REPORT

on the proposal for a regulation of the European Parliament and of the Council on rail passengers’ rights and obligations (recast)

Committee on Transport and Tourism

Rapporteur: Bogusław Liberadzki

(Recast – Rule 104 of the Rules of Procedure)
### Symbols for procedures

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(The type of procedure depends on the legal basis proposed by the draft act.)

### Amendments to a draft act

**Amendments by Parliament set out in two columns**

Deletions are indicated in *bold italics* in the left-hand column. Replacements are indicated in *bold italics* in both columns. New text is indicated in *bold italics* in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

**Amendments by Parliament in the form of a consolidated text**

New text is highlighted in *bold italics*. Deletions are indicated using either the ▌ symbol or strikeout. Replacements are indicated by highlighting the new text in *bold italics* and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.
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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council on rail passengers’ rights and obligations (recast)

(Ordinary legislative procedure – recast)

The European Parliament,

– having regard to the Commission proposal to Parliament and the Council (COM(2017)0548),

– having regard to Article 294(2) and Article 91(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal (C8-0324/2017),

– having regard to Article 294(3) of the Treaty on the Functioning of the European Union,

– having regard to the opinion of the European Economic and Social Committee of 18 January 2018¹,

– after consulting the Committee of the Regions,

– having regard to the Interinstitutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts²,

– having regard to the letter of 24 July 2017 from the Committee on Legal Affairs to the Committee on Transport and Tourism in accordance with Rule 104(3) of its Rules of Procedure,

– having regard to Rules 104 and 59 of its Rules of Procedure,

– having regard to the report of the Committee on Transport and Tourism and the opinion of the Committee on the Internal Market and Consumer Protection (A8-0340/2018),

A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the Commission proposal does not include any substantive amendments other than those identified as such in the proposal, and whereas, as regards the codification of the unchanged provisions of the earlier acts together with those amendments, the proposal contains a straightforward codification of the existing texts, without any change in their substance;

1. Adopts its position at first reading hereinafter set out, taking into account the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission;

¹ OJ C 197, 8.6.2018, p. 66.
2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;

3. Instructs its President to forward its position to Council, the Commission and the national parliaments.
Amendment 1
Proposal for a regulation
Recital 1

Text proposed by the Commission

(1) A number of amendments are to be made to Regulation (EC) No 1371/2007 of the European Parliament and of the Council\(^{24}\). In the interests of clarity, that Regulation should be recast.

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Amendment 2
Proposal for a regulation
Recital 3

Text proposed by the Commission

(3) Despite considerable progress made in protecting consumers in the Union, further improvements in protecting the rights of rail passengers are still to be made.

Amendment

(3) Despite considerable progress made in protecting consumers in the Union, further improvements are still to be made in protecting the rights of rail passengers and in ensuring they are compensated for delays, cancellations and any material damage.

Amendment 3
Proposal for a regulation
Recital 5
Text proposed by the Commission

(5) Granting the same rights to rail passengers taking international and domestic journeys should raise the level of consumer protection in the Union, ensure a level playing-field for railway undertakings and guarantee a uniform level of rights for passengers.

Amendment

(5) Granting the same rights to rail passengers taking international and domestic journeys should raise the level of passenger rights in the Union, in particular as regards their access to information and compensation in case of delay or cancellation. Passengers should receive as precise information as possible on their rights.

Amendment 4
Proposal for a regulation
Recital 5 a (new)

Text proposed by the Commission

(5a) This Regulation should not adversely affect the ability of the Member States or competent authorities to establish social tariffs for services regulated under a public service obligation, and for commercial services.

Amendment

Amendment 5
Proposal for a regulation
Recital 6

Text proposed by the Commission

(6) Urban, suburban and regional rail passenger services are different in character from long-distance services. Member States should therefore be allowed to exempt urban, suburban and regional rail passenger services which are not cross-border services within the Union from certain provisions on passengers' rights.

Amendment

(6) Urban and suburban rail passenger services are different in character from long-distance services. Member States should therefore be allowed to exempt urban and suburban rail passenger services from certain provisions on passengers' rights.
Recital 8

(8) However, the exemptions should not apply to the provisions of this Regulation that facilitate the use of rail services by persons with disabilities or persons with reduced mobility. Furthermore, exemptions should not apply to the rights of those wishing to purchase tickets for travel by rail to do so without undue difficulty, to the provisions on railway undertakings’ liability in respect of passengers and their luggage, to the requirement that railway undertakings be adequately insured, and to the requirement that they take adequate measures to ensure passengers’ personal security in railway stations and on trains and to manage risk.

Amendment 7

Recital 9

(9) Users’ rights to rail services include the receipt of information regarding the service both before and during the journey. Whenever possible, railway undertakings and ticket vendors should provide this information in advance and as soon as possible. That information should be provided in accessible formats for persons with disabilities or persons with reduced mobility.

Amendment 8
Proposal for a regulation
Recital 9 a (new)

**Text proposed by the Commission**

(9a) Access to all real-time operational data and tariffs on non-discriminatory and viable terms makes rail travel more accessible to new customers and provides them with a wider range of journey possibilities and tariffs to choose from. Railway undertakings should provide ticket vendors with their operational and tariff data in order to facilitate rail travel. Efforts should be made to allow passengers to book through-tickets and optimal single rail journeys.

Amendment 9

Proposal for a regulation
Recital 9 b (new)

**Text proposed by the Commission**

(9b) Intensive multimodal passenger transport will help achieve climate goals. Railway undertakings should also therefore advertise combinations with other modes of transport so that rail users are aware of them before making their travel reservations.

Amendment 10

Proposal for a regulation
Recital 9 c (new)

**Text proposed by the Commission**

(9c) Well-developed multimodal passenger transport systems will help to achieve climate goals. Railway undertakings should therefore also advertise combinations with other modes of transport so that rail consumers are aware of them before making their travel
Amendment 11
Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) In the context of the sale of tickets for the transport of passengers, Member States should take all necessary measures to prohibit discrimination on the basis of nationality or residence, regardless whether the passenger concerned is present, permanently or on a temporary basis, in another Member State. Those measures should cover all covert forms of discrimination which, by the application of other criteria, such as residence, physical or digital location, may have the same effect. In light of the development of online platforms selling passenger transport tickets, Member States should pay special attention to ensuring that no discrimination occurs during the process of accessing online interfaces or purchasing tickets. However, transport schemes involving social tariffs should not be automatically precluded, provided that they are proportionate and independent of the nationality of the persons concerned.

Amendment

(12) In the context of the sale of tickets for the transport of passengers, Member States should take all necessary measures to prohibit discrimination on the basis of nationality or residence, regardless whether the passenger concerned is present, permanently or on a temporary basis, in another Member State. Those measures should cover all covert forms of discrimination which, by the application of other criteria, such as residence, physical or digital location, may have the same effect. In light of the development of online platforms selling passenger transport tickets, Member States should pay special attention to ensuring that no discrimination occurs during the process of accessing online interfaces or purchasing tickets. However, transport schemes involving social tariffs should not be precluded, provided that they are independent of the nationality of the persons concerned.

Amendment 12
Proposal for a regulation
Recital 13

Text proposed by the Commission

(13) The increasing popularity of cycling across the Union has implications for overall mobility and tourism. An increase in the use of both railways and cycling in the modal split reduces the environmental impact of transport. Therefore, railway undertakings should

Amendment

(13) The increasing popularity of cycling across the Union has implications for overall mobility and tourism. An increase in the use of both railways and cycling in the modal split reduces the environmental impact of transport. Therefore, railway undertakings should
facilitate the combination of cycling and train journeys as much as possible, in particular by allowing the carriage of bicycles on board trains.

facilitate the combination of cycling and train journeys as much as possible, in particular they should provide sufficient bicycle stands for the carriage of assembled bicycles in areas intended for that purpose on board all types of passenger trains, including high speed, long distance, cross border and local services. Passengers should be informed of the space available for bicycles. These requirements should apply to all railway undertakings from [two years after the entry into force of the Regulation].

Amendment 13
Proposal for a regulation
Recital 14

Text proposed by the Commission

(14) Railway undertakings should facilitate the transfer of rail passengers from one operator to another by the provision of through-tickets, whenever possible.

Amendment

(14) Railway undertakings should facilitate the transfer of rail passengers from one operator to another by the provision of through-tickets.

Amendment 14
Proposal for a regulation
Recital 15

Text proposed by the Commission

(15) In the light of the United Nations Convention on the Rights of Persons with Disabilities and in order to give persons with disabilities and persons with reduced mobility opportunities for rail travel comparable to those of other citizens, rules for non-discrimination and assistance during their journey should be established. Persons with disabilities and persons with reduced mobility, whether caused by disability, age or any other factor, have the same right as all other citizens to free movement and to non-discrimination. Inter alia, special attention should be given to the provision of information to persons

Amendment

(15) In the light of the United Nations Convention on the Rights of Persons with Disabilities and in order to give persons with disabilities and persons with reduced mobility opportunities for rail travel comparable to those of other citizens, rules for non-discrimination and assistance during their journey should be established. Persons with disabilities and persons with reduced mobility, whether caused by disability, age or any other factor, have the same right as all other citizens to free movement and to non-discrimination. Inter alia, special attention should be given to the provision of accessible information to
with disabilities and persons with reduced mobility concerning the accessibility of rail services, access conditions of rolling stock and the facilities on board. In order to provide passengers with sensory impairment with the best information on delays, visual and audible systems should be used, as appropriate. Persons with disabilities and persons with reduced mobility should be enabled to buy tickets on board a train without extra charges. Staff should be adequately trained to respond to the needs of persons with disabilities and persons with reduced mobility, notably when providing assistance. To ensure equal travel conditions, such persons should be provided with assistance at stations and on board at all times when trains operate and not only at certain times of the day.

Amendment 15
Proposal for a regulation
Recital 15 a (new)

Text proposed by the Commission

(15a) If no accessible ticket vending facilities are available at the station, persons with disabilities and persons with reduced mobility should be able to purchase tickets on board the train.

Amendment 16
Proposal for a regulation
Recital 16

Text proposed by the Commission

(16) Railway undertakings and station managers should take into account the needs of persons with disabilities and persons with reduced mobility, through compliance with the TSI for persons with reduced mobility. In addition, in accordance with Union public procurement rules, in particular Directive 2014/24/EU

Amendment

(16) Railway undertakings and station managers should take into account the needs of persons with disabilities and persons with reduced mobility, through compliance with Commission Regulation 1300/2014 (TSI)25a and Directive XXX when complementing TSI. In addition, in accordance with Union public procurement rules.
of the European Parliament and of the Council\textsuperscript{26}, all buildings and rolling stock should be made accessible through the progressive elimination of physical obstacles and functional hindrances when acquiring new material or carrying out construction or major renovation work.


Amendment 17

Proposal for a regulation

Recital 17

\textit{Text proposed by the Commission}

(17) It is desirable that this Regulation create a system of compensation for passengers in the case of delay which is linked to the liability of the railway undertaking, on the same basis as the international system provided by the COTIF and in particular CIV Uniform Rules thereto relating to passengers' rights. In the event of a delay of a passenger service, railway undertakings should provide passengers with compensation based on a percentage of the ticket price.

\textit{Amendment}

(17) It is desirable that this Regulation create a system of compensation for passengers in the case of delay which is linked to the liability of the railway undertaking, on the same basis as the international system provided by the COTIF and in particular CIV Uniform Rules thereto relating to passengers' rights. \textbf{Purchased tickets should be fully refundable.} In the event of a delay of a passenger service, railway undertakings should provide passengers with compensation based on a percentage \textit{up to 100\%} of the ticket price.


Amendment 18
Proposal for a regulation
Recital 18

Text proposed by the Commission

(18) Railway undertakings should be obliged to be insured, or to make equivalent arrangements, for their liability to rail passengers in the event of accident. Where Member States set a maximum amount for compensatory damages in the event of death or personal injury to passengers, that amount should be at least equivalent to the amount set out in the CIV Uniform Rules.

Amendment

(18) Railway undertakings should be obliged to be insured, or to make equivalent arrangements, for their liability to rail passengers in the event of accident. Where Member States set a maximum amount for compensatory damages in the event of death or personal injury to passengers, that amount should be at least equivalent to the amount set out in the CIV Uniform Rules. Member States should have the possibility to increase the amount for compensatory damages in the event of death or personal injury to passengers at any time.

Amendment 19
Proposal for a regulation
Recital 20

Text proposed by the Commission

(20) In the event of delay, passengers should be provided with continued or re-routed transport options under comparable transport conditions. The needs of persons with disabilities and persons with reduced mobility should be taken into account in such an event.

Amendment

(20) In the event of delay, passengers should be provided with continued or re-routed transport options under comparable transport conditions. The needs of appropriate information for persons with disabilities and persons with reduced mobility should in particular be taken into account in such an event.

Amendment 20
Proposal for a regulation
Recital 21

Text proposed by the Commission

(21) However, a railway undertaking should not be obliged to pay compensation if it can prove that the delay

deleted
was caused by severe weather conditions or major natural disasters endangering the safe operation of the service. Any such event should have the character of an exceptional natural catastrophe, as distinct from normal seasonal weather conditions, such as autumnal storms or regularly occurring urban flooding caused by tides or snowmelt. Railway undertakings should prove that they could neither foresee nor prevent the delay even if all reasonable measures had been taken.

Amendment 21
Proposal for a regulation
Recital 22

Text proposed by the Commission

(22) In cooperation with infrastructure managers and railway undertakings, station managers should prepare contingency plans to minimise the impact of major disruptions by providing stranded passengers with adequate information and care.

Amendment

(22) In cooperation with infrastructure managers and railway undertakings, station managers should prepare and make publicly available contingency plans to minimise the impact of major disruptions by providing stranded passengers with adequate information and care.

Amendment 22
Proposal for a regulation
Recital 23

Text proposed by the Commission

(23) This Regulation should not restrict the rights of railway undertakings to seek compensation from any person, including third parties, in accordance with applicable national law.

Amendment

(23) This Regulation should not restrict the rights of railway undertakings, ticket vendors, railway station or infrastructure managers to seek compensation, where applicable, from any person, including third parties, for meeting their obligations to passengers under this Regulation.

Amendment 23
Proposal for a regulation

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Recital 27

_**Text proposed by the Commission**_

(27) Rail passengers should be able to submit a complaint to any railway undertaking involved regarding the rights and obligations conferred by this Regulation, and be entitled to receive a response within a reasonable period of time.

_**Amendment**_

(27) Rail passengers should be able to submit a complaint to any railway undertaking, _ticket vendor, railway station or infrastructure manager_ involved regarding the rights and obligations conferred by this Regulation, and be entitled to receive a response within a reasonable period of time.

Amendment 24

Proposal for a regulation

Recital 28

_**Text proposed by the Commission**_

(28) Railway undertakings and station managers should define, make publicly available, manage and monitor service quality standards for rail passenger services.

_**Amendment**_

(28) Railway undertakings and station managers should define, make publicly available, manage and monitor service quality standards for rail passenger services _including those for persons with disabilities and persons with reduced mobility._

Amendment 25

Proposal for a regulation

Recital 29

_**Text proposed by the Commission**_

(29) To maintain a high level of consumer protection in rail transport, Member States should be required to designate national enforcement bodies to monitor closely and enforce this Regulation at national level. Those bodies should be able to take a variety of enforcement measures. Passengers should be able to complain to those bodies about alleged infringements of the Regulation. To ensure the satisfactory handling of such complaints, the bodies should also _provide the option for passengers of binding alternative dispute resolution, in line with Directive 2013/11/EU_.

_**Amendment**_

(29) To maintain a high level of consumer protection in rail transport, Member States should be required to designate national enforcement bodies to monitor closely and enforce this Regulation at national level. Those bodies should be able to take a variety of enforcement measures, and to provide the option for passengers of binding alternative dispute resolution, in line with Directive 2013/11/EU_. Passengers should be able to complain to those bodies about
cooperate with each other. alleged infringements of the Regulation, and to use online dispute resolution established under Regulation 524/2013/EU\(^{1b}\) where agreed. It should also be provided that complaints may be made by organisations representing groups of passengers. To ensure the satisfactory handling of such complaints, the bodies should also cooperate with each other and this Regulation should continue to be listed in the Annex to the Regulation 2017/2394/EU of the European Parliament and of the Council\(^{1c}\). Each year national enforcement bodies should publish reports with statistics on their websites detailing the number and type of complaints that they have received, and detailing the outcome of their enforcement actions. In addition, those reports should be made available on the website of the European Union Agency for Railways.


Amendment 26
Proposal for a regulation
Recital 31

\textit{Text proposed by the Commission}\hspace{1cm} \textit{Amendment}

(31) Member States should lay down penalties applicable to infringements of this Regulation and ensure that these penalties are applied. The penalties, which might include the payment of compensation to the person in question, should be effective, proportionate and dissuasive.

(31) Member States should lay down penalties applicable to infringements of this Regulation and ensure that these penalties are applied. The penalties, which might include the payment of compensation to the person in question, should be effective, proportionate and dissuasive and should include, but not be limited to, a minimum fine or a percentage of the relevant undertaking’s or organisation’s annual turnover, whichever is the higher.

Amendment 27
Proposal for a regulation
Recital 33 a (new)

\textit{Text proposed by the Commission}\hspace{1cm} \textit{Amendment}

(33a) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission to adopt a standardized Union complaint form that passengers may use to apply for compensation in accordance with this Regulation. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission’s exercise of implementing powers\textsuperscript{1a}.

\hspace{1cm} \textsuperscript{1a} \textit{OJ L 55, 28.2.2011, p. 13.}
Amendment 28
Proposal for a regulation
Article 1 – title

*Text proposed by the Commission*

Subject matter

*Amendment*

Subject matter *and objectives*

Amendment 29
Proposal for a regulation
Article 1 – paragraph 1 – introductory part

*Text proposed by the Commission*

This Regulation establishes rules applicable to rail transport as regards the following:

*Amendment*

This Regulation establishes rules applicable to rail transport *to provide for effective protection of passengers and encourage rail travel* as regards the following:

Amendment 30
Proposal for a regulation
Article 1 – paragraph 1 – point a

*Text proposed by the Commission*

(a) non-discrimination between passengers with regard to transport conditions;

*Amendment*

(a) non-discrimination between passengers with regard to transport *and ticketing* conditions;

Amendment 31
Proposal for a regulation
Article 1 – paragraph 1 – point d

*Text proposed by the Commission*

(d) passengers’ rights in the event of cancellation or delay;

*Amendment*

(d) passengers’ rights *and compensation* in the event of disruption, such as cancellation or delay;
Amendment 32

Proposal for a regulation
Article 1 – paragraph 1 – point e

Text proposed by the Commission
(e) minimum information to be provided to passengers;

Amendment
(e) minimum, **accurate and timely** information to be provided **in accessible format** to passengers, **including the conclusion of transport contracts and the issuing of tickets**;

Amendment 33

Proposal for a regulation
Article 1 – paragraph 1 – point f

Text proposed by the Commission
(f) non-discrimination against, and mandatory assistance for, persons with disabilities and persons with reduced mobility;

Amendment
(f) non-discrimination against, and mandatory assistance by trained staff for persons with disabilities and persons with reduced mobility;

Amendment 34

Proposal for a regulation
Article 1 – paragraph 1 – point h

Text proposed by the Commission
(h) the handling of complaints;

Amendment
(h) proper procedures for filing and handling of complaints;

Amendment 35

Proposal for a regulation
Article 2 – paragraph 2 – point a

Text proposed by the Commission
(a) urban, suburban and **regional** rail passenger services as referred to in Directive 2012/34/EU, except cross-border services within the Union;

Amendment
(a) urban and **regional** rail passenger services as referred to in Directive 2012/34/EU, except cross-border services within the Union;
Amendment 36

Proposal for a regulation
Article 2 – paragraph 2 – point b

Text proposed by the Commission

(b) international rail passenger services of which a significant part, including at least one scheduled station stop, is operated outside the Union, provided that passengers’ rights are adequately ensured under relevant national law on the territory of the Member State granting the exemption.

