different opportunities to use somehow “officially” a car for business purpose, which makes a share concerned of about 1/5 of all registered vehicles (see table). Besides the existing fleet, a major share of *new* cars is registered for business purpose resp. by businesses (2007 in Germany 62 %; source: Kraftfahrt-Bundesamt).

Second, business trips follow other “rules” than trips for private purposes resp. by privately owned cars, mainly due the tax relief. Financial instruments and changes of them have to follow a political vision or strategic objective with benefits, which are also favourable for the acceptance (e.g. EU objectives for CO2 emissions)<sup>19</sup>.

Furthermore, car-based business mobility requires less organisational effort than multi- and intermodal mobility<sup>20</sup>, thus needs organisational support, which can be wrapped in the comprehensive package of mobility management.

Long distance business trips are made predominantly monomodal by car<sup>21</sup>. Reducing car-ownership and car-usage on business trips, particularly targeting the segment of short long distance trips (100-400 km crow fly trip length), improves the demand-offer circle for intermodal services: Permanent access, easy access and low effort (e.g. organisational effort) concerning billing are crucial advantages of car-users on business trips. Beyond this, the modal choice on business trips is driven to large extent by image effects (“big car=prosperity”) and by incentives of taxation. On contrary, there are some unequal conditions for the use of alternative modes<sup>22</sup>.

Additionally there is a nexus to the private use of company cars (dual usage) - of course also between the use of private cars for business, but this is not in the focus here due to its comparable little extent. It is considered that the ownership and the opportunity or the ease to use a car are the most important reasons not to use other modes<sup>23</sup>.

Restrictions of the use of alternative modes to cars determining the shift potential are - next to subjective attitude - related to the purpose of a trip and the related luggage transport<sup>24</sup>. Therefore, service branches (consulting, customer training, R&D) are best suited for intermodal travel as they mostly have to carry only portable computers, paper/print material but no heavy tools and machines (e.g. for maintenance).

The benefits of company car usage are fostering to stick to monomodal travel behaviour both on business trips and on trips for private purposes. Mobility research and practice are following for a long time the double approach of pull factors (here: taxation on car-use) and push factors (here: fostering alternatives to car) in order to achieve changes in the mobility behaviour.

<sup>19</sup> A reform of the taxation related to car-use for business purposes is also an objective of the Green Budget Association Germany (Förderverein ökologische Steuerreform e.V.; [www.foes.de](http://www.foes.de))

<sup>20</sup> A company car offers permanent mobility with “flat rate” costs in contrast to the effort (transaction costs) to buy a train ticket as backbone + additional services (e.g. PT tickets).

<sup>21</sup> In Germany, 76 % of the long-distance (>100 km) business trips by car, 12% by rail, 9% by plane (INVERMO study 2005); car-use can be considered to be to large extent monomodal door-to-door. The proportion of business trips per distance band shows significant differences between trips with and without overnight stays and between shorter (100-400km) and longer (>400 km) long distances. The difference to trips for private purpose is similar (share of business trips of the shortest long distance 100-200 km slightly lower than private purpose).

A state of the art of transport research concerning business trips states, at least in Germany, only little (empirically based) knowledge (Sauter-Servaes 2007, p.64).

<sup>22</sup> e.g. in Germany seasonal ticket / BahnCard100 of Deutsche Bahn

<sup>23</sup> There are sufficient research results highlighting the importance of car-ownership and (permanent/ often) car-access for a car-oriented transport behaviour.

<sup>24</sup> in Germany, a broad study by DLR examined in-depth the circumstances and constraints (a presentation on: [http://linkforum.eu/docs/214/Cyprus\\_conf\\_-Intermodal\\_Services\\_Menge.pdf](http://linkforum.eu/docs/214/Cyprus_conf_-Intermodal_Services_Menge.pdf)) The study reveals also that the car-use is higher the smaller the company is in terms of numbers of employees.

The strong lever of taxation concerning company cars with the environmental objective to reduce CO<sub>2</sub> emission is considered to be an effective lever towards multi- and intermodality. The rationale is that cars with (remarkably) less emissions and thus less fuel consumption compared to nowadays are a good chance to decouple the image and incentive effect of cars<sup>25</sup> and to introduce intermodal services according to the actual needs.

This initiative includes essentially the free provision of fuel - often used also for trips of private purpose, and the according taxation. Free fuel is more favourable for employees comparing to "normal" income (salary) in terms of taxation and contribution to social assurance etc. Besides having a car it is the second important reason to stick to monomodal transport behaviour.

