

Rail passengers' rights and obligations in the EU

In the European Union (EU), rail passengers' rights and obligations are governed by Regulation (EC) No 1371/2007, applicable since the end of 2009, which provides for all passengers a harmonised level of information, assistance and protection. In September 2017, the European Commission adopted a new proposal which aims to strike a better balance between strengthening passengers' rights and reducing the burden on rail companies. The European Parliament is due to vote its position on this proposal during its November I plenary session.

Background

[Regulation 1371/2007](#) provides passengers with a range of services, such as information, liability in respect of themselves and their luggage, and – if a train is delayed or cancelled – reimbursement or continuation of the journey, compensation and assistance. Disabled persons or those with reduced mobility (DPRMs) can benefit from specific rights on accessibility of trains, stations and assistance. In its 2013 [report](#) on the application of the regulation and in the 2017 [impact assessment](#), the Commission highlighted some issues such as the non-uniform application of the provisions due to the use of exemptions and weak enforcement of rules, and expressed its intention to further align passengers' rights in rail with other transport modes.

European Commission proposal

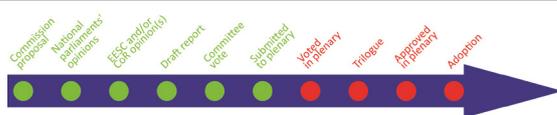
To address these shortcomings and objectives, the Commission adopted a [proposal](#) on 27 September 2017, to remove exemptions from long-distance domestic services and for cross-border urban, suburban and regional ones. The proposed regulation reinforces information about passenger's rights, in particular on through-tickets. It proposes to strengthen DPRMs' rights, for instance by compensating in full the loss of their mobility equipment. To enhance enforcement, it clarifies the procedure for lodging a complaint. Most importantly, it proposes to introduce a *force majeure* clause, which would exempt rail operators from paying compensation for delays caused by severe weather conditions or major natural disasters, aligning rail rules with other EU transport legislation.

European Parliament position

European Parliament's Committee on Transport and Tourism (TRAN) published its [draft report](#) on the proposal in February 2018. Six hundred amendments were tabled and discussed by the TRAN committee in April 2018. A consensus was reached on the need to reinforce DPRMs' rights, but diverging views were expressed on exemptions and the *force majeure* clause. In June 2018, the rapporteur noted that some compromise amendments had been reached but that further discussions were needed, for instance, on compensation levels for delays.

On 9 October 2018, the TRAN committee adopted its [report](#), with a series of compromise amendments modifying the proposal. It proposes to reinforce passengers' rights by removing the *force majeure* clause, including regional services in the regulation's scope and facilitating the carriage of bicycles. It also proposes to increase the levels of compensation in case of delays, up to 100 % of the ticket price for a delay of over two hours. It proposes to reduce from 48 to 12 hours the pre-notification period for assistance in stations for DPRMs, and abolish it in stations with daily traffic exceeding 10 000 passengers. The report is expected to be voted during the November I 2018 plenary session, setting Parliament's position for trilogue talks.

First-reading report: [2017/0237\(COD\)](#); Committee responsible: TRAN; Rapporteur: Bogusław Liberadzki (S&D, Poland). For further information see our 'EU Legislation in progress' [briefing](#).



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