Amendment

(b) international rail passenger services of which a significant part, including at least one scheduled station stop, is operated outside the Union;

Amendment 37

Proposal for a regulation
Article 2 – paragraph 2 – point b a (new)

Text proposed by the Commission

(b a) domestic rail passenger services where such exemption was granted by Member States under Regulation (EC) No 1371/2007 for a maximum of 12 months after [insert date of entry into force of this Regulation].

Amendment

(b a) domestic rail passenger services where such exemption was granted by Member States under Regulation (EC) No 1371/2007 for a maximum of 12 months after [insert date of entry into force of this Regulation].

Amendment 38

Proposal for a regulation
Article 2 – paragraph 3

Text proposed by the Commission

3. Member States shall inform the Commission of exemptions granted pursuant to points (a) and (b) of paragraph 2, and on the adequacy of their national law on their territory for the purposes of point (b) of paragraph 2.

Amendment

3. Member States shall inform the Commission of exemptions granted pursuant to points (a), (b) and (ba) of paragraph 2.
Amendment 39

Proposal for a regulation
Article 2 – paragraph 4

Text proposed by the Commission

4. Articles 5, 10, 11 and 25 and Chapter V shall apply to all rail passenger services referred to in paragraph 1, including services exempted in accordance with points (a) and (b) of paragraph 2.

Amendment

4. Articles 5, 6, 11, 12, 17 and Chapter V shall apply to all rail passenger services referred to in paragraph 1, including services exempted in accordance with point (a) of paragraph 2.

Amendment 40

Proposal for a regulation
Article 2 – paragraph 4 a (new)

Text proposed by the Commission

4 a. This Regulation shall not apply to services which are operated strictly for their historical interest.

Amendment

Amendment 41

Proposal for a regulation
Article 3 – paragraph 1 – point 1 a (new)

Text proposed by the Commission

(1 a) ‘carrier’ means the contractual railway undertaking with whom the passenger has concluded the transport contract or a series of successive railway undertakings which are liable on the basis of this contract;

Amendment

Amendment 42

Proposal for a regulation
Article 3 – paragraph 1 – point 1 b (new)

Text proposed by the Commission

(1 b) ‘substitute carrier’ means a
railway undertaking, which has not concluded a transport contract with the passenger, but to which the railway undertaking party to the contract has entrusted, in whole or in part, the performance of the transport by rail;

Amendment 43

Proposal for a regulation
Article 3 – paragraph 1 – point 4

Text proposed by the Commission

(4) ‘tour operator’ means an organiser or retailer, other than a railway undertaking, within the meaning of Article 3 points (8) and (9) of Directive (EU) 2015/2302 of the European Parliament and of the Council;  

Amendment

(4) ‘tour operator’ means an organiser, other than a railway undertaking, within the meaning of point (8) of Article 3 of Directive (EU) 2015/2302 of the European Parliament and of the Council;  


Amendment 44

Proposal for a regulation
Article 3 – paragraph 1 – point 5

Text proposed by the Commission

(5) ‘ticket vendor’ means any retailer of rail transport services concluding transport contracts and selling tickets on behalf of a railway undertaking or for its own account;  

Amendment

(5) ‘ticket vendor’ means any retailer of rail transport services concluding transport contracts and selling tickets, separate tickets or through-tickets on behalf of one or more railway undertakings or for its own account;  

Amendment 45
Proposal for a regulation
Article 3 – paragraph 1 – point 5 a (new)

Text proposed by the Commission

(5a) 'distributor' means a retailer of rail transport services selling tickets on behalf of a railway undertaking, and which does not have any obligation in the contract concluded between the passenger and the railway undertaking.

Amendment 46
Proposal for a regulation
Article 3 – paragraph 1 – point 6

Text proposed by the Commission

(6) ‘transport contract’ means a contract of carriage for reward or free of charge between a railway undertaking or a ticket vendor and the passenger for the provision of one or more transport services;

Amendment 47
Proposal for a regulation
Article 3 – paragraph 1 – point 6 a (new)

Text proposed by the Commission

(6a) ‘ticket’ means a valid evidence that entitles the passenger to rail transport, regardless of its form, paper, e-Ticket, Smartcard, travel card;

Amendment 48
Proposal for a regulation
Article 3 – paragraph 1 – point 6 b (new)
Text proposed by the Commission

(6b) ‘combined journey’ means a ticket or tickets representing more than one transport contract for successive railway services operated by one or more railway undertakings;

Amendment

Proposal for a regulation
Article 3 – paragraph 1 – point 8

Text proposed by the Commission

(8) ‘through-ticket’ means a ticket or tickets representing a single transport contract for successive railway services operated by one or more railway undertakings;

Amendment

Proposal for a regulation
Article 3 – paragraph 1 – point 10

Text proposed by the Commission

(10) ‘journey’ means the carriage of a passenger between a station of departure and a station of arrival under a single transport contract;

Amendment

Proposal for a regulation
Article 3 – paragraph 1 – point 13 a (new)

Text proposed by the Commission

(13 a) 'arrival' means the moment when, at the destination platform, the doors of the train are open and disembarkation is allowed;
Amendment 52

Proposal for a regulation
Article 3 – paragraph 1 – point 15

Text proposed by the Commission

(15) ‘missed connection’ means a situation where a passenger misses one or more services in the course of a journey as a result of the delay or cancellation of one or more previous services;

Amendment

(15) ‘missed connection’ means a situation where, **under a single transport contract**, a passenger misses one or more services in the course of a journey as a result of the delay or cancellation of one or more previous services;

Amendment 53

Proposal for a regulation
Article 3 – paragraph 1 – point 16

Text proposed by the Commission

(16) ‘person with disabilities’ and ‘person with reduced mobility’ means any person who has a permanent or temporary physical, mental, intellectual or sensory impairment which, in interaction with various barriers, may hinder their full and effective use of transport on an equal basis with other passengers or whose mobility when using transport is reduced **due to age**;

Amendment

(16) ‘person with disabilities’ and ‘person with reduced mobility’ means any person who has a permanent or temporary physical, mental, intellectual or sensory impairment which, in interaction with various barriers, may hinder their full and effective use of transport on an equal basis with other passengers or whose mobility when using transport is reduced;

Amendment 54

Proposal for a regulation
Article 3 – paragraph 1 – point 19 a (new)

Text proposed by the Commission

(19a) ‘extraordinary circumstances’ means circumstances beyond the control of the railway undertaking in the normal exercise of its activity and outside the obligations imposed by the relevant safety and security rules to be observed.

Amendment

(19a) ‘extraordinary circumstances’ means circumstances beyond the control of the railway undertaking in the normal exercise of its activity and outside the obligations imposed by the relevant safety and security rules to be observed.
Amendment 55
Proposal for a regulation
Article 5 – paragraph 1

Text proposed by the Commission

Without prejudice to social tariffs, railway undertakings or ticket vendors shall offer contract conditions and tariffs to the general public without direct or indirect discrimination on the basis of the final customer’s nationality or residence, or the place of establishment of the railway undertaking or ticket vendor within the Union.

Amendment

Without prejudice to social tariffs, railway undertakings, tour operators or ticket vendors shall offer transport contract and ticketing conditions and tariffs to the general public and shall sell tickets, through-tickets and accept reservations from passengers in line with Article 10 of this Regulation, without direct or indirect discrimination on the basis of the final passenger’s nationality or residence, or the place of establishment of the railway undertaking, tour operators or ticket vendor within the Union or the means through which passengers bought the ticket.

Amendment 56
Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

Passengers shall be entitled to take bicycles on board the train, where appropriate for a reasonable fee. They shall keep their bicycles under supervision during the journey and ensure that no inconvenience or damage is caused to other passengers, mobility equipment, luggage or rail operations. The carriage of bicycles may be refused or restricted for safety or operational reasons, provided that railway undertakings, ticket vendors, tour operators and, where appropriate, station managers inform passengers of the conditions for such a refusal or restriction in accordance with Regulation (EU) No 454/2011.

Amendment

Passengers shall be entitled to take bicycles on board the train, including on high speed, long distance, cross-border and local services. All new or refurbished passenger trains shall, at the latest two years after the entry into force of this Regulation, include a well indicated designated space for the carriage of assembled bicycles with a minimum of eight spaces. Railway undertakings, ticket vendors, tour operators and, where appropriate, station managers shall inform passengers at the latest when purchasing the ticket of the conditions for bicycle carriage on all services in accordance with Regulation (EU) No 454/2011.
Amendment 57
Proposal for a regulation
Article 7 – paragraph 1

Text proposed by the Commission

1. Obligations towards passengers pursuant to this Regulation may not be limited or waived, notably by a derogation or restrictive clause in the transport contract.

Amendment

1. Obligations towards passengers pursuant to this Regulation may not be limited or waived, notably by a derogation or restrictive clause in the transport contract. *Any contractual conditions which purport directly or indirectly to waive, derogate from or restrict the rights resulting from this Regulation shall not be binding on the passenger.*

Amendment 58
Proposal for a regulation
Article 7 – paragraph 2

Text proposed by the Commission

2. Railway undertakings may offer contract conditions more favourable for the passenger than the conditions laid down in this Regulation.

Amendment

2. Railway undertakings, *tour operators or ticket vendors* may offer contract conditions more favourable for the passenger than the conditions laid down in this Regulation.

Amendment 59
Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

Railway undertakings or, where appropriate, competent authorities responsible for a public service railway contract shall make public by appropriate means, including in accessible formats for persons with disabilities in accordance with accessibility requirements laid down in Directive XXX\(^{31}\), and before their implementation, decisions to discontinue services either permanently or temporarily.

Amendment

Railway undertakings or, where appropriate, competent authorities responsible for a public service railway contract shall make public by appropriate means, *and without delay*, including in accessible formats for persons with disabilities in accordance with accessibility requirements laid down in Directive XXX\(^{31}\) *and in Commission Regulation 1300/2014*, and *in good time* before their
implementation, proposals to discontinue or substantially reduce services either permanently or temporarily, and shall ensure that those proposals are subject to meaningful and proper consultation with stakeholders before any implementation takes place.

31 Directive XXX on the approximation of the laws, regulations and administrative provisions of the Member States as regards the accessibility requirements for products and services (European Accessibility Act) (OJ L X, X.X.XXXX, p. X).

Amendment 60

Proposal for a regulation
Article 9 – paragraph 1

Text proposed by the Commission

1. Railway undertakings and ticket vendors offering transport contracts on behalf of one or more railway undertakings shall provide the passenger, upon request, with at least the information set out in Annex II, Part I in relation to the journeys for which a transport contract is offered by the railway undertaking concerned. Ticket vendors offering transport contracts on their own account, and tour operators, shall provide this information where available.

Amendment

1. Railway undertakings, tour operators and ticket vendors offering transport contracts on their own behalf or on behalf of one or more railway undertakings shall provide the passenger, upon request, with at least the information set out in Annex II, Part I in relation to the journeys for which transport contracts are offered by the railway undertaking concerned. Ticket vendors offering transport contracts on their own account, and tour operators, shall provide this information. In order to ensure compliance with this Regulation, railway undertakings shall provide this information to ticket vendors and other railway undertakings, selling their service.

Amendment 61

Proposal for a regulation
Article 9 – paragraph 2
2. Railway undertakings and, where possible, ticket vendors shall provide the passenger during the journey, including at connecting stations, with at least the information set out in Annex II, Part II.

Amendment 62

Proposal for a regulation
Article 9 – paragraph 3

Text proposed by the Commission

3. The information referred to in paragraphs 1 and 2 shall be provided in the most appropriate format including by using up-to-date communication technologies. Particular attention shall be paid to ensuring that this information is accessible to persons with disabilities in accordance with the accessibility requirements laid down in Directive XXX and Regulation 454/2011.

Amendment

3. The information referred to in paragraphs 1 and 2 shall be provided by railway undertakings, tour operators and ticket vendors to passengers using easily accessible, commonly used and, concerning paragraph 2, in real-time, up-to-date communication technologies, and in writing, where possible, in order to provide passengers with all the information required by Annex II to this Regulation. Particular attention shall be paid to ensuring that this information is accessible to persons with disabilities in accordance with the accessibility requirements laid down in Directive XXX, Regulation 454/2011 and Commission Regulation 1300/2014. The availability of formats accessible to PRMs shall be clearly advertised.

Amendment 63

Proposal for a regulation
Article 9 – paragraph 4
4. Station managers and infrastructure managers shall make real-time data relating to trains, including those operated by other railway undertakings available to railway undertakings and ticket vendors, in a non-discriminatory manner.

Amendment 64

Proposal for a regulation
Article 9 – paragraph 4 a (new)

Text proposed by the Commission

4a. Railway undertakings, station managers and infrastructure managers shall make real-time data relating to trains, including those operated by other railway undertakings publicly available in real-time so as to eliminate any discrimination between passengers.

Amendment 65

Proposal for a regulation
Article 10 – paragraph 1

Text proposed by the Commission

1. Railway undertakings and ticket vendors shall offer tickets and, where available, through-tickets and reservations. They shall make all possible efforts to offer through-tickets, including for journeys across borders and with more than one railway undertaking.

Amendment 66

Proposal for a regulation
Article 10 – paragraph 2 – subparagraph 2

Text proposed by the Commission

1. Railway undertakings and ticket vendors shall offer tickets and through-tickets and reservations including for journeys across borders or involving night trains and journeys with more than one railway undertaking.
**Text proposed by the Commission**

**Member States** may require railway undertakings to provide tickets for services provided under public service contracts through more than one points of sale.

**Amendment**

**Competent authorities referred to in Regulation (EC) No 1370/2007** may require railway undertakings to provide tickets for services provided under public service contracts through more than one point of sale.

**Amendment 67**

**Proposal for a regulation**

**Article 10 – paragraph 3**

**Text proposed by the Commission**

3. Railway undertakings shall offer the possibility to obtain tickets for the respective service on board the train, unless this is limited or denied on grounds relating to security or antifraud policy or compulsory train reservation or reasonable commercial grounds.

**Amendment**

3. Railway undertakings shall offer the possibility to obtain tickets for the respective service on board the train, unless this is limited or denied on **well justifiable** grounds relating to security or antifraud policy or compulsory train reservation or reasonable commercial grounds, including limitation on space or seat availability.

**Amendment 68**

**Proposal for a regulation**

**Article 10 – paragraph 5**

**Text proposed by the Commission**

5. Where there is no ticket office or accessible ticketing machine in the station of departure, **persons with disabilities and persons with reduced mobility** shall be permitted to buy tickets on board the train at no extra cost.

**Amendment**

5. Where there is no ticket office or accessible ticketing machine in the station of departure, **or any other means of purchasing tickets in advance, passengers** shall be permitted to buy tickets on board the train at no extra cost.

**Amendment 69**

**Proposal for a regulation**

**Article 10 – paragraph 6**
Text proposed by the Commission

6. Where a passenger receives separate tickets for a single journey comprising successive railway services operated by one or more railway undertakings, his rights to information, assistance, care and compensation shall be equivalent to those under a through-ticket and cover the whole journey from the departure to the final destination, unless the passenger is explicitly informed otherwise in writing. Such information shall in particular state that when the passenger misses a connection, he or she would not be entitled to assistance or compensation based on the total length of the journey. The burden of proof that the information was provided shall lie with the railway undertaking, its agent, tour operator or ticket vendor.

Amendment

6. Where a passenger receives from a single entity and in respect of a single commercial transaction, separate tickets for a single journey comprising successive railway services operated by one or more railway undertakings, his rights to information, assistance, care and compensation shall be equivalent to those under a through-ticket and cover the whole journey from the departure to the final destination.

Amendment 70

Proposal for a regulation
Article 10 a (new)

Text proposed by the Commission

Article 10a

Provision of travel information through application programming interfaces

1. Railway undertakings shall provide non-discriminatory access to all travel information, including real-time operational information on timetables and tariffs data, as referred to in Article 9, through application programming interfaces (APIs).

2. Railway undertakings shall provide tour operators, ticket vendors and other railway undertakings, selling their service, non-discriminatory access to reservation systems through APIs, so that they can conclude transport contracts and issue tickets, through-tickets and
reservations, in such a way that they provide the most optimal and cost-effective journey, including cross-border.

3. Railway undertakings shall ensure that the technical specifications of the APIs are well-documented and openly accessible at no charge. The APIs shall make use of open standards, commonly used protocols and machine-readable formats to make them interoperable.

4. Railway undertakings shall ensure that, except for emergency situations, any change to the technical specification of their APIs is made available to tour operators and ticket vendors in advance as soon as possible and no less than three months before a change is implemented. Emergency situations shall be documented and documentation shall be made available to the competent authorities upon request.

5. Railway undertakings shall ensure that access to the APIs is provided in a non-discriminatory way, at the same level of availability and performance, including support, access to all documentation, standards, protocols and formats. Tour operators and ticket vendors shall not be disadvantaged as compared to the railway undertakings themselves.


**Amendment 71**

Proposal for a regulation  
Article 16 – paragraph 1 – introductory part

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
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<tbody>
<tr>
<td>1. Where it is <em>reasonably</em> to be expected, either at departure or in the event of a missed connection in the course of a journey <em>with a through-ticket</em>, that</td>
<td>1. Where it is expected, either at departure or in the event of a missed connection in the course of a journey that arrival at the final destination of an end-to-end...</td>
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arrival at the final destination under the transport contract will be subject to a delay of more than 60 minutes, the passenger shall immediately have the choice between one of the following:

end journey under the transport contracts will be subject to a delay of more than 60 minutes or cancelled, the passenger shall immediately have the choice between one of the following:

Amendment 72

Proposal for a regulation
Article 16 – paragraph 1 – point b

Text proposed by the Commission

(b) continuation or re-routing, under comparable transport conditions, to the final destination at the earliest opportunity;

Amendment

(b) continuation or re-routing, under comparable transport conditions and at no additional costs, to the final destination at the earliest opportunity, including in the event of missed connection due to delay or cancellation of the passengers’ earlier leg in the course of a journey. In such case, the passenger shall be allowed on the next service available to the final destination even if there is no specific reservation or the next train is operated by another railway undertaking.

Amendment 73

Proposal for a regulation
Article 16 – paragraph 1 – point c

Text proposed by the Commission

(c) continuation or re-routing, under comparable transport conditions, to the final destination at a later date at the passenger’s convenience.

Amendment

(c) continuation or re-routing, under comparable transport conditions, to the final destination at a later date at the passenger’s convenience but no later than one month after the reestablishment of service.