Besides fiscal aspects (incentives, push factors), business trips should be influenced towards inter-/ multimodality by the approach of mobility management (MM) fostering the alternatives. This ample field of action is focusing on 'soft' and organisational measures (e.g. combine car pooling and car rental with other measures concerning collective modes). MM for companies and institutions requires a closer cooperation of companies, administrations and services providers. Information and communication as well as organisational measures aiming at influencing mobility habits and the image of modes are even more promising for business trips than for trips of other purpose as alternatives (to the travel habits) are considered more often<sup>26</sup>. The approach of mobility management is to make companies and institutions aware that they are part of the transport system and business trips not solely a matter of the travel management or fleet management<sup>27</sup>. This is relevant as mobility decisions of business trips are made to a larger extent by others than the traveller compared to other purposes (as far as no car is available). The role of the decision makers in companies has to be targeted in order to influence the travel directives of companies<sup>28</sup> towards more inter-/ multimodality. Public institutions have a particular role as company travel directives are often similar to the rules of public bodies<sup>29</sup>. In order to achieve a shift towards inter-/ multimodality, suitable services for business trips have to be further developed<sup>30</sup>. This must not exclude car-based services (beyond car-ownership); e.g. car-pooling is often not targeting business trips as the services are often not flexible enough.

*Taxation:* The national states governments the clear responsibility for taxation. Nevertheless, the EU/EC should try to influence national taxation concerning company car use. This does not mean to target at launching a European directive with a long, difficult and open process<sup>31</sup> without neglecting this strong instrument. But it is seen most promising to influence national policy-makers by clear recommendations on this complex issue in order to achieve Europe-wide similar conditions for intermodality and in the end a more sustainable transport system. These policy recommendations should be based on a study for an in-depth screening and assessment of the existing regulation concerning cars used for business purpose (i.e. not only company cars but also private cars used for this purpose) which should be funded by the EC.<sup>32</sup>

<sup>25</sup> In Germany, the average purchase cost of a company cars for CEOs is about 60 000 €, for the next management level about 44 000 € (Kienbaum study 2008).

<sup>26</sup> In Germany, 18 % of the long-distance business trips are resulting on considering other modes than the one chosen on a reporting day (average: 13 %; INVERMO study 2005).

<sup>27</sup> Car policy is the according instrument reflecting the narrow perspective, determining company car use, e.g. the car category for each category of hierarchy or level of incentive; an example for special journals showing the technical way of thinking in this sector is e.g. the German journal "Flottenmanagement" ([www.flottenmanagement-verlag.de](http://www.flottenmanagement-verlag.de)).

<sup>28</sup> In Germany, 90 % of all companies have a company travel directive, the average in Europe is 75 %.

<sup>29</sup> In Germany: Bundesreisekostengesetz [Federal law about trips for job purpose]; it can be seen an incentive in favour of car use that the km allowance for car trips is higher than the average fuel costs as it considers other operational costs.

<sup>30</sup> The relevance of improving services including their image is shown by the result of a survey assessing the quality of business trips >100 km in Germany (2007; N=500) which rates rail worst in contrast to car and airlines (excellent+very good: rail 23%, car 45%, air 51%).

<sup>31</sup> Particularly the states with a strong lobby of car manufacturing industries (Germany, France) would very likely oppose such an attempt and could bring it to a political end.

<sup>32</sup> The taxation of company cars in the UK is a role model for a change of the according policy: The benefit in money's worth for the private use of company cars is depending on the CO<sub>2</sub> emission. Additionally, in 2003 the company car tax fuel benefit



*Improving transport services:* Companies and institutions in their role as employers are the relevant decision-makers concerning business trips<sup>33</sup>. They are influenced by according associations (e.g. chambers of commerce and other business associations). In addition to the push factor of taxation (to be changed by the above mentioned policy action) these target groups should be supported by the second main aspect of this strategy towards a modal shift to inter- and multimodal business travel: by 'soft measures' which are often bundled in the approach of mobility management (MM)<sup>34</sup>. The actors to be involved are local and regional administrations, public and other transport operators (e.g. car-sharing providers) on the one hand and companies<sup>35</sup> resp. employers on the other hand. Mobility management focuses on better matching the supply and the demand side with the aim to improve the conditions of the users transport system (employees) and to show potential benefits resp. possible saving (both of the companies/employers and the employees). Benefits can be both financial<sup>36</sup> and indirect benefits (e.g. societal<sup>37</sup>). It is applied primarily on local level but can and should be extended to long distance (business) trips. In this respect MM can only unfold its potential if the according players are involved, i.e. particularly the national railway companies<sup>38</sup> and suitable transport services like car-sharing.

*Raising awareness for good service offers:* The approach of joint effort towards more suitable transport services should be supported by spreading according information and facilitating the exchange of the related stakeholders on national and EU level. This could be a study, funded by the EC, which collects good practice examples demonstrating the feasibility and the benefits of measures and offers (e.g. companies can reduce their car fleet by using several transport services in the sense of intermodality, like car pooling, seasonal PT and rail tickets, car-sharing, taxi).<sup>39</sup> On EU level, it should give also an overview on the national support (funding and coordination) schemes on mobility management (for companies and institutions)<sup>40</sup>.

## **LINK Recommendation 5.2: Towards advanced intermodal passenger care**

*Improving cooperation and according means between of institutions with responsibility for passenger rights with intermodal approach in order to ensure passenger rights<sup>41</sup>, but also going further towards user participation in service provision, supported by a European intermodal passenger rights policy.*

The recommendation comprises a bundle of closely related measures, which are required to achieve the objective of advanced passenger care and in the end a higher share of intermodal transport. The

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charge was reformed. The tax rate increases from 15 % for low emission (<140 g/ km) up to 35 % for high emission (>240 g/ km). The reduction of the number of company cars by 25 % within 4 years was at least by 50 % impact of this indirect measure. Although an increase of use of private cars for business purpose has been observed, this is only partially compensation. Another impact is that the proportion of company car drivers receiving free employer provided fuel for private use has also decreased significantly from 57% in 1997 to around 30% in 2005.

<sup>33</sup> all trips made by persons (mostly employees but also free-lancers) of a company or (public) institution, thus employers, which have the purpose to perform activities on behalf of the according company (i.e. are not the regular trips to/from the workplace);

<sup>34</sup> Numerous projects have aimed at fostering MM on different scale and with different focus; on European level e.g. MOSAIC, MOMENTUM, MOST, MAX etc.

<sup>35</sup> Especially small and medium-sized businesses (SME) have substantial potential for changes (and savings) in business travel, but mostly didn't analyse/ realise it.

<sup>36</sup> > 50% of the costs of business trips are for transport (example Germany, data 2006/2007, Geschäftsreiseanalyse 2008).

<sup>37</sup> This refers to the concept of Corporate Social Responsibility (CSR) which is often embedded in EMAS. The toolkit of the alternative German transport association VCD has been developed with this background.

<sup>38</sup> Various measures have been developed targeting at business travellers: lounges at major railway stations (e.g. by DB, SBB), WLAN hot spots and on board of HSR, corporate portals of national railways, special advertisement, etc.

<sup>39</sup> A good examples in this respect are the recommendations of the transport user association VCD in Germany [http://www.vcd.org/fileadmin/user\\_upload/redakteure/themen/geschäftsreisen/VCDToolkit\\_GreenBusinessTravel.pdf](http://www.vcd.org/fileadmin/user_upload/redakteure/themen/geschäftsreisen/VCDToolkit_GreenBusinessTravel.pdf)

<sup>40</sup> so far, AT, UK, CH and recently DE; related to EPOMM+ project (IEE/STEER)

<sup>41</sup> Relevant to distinguish between the three related terms and their background/ development on European scale: Passengers, consumers, travellers

measures are dealing both with the *after sales* sector (as first step) and the wider involvement of passengers in the provision of transport services.

This recommendation considers:

- existing regulation 261/2004, in force since 2/2005; regulation 1107/2006,
- regulation 1371/2007 that is about to be implemented by the member states
- bus and coach passenger rights draft directive 817/2008 as well as the maritime and waterways passenger rights draft directive 816/2008, envisaged to be implemented soon.

For the sake of intermodal travellers, all modal regulations have to be regarded as one and the same, apart from specific rules due to technical differences.

Passengers' rights have been formulated in the situation when competition has been introduced in public transport. The idea of competition means that there is a seller and a buyer as two parts that have to find common solutions. Competition does not only imply several parties entering the market (as suppliers), but also that the demand side is recognized, equal part. Despite changes in the markets away from monopoly situation ("I decide the conditions")<sup>42</sup>, for the passenger transport "market" only an oligopoly situation has been achieved. Since this situation is still quite new, new forms of balance between seller and buyer have to be and are about to be established.

Improving the user rights and their implementation is seen as an appropriate way to make intermodal transport more attractive. Travellers perceive the system often as not reliable<sup>43</sup> and will - if necessary or helpful - more likely use different modes if they have sufficient and suitable user rights, know about them and can actually get them (claim successfully with reasonable effort).

Despite the highly ranked objective and the effort from side of the EC<sup>44</sup>, there are remarkable differences in Europe<sup>45</sup>. The user rights - refreshed by new directives - are to be seen as basis for a user-friendly approach. Already in the EUP study (2004), fostering user rights has been a recommendation (on very general level) and was appraised as relevant and adequate measure.

Improving the enforcement is related to the impacts. Unfortunately, there is only little knowledge about the positive impacts and consequences of improved passenger rights (e.g. higher satisfaction of users)<sup>46</sup>. More advanced solutions are often avoided or hindered by claiming high costs related. Due to different implementation in the EU member states and subordinate levels (e.g. regional, local), it is hard to make general statements. The aspect of awareness and information - common in transport policy ever since - has to be tackled as well.

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<sup>42</sup> In the traditional thinking of transport stakeholders e.g. disruptions are technical defaults and inconveniences for passengers an almost inevitable consequence of system failures, for which nobody feels responsible or has excuses at least for him.