Amendment 74

Proposal for a regulation
Article 16 – paragraph 2
2. For the purposes of point (b) of paragraph 1, comparable re-routing may be operated by any railway undertaking and may involve the use of transport of a higher class and alternative modes of transport without generating additional costs to the passenger. Railway undertakings shall make reasonable efforts to avoid additional connections. The total travel time when using an alternative mode of transport for the part of the journey not completed as planned shall be comparable to the scheduled travel time of the original journey. Passengers shall not be downgraded to transport facilities of a lower class unless such facilities are the only re-routing means available.

Amendment 75

Proposal for a regulation
Article 16 – paragraph 3

3. Re-routing transport service providers shall pay particular attention to providing persons with disabilities and persons with reduced mobility with a comparable level of accessibility to the alternative service.

Amendment 76

Proposal for a regulation
Article 17 – paragraph 1

3. Re-routing transport service providers shall provide to persons with disabilities and persons with reduced mobility a comparable level of assistance and of accessibility when offering an alternative service. This alternative service may be common to all passengers or it may, upon decision of the carrier, be an individual means of transport adapted to the specific needs of certain persons with disabilities or with reduced mobility.
1. **Without losing** the right of transport, a passenger may request compensation for delays from the railway undertaking if he or she is facing a delay between the places of departure and destination stated in the transport contract for which the cost of the ticket has not been reimbursed in accordance with Article 16. The minimum compensations for delays shall be as follows:

(a) 25% of the ticket price for a delay of 60 to 119 minutes,
(b) 50% of the ticket price for a delay of 120 minutes or more.

Amendment 77

Proposal for a regulation
Article 17 – paragraph 2

1. **Whilst keeping** the right of transport, a passenger may request compensation for delays from the railway undertaking if he or she is facing a delay between the places of departure and destination stated on the ticket or tickets representing a single or several transport contracts for which the cost has not been reimbursed in accordance with Article 16. The minimum compensations for delays shall be as follows:

(a) 50% of the ticket price for a delay of 60 to 90 minutes,
(b) 75% of the ticket price for a delay of 91 minutes to 120 minutes,
(ba) 100% of the ticket price for a delay of 121 minutes or more.

Amendment

2. Paragraph 1 also applies to passengers who hold a travel pass or season ticket. If they encounter recurrent delays or cancellations during the period of validity of the travel pass or season ticket, they may request adequate compensation in accordance with the railway undertaking’s compensation arrangements. **These arrangements shall state the criteria for determining delay and for the calculation of the compensation.** Where delays of less than 60 minutes occur repeatedly during the period of validity of the travel pass or season ticket, the delays shall be counted cumulatively and passengers shall be compensated in accordance with the railway undertaking’s compensation arrangements.

Amendment

2. Paragraph 1 also applies to passengers who hold a travel pass or season ticket. If they encounter recurrent delays or cancellations during the period of validity of the travel pass, reduction card or season ticket, they may request adequate compensation in accordance with the arrangements set out in points (a), (b) and (ba) under paragraph 1.
Amendment 78

Proposal for a regulation
Article 17 – paragraph 3

Text proposed by the Commission

3. Compensation for delay shall be calculated in relation to the full price which the passenger actually paid for the delayed service. Where the transport contract is for a return journey, compensation for delay on either the outward or the return leg shall be calculated in relation to half of the price paid for the ticket. In the same way the price for a delayed service under any other form of transport contract allowing travelling several subsequent legs shall be calculated in proportion to the full price.

Amendment

3. Compensation for cancellation or delay shall be calculated in relation to the full price which the passenger actually paid for the cancelled or delayed service. Where the transport contract is for a return journey, compensation for cancellation or delay on either the outward or the return leg shall be calculated in relation to half of the price paid for the ticket. In the same way the price for a cancelled or delayed service under any other form of transport contract allowing travelling several subsequent legs shall be calculated in proportion to the full price.

Amendment 79

Proposal for a regulation
Article 17 – paragraph 6

Text proposed by the Commission

6. The compensation of the ticket price shall not be reduced by financial transaction costs such as fees, telephone costs or stamps. Railway undertakings may introduce a minimum threshold under which payments for compensation will not be paid. This threshold shall not exceed EUR 4 per ticket.

Amendment

6. The compensation of the ticket price shall not be reduced by financial transaction costs such as fees, telephone costs or stamps. Railway undertakings may introduce a minimum threshold under which payments for compensation will not be paid. This threshold shall not exceed EUR 5 per ticket.

Amendment 80

Proposal for a regulation
Article 17 – paragraph 7
7. The passenger shall not have any right to compensation if *he is* informed of a delay before *he buys* a ticket, or if a delay due to continuation on a different service or re-routing remains below 60 minutes.

Amendment 81

Proposal for a regulation
Article 17 – paragraph 8

Text proposed by the Commission

8. A railway undertaking shall not be obliged to pay compensation if it can prove that the delay was caused by severe weather conditions or major natural disasters endangering the safe operation of the service and could not have been foreseen or prevented even if all reasonable measures had been taken.

Amendment 82

Proposal for a regulation
Article 17 – paragraph 8 a (new)

Text proposed by the Commission

8a. Where no proof of the existence of extraordinary circumstances is provided by the railway undertaking in a written form, the compensation referred to in Article 17 (1) shall be paid by the railway undertaking.

Amendment 83

Proposal for a regulation
Article 18 – paragraph 1
Text proposed by the Commission

1. In the case of a delay in arrival or departure, passengers shall be kept informed of the situation and of the estimated departure time and estimated arrival time by the railway undertaking or ticket vendor or by the station manager as soon as such information is available.

Amendment

1. In the case of a delay in arrival or departure, passengers shall be kept informed of the situation and of the estimated departure time and estimated arrival time, by the railway undertaking, ticket vendors or by the station manager, in accordance with Article 9, as soon as such information is available.

Amendment 84

Proposal for a regulation
Article 18 – paragraph 2 – point b

Text proposed by the Commission

(b) hotel or other accommodation, and transport between the railway station and place of accommodation, in cases where a stay of one or more nights becomes necessary or an additional stay becomes necessary, where and when physically possible;

Amendment

(b) hotel or other accommodation, and transport between the railway station and place of accommodation, in cases where a stay of one or more nights becomes necessary or an additional stay becomes necessary, where and when physically possible, the access requirements of persons with disabilities and with reduced mobility and the needs of certified service animals being taken into account;

Amendment 85

Proposal for a regulation
Article 18 – paragraph 4

Text proposed by the Commission

4. Railway undertakings shall, at the request of the passenger, certify on the ticket or by any other means that the rail service has suffered a delay, led to a missed connection or that it has been cancelled, as the case might be.

Amendment

4. With regard to the affected passengers, railway undertakings shall offer to certify on their tickets or by any other means that the rail service has suffered a delay, led to a missed connection or that it has been cancelled, as the case might be. This certification shall apply in connection with the provisions laid down in Article 17, subject to the proof by the passenger holding a travel
pass or season ticket that she/he was travelling on the affected service.

Amendment 86
Proposal for a regulation
Article 18 – paragraph 5

Text proposed by the Commission

5. In applying paragraphs 1, 2, 3 and 4, the operating railway undertaking shall pay particular attention to the needs of persons with disabilities and persons with reduced mobility and any accompanying persons.

Amendment

5. In applying paragraphs 1, 2, 3 and 4, the operating railway undertaking shall pay particular attention to the needs of persons with disabilities, persons with reduced mobility, any accompanying persons and certified service animals.

Amendment 87
Proposal for a regulation
Article 18 – paragraph 6

Text proposed by the Commission

6. In addition to the obligations on railway undertakings pursuant to Article 13a(3) of Directive 2012/34/EU, the station manager of a railway station handling at least 10 000 passengers per day on average over a year shall ensure that the operations of the station, the railway undertakings and the infrastructure manager are coordinated through a proper contingency plan in order to prepare for the possibility of major disruption and long delays leading to a considerable number of passengers being stranded in the station. The plan shall ensure that stranded passengers are provided with adequate assistance and information, including in accessible formats in accordance with the accessibility requirements laid down in Directive XXX. Upon request, the station manager shall make the plan, and any amendments to it, available to the national enforcement body or to any other

Amendment

6. In addition to the obligations on railway undertakings pursuant to Article 13a(3) of Directive 2012/34/EU, Member States, railway undertakings, the station managers and infrastructure managers shall cooperate to ensure that contingency plans referred in Article 13a(3) of Directive 2012/34/EU include requirements for the accessibility of alert and information systems.
body designated by a Member State.
Station managers of railway stations
handling fewer than 10 000 passengers
per day on average over a year shall make
all reasonable efforts to coordinate station
users and to assist and inform stranded
passengers in such situations.

Amendment 88

Proposal for a regulation
Article 19 – paragraph 1

Text proposed by the Commission
Amendment

Where a railway undertaking pays compensation or meets its other obligations in accordance with this Regulation, no provision of this Regulation or national law may be interpreted as restricting its right to seek compensation for costs from any person, including third parties, in accordance with the law applicable. In particular, this Regulation shall in no way restrict the railway undertaking's right to seek reimbursement from a third party, with whom it has a contract and which contributed to the event which triggered compensation or other obligations. No provision of this Regulation may be interpreted as restricting the right of a third party, other than a passenger, with whom a railway undertaking has a contract, to seek reimbursement or compensation from the railway undertaking in accordance with applicable relevant laws.

Amendment 89

Proposal for a regulation
Article 20 – paragraph 1

Text proposed by the Commission
Amendment

1. Railway undertakings and station

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managers shall, with the active involvement of representative organisations of persons with disabilities and persons with reduced mobility, establish, or shall have in place, non-discriminatory access rules for the transport of persons with disabilities and persons with reduced mobility including their personal assistants. The rules shall allow the passenger to be accompanied by an assistance dog in accordance with any relevant national rules.

Amendment 90
Proposal for a regulation
Article 20 a (new)

Text proposed by the Commission

Amendment

Article 20a

Railway undertakings and station managers shall, when complying with the TSI for persons with reduced mobility, also ensure that the station, platforms, rolling stock and other facilities are accessible to persons with disabilities and persons with reduced mobility.

Amendment 91
Proposal for a regulation
Article 21 – paragraph 1

Text proposed by the Commission

Amendment

1. Upon request, a station manager, a railway undertaking, a ticket vendor or a tour operator shall provide persons with disabilities and persons with reduced
mobility with information, including in accessible formats in accordance with the accessibility requirements laid down in Regulation (EU) No 454/2011 and Directive XXX, on the accessibility of the station and associated facilities, rail services and on the access conditions of rolling stock in accordance with the access rules referred to in Article 20(1) and shall inform persons with disabilities and persons with reduced mobility about facilities on board.

Amendment 92

Proposal for a regulation
Article 21 – paragraph 2

*Text proposed by the Commission*

2. When a railway undertaking, ticket vendor or tour operator exercises the derogation provided for in Article 20(2), it shall upon request inform in writing the person with disabilities or person with reduced mobility concerned of its reasons for doing so within five working days of the refusal to make the reservation or to issue the ticket or the imposition of the condition of being accompanied. The railway undertaking, ticket vendor or tour operator shall make reasonable efforts to propose an alternative transport option to the person in question taking into account his or her accessibility needs.

*Amendment*

2. When a railway undertaking, ticket vendor or tour operator exercises the derogation provided for in Article 20(2), it shall upon request inform in writing the person with disabilities or person with reduced mobility concerned of its reasons for doing so within five working days of the refusal to make the reservation or to issue the ticket or the imposition of the condition of being accompanied. The railway undertaking, ticket vendor or tour operator shall propose an alternative transport option to the person in question taking into account his or her accessibility needs.

Amendment 93

Proposal for a regulation
Article 22 – paragraph 1

*Text proposed by the Commission*

1. On departure from, transit through or arrival at, a staffed railway station of a person with disabilities or a person with mobility with information, including in accessible formats in accordance with the accessibility requirements laid down in Regulation (EU) No 454/2011 and Directive XXX and Regulation No 1300/2014, on the accessibility of the station and associated facilities, rail services and on the access conditions of rolling stock in accordance with the access rules referred to in Article 20(1) and shall inform persons with disabilities and persons with reduced mobility about facilities on board.

*Amendment*

1. On departure from, transit through or arrival at, a staffed railway station of a person with disabilities or a person with mobility with information, including in accessible formats in accordance with the accessibility requirements laid down in Regulation (EU) No 454/2011 and Directive XXX and Regulation No 1300/2014, on the accessibility of the station and associated facilities, rail services and on the access conditions of rolling stock in accordance with the access rules referred to in Article 20(1) and shall inform persons with disabilities and persons with reduced mobility about facilities on board.
reduced mobility, the station manager or the railway undertaking or both shall provide assistance free of charge in such a way that that person is able to board the departing service, or to disembark from the arriving service for which he or she purchased a ticket, without prejudice to the access rules referred to in Article 20(1).

**Amendment 94**

**Proposal for a regulation**

**Article 22 – paragraph 2**

*Text proposed by the Commission*

2. In the absence of staff at a station, railway undertakings and station managers shall make all reasonable efforts to enable disabled persons or persons with reduced mobility to have access to travel by rail.

*Amendment*

2. In the absence of accompanying staff on board a train or staff at a station, railway undertakings and station managers shall make all reasonable efforts to enable disabled persons or persons with reduced mobility to have access to travel by rail in conformity with the accessibility requirements of Directive XXX [European Accessibility Act] and Regulation (EU) No 454/2011.

**Amendment 95**

**Proposal for a regulation**

**Article 22 – paragraph 3**

*Text proposed by the Commission*

3. In unstaffed stations, railway undertakings and station managers shall ensure that easily available information, including in accessible formats in accordance with the accessibility requirements laid down in Directive XXX, is displayed in accordance with the access rules referred to in Article 20(1) regarding the nearest staffed stations and directly available assistance for persons with reduced mobility.

*Amendment*

3. In unstaffed stations, railway undertakings and station managers shall ensure that easily available information, including in accessible formats in accordance with the accessibility requirements laid down in Directive XXX, and in Regulation No 1300/2014 is displayed in accordance with the access rules referred to in Article 20(1) regarding the nearest staffed stations and directly available assistance for persons with reduced mobility.
disabilities and persons with reduced mobility. available assistance for persons with disabilities and persons with reduced mobility.

Amendment 96
Proposal for a regulation
Article 22 – paragraph 4

Text proposed by the Commission

Amendment

4. Assistance shall be available in stations during all times when rail services operate deleted

Amendment 97
Proposal for a regulation
Article 23 – paragraph 2

Text proposed by the Commission

Amendment

(2) In the absence of accompanying staff on board a train, railway undertakings shall make reasonable efforts to enable persons with disabilities or persons with reduced mobility to have access to travel by rail. In the absence of accompanying staff on board a train, railway undertakings shall nevertheless enable persons with disabilities or persons with reduced mobility to have access to travel by rail.

Amendment 98
Proposal for a regulation
Article 23 – paragraph 3

Text proposed by the Commission

Amendment

(3) For the purposes of this Article, assistance on board shall consist of all reasonable efforts to offer assistance to a person with disabilities or a person with reduced mobility in order to allow that person to have access to the same services in the train as other passengers, should the extent of the person’s disability or reduced mobility not allow him or her to have access to those services independently and

(3) A person with disabilities or a person with reduced mobility must be offered assistance in order to allow that person to have access to the same services in the train as other passengers, should the extent of the person’s disability or reduced mobility not allow him or her to have access to those services independently and in safety.
in safety.

Amendment 99

Proposal for a regulation
Article 23 – paragraph 4

Text proposed by the Commission

4. Assistance shall be available on board trains during all times when rail services operate.

Amendment

deleted

Amendment 100

Proposal for a regulation
Article 24 – paragraph 1

Text proposed by the Commission

Railway undertakings, station managers, ticket vendors and tour operators shall cooperate in order to provide assistance to persons with disabilities and persons with reduced mobility in line with Articles 20 and 21 in accordance with the following points:

Amendment

Railway undertakings, station managers, ticket vendors and tour operators shall cooperate in order to provide assistance free of charge to persons with disabilities and persons with reduced mobility in line with Articles 20 and 21 in accordance with the following points:

Amendment 101

Proposal for a regulation
Article 24 – paragraph 1 – point a

Text proposed by the Commission

(a) assistance shall be provided on condition that the railway undertaking, the station manager, the ticket vendor or the tour operator with which the ticket was purchased is notified of the person’s need for such assistance at least 48 hours before the assistance is needed. Where a ticket or season ticket permits multiple journeys, one notification shall be sufficient provided that adequate information on the timing of subsequent journeys is provided. Such

Amendment

(a) assistance in stations shall be provided during times rail services operate on condition that the railway undertaking, the station manager, the ticket vendor or the tour operator with which the ticket was purchased is notified of the person’s need for such assistance at least 12 hours before the assistance is needed. In stations where daily traffic exceeds 10 000 passengers per day, no pre-notification is needed, however, the person in need of assistance
notifications shall be forwarded to all other railway undertakings and station managers involved in the person’s journey;

shall be at the respective station at least 30 minutes before the departure of the train. In stations where daily traffic is between 2 000 and 10 000 passengers per day, the notification shall be reduced to maximum three hours. Where a ticket or season ticket permits multiple journeys, one notification shall be sufficient provided that adequate information on the timing of subsequent journeys is provided. Such notifications shall be forwarded to all other railway undertakings and station managers involved in the person’s journey;

Amendment 102

Proposal for a regulation
Article 24 – paragraph 1 – point e

Text proposed by the Commission

(e) assistance shall be provided on condition that the person with disabilities or person with reduced mobility presents him or herself at the designated point at a time stipulated by the railway undertaking or station manager providing such assistance. Any time stipulated shall not be more than 60 minutes before the published departure time or the time at which all passengers are asked to check in. If no time is stipulated by which the person with disabilities or person with reduced mobility is required to present him or herself, the person shall present him or herself at the designated point at least 30 minutes before the published departure time or the time at which all passengers are asked to check in.

Amendment

(e) assistance shall be provided on condition that the person with disabilities or person with reduced mobility presents themselves at the designated point at a time stipulated by the railway undertaking or station manager providing such assistance. Any time stipulated shall not be more than 60 minutes before the published departure time or the time at which all passengers are asked to check in.

Amendment 103

Proposal for a regulation
Article 25 – paragraph 1
1. Where railway undertakings and station managers cause loss of, or damage to, wheelchairs, other mobility equipment or assistive devices and assistant dogs used by persons with disabilities and persons with reduced mobility, they shall be liable for and compensate that loss or damage as soon as possible.

Amendment

Proposal for a regulation
Article 25 – paragraph 2

2. The compensation referred to in paragraph 1 shall be equal to the cost of replacement or repair of the equipment or devices lost or damaged.

Amendment

Proposal for a regulation
Article 26 – paragraph 1 – point a

(a) ensure that all personnel, including those employed by any other performing party, providing direct assistance to persons with disabilities and persons with reduced mobility, know how to meet the needs of persons with disabilities and of persons with reduced mobility, including those with mental and intellectual

Amendment

(a) ensure that all staff, including those employed by any other performing party, providing direct assistance to persons with disabilities and persons with reduced mobility, receive disability-related training in order to know how to meet the needs of persons with disabilities and of persons with reduced mobility, including
Amendment 106

Proposal for a regulation
Article 26 – paragraph 1 – point c

Text proposed by the Commission

(c) ensure that, upon recruitment, all new employees receive disability-related training and that personnel attend regular refresher training courses.

Amendment

(c) ensure that, upon recruitment, all new staff who will deal directly with the travelling public receive an introduction to disability-related issues for passengers and the railway undertaking, and that employees who provide direct assistance to passengers with reduced mobility receive disability-related training and attend regular refresher training courses.

Amendment 107

Proposal for a regulation
Article 26 – paragraph 1 – point d

Text proposed by the Commission

(d) accept upon request the participation, in the training, of employees with disabilities, passengers with disabilities and with reduced mobility,

Amendment

(d) may accept the participation, in the training, of employees with disabilities, and consider the participation of passengers with disabilities and with reduced mobility, and/or organisations representing them.

Amendment 108

Proposal for a regulation
Article 28 – paragraph 1

1. All railway undertakings, ticket vendors, station managers and infrastructure managers of stations handling more than 10 000 passengers per day on average over a year shall each

Text proposed by the Commission

1. All railway undertakings, ticket vendors and stations managers shall set up a complaint-handling mechanism for the rights and obligations covered in this Regulation in their respective field of
set up a complaint-handling mechanism for the rights and obligations covered in this Regulation in their respective field of responsibility. They shall make their contact details and working language(s) widely known to passengers. **Passengers should be able to file complaints in the official language(s) of the Member State in which the respective railway undertaking, ticket vendor and station manager are established and in any event in English.**

Amendment 109

Proposal for a regulation
Article 28 – paragraph 2

*Text proposed by the Commission*

2. Passengers may submit a complaint to any railway undertaking, ticket vendor, railway station or infrastructure manager involved. Complaints shall be submitted within six months of the incident that is the subject of the complaint. Within one month of receiving the complaint, the addressee shall either give a reasoned reply or, in justified cases, inform the passenger *by what date* within a period of less than three months from the date of receipt of the complaint *a reply can be expected.*

*Railway undertakings, ticket vendors, station managers and infrastructure managers shall keep the incident data necessary to assess the complaint for two years and make them available to national enforcement bodies upon request.*

Amendment

2. Passengers may submit a complaint to any railway undertaking, ticket vendor or station manager involved. Complaints shall be submitted within six months of the incident that is the subject of the complaint. Within one month of receiving the complaint, the addressee shall either give a reasoned reply or, in justified cases, inform the passenger *that the passenger will get a reply* within a period of less than three months from the date of receipt of the complaint.

Amendment 110

Proposal for a regulation
Article 28 – paragraph 3

*Text proposed by the Commission*

3. Details of the complaint handling procedure shall be accessible to persons with disabilities and with reduced mobility.

*Amendment*

3. Details of the complaint handling procedure shall be *easily available to passengers and* accessible to persons with disabilities and with reduced mobility. *This*
information shall be available upon request in the official language(s) of the Member State in which the railway undertaking is established.

Amendment 111
Proposal for a regulation
Article 28 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The Commission shall adopt implementing acts setting out a standardised Union complaint form for passengers to use in order to apply for compensation in accordance with this Regulation. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 37a(2).

Amendment 112
Proposal for a regulation
Article 29 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Railway undertakings and station managers actively cooperate with organisations representing people with disabilities to improve the quality of accessibility of transport services.

Amendment 113
Proposal for a regulation
Article 30 – paragraph 1

Text proposed by the Commission

Amendment

1. When selling tickets for journeys by rail, railway undertakings, station managers, ticket vendors and tour operators shall inform passengers of their
rights and obligations under this Regulation. In order to comply with this information requirement, they may use a summary of the provisions of this Regulation prepared by the Commission in all official languages of the Union and made available to them. In addition, they may use a summary of the provisions of this Regulation prepared by the Commission in all official languages of the Union and made available to them. In addition, they shall provide a notice on the ticket, in either paper or electronic format or by any other means, including in accessible formats for persons with disabilities and persons with reduced mobility in accordance with the requirements laid down in Directive XXX. That notice shall specify where such information can be obtained in the event of cancellation, missed connection or long delay.

Amendment 114
Proposal for a regulation
Article 30 – paragraph 2

Text proposed by the Commission

2. Railway undertakings and station managers shall inform passengers in an appropriate manner, including in accessible formats in accordance with the accessibility requirements in Directive XXX, at the station and on the train, of their rights and obligations under this Regulation, and of the contact details of the body or bodies designated by Member States pursuant to Article 31.

Amendment

2. Railway undertakings and station managers shall inform passengers in an appropriate manner, including in accessible formats in accordance with the accessibility requirements in Regulation 1300/2014, at the station, on the train and on their website, of their rights and obligations under this Regulation, and of the contact details of the body or bodies designated by Member States pursuant to Article 31.

Amendment 115
Proposal for a regulation
Article 31 – paragraph 3

Text proposed by the Commission

Member States shall inform the Commission of the body or bodies designated in accordance with this Article

Amendment

Member States shall inform the Commission of the body or bodies designated in accordance with this Article
and of its or their respective responsibilities.

Amendment 116

Proposal for a regulation
Article 32 – paragraph 1

Text proposed by the Commission

1. The national enforcement bodies shall closely monitor compliance with this Regulation and take the measures necessary to ensure that the rights of passengers are upheld. For this purpose, railway undertakings, station managers and infrastructure managers shall provide the bodies with relevant documents and information at their request. In carrying out their functions, the bodies shall take account of the information submitted to them by the body designated under Article 33 to handle complaints, if this is a different body. They may also decide on enforcement actions based on individual complaints transmitted by such a body.

Amendment

1. The national enforcement bodies shall closely monitor compliance with this Regulation and take the measures necessary to ensure that the rights of passengers are upheld. For this purpose, railway undertakings, station managers and infrastructure managers shall provide the bodies with relevant documents and information at their request without delay and in any event within one month. In carrying out their functions, the bodies shall take account of the information submitted to them by the body designated under Article 33 to handle complaints, if this is a different body. Member States shall ensure that national enforcement and complaint handling bodies shall be given sufficient powers and resources for the adequate and effective enforcement of individual complaints from passengers under this Regulation.

Amendment 117

Proposal for a regulation
Article 32 – paragraph 2

Text proposed by the Commission

2. The national enforcement bodies shall publish statistics on their activity, including on sanctions applied, every year, at the latest at the end of April of the following calendar year.

Amendment

2. The national enforcement bodies shall each year publish reports with statistics on their websites detailing the number and type of complaints that they have received, detailing the outcome of their enforcement actions, including the sanctions that they have applied. This
shall be done for each year by no later than the first day of April of the succeeding year. In addition, these reports shall be made available on the website of the European Union Agency for Railways.

Amendment 118

Proposal for a regulation
Article 32 – paragraph 3 a (new)

Text proposed by the Commission

3a. The national enforcement bodies, in collaboration with representative organisations of persons with disabilities and with reduced mobility, shall conduct regular audits of the assistance services provided in accordance with this Regulation and publish the results in accessible and commonly used formats.

Amendment 119

Proposal for a regulation
Article 33 – paragraph 1

Text proposed by the Commission

1. Without prejudice to the rights of consumers to seek alternative redress pursuant to Directive 2013/11/EU of the European Parliament and of the Council, after having complained unsuccessfully to the railway undertaking, ticket vendor, station or infrastructure manager pursuant to Article 28, the passenger may complain to an enforcement body. Enforcement bodies shall inform complainants about their right to complain to alternative dispute resolution bodies to seek individual redress.

1. Without prejudice to the rights of consumers to seek alternative redress pursuant to Directive 2013/11/EU of the European Parliament and of the Council, after having complained unsuccessfully to the railway undertaking, station or infrastructure manager pursuant to Article 28, the passenger may complain to an enforcement body. Enforcement bodies shall inform complainants about their right to complain to alternative dispute resolution bodies to seek individual redress. Member States shall ensure that enforcement or complaint-handling bodies are recognised for the purposes of alternative redress schemes pursuant to Directive 2013/11/EU, and that where
passengers seek alternative redress, the railway undertaking, ticket vendor, station or infrastructure manager concerned is required to participate and the outcome shall be binding on, and effectively enforceable against, them.

Amendment 120

Proposal for a regulation
Article 33 – paragraph 2

Text proposed by the Commission

2. Any passenger may complain to the national enforcement body, or any other body designated by a Member State for that purpose, about an alleged infringement of this Regulation.

Amendment

2. Any passenger may complain to the national enforcement body, or any other body designated by a Member State for that purpose, about an alleged infringement of this Regulation. Complaints may also be made by organisations representing groups of passengers.

Amendment 121

Proposal for a regulation
Article 33 – paragraph 3 – subparagraph 1

Text proposed by the Commission

The body shall acknowledge receipt of the complaint within two weeks of receiving it. The complaint-handling procedure shall take a maximum of three months. For complex cases, the body may, at its discretion, extend this period to six months. In such a case, it shall inform the passenger of the reasons for the extension and of the expected time needed to

Amendment

The body shall acknowledge receipt of the complaint within two weeks of receiving it. The complaint-handling procedure shall take a maximum of three months. For complex cases, the body may, at its discretion, extend this period to six months. In such a case, it shall inform the passenger or organisation representing passengers of the reasons for the extension.
conclude the procedure. Only cases that involve legal proceedings may take longer than six months. Where the body is also an alternative dispute resolution body within the meaning of Directive 2013/11/EU, the time limits laid down in that Directive shall prevail.

and of the expected time needed to conclude the procedure. Only cases that involve legal proceedings may take longer than six months. Where the body is also an alternative dispute resolution body within the meaning of Directive 2013/11/EU, the time limits laid down in that Directive shall prevail and the use of online dispute resolution in accordance with Regulation 524/2013/EU\(^a\) may be made available with the agreement of all parties involved.


Amendment 122

Proposal for a regulation
Article 33 a (new)

Text proposed by the Commission

Amendment

Article 33 a

Independent conciliation bodies

The Member States shall install well-equipped independent conciliation bodies that will be easily accessible and affordable for passengers in case of conflicts with rail undertakings and ticket vendors on the enforcement of their rights.

Amendment 123

Proposal for a regulation
Article 35 – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall lay down the

1. Member States shall lay down the
rules on penalties applicable to
infringements of this Regulation and shall
take all measures necessary to ensure that
they are implemented. The penalties
provided for shall be effective,
proportionate and dissuasive. Member
States shall notify the Commission of those
rules and measures and shall notify it
without delay of any subsequent
amendment affecting them.

Amendment 124
Proposal for a regulation
Article 37 a (new)

Text proposed by the Commission

Amendment

Article 37a
Committee procedure
1. The Commission shall be assisted
by a committee. That committee shall be a
committee within the meaning of
2. Where reference is made to this
paragraph, Article 4 of Regulation (EU)
No 182/2011 shall apply.

Amendment 125
Proposal for a regulation
Annex II – part I – indent 3

Text proposed by the Commission

Amendment

- Time schedules and conditions for
the lowest fares
- Time schedules and conditions for
all available fares, including the lowest
ones.
Amendment 126

Proposal for a regulation
Annex II – part I – indent 5

Text proposed by the Commission
- Access conditions for bicycles

Amendment
- Access arrangements for bicycles

Amendment 127

Proposal for a regulation
Annex II – part I – indent 6

Text proposed by the Commission
- Availability of seats in smoking
  and non-smoking, first and second class as well as couchettes and sleeping carriages

Amendment
- Availability of seats for all applicable fares in non-smoking (and, where applicable, smoking), first and second class as well as couchettes and sleeping carriages

Amendment 128

Proposal for a regulation
Annex II – part I – indent 7

Text proposed by the Commission
- Any activities likely to disrupt or delay services

Amendment
- Disruptions and delays (planned and in real time)

Amendment 129

Proposal for a regulation
Annex II – part I – indent 8

Text proposed by the Commission
- Availability of on-board services

Amendment
- Availability of on-board services, including wifi and toilets

Amendment 130

Proposal for a regulation
Annex II – part II – indent 1

Text proposed by the Commission

- On-board services

Amendment

- On-board services, including wifi

Amendment 131

Proposal for a regulation

Annex II – part II – indent 3

Text proposed by the Commission

- Delays

Amendment

- Disruptions and delays (planned and in real time)

Amendment 132

Proposal for a regulation

Annex III – part I – paragraph 2 – point 1 – point a – point iii – indent 2

Text proposed by the Commission

- percentage of delays of 60-119 minutes;

Amendment

- percentage of delays of 91-120 minutes;

Amendment 133

Proposal for a regulation

Annex III – part I – paragraph 2 – point 2 – indent 1 – point vii

Text proposed by the Commission

(vii) provision of useful information throughout the journey;

Amendment

(vii) provision of useful information throughout the journey, including in relation to Wi-Fi and other on-board services;

Amendment 134

Proposal for a regulation

Annex III – part II – paragraph 1 – point 4 – indent 1 – point vii

Text proposed by the Commission

Amendment
(vii) accessibility of station and station facilities, including step-free access, escalators, elevators and luggage ramps.

Amendment 135

Proposal for a regulation
Annex IV – paragraph 1

_text proposed by the Commission_

In complex cases such as cases involving multiple claims or a number of operators, cross-border travel or accidents on the territory of a Member State other than that which granted the undertaking’s licence, in particular where it is unclear which national enforcement body is competent, or where it would facilitate or accelerate the resolution of the complaint, national enforcement bodies shall cooperate to identify a ‘lead’ body, which shall serve as single point of contact for passengers. All national enforcement bodies involved shall cooperate to facilitate the resolution of the complaint (including by sharing information, assisting with the translation of documents and providing information on the circumstances of incidents). Passengers shall be informed which body is acting as ‘lead’ body.

Amendment

In complex cases such as cases involving multiple claims or a number of operators, cross-border travel or accidents on the territory of a Member State other than that which granted the undertaking’s licence, in particular where it is unclear which national enforcement body is competent, or where it would facilitate or accelerate the resolution of the complaint, national enforcement bodies shall cooperate to identify a ‘lead’ body, which shall serve as single point of contact for passengers. All national enforcement bodies involved shall cooperate to facilitate the resolution of the complaint (including by sharing information, assisting with the translation of documents and providing information on the circumstances of incidents). Passengers shall be informed which body is acting as ‘lead’ body. In addition, in all cases, national enforcement bodies shall in any event ensure compliance with Regulation 2017/2394/EU \(^{1a}\) of the European Parliament and of the Council.

EXPLANATORY STATEMENT

Introduction

The railway sector went through major changes since 1991, when the first legislative proposal at EU level was published\(^1\). Since then we have seen the complete restructuring of the so-called incumbents, the emerging of new entrants and the partial implementation of a real single EU railway space, based on common technical and administrative standards. However, many things still remain to be accomplished, among them is the migration of new technologies such as European Rail Traffic Management System (ERTMS).

One of the key achievements in the railway sector is the establishment of a legal framework for the protection of passengers’ rights, as part of a broader EU policy regarding consumer rights. In its implementation report\(^2\), the Commission acknowledged that Regulation (EC) No 1371/2007 on rail passengers’ rights and obligations has been correctly applied by the sector. However, several Member States, in full compliance with this Regulation, grant exemptions to some articles of the Regulation due to lack of financial means for upgrading neglected rail infrastructure or outdated rolling stock. Such exemptions should, however, not be possible as from December 2024. Rail passenger’s rights will therefore soon be ensured equally in all EU Member States.

Despite some necessary and constant improvements, it should be stressed that the EU railway system, compared to many countries in the world, is one of the most efficient, modern and consumer-friendly. Your Rapporteur, nevertheless considers that improvements and modernisation of the railway sector should remain permanent goals for the sector, including for the protection of railway passengers.

This Recast provides momentum to further improve the EU railway system and set an even clearer framework for the relationship between the carriers and the customers.

Your Rapporteur therefore welcomes the proposal of the Commission in particular, with regard to the provision of assistance to person with reduced mobility or disabilities and to compensation in case of travel disruptions.

Your Rapporteur is of the opinion that it is essential to achieve a framework with enforceable rights which, on one hand encourages more Member States to implement existing EU legislation and on the other hand protects customers in a more coherent way, while taking into consideration that travel by rail should remain affordable and become increasingly accessible to people with reduced mobility.

Your Rapporteur stresses that, in order to be competitive, the railway sector has to provide excellent and modern services to customers at an affordable price. It is, indeed, of utmost

\(^1\) Directive 91/440 (EC)

importance for ensuring sustainability of transport and social cohesion, that new passengers are attracted to rail transport. In this context, it is necessary that railways operate on equal footing with other modes of transport. Competition should be fair! Therefore the unquestionable priority of increasing the protection of EU citizens when travelling by rail should go hand in hand with the need of keeping the administrative burden to the railway sector as low as possible. Therefore, this Recast should avoid measures which are overlapping with existing EU legislation.

Main concerns

Scope

In general, your Rapporteur supports the proposal of the European Commission to reduce as much as possible the possibility for Member States to grant exemptions. However, international rail passenger services between non-EU and EU countries should be kept out of the scope of this Recast, as EU railway companies should not be liable for the condition of rail infrastructure in non-EU countries or for the performance of non-EU carriers for which they provide traction services.

Regarding long-distance domestic services, Member should not be allowed to exempt these services after 2024, as provided by the existing Regulation. An earlier termination should be avoided in order to take into account the financing of the rail system in the Central and Eastern part of Europe. This is where the long-distance services (apart from the UK), are still partly exempted.

In addition, your Rapporteur would like to stress that consumer rights legislation should focus on the relation between the customer and the service provider. In case of this Recast it is the railway undertaking, in other words, the carrier. Business-to-Business relationships should be addressed by other legislation such as the Railway Packages. The Rapporteur accordingly took the “data sharing requirements” (Article 9 (4)), the so called “contingency planning” (Article 18 (6)) and the “right of regress” (Article 19).

Accessibility

Your Rapporteur strongly supports the need to facilitate access of railway transport to person with disabilities or reduced mobility (PRMs). Trains should be easily accessible for all EU citizens on an equal basis. In this respect, your Rapporteur recalls that the 4th Railway Package has set the legal framework to adapt the railway infrastructure to PRMs in order to provide them with the opportunity to enjoy a full independence. It should be stressed that in an aging society accessibility will become an increasingly important challenge for the transport sector.

Your Rapporteur therefore is of the opinion that the railway sector should do its utmost to provide accessible train stations and trains. Therefore, your Rapporteur proposes to guarantee PRM’s access to the entire EU railway system with a prenotification notice as short as possible and not exceeding 24 hours. Assistance, when needed, shall be provided during times rail services operate. It should be free of charge. National enforcement bodies shall audit the
quality of the accessibility to the railway system in order to allow targeted improvements.

Your Rapporteur acknowledges that mobility equipment such as wheelchairs or assistive devices are not only essential to PRM’s but also tailor-made and often expensive. Therefore it is very important that compensation for loss or damage is timely executed and that the full cost of replacement based on its actual value is ensured.

Your Rapporteur believes that training of staff in crucial to provide adequate and high quality assistance to PRMs. Therefore, your Rapporteur proposes that resources for staff training is dedicated to employees who are in direct contact with PRMs or who need to provide services in relation to PRMs. This will allow better and more focused training.

Tickets

Making access to rail as attractive as possible in order to support the modal shift towards rail, as highlighted in the White Paper on Transport\(^1\), is a key objective for your Rapporteur. Through-tickets are highly valued by rail passengers. Their availability is a key element to increase the attractiveness of rail travel. However, your Rapporteur thinks that it is not up to the legislator to impose mandatory business-to-business cooperation in the ticketing area, in a framework of market opening. The rail sector should be treated in the same way of other modes. Similarly to the airline sector, where no mandatory ‘co-sharing’ is imposed, railway companies should be free to choose with which actors they are cooperating, also in order to boost intermodal competition, one of the key elements of the EU policy for decades.