<sup>43</sup> Empirical works show that for PT users (esp. rail) the "classic" criteria, price and travel time, are particularly important (cf. IGES 2008). Concerning the problem of measuring single criteria in parallel it is claimed that an improvement of several "soft" criteria as part of a systemic approach have a much larger impact (i.e. more than additive).

<sup>44</sup> '... the next step is to extend the Community's passenger protection measures to the other modes of transport [than air transport], notably rail and maritime navigation and, as far as possible, urban transport services. Specific new measures are needed on users' rights in all modes of transport so that, regardless of the mode of transport used, users can both know their rights and enforce them....' (Transport White Paper 2001)

<sup>45</sup> cf.: Evaluation and monitoring of trends with regard to passenger needs on the level of service and treatment of passengers ("EU service guarantees - EUSG") on behalf of EU commission, TREN/ A5/25-364/2005 (including Country Reports and Legal Assessment Report) [http://ec.europa.eu/consumers/strategy/facts\\_studies\\_en.print.htm](http://ec.europa.eu/consumers/strategy/facts_studies_en.print.htm) / <http://www.nexus-berlin.com/Nexus/areas/mobility/fahrgastbeduerfnisse.html>

<sup>46</sup> A study showed that a service guarantee on punctuality which has voluntarily been introduced in and by Hannover region resulted in a better general satisfaction of passengers with the PT service and had a higher impact than other parameters (e.g. tariff system, info on schedules) - comparing passengers knowing about the guarantee vs. those not knowing (Striefler, Katja; Isford, Adi: Mehr zufriedene Fahrgäste dank Pünktlichkeitsgarantien? (More satisfied passengers due to guarantees of punctuality)? in: Der Nahverkehr, issue 12/2008, p. 41-44;

Furthermore, people often are affected by EU legislation, but in many ways this is described as "bureaucratic", difficult to understand and negative. Fostering user rights, especially in a visible way, could improve this image problem effectively.

The desired situation on the long run is that Europe-wide passengers do not only have the same *minimum* rights for compensation (EC standards), but also the same standards for procedures and institutions for complaint handling. The different ambitions of operators have to be taken into account when discussing a further development of the treatment of passengers. So the - compared to the total - few operators and transport authorities which are in favour of advanced concepts, have to be highlighted and the context conditions as incentive have to be improved. The starting point is to acknowledge that confident consumers, who take decisions on basis of sufficient information, promote the development of innovative and good value products. A strong consumer advocacy is needed as the best way of compensating for market failure, which occurs where open competition and reliance on market forces don't work. It emphasises that better performance is good for both business and consumers.

The desired situation would be that Europe-wide passengers do not only have the same *minimum* rights for compensation (EC standards) but also for the procedure and the institutions.

#### COOPERATION OF INSTITUTIONS DEALING WITH PASSENGER RIGHTS

There are two levels of communication between the demand side and the supply side. In case of being dissatisfied with transport services, individual passengers can turn to the provider and according institutions. The representation of the interests of passengers is an additional option.

Passenger rights exist at different levels. They are handled by institutional structures applying civil or public law (see table 1)<sup>47</sup>. There is a need for better cooperation between these structures in order to effectively implement passenger rights and to improve transport service quality:

- on the one hand the enforcement bodies for each mode on national level (NEB), which are required by the directives and designated by national law,
- on the other hand to the conciliation bodies (CB)<sup>48</sup> as national contact points for complaining passengers, which have a national and - sometimes indirect (via ECC-NET) - transnational scope and comprise all modes.

Furthermore, a close cooperation of national and transnational scale is particularly required for long distance travelling with a high share of intermodal users.

A close cooperation can solve the weakness of both NEBs and CBs by combining the complementary strengths. NEBs can impose sanctions in case claims of passengers are justified by an according monomodal regulation. CBs in contrast work in an intermodal manner and have better opportunities to inform citizens (passengers and potential future passengers) in a comprehensive way about their rights including according opportunities of actually claiming them as well as the according boundaries<sup>49</sup>.

It is very important to distinguish in this respect between the types of legal instruments resp. the field of law as well as between the purpose of each of the two institutions.

- NEBs can care about interests of passengers in a powerful way, because they refer to public law (enforcement of a certain EC regulation) and therefore have the option of sanctioning parties which have caused infringement (see point 2). Sanctions are to be seen as ultima ratio. It is

<sup>47</sup> cf. to e.g. a) Schiefelbusch, Martin: Schlichten - aber richtig, Ombudsmen im Nahverkehr (Conciliation - but in a right way, ombudspersons in public transport); in: Der Nahverkehr, issue 11/2007, p. 50-55; a compact Europe-wide comparison on conciliation with particular focus on status in Germany;

b) New publication about customer care and customer perspective Martin Schiefelbusch, Hans-Liudger Dienel (eds): Public Transport and its Users: The Customer's Perspective in Planning and Customer Care. Aldershot, March 2009;

<sup>48</sup> Conciliation is also called alternative dispute resolution (ADR) or out-of-court settlement.