In this context, the implementation of an industry initiative of railways and ticket vendors, called “the full service model” (FSM) is already providing the first tangible results. For instance on www.bahn.com one can now book the entire portfolio of domestic and international Trenitalia and ÖBB tickets, allowing passengers to book, pay and issue a ticket for multicarrier journeys from e.g. northern Germany via Austria to southern Italy in one go.

Nevertheless, your Rapporteur thinks that the legislator should play a key role in ensuring an adequate level of protection for rail customers, in particular by ensuring that rail passengers are duly informed when purchasing all kind of tickets, thus benefiting from the compensation and assistance regime set up in this Regulation.

The railway system is highly complex, not only from the technical point of view but also when it comes to the security and safety of passengers. At the same time, railway companies are innovating and automation is already a reality. Therefore, measures requiring the sale of tickets from specific channels should be flexible, e.g. acknowledging that the sale on board a train is not always possible, as already mentioned in the current Regulation itself in Article 9(4). In parallel, it is of outmost importance that railway undertakings continue and increase the possibilities to purchase tickets via alternative accessible channels.

The role of ticket vendors and retailers

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\(^1\) White Paper on Transport 2011
Your Rapporteur sees it as crucial to avoid unclear competences within this Regulation and to ensure legal clarity. Some definitions in Article 3 have therefore been amended. Such as “tour operator” where your Rapporteur aligns the definition with already existing legislation1.

The core business of ticket vendors as retailer of rail transport services is selling tickets on behalf of railway undertakings. In this context your Rapporteur amended Article 9 (2) relieved ticket vendors from the legal obligation from providing continuous travel information to passengers.

**Force Majeure**

Since 2013 through a European Courts of Justice’s ruling, railway undertakings are not exonerated from their obligations to compensate for delays that are caused by extraordinary circumstances. Your Rapporteur considers that extraordinary circumstances exist for all transport modes. This is even more important when looking at multimodality, where a basic minimum set of principles should apply across the modes, also in order to avoid a distortion of intermodal competition. The Commission’s Recast takes this into account. However, it limits extraordinary circumstances to severe weather conditions and major natural disasters, while neglecting other circumstances which are not connected to the railway operation but which may have a serious impact on the functioning of the system, such as terrorist attacks. In Article 17 (8), your Rapporteur proposes to introduce the definition of the force majeure set out in Article 32.2 of Annex I (CIV Uniform rules) which covers all unexpected circumstances which are out of control of the railway undertakings.

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1 Directive (EU) 2015/2302 on Package Travel and linked travel arrangements
ANNEX: LETTER FROM THE COMMITTEE ON LEGAL AFFAIRS

D(2018)14313

Karima Delli
Chair, Committee on Transport and Tourism
ASP 04F155
Brussels

Subject: Proposal for a Regulation of the European Parliament and of the Council on rail passengers’ rights and obligations (recast)

Dear Chair,

The Committee on Legal Affairs has examined the proposal referred to above, pursuant to Rule 104 on Recasting, as introduced into the Parliament's Rules of Procedure.

Paragraph 3 of that Rule reads as follows:

“If the committee responsible for legal affairs considers that the proposal does not entail any substantive changes other than those identified as such in the proposal, it shall inform the committee responsible for the subject matter thereof.

In such a case, over and above the conditions laid down in Rules 169 and 170, amendments shall be admissible within the committee responsible for the subject-matter only if they concern those parts of the proposal which contain changes.

However, amendments to parts of the proposal which remain unchanged may, by way of exception and on a case-by-case basis, be accepted by the Chair of the committee responsible for the subject matter if he or she considers that this is necessary for pressing reasons relating to the internal logic of the text or because the amendments are inextricably linked to other admissible amendments. Such reasons must be stated in a written justification to the amendments.”

Following the opinion of the Consultative Working Party of the legal services of the Parliament, the Council and the Commission, which has examined the recast proposal, and in keeping with the recommendations of the rapporteur, the Committee on Legal Affairs considers that the proposal in question does not include any substantive changes other than those identified as such in the proposal and that, as regards the codification of the unchanged...
provisions of the earlier acts with those changes, the proposal contains a straightforward codification of the existing texts, without any change in their substance.

In conclusion, at its meeting of 27 March 2018, the Committee on Legal Affairs, by 19 votes in favour and 2 abstentions¹, recommends that the Committee on Transport and Tourism, as the committee responsible, can proceed to examine the above proposal in accordance with Rule 104.

Yours sincerely,

Pavel Svoboda


¹ The following Members were present: Max Andersson, Joëlle Bergeron, Marie-Christine Boutonnet, Costas Chrysogonos, Pascal Durand, Rosa Estarás Ferragut, Enrico Gasbarra, Evelyne Gebhardt, Lidia Joanna Geringer de Oedenberg, Heidi Hautala, Sylvia-Yvonne Kaufmann, António Marinho e Pinto, Emil Radev, Julia Reda, Evelyn Regner, Virginie Rozière, Pavel Svoboda, Mylène Troszcynski, Axel Voss, Rainer Wieland, Francis Zammit Dimech, Tadeusz Zwiefka, Luis de Grandes Pascual.
OPINION

FOR THE ATTENTION OF THE EUROPEAN PARLIAMENT THE COUNCIL THE COMMISSION

Proposal for a Regulation of the European Parliament and of the Council on rail passengers’ rights and obligations (recast)


Having regard to the Inter-institutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts, and in particular to point 9 thereof, the Consultative Working Party consisting of the respective legal services of the European Parliament, the Council and the Commission met on 27 October and 14 December 2017 and 18 January 2018 for the purpose of examining, among others, the aforementioned proposal submitted by the Commission.


1. The following should have been marked with the grey-shaded type generally used for identifying substantive changes:
   - in recital 14, the deletion of the words 'cooperate to';
   - in recital 15, the deletion of the words 'freedom of choice';
   - in recital 16, the replacement of the words 'so as to ensure that' with the words 'In addition';
   - in point 17 of Article 3, the replacement of the word 'carrier' with the words 'railway undertaking';
   - the entire text of Article 6;

1 The Consultative Working Party worked on the basis of the English language version of the proposal, being the master-copy language version of the text under discussion.
- in Article 9(1), the deletion of the initial words 'Without prejudice to Article 10';
- in Article 9(3), the deletion of the words 'the needs of people with auditory and/or visual impairment';
- in Article 10(1), the deletion of the words 'where available' before the word 'tickets' and the adding of the words 'and, where available' before the word 'through-tickets';
- in Article 10(2), first subparagraph, the adding of the words 'and 4';
- the entire text of Article 10(2), second subparagraph;
- in Article 17(2), the adding of the initial words 'Paragraph 1 also applies to';
- in Article 25(1), the deletion of the words 'no financial limits shall be applicable';
2. In recital 32, the words 'on European Union' should be added after the word 'Treaty'.

In consequence, examination of the proposal has enabled the Consultative Working Party to conclude, without dissent, that the proposal does not comprise any substantive amendments other than those identified as such. The Working Party also concluded, as regards the codification of the unchanged provisions of the earlier act with those substantive amendments, that the proposal contains a straightforward codification of the existing legal text, without any change in its substance.

F. DREXLER  
Jurisconsult

H. LEGAL  
Jurisconsult

L. ROMERO REQUENA  
Director General

GROUPE CONSULTATIF DES SERVICES JURIDIQUES

Brussels, 19 February 2018

OPINION

FOR THE ATTENTION OF
THE EUROPEAN PARLIAMENT
THE COUNCIL
THE COMMISSION

Proposal for a Regulation of the European Parliament and of the Council on rail passengers’ rights and obligations (recast)


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- in point 17 of Article 3, the replacement of the word 'carrier' with the words 'railway undertaking';
- the entire text of Article 6;
- in Article 9(1), the deletion of the initial words 'Without prejudice to Article 10';
- in Article 9(3), the deletion of the words 'the needs of people with auditory and/or visual impairment';
- in Article 10(1), the deletion of the words 'where available' before the word 'tickets' and the adding of the words 'and, where available' before the word 'through-tickets';
- in Article 10(2), first subparagraph, the adding of the words 'and 4';
- the entire text of Article 10(2), second subparagraph;
- in Article 17(2), the adding of the initial words 'Paragraph 1 also applies to';
- in Article 25(1), the deletion of the words 'no financial limits shall be applicable';

2. In recital 32, the words 'on European Union' should be added after the word 'Treaty'.

In consequence, examination of the proposal has enabled the Consultative Working Party to conclude, without dissent, that the proposal does not comprise any substantive amendments other than those identified as such. The Working Party also concluded, as regards the codification of the unchanged provisions of the earlier act with those substantive amendments, that the proposal contains a straightforward codification of the existing legal text, without any change in its substance.

F. DREXLER
Jurisconsult

H. LEGAL
Jurisconsult

L. ROMERO REQUENA
Director General
ANNEX: LIST OF ENTITIES OR PERSONS
FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT

The following list is drawn up on a purely voluntary basis under the exclusive responsibility of the rapporteur. The rapporteur has received input from the following entities or persons in the preparation of the report, until the adoption thereof in committee:

<table>
<thead>
<tr>
<th>Entity and/or person</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allianz Pro Schiene (ApS)</td>
</tr>
<tr>
<td>Allrail/Trainline</td>
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<tr>
<td>Community of European Railway (CER)</td>
</tr>
<tr>
<td>Blogger Mark SMITH (Seat61)</td>
</tr>
<tr>
<td>Deutsche Bahn (DB)</td>
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<tr>
<td>Deutscher Reiseverband</td>
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<tr>
<td>European Cyclists' Federation (ECF)</td>
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<tr>
<td>European Commission - DG MOVE</td>
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<tr>
<td>European Disability Forum (EDF)</td>
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<td>European Passengers' Federation (EPF)</td>
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<tr>
<td>European Rail Infrastructure Managers (EIM)</td>
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<td>Eurostar</td>
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<tr>
<td>Eurotunnel</td>
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<tr>
<td>Fahrgastverband Pro Bahn</td>
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<tr>
<td>Fédération nationale des associations d'usagers des transports (FNAUT)</td>
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<tr>
<td>International Association of Public Transport (UITP)</td>
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<tr>
<td>Société nationale des chemins de fer français (SNCF)</td>
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<tr>
<td>Polskie Koleje Państwowe SA (PKP)</td>
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<tr>
<td>The European Travel Agents’ and Tour Operators’ Associations (ECTAA)</td>
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<tr>
<td>Trenitalia</td>
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<tr>
<td>Verband Deutscher Verkehrsunternehmen (VDV)</td>
</tr>
<tr>
<td>Verbraucherzentrale Bundesverband</td>
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</table>
5.6.2018

OPINION OF THE COMMITTEE ON THE INTERNAL MARKET AND CONSUMER PROTECTION

for the Committee on Transport and Tourism

on the proposal for a regulation of the European Parliament and of the Council on rail passengers' rights and obligations (recast)

Rapporteur for opinion: Dennis de Jong

SHORT JUSTIFICATION

In September 2017, the European Commission presented their proposal for a recast of the European Regulation on rail passengers’ rights and obligations (Regulation (EC) 1371/2007). The rapporteur is of the opinion that rail travel should become more attractive for consumers by strengthening information requirements for railway undertakings, creating more legal certainty for rail passengers and by making rail travel more accessible for people with disabilities or reduced mobility. Although the Commission proposal includes a number of important improvements, the rapporteur is of the opinion that more ambition in some areas of the recast is needed in order to make sure rail passengers are better protected and informed before, during and after their journey.

Force majeure and compensation

After introducing a ‘force-majeure’ clause in the air passengers rights Regulation, the Commission proposes to add a specific clause in the rail passengers rights Regulation. This clause states that railway undertakings should not be obliged to pay compensation in case of severe weather conditions or major natural disasters. However, travel by air and rail are incomparable. Moreover, a clause like this lacks sufficient specificity to avoid future litigations. The Rapporteur therefore proposes to delete this clause. In addition, the Rapporteur proposes to extend the rules on compensation of the ticket price by proposing a compensation scheme for high-speed trains that will give passengers the right to claim compensation when they suffer a delay of 45 minutes or more.

Information, service and assistance
Too often, passengers are faced with unclear conditions when rail tickets are bought. Especially if multiple operators are used during a journey, passengers face differences in ticket pricing, connection protection and assistance. This opinion therefore contains a clearer definition of through-ticket and a proposal to set up online programming interfaces (API's) through which railway undertakings shall provide non-discriminatory access to all travel information, including real time operational, timetable and tariffs data. In order to give passengers the possibility to make an informed decision when purchasing tickets through a duty for ticket vendors and railway undertakings to inform passengers when the price of a so-called through-ticket substantially varies from the accumulated prices paid when buying tickets separately from the different operators.

**Persons with disabilities and persons with reduced mobility**

The Commission proposal contains a number of improvements towards reaching the goal of making European rail travel more accessible for persons with disabilities and persons with reduced mobility. However the most important problem faced by these persons is not solved, namely the 48-hours pre-notification procedure prior to travel to book the assistance needed. This drastically decreases the mobility and freedom of persons with disabilities or reduced mobility and is not in line with Article 9 of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) that states that the possibility of traveling independently, spontaneously and without assistance should be achieved. A number of Member States already have a well-functioning system in place in which a much shorter notice is required. The Rapporteur therefore proposes to change the Commission proposal from 48 to 24 hours at small stations and a 'turn-up and go' system for larger staffed stations. Other proposals to make rail travel more accessible include making information more easily available through internet or staff-operated distribution channels and the duty for railway undertakings to make information on discontinuation of services directly available in accessible formats.

**AMENDMENTS**

The Committee on the Internal Market and Consumer Protection calls on the Committee on Transport and Tourism, as the committee responsible, to take into account the following amendments:

**Amendment 1**

**Proposal for a regulation**

**Recital 3**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
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<tbody>
<tr>
<td>(3) Despite considerable progress made in protecting consumers in the Union, further improvements in protecting the</td>
<td>(3) Despite considerable progress made in protecting consumers in the Union, further improvements in protecting the</td>
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</tbody>
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rights of rail passengers are still to be made.

rights of rail passengers and ensuring that they are compensated for delays, cancellations and any material damage are still to be made.

Amendment 2
Proposal for a regulation
Recital 5

*Text proposed by the Commission*

(5) Granting the same rights to rail passengers taking international and domestic journeys should raise the level of consumer protection in the Union, ensure a level playing-field for railway undertakings and guarantee a uniform level of rights for passengers.

*Amendment*

(5) Granting the same rights to rail passengers taking international and domestic journeys should raise the level of passenger rights in the Union, in particular as regards their access to information and compensation in case of delay or cancellation. Passengers should receive as precise information as possible on their rights.

Amendment 3
Proposal for a regulation
Recital 6

*Text proposed by the Commission*

(6) Urban, suburban and regional rail passenger services are different in character from long-distance services. Member States should therefore be allowed to exempt urban, suburban and regional rail passenger services which are not cross-border services within the Union from certain provisions on passengers' rights.

*Amendment*

(6) Metros, trams and other light rail passenger services are different in character from long-distance services. Member States should therefore be allowed to exempt metros, trams and other light rail passenger services which are not cross-border services within the Union from certain provisions on passengers' rights.

Amendment 4
Proposal for a regulation
Recital 9
**Text proposed by the Commission**

(9) Users’ rights to rail services include the receipt of information regarding the service both before and during the journey. Whenever possible, railway undertakings and ticket vendors should provide this information in advance and as soon as possible. That information should be provided in accessible formats for persons with disabilities or persons with reduced mobility.

**Amendment**

(9) Consumers’ rights to rail services include the receipt of information regarding all available rail options and the service before, during and after the journey. Railway undertakings, ticket vendors and tour operators should provide that information in advance and in real-time. That information should be provided in accessible formats for persons with disabilities and persons with reduced mobility and should be available publicly.

**Justification**

This recital refers to paragraph 2 of Article 9, which is part of the recast.

---

**Amendment 5**

Proposal for a regulation
Recital 9 a (new)

**Text proposed by the Commission**

Well-developed multimodal passenger transport systems will help to achieve climate goals. Railway undertakings should therefore also advertise combinations with other modes of transport so that rail consumers are aware of them before making their travel reservations.

**Amendment**

The requirement to provide access to travel information data on a non-discriminatory basis includes real-time

**Justification**

This recital refers to paragraph 2 of Article 9, which is part of the recast.

---

**Amendment 6**

Proposal for a regulation
Recital 12 a (new)

**Text proposed by the Commission**

**Amendment**

(12a) The requirement to provide access to travel information data on a non-discriminatory basis includes real-time

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operational information on schedules or timetables, intermodal connections, available seats, applicable fares and tariffs, mandatory reservations and any applicable special conditions. Railway undertakings should enable all tour operators and ticket vendors to successfully conclude transport contracts, the result of which is the issuance of tickets, through-tickets, reservations and related commercial offers, for example tickets for the carriage of a bike or bulky luggage, whenever required. This should make travel more accessible to passengers and should provide passengers with a wider range of journey possibilities and tariffs to choose from.

Justification
Related to recital 12, which is part of the recast.

Amendment 7

Proposal for a regulation
Recital 12 b (new)

Text proposed by the Commission

(12b) When providing access to travel information or reservation systems through application programming interfaces (APIs), railway undertakings should ensure that the APIs make use of open standards, commonly used protocols, and machine-readable formats. Where those standards, protocols or formats do not exist, they should make use of open processes for documentation, development and standardisation in the creation of standards, protocols or formats. Railway undertakings should make them accessible free of charge.

Justification
Related to recital 12, which is part of the recast.

Amendment 8
Proposal for a regulation
Recital 12 c (new)

Text proposed by the Commission

(12c) If technical measures are established that prevent or disadvantage parties from retrieving travel information from publicly available sources other than the application programming interfaces, such as their websites, that should be considered discriminatory.

Justification

Related to recital 12, which is part of the recast.

Amendment 9

Proposal for a regulation
Recital 13

Text proposed by the Commission

(13) The increasing popularity of cycling across the Union has implications for overall mobility and tourism. An increase in the use of both railways and cycling in the modal split reduces the environmental impact of transport. Therefore, railway undertakings should facilitate the combination of cycling and train journeys as much as possible, in particular by allowing the carriage of bicycles on board trains.

Amendment 10

Proposal for a regulation
Recital 13 a (new)

Text proposed by the Commission

(13a) The carriage of bicycles on board of the train should only be refused or restricted for duly justified safety reasons. Such reasons should be related to the
safety of passengers, in particular, keeping emergency exit routes clear and avoiding physical harm to passengers.

Justification
Related to recital 13, which is part of the recast.

**Amendment 11**

**Proposal for a regulation**

**Recital 14**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
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<tbody>
<tr>
<td>(14) Railway undertakings should facilitate the transfer of rail passengers from one operator to another by the provision of <em>through-tickets, whenever possible.</em></td>
<td>(14) Railway undertakings, <em>ticket vendors and tour operators</em> should facilitate the transfer of rail passengers from one operator to another by the provision of <em>through-tickets.</em> They should clearly indicate when prices of through-tickets are substantially different from the prices of tickets bought separately. In issuing through-tickets they should take into account that there should be sufficient time for the passenger to transfer between one service and another.</td>
</tr>
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</table>

*Justification*
This amendment is linked to the amendment on Article 17(8), which is part of the recast.