<sup>49</sup> referring to all kind resp. levels of legal basis: international, European, national, regional

substantial that a NEB is restricted to a certain mode and a certain European regulation (on a single mode), thus cannot enforce international law<sup>50</sup>.

- CBs in contrast act on basis of both civil law and public law. But as they cannot impose sanctions, their impact on the interests of passengers is related to the goodwill of transport operators, thus a question of acceptance of a CB by a certain company<sup>51</sup>. This requires confidence (mostly from side of an operator complying on a certain request or type of request by a CB), what needs years and sufficient positive practical experience on the level of collaborating staff. In reality some companies simply refuse to cooperate or even to communicate on cases of complaint.

The primary objective of NEBs to supervise the regulation for which they are designated can in the best case improve the service quality. The objective of CB is firstly to assist passengers in getting their rights (after-sales) and secondly informing them about their rights (pre-sales & after-sales).

An advanced relation between supplier and customer of services is participation in the stage of planning (development and re-development of service offers).

## IMPACT OF SANCTIONS

Sanctions, imposed by NEB, are one of the most important instruments in the system ensuring passenger rights. Their impact on the compliance of operators is - amongst other aspects - strongly related to the level of sensitivity, i.e. to the level of a "punishing payment" as reaction to an infringement of a regulation. The difference of the level of sanctions in Europe is visible in the case of the aviation regulation No. 261 despite the requirement of Members States to set "effective, proportionate and dissuasive penalties" for infringements<sup>52,53</sup>.

The maximum penalty for non-compliance should not be lower than the expenditure which airlines might avoid through non-compliance.

Apart from penalties (amount and type), according to the experience in Switzerland, another scale of sanction can be seen as a suitable measure (already as potential): revoking the licence of civil aviation, i.e. the basis for operating in a certain market. The Swiss example is different from the very similar options in some Member States, referring to non-EU carriers and their safety. The high impact of this potential consequence of infringements has to be seen in the light of political interest of member states, in which at least bigger airlines are established.

Another aspect is the probability that sanctions are applied. It seems to be appropriate that sanction are typically imposed per passenger affected by an infringement of the regulation, multiplied by the proportion of cases of non-compliance in which it would actually be imposed, what exceeds the costs of compliance per passenger.

## IMPROVING THE PRACTICE

### A) ENFORCEMENT BODY STANDARDS

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<sup>50</sup> e.g. lost luggage according to Montreal Convention

<sup>51</sup> Due to a good relationship 85% of the ADR proposals of the German CB for long distance transport are accepted by Deutsche Bahn.

<sup>52</sup> Report on behalf of DG TREN (2007) on reg. No. 261/04 gives an overview on the fines (p. 64ff): Whereas in Denmark, Hungary and the Netherlands, unlimited fines can be imposed for non-compliance, in other Member States the maximum penalties are much lower. In Latvia, the maximum penalty is 213 EUR.

<sup>53</sup> There is an important legal difference between the types of sanctions that can be applied in different Member States. In the majority, sanctions issued for noncompliance with the regulation would be an administrative penalty and could be subject to appeal to a civil court. However, in Austria, Belgium, Denmark, Ireland and the UK, penalties would be applied under criminal law and therefore a higher standard of proof would be necessary.

It is recommendable to achieve the same conditions for approaching conciliation bodies all over Europe. Already a decade ago the European Commission has defined such standards<sup>54</sup> which can still be assessed being suitable, but they are put into practice differently in each Member State. It can be considered a substantial support for the implementation of passenger rights to foster the application of these standards by CB European-wide, e.g. by a campaign of the EC. It has to be acknowledged that there is a difference between CBs which are designated by EC regulation and CBs which are established on voluntary basis by operators or as projects with public funding<sup>55</sup>.

A step further would be to harmonise important details of complaint handling. For instance, the period of reply for operators requested by CB should be the same as the period of NEB (6 weeks). For other measures see pt. 4.

A particular aspect related to the examination of complaints is the provision of data. NEBs have the possibility to control the operation of carriers in contrast to the requirements of according passenger regulation. This possibility is given in case of complaints in order to check the compliance towards regulation. NEBs are also allowed to do random checks of the operations. It is a question which type of data can be requested from an operator. As this is touching sensitive data of companies, only enforcement bodies are considered to get access. In order to achieve Europe-wide the same conditions for the work of NEBs, an according amendment of the regulation (requesting operators to provide data) could be a solution, i.e. defining the type of operation data and data of certain context conditions (weather, strikes<sup>56</sup>, etc.) as well as the time for saving such data (e.g. 2 years).

## B) EXCHANGE ON PRACTICE

In order to avoid that lacking resources for the complaint handling, particularly human resources, cause a severe bottleneck, a balance has to be found for a reasonable ratio between the capacity and the tasks (number and complexity of complaints).

As it is hardly a solution to set standards for a minimum allocation of (human) resources to NEBs<sup>57</sup>, a close(r) exchange between CBs and NEBs can facilitate this capacity building process.

Furthermore, the implementation of regulation is always refined by jurisdiction, as principally not all details and cases can be envisaged in advance. It would be helpful for both NEBs and CBs to rely on good knowledge of this by exchange despite the differences between the national legal systems. An intensified exchange as part of a closer cooperation between the different NEB and CB should be facilitated by a European programme.

## INFORMATION ABOUT PASSENGER RIGHTS

EU passenger regulation obliges the according operators to inform passengers about the according regulation when entering the system (at interchanges)<sup>58</sup>. But reality reveals deficits; very often simply

<sup>54</sup> EC Recommendations on bodies responsible for out-of-court settlement of consumer disputes (98/257/EC 1998) <http://europa.eu/scadplus/leg/en/lvb/l32031.htm>

<sup>55</sup> The regional CB for the federal state Baden-Württemberg in Germany, run by regional PT associations, is not even mentioned in a public awareness brochure for public transport of the PT operator. In contrast, the conciliation body for long-distance travel in Germany (Schlichtungsstelle Mobilität), funded by the Federal government as a project ending by 2009, has made much effort in public relations/ awareness (e.g. brochure, posters, press releases).

<sup>56</sup> Important for distinguishing between strikes, that are part of force major or strikes, that are not (in case of staff of the operating party).

<sup>57</sup> The 2007 report on reg. No. 261/04 states remarkable differences in terms of staff per million departing passengers (from 0,03 up to 0,27).

<sup>58</sup> e.g. for reg. 261/04 at airports stickers at the check-in gates, info sheets at counters of airlines;



no information is provided by any means<sup>59</sup>. There are international agreements as another basis for claims<sup>60</sup>. As there is no obligation for information, many passengers simply don't know about their rights deriving from these legal basis. In case of a complaint, passengers first have to address to the operator who provided the service due to the contractual relation of the purchased<sup>61</sup> ticket. Only as second step passengers can address to a CB<sup>62</sup>. This is different to NEBs who can be addressed whenever passengers are affected by infringement of passenger regulations, for which the according NEB is designated.

It can be seen an essential prerequisite of the system that passengers are aware of their rights and know about the channels and ways to get their rights, including the according restrictions and limits. And as regards this, the information function of at least some CBs (additionally to conciliation) is highly relevant. This is related to the according PR budget (e.g. for brochures, posters, internet) allowing to inform about passengers rights and contact details of CBs.

In order to facilitate passengers to contact operators, so far a list of NEBs concerning air regulation No. 261/04 is made available at <http://apr.europa.eu>. The leaflet of the EC informing about reg. No. 261/04 is very useful<sup>63</sup>, but there should be a low threshold information source for all EU regulations, and in some cases it would be already a success to get to know about a suitable contact to a company.

A recommendable action requiring reasonable resources is to have one information source for all modes and all countries, where passengers with complaints from all EU states (not only EU citizens but also visitors in EU states) can address to by all kind of communication (website, phone, postal address). There (esp. on a website with search engine), they would also get information how to contact all long distance operators. The provision of forms for complaints should be included. Additionally, there should be a common standard for the provision of contact details and conditions (e.g. limited phone toll, minimum opening hours).

The European Passengers' Federation (EPF) has already proposed to the Commission (DGTREN) the use of a standard form in Member States, which would be well known.

The possible impact of better informed users is an improved efficiency of the complaint handling, as a part of the complaints can be avoided due to better information which otherwise has to be done by institutions regarded as contact points by passengers<sup>64</sup>.

The current system of treatment of passengers makes sure that only very dissatisfied customers will carry on with their complaint, willing to go to court and (try to) claim the according rights if the conciliation process does not result in a consensus. The regulation in force so far<sup>65</sup> is related to longer travel distances with higher values than the envisaged regulation on bus/coach. It can be expected

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<sup>59</sup> At Berlin Schoenefeld airport, passengers of Air Berlin are informed at the counter by a 2 pages sheet about various aspects related to aviation. Only one of these info boxes (with small letters) is about passenger rights referring to EC regulation 261/2004.

<sup>60</sup> esp. Warsaw Convention, Montreal Convention, regulating the carriage of persons, luggage and goods by aviation

<sup>61</sup> In contrast, **package travelling** is no matter of this recommendation and belongs to the discrete sector of traveller law, despite some overlaps (travellers approaching passenger conciliation bodies). In some cases, package travelling concerns the tasks of the same conciliation body as for passenger rights (e.g. ADR in Sweden, dealing with all consumer matters; consumer agencies in Germany on regional/ federal state level).