**Amendment 12**

**Proposal for a regulation**

**Recital 15**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
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<tbody>
<tr>
<td>(15) In the light of the United Nations Convention on the Rights of Persons with Disabilities and in order to give persons with disabilities and persons with reduced mobility opportunities for rail travel comparable to those of other citizens, rules for non-discrimination and assistance during their journey should be established. Persons with disabilities and persons with reduced mobility, whether caused by disability, age or any other factor, have the</td>
<td>(15) In the light of the United Nations Convention on the Rights of Persons with Disabilities and in order to give persons with disabilities and persons with reduced mobility opportunities for rail travel comparable to those of other citizens, rules for non-discrimination and assistance <em>before and</em> during their journey should be established. Persons with disabilities and persons with reduced mobility, whether caused by disability, age or any other</td>
</tr>
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</table>
same right as all other citizens to free movement and to non-discrimination. Inter alia, special attention should be given to the provision of information to persons with disabilities and persons with reduced mobility concerning the accessibility of rail services, access conditions of rolling stock and the facilities on board. In order to provide passengers with sensory impairment with the best information on delays, visual and audible systems should be used, as appropriate. Persons with disabilities and persons with reduced mobility should be enabled to buy tickets on board a train without extra charges. Staff should be adequately trained to respond to the needs of persons with disabilities and persons with reduced mobility, notably when providing assistance. To ensure equal travel conditions, such persons should be provided with assistance at stations and on board at all times when trains operate and not only at certain times of the day.

**Justification**

*It is not always possible to buy a ticket in the train. Not all trains have staff on board to sell tickets. Clear rules should therefore be laid down to cover this eventuality. This amendment is linked to Article 10(5), which is part of the recast.*

**Amendment 13**

**Proposal for a regulation**

**Recital 16**

**Text proposed by the Commission**

(16) Railway undertakings and station managers should take into account the needs of persons with disabilities and persons with reduced mobility, through compliance with the TSI for persons with reduced mobility. In addition, in accordance with Union public procurement rules, in particular Directive 2014/24/EU

**Amendment**

(16) Railway undertakings and station managers should take into account the needs of persons with disabilities and persons with reduced mobility, through compliance with the TSI for persons with reduced mobility and Directive XXX when complementing TSI. In addition, in accordance with Union public procurement
of the European Parliament and of the Council\textsuperscript{26}, all buildings and rolling stock should be made accessible through the progressive elimination of physical obstacles and functional hindrances when acquiring new material or carrying out construction or major renovation work.


\textbf{Justification}

When the accessibility requirements are not covered by TSIs acts, then the European Accessibility Act (Directive XXX) should apply. Directive XXX is intended to complement existing sectorial Union legislation by covering aspects not yet covered by that legislation.

\textbf{Amendment 14}

\textbf{Proposal for a regulation}

\textbf{Recital 17}

\textit{Text proposed by the Commission}

(17) It is desirable that this Regulation create a system of compensation for passengers in the case of delay which is linked to the liability of the railway undertaking, on the same basis as the international system provided by the COTIF and in particular CIV Uniform Rules thereto relating to passengers' rights.

In the event of a delay of a passenger service, railway undertakings should provide passengers with compensation based on a percentage of the ticket price.

\textit{Amendment}

(17) It is desirable that this Regulation create a system of compensation for passengers in the case of delay which is linked to the liability of the railway undertaking, on the same basis as the international system provided by the COTIF and in particular CIV Uniform Rules thereto relating to passengers' rights.

\textit{Purchased tickets should be fully refundable.} In the event of a delay of a passenger service, railway undertakings should provide passengers with compensation based on a percentage up to 100\% of the ticket price.

\textbf{Amendment 15}

\textbf{Proposal for a regulation}
Recital 18

Text proposed by the Commission

(18) Railway undertakings should be obliged to be insured, or to make equivalent arrangements, for their liability to rail passengers in the event of accident. Where Member States set a maximum amount for compensatory damages in the event of death or personal injury to passengers, that amount should be at least equivalent to the amount set out in the CIV Uniform Rules.

Amendment

(18) Railway undertakings should be obliged to be insured, or to make equivalent arrangements, for their liability to rail passengers in the event of accident. Where Member States set a maximum amount for compensatory damages in the event of death or personal injury to passengers, that amount should be at least equivalent to the amount set out in the CIV Uniform Rules. Member States should have the possibility to increase the amount for compensatory damages in the event of death or personal injury to passengers at any time.

Amendment 16

Proposal for a regulation
Recital 18 a (new)

Text proposed by the Commission

(18a) Accidents within the meaning of this Regulation should also include adverse effects on the health of passengers resulting from the overcrowding of compartments of passenger trains, except where the passenger trains are transporting passengers in accordance with Article 16(2) of this Regulation. Accidents within the meaning of this Regulation should furthermore include adverse effects on the health of passengers resulting from the absence, failure to use or non-functioning of air-conditioning systems and associated temperature or air humidity conditions which are intolerable for passengers.

Amendment

(18a) Accidents within the meaning of this Regulation should also include adverse effects on the health of passengers resulting from the overcrowding of compartments of passenger trains, except where the passenger trains are transporting passengers in accordance with Article 16(2) of this Regulation. Accidents within the meaning of this Regulation should furthermore include adverse effects on the health of passengers resulting from the absence, failure to use or non-functioning of air-conditioning systems and associated temperature or air humidity conditions which are intolerable for passengers.

Justification

In order to avoid legal loopholes to the detriment of the passenger and in particular, but not exclusively, in keeping with the spirit of recitals 3 and 5 of the Regulation, other adverse
effects on the health of passengers should be regulated, where they arise due to the fault or neglect of the carrier and can be equated to an accident a broader sense.

Amendment 17

Proposal for a regulation
Recital 20

Text proposed by the Commission Amendment

(20) In the event of delay, passengers should be provided with continued or re-routed transport options under comparable transport conditions. The needs of persons with disabilities and persons with reduced mobility should be taken into account in such an event.

Amendment 18

Proposal for a regulation
Recital 21

Text proposed by the Commission Amendment

(21) However, a railway undertaking should not be obliged to pay compensation if it can prove that the delay was caused by severe weather conditions or major natural disasters endangering the safe operation of the service. Any such event should have the character of an exceptional natural catastrophe, as distinct from normal seasonal weather conditions, such as autumnal storms or regularly occurring urban flooding caused by tides or snowmelt. Railway undertakings should prove that they could neither foresee nor prevent the delay even if all reasonable measures had been taken.

Amendment 19

Proposal for a regulation
Recital 22
In cooperation with infrastructure managers and railway undertakings, station managers should prepare contingency plans to minimise the impact of major disruptions by providing stranded passengers with adequate information and care.

Amendment 20

Proposal for a regulation
Recital 23

This Regulation should not restrict the rights of railway undertakings to seek compensation from any person, including third parties, in accordance with applicable national law.

Amendment

This Regulation should not restrict the rights of railway undertakings, ticket vendors, railway stations and infrastructure managers to seek compensation where applicable from any person, including third parties, for meeting their obligations to passengers under this Regulation.

Amendment 21

Proposal for a regulation
Recital 27

Rail passengers should be able to submit a complaint to any railway undertaking involved regarding the rights and obligations conferred by this Regulation, and be entitled to receive a response within a reasonable period of time.

Amendment

Rail passengers should be able to submit a complaint to any railway undertaking, ticket vendor, railway station or infrastructure manager involved regarding the rights and obligations conferred by this Regulation, and be entitled to receive a response within a reasonable period of time.

Justification

As laid down in Article 28 paragraph 2, rail passengers may submit a complaint to any railway undertaking, ticket vendor, railway station or infrastructure manager involved.
Amendment 22

Proposal for a regulation
Recital 28

Text proposed by the Commission

(28) Railway undertakings and station managers should define, make publicly available, manage and monitor service quality standards for rail passenger services.

Amendment

(28) Railway undertakings and station managers should define, make publicly available, manage and monitor service quality standards for rail passenger services including those for persons with disabilities and persons with reduced mobility.

Justification

This amendment is related to the Recital 15 with regard to the UN CRPD. Service quality standards should also include persons with disabilities and persons with reduced mobility.

Amendment 23

Proposal for a regulation
Recital 29

Text proposed by the Commission

(29) To maintain a high level of consumer protection in rail transport, Member States should be required to designate national enforcement bodies to monitor closely and enforce this Regulation at national level. Those bodies should be able to take a variety of enforcement measures. Passengers should be able to complain to those bodies about alleged infringements of the Regulation. To ensure the satisfactory handling of such complaints, the bodies should also cooperate with each other.

Amendment

(29) To maintain a high level of consumer protection in rail transport, Member States should be required to designate national enforcement bodies to monitor closely and enforce this Regulation at national level. Those bodies should be able to take a variety of enforcement measures, and to provide the option for passengers of binding alternative dispute resolution, in line with Directive 2013/11/EU. Passengers should be able to complain to those bodies about alleged infringements of the Regulation, and to use online dispute resolution established under Regulation 524/2013/EU where agreed. It should also be provided that complaints may be made by organisations representing groups of passengers. To ensure the
satisfactory handling of such complaints, the bodies should also cooperate with each other and this Regulation should continue to be listed in the Annex to the Regulation 2017/2394/EU of the European Parliament and of the Council. Each year national enforcement bodies shall publish reports with statistics on their websites detailing the number and type of complaints that they have received, and detailing the outcome of their enforcement actions. In addition, those reports shall be made available on the website of the European Union Agency for Railways.


Amendment 24
Proposal for a regulation
Recital 31
Member States should lay down penalties applicable to infringements of this Regulation and ensure that these penalties are applied. The penalties, which might include the payment of compensation to the person in question, should be effective, proportionate and dissuasive.

**Justification**

The lack of proper enforcement provision was one of the principal reasons justifying the recast of this Regulation. It is therefore of the upmost importance to ensure that penalties are dissuasive so as to discourage undertakings from acting outside the provisions of the Regulation. This is also inextricably linked to other amendments on enforcement in Chapter VII, including those on enhancing the capabilities and effectiveness of enforcement bodies and assisting passengers to make complaints.

**Amendment 25**

Proposal for a regulation
Article 1 – title

(Text proposed by the Commission)  (Amendment)

Subject matter  Subject matter *and objectives*

**Justification**

The recast Regulation was recast in a balance between strengthening rail passenger rights and taking account of the public interest generally in supporting rail as a mode of transport. The objectives are laid out within this article and should thus be acknowledged in the title, as this is inextricably linked to other amendments in the text and is also a matter of good legal drafting practice.

**Amendment 26**

Proposal for a regulation
Article 1 – paragraph 1 – introductory part
This Regulation establishes rules applicable to rail transport as regards the following:

In order to provide for effective protection of passengers and encourage rail travel, this Regulation establishes rules applicable to rail transport as regards the following:

**Justification**

See the justification in the previous amendment.

**Amendment 27**

Proposal for a regulation
Article 1 – paragraph 1 – point d

- (d) passengers’ rights in the event of cancellation or delay;

**Amendment**

- (d) passengers’ rights and compensation in the event of disruption, such as cancellation or delay;

**Amendment 28**

Proposal for a regulation
Article 1 – paragraph 1 – point e

- (e) minimum information to be provided to passengers;

**Amendment**

- (e) minimum information to be provided to passengers by railway undertakings, ticket vendors and tour operators in an accurate and timely manner and in an accessible format;

**Justification**

This amendment is inextricably linked to Chapter II in particular.

**Amendment 29**

Proposal for a regulation
Article 1 – paragraph 1 – point h

- (h) the handling of complaints;

**Amendment**

- (h) proper procedures for handling of
complaints;

Justification

In order to meet the goal of improved enforcement within the recast Regulation, it is important that both consumers and national enforcement bodies are able to rely on robust procedures that will facilitate easier and timelier processing of complaints. This is inextricably linked to amendments to Chapter VII in particular.

Amendment 30

Proposal for a regulation
Article 2 – paragraph 2 – point a

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) <strong>urban, suburban and regional rail passenger</strong> services as referred to in Directive 2012/34/EU, except cross-border services within the Union;</td>
<td>(a) <strong>metros, trams and other light rail passengers</strong> services as referred to in Directive 2012/34/EU and further defined in Directive 2016/797/EU;</td>
</tr>
</tbody>
</table>

Amendment 31

Proposal for a regulation
Article 2 – paragraph 2 – point b

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(b) international rail passenger services of which a significant part, including at least one scheduled station stop, is operated outside the Union, <em>provided that passengers’ rights are adequately ensured under relevant national law</em> on the territory of the Member State granting the exemption.</td>
<td>(b) international rail passenger services of which a significant part, including at least one scheduled station stop, is operated outside the Union, <em>only for the part that is not operated</em> on the territory of the Member State granting the exemption;</td>
</tr>
</tbody>
</table>

Amendment 32

Proposal for a regulation
Article 2 – paragraph 2 – point b a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
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<tbody>
<tr>
<td>(ba) rail passenger services making use of vehicles reserved for strictly historical</td>
<td></td>
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</tbody>
</table>
or tourist use.

Amendment 33
Proposal for a regulation
Article 2 – paragraph 3

**Text proposed by the Commission**

3. Member States shall inform the Commission of exemptions granted pursuant to points (a) and (b) of paragraph 2, and on the adequacy of their national law on their territory for the purposes of point (b) of paragraph 2.

**Amendment**

3. Member States shall inform the Commission of exemptions granted pursuant to points (a), (b) and (ba) of paragraph 2.

Amendment 34
Proposal for a regulation
Article 2 – paragraph 4

**Text proposed by the Commission**

4. Articles 5, 10, 11 and 25 and Chapter V shall apply to all rail passenger services referred to in paragraph 1, including services exempted in accordance with points (a) and (b) of paragraph 2.

**Amendment**

4. Articles 4, 5, 6, 7, 11 and 12 and Chapter V shall apply to all rail passenger services referred to in paragraph 1 of this Article, including services exempted in accordance with points (a) and (b) of paragraph 2 of this Article. Articles 10 and 17 shall apply to all rail passenger services referred to in paragraph 1 of this Article, including services exempted in accordance with point (b) of paragraph 2 of this Article.

Amendment 35
Proposal for a regulation
Article 3 – paragraph 1 – point 5

**Text proposed by the Commission**

(5) ‘ticket vendor’ means any retailer of rail transport services concluding transport contracts and selling tickets on

**Amendment**

(5) ‘ticket vendor’ means any retailer of rail transport services concluding transport contracts and selling tickets and
behalf of a railway undertaking or for its own account; through-tickets on behalf of one or more railway undertakings or for its own account;

Justification
This amendment is linked to Article 10(1) and (6), which are part of the recast.

Amendment 36
Proposal for a regulation
Article 3 – paragraph 1 – point 6 a (new)

Text proposed by the Commission

Amendment
(6a) ‘ticket’ means a valid evidence that entitles the passenger to rail transport, regardless of its form, such as paper, e-Ticket, Smartcard or travel card;

Justification
Tickets can take many different forms, especially in light of the development of online platforms. Therefore it should be clear that it is a valid evidence, regardless its form, that entitles the passenger to run on a rail service.

Amendment 37
Proposal for a regulation
Article 3 – paragraph 1 – point 8

Text proposed by the Commission

Amendment
(8) ‘through-ticket’ means a ticket or tickets representing a single transport contract for successive railway services operated by one or more railway undertakings;

(8) ‘through-ticket’ means a ticket or separate tickets representing successive railway services operated by one or more railway undertakings, purchased from the same ticket vendor, tour operator or railway undertaking for an end-to-end journey;

Justification
This amendment is linked to Article 10(1) and (6), which are part of the recast.

Amendment 38
Proposal for a regulation
Article 3 – paragraph 1 – point 10
Text proposed by the Commission

(10) ‘journey’ means the carriage of a passenger between a station of departure and a station of arrival under a single transport contract;

Amendment

(10) ‘journey’ means the carriage of a passenger between a station of departure and a station of arrival;

Amendment 39

Proposal for a regulation
Article 3 – paragraph 1 – point 10 a (new)

Text proposed by the Commission

(10a) ‘optimal single rail journey’ means the most optimal (for instance the cheapest, fastest or most convenient) one-way rail journey between any two rail stations (both within a Member State and across internal Union borders), which may include one, two or more successive railway services and respects minimum standard connection times as provided for by official railway planners, and which may comprise more than one successive ticket or transport contract, depending on which solution suits the passenger best.

Amendment

(10a) ‘optimal single rail journey’ means the most optimal (for instance the cheapest, fastest or most convenient) one-way rail journey between any two rail stations (both within a Member State and across internal Union borders), which may include one, two or more successive railway services and respects minimum standard connection times as provided for by official railway planners, and which may comprise more than one successive ticket or transport contract, depending on which solution suits the passenger best.

Justification

Current technology allows passengers to book successive railway journeys and choose the best solution for their journey (e.g. cheapest, fastest or most convenient) regardless of the number of tickets (single or separate successive). The definition clarifies Art. 3(8) and brings legal consistency to the Regulation. This AM aligns this Regulation with those governing passenger rights in other transport modes (e.g. air). The term ‘optimal single rail journey’ allows the passenger to choose the most suitable travel option and is duly justified with the development of new technologies.

Amendment 40

Proposal for a regulation
Article 3 – paragraph 1 – point 16
Text proposed by the Commission

(16) ‘person with disabilities’ and ‘person with reduced mobility’ means any person who has a permanent or temporary physical, mental, intellectual or sensory impairment which, in interaction with various barriers, may hinder their full and effective use of transport on an equal basis with other passengers or whose mobility when using transport is reduced due to age;

Amendment

(16) ‘person with disabilities’ and ‘person with reduced mobility’ means any person who has a permanent or temporary physical, mental, intellectual or sensory impairment which, in interaction with various barriers, may hinder their full and effective use of transport on an equal basis with other passengers or whose mobility when using transport is reduced;

Amendment 41

Proposal for a regulation
Article 3 – paragraph 1 – point 18 a (new)

Text proposed by the Commission

(18a) ‘light rail passenger service’ means a service carried out by an urban and/or suburban rail transport system with a crashworthiness of C-III or C-IV (in accordance with EN 15227:2011) and a maximum strength of vehicle of 800 kN (longitudinal compressive force in coupling area); light rail systems may have their own right of way or share it with road traffic and usually do not exchange vehicles with long-distance passenger or freight traffic;

Amendment

(18a) ‘light rail passenger service’ means a service carried out by an urban and/or suburban rail transport system with a crashworthiness of C-III or C-IV (in accordance with EN 15227:2011) and a maximum strength of vehicle of 800 kN (longitudinal compressive force in coupling area); light rail systems may have their own right of way or share it with road traffic and usually do not exchange vehicles with long-distance passenger or freight traffic;

Justification

This amendment is linked to Article 2(2), which is part of the recast.

Amendment 42

Proposal for a regulation
Article 3 – paragraph 1 – point 19 a (new)

Text proposed by the Commission

(19a) ‘application programming interface’ means an electronic interface for the retrieval of information on schedules and timetables, intermodal connections, including real-time

Amendment

(19a) ‘application programming interface’ means an electronic interface for the retrieval of information on schedules and timetables, intermodal connections, including real-time
information of possible delays, available seats, applicable fares, mandatory reservations and special conditions, the accessibility of transport services, that also allows purchasing tickets, through-tickets, and reservations.