<sup>62</sup> The service of CBs and NEBs is offered for free, but it is not expected that they, particularly CBs, bear the burden of all customer care tasks of operators, but caring about only the remaining cases of dispute (on second level).

<sup>63</sup> [http://ec.europa.eu/transport/publications/doc/apr\\_leaflet\\_en.pdf](http://ec.europa.eu/transport/publications/doc/apr_leaflet_en.pdf)

<sup>64</sup> A major part of the contacts to the German conciliation body for long distance mobility (Schlichtungsstelle Mobilität) are information inquiries (9000) in contrast to 2000 completed cases of conciliation.

<sup>65</sup> Montreal convention, Warsaw convention, EC regulation No. 261 (aviation) and No. 1107 (PRM)



that the relevance of CBs and the awareness of passengers about their opportunities with the help of CBs will be higher in the future.

The requirement of information is based on the existence and broad use of technology. It can be said that the implementation respectively the discussion about these requirements is slightly at the beginning<sup>66</sup>, but requires much more attention regarding technological, but perhaps even more concerning institutional structures and procedures.

### *Language barriers*

A particular aspect of transnational travel is that other languages than the maternal language of a passenger are required - not only for the journey or for the preparatory planning, but even more in case of complaining and asking for compensation. The current situation of complaint handling by CBs and NEBs is that communication can happen (if so) in only very few foreign languages.

To solve this aspect, the according resources have to be taken into account. A close cooperation between single CBs as well as NEBs and the ECC-NET<sup>67</sup> with its capacities for translations seems to be an appropriate way. The basic idea is that cases of complaint have only to be forwarded to the according institution, which is responsible for the further handling.

The language problem is just one of the barriers which hinder passengers from insisting on their rights. Others are lacking information and awareness. This implies the communication about passenger rights. This can be published in mass media, through certain channels used by passengers for information and booking (esp. websites of operators) and in interchanges<sup>68</sup>. This leads also to the question of language in cases where cross-border travelling is concerned.

## PARTICIPATION AND QUALITY MANAGEMENT

Operating services ("production") means for both the responsible management and the society to face the problem of best allocation of resources, which is normally done by the help of expert knowledge, tools and experience, but a considerable lack of information about the relation between the service offer and the demand in terms of quantity and quality always remains. Focusing on quality: Measuring quality of transport services is quite common as it is needed to control the contractual fulfilling of tasks (e.g. by operator for tendering authority). There are elaborated methods in practice for public transport (passenger questionnaires, mystery buyers, automatic measuring, etc.).

Beyond desired good possibilities for individual passengers (e.g. for complaint handling), a further development is to make and to let passengers support the provision of service. The basic idea is to benefit from user comments (e.g. complaints) as additional source within a quality management system for improving the service quality; and improving the efficiency of a service by improving the quality should be the aim (and a necessity) of competition. Complaints should be looked upon as a valuable quality check of professional customer relations which will help to ensure a consistency in treatment. An analysis of complaints can refer to all possible and useful data (hour, line number, cause of disruption etc.) and contribute to a better understanding of passengers' concerns, types of problems and new trends. It can also be a tool to support wider consumer campaigning.

Another important aspect is the efficiency of complaint handling. This is related to the information channels to both the users and the potential users, e.g. well known website of an operator, enforcement body or conciliation body providing an online form to submit complaints - regardless the

<sup>66</sup> e.g. EC reg. 1371/2007 on rail passengers' rights and obligations says: "The provision of information and tickets for rail passengers should be facilitated by the adaptation of computerised systems to a common specification." (cf. Article 7, 8, 10, 29), and in particular for PRM (Article 20), more specified in the Annex.

<sup>67</sup> Established in 2005 after merging the European Network for the extra-judicial settlement of consumer disputes (EEJ-Net) and the "Euroguichet Network" of national information points on consumer matters; ECC-Net has currently 30 centres (at least one national contact point in each Member State + Norway and Iceland).

<sup>68</sup> A good example about this is the EC campaign (posters) on air transport passenger rights (261/2004) in airport.

need to provide documents (e.g. tickets) and information about the conditions (i.e. what is justified, what is not)<sup>69</sup>; this again is at best an add-on of existing quality management system. Next to communication by individuals, there is a need to channel the expressions of the individuals by representation institutions<sup>70</sup>.

Although existing quality management systems are required for integrating information from side of users, such add-on can be implemented quite fast as it is simple in terms of technology used (e.g. new subpage on the operator's website, new helpline). It is important that such a system is introduced (and run) and acknowledged as constant management tool.

Another benefit of advanced treatment of passengers going further than complaint handling only, is to provide a valuable outlet for frustrated passengers, an assurance that their concerns are being taken seriously. This is an aspect of strategic thinking in term of customer care with a positive impact on gaining new customers and rewarding loyalty of existing customers. But solely collecting the feedback of dissatisfied users will hardly result in better service quality, if not other measures are taken or if only the basic (and minimum) passenger rights are kept, which do not meet the expectations of disappointed users. The EU rules ensure only the minimum compensation. This does not include further negative consequences (costs, inconveniences due to missed connections). But providers are free to offer schemes, which exceed this standard.

The quality (management) of the transport services for the end users is based on the quality (management) of the provision of the according infrastructure. Whereas local public transport is using own infrastructure in the case of rail bound or road networks, railway services require infrastructure which is owned and operated by only one or very few players in most countries (part of former national railway companies). It can be stated that there is a lack of current and sufficiently comprehensive information on the status of rail *infrastructure*, required by providers other than the owner. This is an aspect which touches the liability of service providers in cases of advanced user rights (e.g. punctuality guarantee)<sup>71</sup>. If there is no information on the situation of the *infrastructure*, contracts with the infrastructure owner on the use are lacking the basis<sup>72</sup>. This can be seen as prerequisite of advanced passenger rights.

An improved monitoring system could be part of a solution due to the indirect impact that providers have a clear basis for offering services. Defaults can be attributed to a certain party which is responsible and can be charged (e.g. for compensation of passengers for delay). Such a monitoring system of the status of (rail) infrastructure should thus include also passenger complaints as one source. It remains an open question which parameters and methods of measuring are needed. Furthermore the publicity of such data<sup>73</sup> which have impact on the image of stakeholders and services needs to be clarified.

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<sup>69</sup> e.g. online form of 10 minutes services guarantee of Rhein-Main-Verkehrsverbund [https://servicepaket.rmv.de/10min/public/create\\_complaint.jsp](https://servicepaket.rmv.de/10min/public/create_complaint.jsp); Pilot project in some parts of the regional transport association RMV (Frankfurt): local PT tickets (i.e. except rail) are refunded in case of delays >10 min, and in the evening (after 9 PM) one can chose reimbursement of taxi (up to 15 EUR).

<sup>70</sup> Good experience from the British CBs: The 'London Travelwatch' assures a great deal of help to passengers as well as help to the operators for the area of Greater London. So is the Passenger Focus, which covers Great Britain outside greater London.

<sup>71</sup> Travellers in Sweden can buy an intermodal *Resplus* ticket that includes a service guarantee also for connecting transport for bus, coach or train, but airlines are not part of this scheme. When a trip is delayed by at least 30 minutes, the operator is obliged to arrange alternative modes of travel or a (partial) refund of the ticket. They are also liable if the vehicles are particularly not clean or if there is an insufficient amount of food available. The passenger also has the right to get food and accommodation in the case that the delay would make such arrangements necessary. The reasons for the little use remains open (only 1.4 million trips in 2004).

<sup>72</sup> The accurate planning of (rail) services requires knowledge of the infrastructure status (sufficiently detailed parameters, sufficiently current information/ monitoring) by the according provider. This is crucial point for both the provision of further passenger rights and increased competition of services (e.g. with clear bonus/malus agreements).

<sup>73</sup> Deutsche Bahn e.g. is supposed to run an online panel of 20000 passengers measuring several quality aspects, but the results are internal data. Another, but public quality check is done by the passenger association VCD („Bahntest“, since 2001).

## EUROPEAN STRATEGY

The need of an evaluation of the legislation has to be highlighted as the EC states in its Explanatory Memorandum to Regulation No. 261/2004<sup>74</sup>. This review is a good and in-depth overview, but a following review should be done in a reasonable period in order to check amendments since then and to identify transferable findings for other directives on passenger rights in the light of intermodality.

The national culture of dispute has to be taken into account when dealing with the further development of the treatment of passengers. There are differences in Europe which cover the range from a broadly known and used approach of out-of-court settlement (e.g. Sweden) to a hardly not existing dispute culture (most new member states), but also a culture with the alternative to “go to court or to remain frustrated” (e.g. Germany). Even this and the (modal) directives which are about to be implemented require a comprising intermodal, sound and long-term strategy of the EC, which should target capacity building of according bodies for dispute resolution, enforcement on the one hand and information of citizens on the other hand to improve this situation.

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<sup>74</sup> Review of regulation 261/2004 on behalf of DG TREN, 2007

[http://ec.europa.eu/transport/air\\_portal/passenger\\_rights/studies/doc/2007\\_02\\_review\\_regulation\\_261\\_2004\\_report\\_en.pdf](http://ec.europa.eu/transport/air_portal/passenger_rights/studies/doc/2007_02_review_regulation_261_2004_report_en.pdf)  
including case studies (by country):

[http://ec.europa.eu/transport/air\\_portal/passenger\\_rights/studies/doc/2007\\_02\\_review\\_regulation\\_261\\_2004\\_appendix\\_b\\_en.pdf](http://ec.europa.eu/transport/air_portal/passenger_rights/studies/doc/2007_02_review_regulation_261_2004_appendix_b_en.pdf)