Justification

This new definition is necessary with the introduction of the new provisions in Article 10(a) (new).

Amendment 43

Proposal for a regulation
Article 5 – paragraph 1

Text proposed by the Commission

Without prejudice to social tariffs, railway undertakings or ticket vendors shall offer contract conditions and tariffs to the general public without direct or indirect discrimination on the basis of the final customer’s nationality or residence, or the place of establishment of the railway undertaking or ticket vendor within the Union.

Amendment

Without prejudice to social tariffs, railway undertakings, ticket vendors and tour operators shall offer contract conditions and tariffs and shall sell tickets and through-tickets to the general public and accept reservations from passengers without direct or indirect discrimination in particular on the basis of the final passenger’s nationality, origin or residence, the place of establishment of the railway undertaking or ticket vendor within the Union. In addition, railway undertakings, ticket vendors and tour operators shall not, within the range of means of payment accepted by them, apply, for reasons related to a passenger’s nationality, place of residence, the location of the payment account, the place of establishment of the payment service provider or the place of issue of the payment instrument within the Union, different conditions for a payment transaction, where:

(a) the payment transaction is made through an electronic transaction by credit transfer, direct debit or a card-
based payment instrument within the same payment brand and category;

(b) authentication requirements are fulfilled pursuant to Directive (EU) 2015/2366; and

(c) the payment transactions are in a currency that the railway undertaking, ticket vendor or tour operators accepts.

Amendment 44

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

Passengers shall be entitled to take bicycles on board the train, *where appropriate* for a reasonable fee. They shall *keep their* bicycles under supervision during the journey and ensure that no inconvenience or damage is caused to other passengers, mobility equipment, luggage or rail operations. The carriage of bicycles may be refused or restricted for safety or operational reasons, provided that railway undertakings, ticket vendors, tour operators and, where appropriate, station managers inform passengers of the conditions for such a refusal or restriction in accordance with Regulation (EU) No 454/2011.

Amendment

Passengers shall be entitled to take bicycles, *whether assembled or not*, on board the train, *including on high-speed, long-distance and cross-border trains*. That service shall be offered free of charge or in exceptional cases for a reasonable fee. *All new or refurbished rolling stock* shall *include sufficient, well-indicated, dedicated spaces for the carriage of assembled bicycles*. The carriage of bicycles may only be refused or restricted for *duly justified* safety reasons, provided that railway undertakings, ticket vendors, tour operators and, where appropriate, station managers inform passengers, *at the latest at the time of the purchase of the ticket*, of the conditions for *bicycle carriage on all services* in accordance with Regulation (EU) No 454/2011.

Amendment 45

Proposal for a regulation
Article 7 – paragraph 2

Text proposed by the Commission

2. Railway undertakings may offer contract conditions more favourable for the

Amendment

2. Railway undertakings, *tour operators or ticket vendors* may offer
passenger than the conditions laid down in this Regulation.

contract conditions more favourable for the passenger than the conditions laid down in this Regulation.

**Justification**

*This acknowledges that it is not simply railway undertakings offering tickets to passengers and this does not affect the B2B relationship/freedom of contract between the railway undertakings and tour operators/ticket vendors and is in keeping with the Commission’s text in chapter II.*

**Amendment 46**

**Proposal for a regulation**

Article 8 – title

**Text proposed by the Commission**

Obligation to provide information concerning discontinuation of services

**Amendment**

Obligation to provide information and consultation concerning discontinuation or substantial reduction of services

**Justification**

*Bearing in mind the intention of this regulation and the Commission’s proposed amendments thereto, to strengthen the rights of persons with disabilities and of persons with reduced mobility, and also to improve passenger rights generally, it is important to ensure passengers are treated fairly by railway undertakings. This amendments therefore is inextricably linked to other proposals, including those on information to be provided by undertakings and on non-discrimination against passengers in Article 1 and related Chapters and all accessibility provisions in Chapter V and otherwise.*

**Amendment 47**

**Proposal for a regulation**

Article 8 – paragraph 1

**Text proposed by the Commission**

Railway undertakings or, where appropriate, competent authorities responsible for a public service railway contract shall make public by appropriate means, including in accessible formats for persons with disabilities in accordance with accessibility requirements laid down in Directive XXX, and before their

**Amendment**

Railway undertakings or, where appropriate, competent authorities responsible for a public service railway contract shall make public by appropriate means, and without delay including in accessible formats for persons with disabilities in accordance with accessibility requirements laid down in Directive
implementation, **decisions** to discontinue services either permanently or temporarily.

XXX³¹, and in good time before implementation, **proposals** to discontinue or substantially reduce services either permanently or temporarily, **and shall ensure that those proposals are subject to meaningful and proper consultation with stakeholders before any implementation takes place.**

³¹ Directive XXX on the approximation of the laws, regulations and administrative provisions of the Member States as regards the accessibility requirements for products and services (European Accessibility Act) (OJ L X, X.X.XXXX, p. X).

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**Amendment 48**

Proposal for a regulation

**Article 9 – paragraph 1**

*Text proposed by the Commission*

1. Railway undertakings and ticket vendors offering transport contracts on behalf of one or more railway undertakings shall provide the passenger, **upon request,** with at least the information set out in Annex II, Part I in relation to the journeys for which a transport contract is offered by the railway undertaking concerned. **Ticket vendors offering transport contracts on their own account, and tour operators, shall provide this information where available.**

*Amendment*

1. Railway undertakings, **tour operators** and ticket vendors offering transport contracts **on their own behalf or on behalf of one or more railway undertakings** shall provide the passenger with at least the information set out in Annex II, Part I in relation to the journeys for which a transport contract is offered by the railway undertaking concerned.

*Justification*

*In order to keep with the internal logic and the aims of the Regulation, it is important to ensure that customers receive accurate and timely information about their journey from the relevant retailer of their ticket. This is inextricably linked to the provisions on information including Annex II as a whole.*

**Amendment 49**

Proposal for a regulation
Article 9 – paragraph 2

**Text proposed by the Commission**

2. Railway undertakings and, where possible, ticket vendors shall provide the passenger during the journey, including at connecting stations, with at least the information set out in Annex II, Part II.

**Amendment**

2. Railway undertakings and, where possible, **tour operators and ticket vendors** shall provide the passenger during the journey, including at connecting stations, with at least the information set out in Annex II, Part II.

Amendment 50

Proposal for a regulation
Article 9 – paragraph 3

**Text proposed by the Commission**

3. The information referred to in paragraphs 1 and 2 shall be provided in the most appropriate format including by using up-to-date communication technologies. Particular attention shall be paid to ensuring that this information is accessible to persons with disabilities in accordance with the accessibility requirements laid down in Directive XXX and Regulation 454/2011.

**Amendment**

3. The information referred to in paragraphs 1 and 2 shall be provided using **easily accessible, commonly used and real-time** up-to-date communication technologies and in writing, where possible. Particular attention shall be paid to ensuring that this information is accessible to persons with disabilities in accordance with the accessibility requirements laid down in Directive XXX and Regulation 454/2011. **The availability of accessible formats shall be clearly advertised.**

Amendment 51

Proposal for a regulation
Article 9 – paragraph 4

**Text proposed by the Commission**

4. Station managers and infrastructure managers shall make real-time data relating to trains, including those operated by other railway undertakings available to railway undertakings and ticket vendors, in a non-

**Amendment**

4. Station managers, infrastructure managers and **railway undertakings** shall make real-time data relating to trains, including those operated by other railway undertakings available to railway undertakings and ticket vendors, in a non-
discriminatory manner, in the most appropriate format, in an interoperable technical interface using the latest communication technologies so that railway undertakings and ticket vendors provide passengers with all the information required under this Regulation.

Amendment 52
Proposal for a regulation
Article 9 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Railway undertakings and ticket vendors offering transport contracts on behalf of one or more railway undertakings shall provide passengers with information on any connections with other transport modes.

Justification

This amendment is inextricably linked to Articles 9 and 14.

Amendment 53
Proposal for a regulation
Article 9 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

4b. Railway undertakings in cooperation with station managers and infrastructure managers shall indicate in timetables information about accessible train connections and stations.

Justification

This amendment is related to the Article 1. This information should facilitate travelling by train for persons with disabilities and persons with reduced mobility.
Amendment 54

Proposal for a regulation
Article 10 – paragraph 1

Text proposed by the Commission

1. Railway undertakings and ticket vendors shall offer tickets and, where available, through-tickets and reservations. They shall make all possible efforts to offer through-tickets, including for journeys across borders and with more than one railway undertaking.

Amendment

1. Railway undertakings, ticket vendors and tour operators shall offer tickets, through-tickets and reservations, including for journeys across borders or involving night trains and journeys with more than one railway undertaking. Booking of those tickets shall be accessible and non-discriminatory, including for persons with disabilities and persons with reduced mobility. Railway undertakings, ticket vendors and tour operators shall develop suitable application programming interfaces and data formats to allow the exchange of information across network, regional and national boundaries and the booking of tickets via the internet.

Amendment 55

Proposal for a regulation
Article 10 – paragraph 2

Text proposed by the Commission

2. Without prejudice to paragraphs 3 and 4, railway undertakings and ticket vendors shall distribute tickets to passengers via at least one of the following points of sale:

(a) ticket offices or ticketing machines;
(b) telephone, the Internet or any other widely available information technology;
(c) on board trains.

Member States may require railway undertakings to provide tickets for services provided under public service

Amendment

2. Without prejudice to paragraphs 3 and 4, railway undertakings, ticket vendors and tour operators shall distribute tickets, through-tickets and reservations to passengers via the Internet and at least one of the following points of sale:

(a) ticket offices or ticketing machines;
(b) telephone or any other widely available information technology;
(c) on board trains.
contracts through more than one point of sale.

Amendment 56

Proposal for a regulation
Article 10 – paragraph 3

Text proposed by the Commission

3. Railway undertakings shall offer the possibility to obtain tickets for the respective service on board the train, unless this is limited or denied on grounds relating to security or antifraud policy or compulsory train reservation or reasonable commercial grounds.

Amendment

3. Railway undertakings shall offer the possibility to obtain tickets for the respective service on board the train, unless this is limited or denied on reasonable and justifiable grounds relating to security or antifraud policy or space or seat availability.

Justification

To get more people using the rail service in Europe, there need to be clear and strengthened passenger rights as per the aims of the Regulation. Any restriction of a passenger’s opportunity to buy tickets on board a train should be both reasonable and justifiable. Security/antifraud policy and space availability are both legitimate reasons for limiting this whereas “reasonable commercial grounds” is too vague. This amendment is therefore necessary for pressing reasons of internal logic and also because it is inextricably linked to its subject-matter in Article 1 and overall aims as expressed in impact assessments and explanatory statements.

Amendment 57

Proposal for a regulation
Article 10 – paragraph 4 – introductory part

Text proposed by the Commission

4. Where there is no ticket office or ticketing machine in the station of departure, passengers shall be informed at the station:

Amendment

4. Tickets shall be reprinted for passengers on the day of travel on request, either at the ticket office or through a ticketing machine. Where there is no ticket office or ticketing machine in the station of departure, or when the ticket office or ticketing machine is not fully accessible, passengers shall be informed at the station:
Justification

Printed tickets are often necessary for reimbursement of passengers’ travel fees by employers. When it impossible for a station to print them then passengers’ should be entitled to be informed of this at the station. This amendment is necessary as it is inextricably linked to accessibility provisions and other Commission changes to Article 10.

Amendment 58

Proposal for a regulation
Article 10 – paragraph 5

Text proposed by the Commission

5. Where there is no ticket office or accessible ticketing machine in the station of departure, persons with disabilities and persons with reduced mobility shall be permitted to buy tickets on board the train at no extra cost.

Amendment

5. Where there is no open ticket office or correctly-functioning ticketing machine in the station of departure, passengers shall be permitted to buy tickets on board the train. Tickets bought on board the train shall not cost more than the relevant standard fare for the journey concerned with any applicable discounts.

Amendment 59

Proposal for a regulation
Article 10 – paragraph 6

Text proposed by the Commission

6. Where a passenger receives separate tickets for a single journey comprising successive railway services operated by one or more railway undertakings, his rights to information, assistance, care and compensation shall be equivalent to those under a through-ticket and cover the whole journey from the departure to the final destination, unless the passenger is explicitly informed otherwise in writing. Such information shall in particular state that when the passenger misses a connection, he or she would not be entitled to assistance or compensation based on the total length of the journey. The burden of proof that the information was provided shall lie with

Amendment

6. Where passengers receive separate tickets for a single journey comprising successive railway services operated by one or more railway undertakings, their rights to information, assistance, care and compensation shall be equivalent to those under a through-ticket and cover the whole journey from the departure to the final destination.
the railway undertaking, its agent, tour operator or ticket vendor.

Amendment 60

Proposal for a regulation
Article 10a (new)

Text proposed by the Commission

Amendment

Article 10a

Provision of travel information through application programming interfaces

1. Railway undertakings shall provide non-discriminatory access to all travel information, including real-time operational information on timetables and tariffs data, as referred to in Article 9, through application programming interfaces (APIs).

2. Railway undertakings shall provide tour operators, ticket vendors and other railway undertakings, selling their service, non-discriminatory access to reservation systems through APIs, so that they can conclude transport contracts and issue tickets, through-tickets and reservations, in such a way that they provide the most optimal and cost-effective journey, including cross-border.

3. Railway undertakings shall ensure that the technical specifications of the APIs are well-documented and openly accessible at no charge. The APIs shall make use of open standards, commonly used protocols and machine-readable formats to make them interoperable.

4. Railway undertakings shall ensure that, except for emergency situations, any change to the technical specification of their APIs is made available to tour operators and ticket vendors in advance as soon as possible and no less than three months before a change is implemented. Emergency situations shall be
documented and documentation shall be made available to the competent authorities upon request.

5. Railway undertakings shall ensure that access to the APIs is provided in a non-discriminatory way, at the same level of availability and performance, including support, access to all documentation, standards, protocols and formats. Tour operators and ticket vendors shall not be disadvantaged as compared to the railway undertakings themselves.


Justification

This amendment is linked to Article 10(1), which is part of the recast.

Amendment 61

Proposal for a regulation
Article 16 – paragraph 1 – introductory part

Text proposed by the Commission

1. Where it is reasonably to be expected, either at departure or in the event of a missed connection in the course of a journey with a through-ticket, that arrival at the final destination under the transport contract will be subject to a delay of more than 60 minutes, the passenger shall immediately have the choice between one of the following:

Amendment

1. Where it is reasonably to be expected, either at departure or in the event of a missed connection in the course of a journey, that arrival at the final destination will be subject to a delay of more than 45 minutes, the passenger shall immediately have the choice between one of the following:

Justification

Passengers should be entitled to have the choice regardless of whether they are on a through ticket, a single trip on one ticket, a return journey or a combined journey. The wording “transport contract” has been removed for the sake of legal clarity as there may be more than one contract involved. This is in keeping with our other amendments within chapter IV

Amendment 62

Proposal for a regulation
Article 16 – paragraph 2

_**Text proposed by the Commission**_

2. For the purposes of point (b) of paragraph 1, comparable re-routing may be operated by any railway undertaking and may involve the use of transport of a higher class and alternative modes of transport without generating additional costs to the passenger. Railway undertakings shall make reasonable efforts to avoid additional connections. The total travel time when using an alternative mode of transport for the part of the journey not completed as planned shall be comparable to the scheduled travel time of the original journey. Passengers shall not be downgraded to transport facilities of a lower class unless such facilities are the only re-routing means available.

_**Amendment**_

2. For the purposes of point (b) of paragraph 1, in the case of a missed connection due to delay or cancellation of an earlier leg of the passenger's journey, the passenger shall be allowed to take the next service available in order to reach his or her final planned destination. Comparable re-routing may be operated by any railway undertaking and may involve the use of transport of a higher class and alternative modes of transport without generating additional costs to the passenger. Railway undertakings shall make reasonable efforts to avoid additional connections. The total travel time when using an alternative mode of transport for the part of the journey not completed as planned shall be comparable to the scheduled travel time of the original journey. Passengers shall not be downgraded to transport facilities of a lower class unless such facilities are the only re-routing means available.

Amendment 63

Proposal for a regulation
Article 16 – paragraph 3

_**Text proposed by the Commission**_

3. Re-routing transport service providers shall pay particular attention to providing persons with disabilities and persons with reduced mobility with a comparable level of accessibility to the alternative service.

_**Amendment**_

3. Re-routing transport service providers shall provide to persons with disabilities and persons with reduced mobility a comparable level of assistance and accessibility to the alternative service.

Amendment 64

Proposal for a regulation
Article 17 – paragraph 1 – introductory part

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**Text proposed by the Commission**

1. Without losing the right of transport, a passenger *may request* compensation for delays from the railway undertaking if he or she is facing a delay between the places of departure and destination stated in the transport contract for which the cost of the ticket has not been reimbursed in accordance with Article 16. The minimum compensations for delays shall be as follows:

**Amendment**

1. Without losing the right of transport *for the journey*, a passenger *shall be entitled to* compensation for delays from the railway undertaking if he or she is facing a delay between the places of departure and destination stated *on the ticket and* in the transport contract for which the cost of the ticket has not been reimbursed in accordance with Article 16. The minimum compensations for delays shall be as follows:

**Justification**

The precise compensation scheme is an important aspect of the overall effectiveness of the Regulation and is therefore inextricably linked to its underlying aims and to Chapters VI and VII especially.

**Amendment 65**

**Proposal for a regulation**

**Article 17 – paragraph 1 – point a**

**Text proposed by the Commission**

(a) 25 % of the ticket price for a delay of 60 to 119 minutes,

**Amendment**

(a) 50 % of the ticket price for a delay of 45 to 89 minutes,

**Justification**

The precise compensation scheme is an important aspect of the overall effectiveness of the Regulation and is therefore inextricably linked to its underlying aims and to Chapters VI and VII especially.

**Amendment 66**

**Proposal for a regulation**

**Article 17 – paragraph 1 – point b**

**Text proposed by the Commission**

(b) 50 % of the ticket price for a delay of 120 minutes or more,

**Amendment**

(b) 75 % of the ticket price for a delay of 90 to 119 minutes or more,

**Justification**

The precise compensation scheme is an important aspect of the overall effectiveness of the Regulation and is therefore inextricably linked to its underlying aims and to Chapters VI and VII especially.
Amendment 67

Proposal for a regulation
Article 17 – paragraph 1 – point b a (new)

Text proposed by the Commission

(ba) 100 % of the ticket price for a delay of 120 minutes or more.

Amendment

Justification

The precise compensation scheme is an important aspect of the overall effectiveness of the Regulation and is therefore inextricably linked to its underlying aims and to Chapters VI and VII especially.

Amendment 68

Proposal for a regulation
Article 17 – paragraph 2

Text proposed by the Commission

2. Paragraph 1 also applies to passengers who hold a travel pass or season ticket. If they encounter recurrent delays or cancellations during the period of validity of the travel pass or season ticket, they may request adequate compensation in accordance with the railway undertaking’s compensation arrangements. These arrangements shall state the criteria for determining delay and for the calculation of the compensation. Where delays of less than 60 minutes occur repeatedly during the period of validity of the travel pass or season ticket, the delays shall be counted cumulatively and passengers shall be compensated in accordance with the railway undertaking’s compensation arrangements.

Amendment

2. Paragraph 1 also applies to passengers who hold a travel pass or season ticket. If they encounter recurrent delays or cancellations during the period of validity of the travel pass or season ticket, they shall be entitled to adequate compensation in accordance with the railway undertaking’s compensation arrangements. These arrangements shall state the criteria for determining delay and for the calculation of the pro rata compensation in accordance with the assessment basis referred to in paragraph 1. Where delays of less than 45 minutes occur repeatedly during the period of validity of the travel pass or season ticket, the delays shall be counted cumulatively and passengers shall be compensated in accordance with the railway undertaking’s compensation arrangements.

Amendment 69

Proposal for a regulation
Article 17 – paragraph 5
Text proposed by the Commission

5. The compensation of the ticket price shall be paid within one month after the submission of the request for compensation. The compensation may be paid in vouchers and/or other services if the terms are flexible (in particular regarding the validity period and destination). The compensation shall be paid in money at the request of the passenger.

Amendment

5. The compensation of the ticket price shall be paid within one month after the submission of the request for compensation to the railway undertaking, tour operator or ticket vendor. The compensation may be paid in vouchers and/or other services, or through an automatic compensation system where in place, if the terms are flexible (in particular regarding the validity period and destination). The compensation shall be paid in money within the same payment system as that with which the ticket was bought at the request of the passenger. Passenger shall be informed in a comprehensible manner about all options of compensation, including financial, from which he or she can choose. The passenger shall not, by any means, be discouraged from requesting compensation.

Amendment 70

Proposal for a regulation
Article 17 – paragraph 7

Text proposed by the Commission

7. The passenger shall not have any right to compensation if he is informed of a delay before he buys a ticket, or if a delay due to continuation on a different service or re-routing remains below 60 minutes.

Amendment

7. Passengers shall not have any right to compensation if they are informed of a delay before buying a ticket – unless the actual delay is more than 45 minutes longer than the delay announced, or if a delay due to continuation on a different service or re-routing remains below 45 minutes.

Justification

This amendment is linked to Article 17(2), which is part of the recast.
Amendment 71

Proposal for a regulation
Article 17 – paragraph 8

Amendment

8. A railway undertaking shall not be obliged to pay compensation if it can prove that the delay was caused by severe weather conditions or major natural disasters endangering the safe operation of the service and could not have been foreseen or prevented even if all reasonable measures had been taken.

Amendment 72

Proposal for a regulation
Article 18 – paragraph 1

Amendment

1. In the case of a delay in arrival or departure, passengers shall be kept informed of the situation and of the estimated departure time and estimated arrival time by the railway undertaking or ticket vendor or by the station manager as soon as such information is available.

Justification

Proper, interoperable and real-time data sharing between ticket vendors and railway undertakings is essential for the consumer, if we want to ensure that the consumer is given the best information - including the ticket options and price options for the requested journey - in the real-time as well as the possibility to buy the preferred type of ticket at the ticket vendor.

Amendment 73

Proposal for a regulation
Article 18 – paragraph 2 – introductory part
2. In the case of any delay as referred to in paragraph 1 of more than 60 minutes, passengers shall also be offered free of charge:

Amendment

2. In the case of any delay as referred to in paragraph 1 of more than 45 minutes, passengers shall also be offered free of charge:

Justification

This amendment is necessary because it is inextricably linked to our other amendments on delay time in article 17.

Amendment 74

Proposal for a regulation
Article 18 – paragraph 2 – point a

Text proposed by the Commission

(a) meals and refreshments in reasonable relation to the waiting time, if they are available on the train or in the station, or can reasonably be supplied taking into account criteria such as the distance from the supplier, the time required for delivery and the cost;

Amendment

(a) meals and refreshments in reasonable relation to the waiting time, if they are available on the train or in the station, or can reasonably be supplied;

Justification

The indicative list of criteria in the legal text, notably the cost, is not helpful for determining whether or not it is reasonable to deliver refreshments and meals.

Amendment 75

Proposal for a regulation
Article 18 – paragraph 2 – point c

Text proposed by the Commission

(c) if the train is blocked on the track, transport from the train to the railway station, to the alternative departure point or to the final destination of the service, where and when physically possible.

Amendment

(c) if the train is blocked on the track, accessible transport from the train to the railway station, to the alternative departure point or to the final destination of the service, where and when physically possible.
Justification

In line with the intention of this Regulation to strengthen the rights of persons with disabilities and of persons with reduced mobility, and the provisions of Chapter V in particular, any alternative transportation from the train and on the onward journey must be accessible for all passengers. It has to be a clear requirement that the needs of those passengers are taken into account as they may require additional assistance, for example in case of an evacuation.

Amendment 76

Proposal for a regulation
Article 18 – paragraph 3

Text proposed by the Commission
3. If the railway service cannot be continued anymore, railway undertakings shall organise as soon as possible alternative transport services for passengers.

Amendment
3. If the railway service cannot be continued anymore, railway undertakings shall organise as soon as possible alternative accessible transport services for passengers.

Justification
This amendment is related to the provisions on accessibility, which are part of the recast.

Amendment 77

Proposal for a regulation
Article 18 – paragraph 4

Text proposed by the Commission
4. Railway undertakings shall, at the request of the passenger, certify on the ticket or by any other means that the rail service has suffered a delay, led to a missed connection or that it has been cancelled, as the case might be.

Amendment
4. Railway undertakings shall offer to certify for affected passengers in writing, on their ticket or by any other means that the rail service has suffered a delay, led to a missed connection or that it has been cancelled, as the case might be.

Amendment 78

Proposal for a regulation
Article 18 – paragraph 6

Text proposed by the Commission
6. In addition to the obligations on railway undertakings pursuant to Article

Amendment
6. In addition to the obligations on railway undertakings pursuant to Article
13a(3) of Directive 2012/34/EU, the station manager of a railway station handling at least 10 000 passengers per day on average over a year shall ensure that the operations of the station, the railway undertakings and the infrastructure manager are coordinated through a proper contingency plan in order to prepare for the possibility of major disruption and long delays leading to a considerable number of passengers being stranded in the station. The plan shall ensure that stranded passengers are provided with adequate assistance and information, including in accessible formats in accordance with the accessibility requirements laid down in Directive XXX. Upon request, the station manager shall make the plan, and any amendments to it, available to the national enforcement body or to any other body designated by a Member State. Station managers of railway stations handling fewer than 10 000 passengers per day on average over a year shall make all reasonable efforts to coordinate station users and to assist and inform stranded passengers in such situations.

Amendment 79

Proposal for a regulation
Article 20 – paragraph 1

Text proposed by the Commission

1. Railway undertakings and station managers shall, with the active involvement of representative organisations of persons with disabilities and persons with reduced mobility, establish, or shall have in place, non-discriminatory access rules for the transport of persons with disabilities and persons with reduced mobility including

Amendment

1. Railway undertakings and station managers shall, with the active involvement of representative organisations of persons with disabilities and persons with reduced mobility, establish, or shall have in place, non-discriminatory rules for barrier-free and independent access for the transport of persons with disabilities and persons with
Amendment 80

Proposal for a regulation
Article 21 – paragraph 1

Text proposed by the Commission

1. Upon request, a station manager, a railway undertaking, a ticket vendor or a tour operator shall provide persons with disabilities and persons with reduced mobility with information, including in accessible formats in accordance with the accessibility requirements laid down in Regulation (EU) No 454/2011 and Directive XXX, on the accessibility of the station and associated facilities, rail services and on the access conditions of rolling stock in accordance with the access rules referred to in Article 20(1) and shall inform persons with disabilities and persons with reduced mobility about facilities on board.

Amendment

1. Upon request, a station manager, a railway undertaking, a ticket vendor or a tour operator shall provide persons with disabilities and persons with reduced mobility with information, including in accessible formats in accordance with the accessibility requirements laid down in Regulation (EU) No 454/2011 and Directive XXX, on the accessibility of the station and associated facilities, rail services and on the access conditions of rolling stock in accordance with the access rules referred to in Article 20(1) and shall inform persons with disabilities and persons with reduced mobility about facilities on board. That information shall also be made available on the website of the station manager or railway undertaking in an accessible manner.

Amendment 81

Proposal for a regulation
Article 21 – paragraph 2

Text proposed by the Commission

2. When a railway undertaking, ticket vendor or tour operator exercises the

Amendment

2. When a railway undertaking, ticket vendor or tour operator exercises the
derogation provided for in Article 20(2), it shall upon request inform in writing the person with disabilities or person with reduced mobility concerned of its reasons for doing so within five working days of the refusal to make the reservation or to issue the ticket or the imposition of the condition of being accompanied. The railway undertaking, ticket vendor or tour operator shall make reasonable efforts to propose an alternative transport option to the person in question taking into account his or her accessibility needs.

Amendment 82

Proposal for a regulation
Article 22 – paragraph 1

Text proposed by the Commission

1. On departure from, transit through or arrival at, a staffed railway station of a person with disabilities or a person with reduced mobility, the station manager or the railway undertaking or both shall provide assistance free of charge in such a way that that person is able to board the departing service, or to disembark from the arriving service for which he or she purchased a ticket, without prejudice to the access rules referred to in Article 20(1).

Amendment

1. On departure from, transit through or arrival at, a staffed railway station of a person with disabilities or a person with reduced mobility, the station manager or the railway undertaking or both shall provide assistance free of charge in such a way that that person is able to board the departing service, or to disembark from the arriving service for which he or she purchased a ticket, without prejudice to the access rules referred to in Article 20(1).

Any booking of assistance shall always be free of charge, irrespective of the method of communication used.

Justification

While it is clear that the service of providing assistance has to be free of charge for the passenger, it is not explicitly stated in the Regulation that booking assistance has to be free of charge as well and some railway undertakings currently charge passengers for this. The recast regulation aims to strengthen rail passenger rights, particularly for disabled persons, and this amendment follows the internal logic of chapter V and our other amendments on that.
Amendment 83

Proposal for a regulation
Article 22 – paragraph 2 a (new)

Text proposed by the Commission

2a. Member States may provide for a derogation from paragraph 1 in the case of persons travelling on services which are the subject of a public service contract awarded in conformity with Union law, on condition that the competent authority has put in place alternative facilities or arrangements guaranteeing an equivalent or higher level of accessibility of transport services.

Justification

This amendment is inextricably linked to article 22 paragraph 2. There are no reasons not to allow for alternative arrangements to guarantee an equivalent or even higher level of accessibility to transport services.

Amendment 84

Proposal for a regulation
Article 22 – paragraph 3

Text proposed by the Commission

3. In unstaffed stations, railway undertakings and station managers shall ensure that easily available information, including in accessible formats in accordance with the accessibility requirements laid down in Directive XXX, is displayed in accordance with the access rules referred to in Article 20(1) regarding the nearest staffed stations and directly available assistance for persons with disabilities and persons with reduced mobility.

Amendment 85

Proposal for a regulation
Article 22 – paragraph 4

**Text proposed by the Commission**

4. Assistance shall be available in stations during all times when rail services operate.

**Amendment**

4. Without prejudice to paragraph 3 of this Article, assistance shall be available in stations during all times when rail services operate.

Amendment 86

Proposal for a regulation

**Article 24 – paragraph 1 – introductory part**

**Text proposed by the Commission**

Railway undertakings, station managers, ticket vendors and tour operators shall cooperate in order to provide assistance to persons with disabilities and persons with reduced mobility in line with Articles 20 and 21 in accordance with the following points:

**Amendment**

Railway undertakings, station managers, ticket vendors and tour operators shall cooperate in order to provide assistance free of charge to persons with disabilities and persons with reduced mobility in line with Articles 20 and 21 in accordance with the following points:

**Justification**

This amendment is inextricably linked to the Article 1 point a). Since the Commission proposes the non-discrimination between passengers with regard to transport conditions, this amendment ensures that the service of providing assistance to persons with disabilities and persons with reduced mobility has to be free of charge for the passenger.

Amendment 87

Proposal for a regulation

**Article 24 – paragraph 1 – point a**

**Text proposed by the Commission**

(a) assistance shall be provided on condition that the railway undertaking, the station manager, the ticket vendor or the tour operator with which the ticket was purchased is notified of the person’s need for such assistance at least 48 hours before the assistance is needed. Where a ticket or season ticket permits multiple journeys, one notification shall be sufficient provided

**Amendment**

(a) assistance shall be provided on condition that the railway undertaking, the station manager, the ticket vendor or the tour operator with which the ticket was purchased is notified of the person’s need for such assistance upon booking the ticket or upon arrival at the staffed station or in the case of unstaffed stations at least 3 hours before the assistance is needed. An
that adequate information on the timing of subsequent journeys is provided. Such notifications shall be forwarded to all other railway undertakings and station managers involved in the person’s journey;

exemption shall apply for rail stations handling less than 10 000 passengers per day, they shall ensure assistance with at least 24 hours pre-notification. The passenger shall be able to book such assistance free of charge. Where a ticket or season ticket permits multiple journeys, one notification shall be sufficient provided that adequate information on the timing of subsequent journeys is provided. Such notifications shall be forwarded to all other railway undertakings and station managers involved in the person’s journey;

Justification
This amendment is inextricably linked to the Article 1 point a). Since the Commission proposes the non-discrimination between passengers with regard to transport conditions, this amendment ensures that the service of providing assistance to persons with disabilities and persons with reduced mobility has to be free of charge for the passenger. Requiring a 48 hours notification will largely limit the mobility of persons with disabilities, hindering therefore their ability to integrate well with the society. An exemption for local rail station (with less than 10 000 passengers per day) is needed to ensure the right quality of assistance and to allow rail operators to perform their duties towards passengers with disabilities.

Amendment 88
Proposal for a regulation
Article 24 – paragraph 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) assistance shall also be provided if the specially trained staff of the railway undertaking or station manager are made aware of the need for assistance and if it is actually possible for them to provide such assistance.

Justification
To clarify the text, in the interests of a service-oriented offer, as an expression of mutual support in society and in the light of the spirit and purpose of the Regulation, in particular of recitals 3 and 5 of the Regulation, assistance should always be offered in an unbureaucratic manner whenever appropriate and possible.
Amendment 89
Proposal for a regulation
Article 25 – paragraph 1

Text proposed by the Commission
1. Where railway undertakings and station managers cause loss of, or damage to, wheelchairs, other mobility equipment or assistive devices and assistant dogs used by persons with disabilities and persons with reduced mobility, they shall be liable for and compensate that loss or damage.

Amendment
1. Where railway undertakings and station managers cause loss of, or damage to, wheelchairs, other mobility equipment or assistive devices and service animals used by persons with disabilities and persons with reduced mobility, they shall be liable for and compensate that loss or damage.

Amendment 90
Proposal for a regulation
Article 25 – paragraph 2

Text proposed by the Commission
2. The compensation referred to in paragraph 1 shall be equal to the cost of replacement or repair of the equipment or devices lost or damaged.

Amendment
2. The compensation for loss or damage referred to in paragraph 1 shall be paid within one month of submission of a claim and be equal to the cost of replacement based on the actual value, or on the full costs of repair, of the wheelchair, other mobility equipment or assistive devices lost or damaged or the loss or injury of the service animal. The compensation shall also include the cost of temporary replacement in case of repair, when those costs are borne by the passenger.

Justification
The compensation for loss or damage property in case of people with disabilities should be prompt and dealt with no extra delay. This is to avoid additional discrimination and mobility restraints caused to this particular kind of passengers.

Amendment 91
Proposal for a regulation
Article 25 – paragraph 3

Text proposed by the Commission

3. Where necessary, railway undertakings and station managers shall make every reasonable effort rapidly to provide temporary replacements for specific equipment or assistive devices, which shall, where possible, have technical and functional features equivalent to those lost or damaged. The person with disabilities or reduced mobility shall be permitted to keep the temporary replacement equipment or device until the compensation referred to in paragraphs 1 and 2 has been paid.

Amendment

3. Where necessary, railway undertakings and station managers shall at their expense and without delay provide temporary replacements for specific equipment or assistive devices, which shall, where possible, have technical and functional features equivalent to those lost or damaged. The person with disabilities or reduced mobility shall, where possible and if they so desire, be permitted to keep the temporary replacement equipment or device until the compensation referred to in paragraphs 1 and 2 has been paid.

Proposal for a regulation
Article 26 – paragraph 1 – point a

Text proposed by the Commission

(a) ensure that all personnel, including those employed by any other performing party, providing direct assistance to persons with disabilities and persons with reduced mobility, know how to meet the needs of persons with disabilities and of persons with reduced mobility, including those with mental and intellectual impairments;

Amendment

(a) ensure that all staff, including those employed by any other performing party, receive disability-related training in order to know how to meet the needs of persons with disabilities and of persons with reduced mobility, including those with mental and intellectual impairments;

Proposal for a regulation
Article 26 – paragraph 1 – point b

Text proposed by the Commission

(b) provide training to raise awareness of the needs of persons with disabilities among all personnel working at the station who deal directly with the travelling

Amendment

(b) guarantee training to raise awareness of the needs of persons with disabilities among all personnel working at the station who deal directly with the
Amendment 94

Proposal for a regulation
Article 26 – paragraph 1 – point c

Text proposed by the Commission

(c) ensure that, upon recruitment, all new employees receive disability-related training and that personnel attend regular refresher training courses.

Amendment

(c) ensure that, upon recruitment, all new employees and those who, due to the nature of their activity, might provide direct assistance to passengers with disabilities and passengers with reduced mobility receive disability-related training and that personnel attend regular refresher training courses.

Justification

The employees who are in direct contact with passengers should be at all times able to provide adequate help and need assistance to the passages that require it.

Amendment 95

Proposal for a regulation
Article 26 – paragraph 1 – point d

Text proposed by the Commission

(d) accept upon request the participation, in the training, of employees with disabilities, passengers with disabilities and with reduced mobility, and/or organisations representing them.

Amendment

(d) encourage actively the participation, in the training, of staff with disabilities, as well as passengers with disabilities and with reduced mobility, and organisations representing them;

Amendment 96

Proposal for a regulation
Article 26 – paragraph 1 – point d a (new)

Text proposed by the Commission

(da) involve organisations representing persons with disabilities and with reduced mobility in the design and delivery of
Amendment 97

Proposal for a regulation
Article 28 – paragraph 1

Text proposed by the Commission

1. All railway undertakings, ticket vendors, station managers and infrastructure managers of stations handling more than 10,000 passengers per day on average over a year shall each set up a complaint-handling mechanism for the rights and obligations covered in this Regulation in their respective field of responsibility. They shall make their contact details and working language(s) widely known to passengers.

Amendment

1. All railway undertakings, ticket vendors and tour operators, station managers and infrastructure managers of stations shall each set up a complaint-handling mechanism for the rights and obligations covered in this Regulation in their respective field of responsibility. They shall make the details of the complaint-handling procedure, their contact details and working language(s) widely known to passengers. The complaint form shall be offered to passengers and shall be available in one or more languages that most passengers will understand.

Amendment 98

Proposal for a regulation
Article 28 – paragraph 2

Text proposed by the Commission

2. Passengers may submit a complaint to any railway undertaking, ticket vendor, railway station or infrastructure manager involved. Complaints shall be submitted within six months of the incident that is the subject of the complaint. Within one month of receiving the complaint, the addressee shall either give a reasoned reply or, in justified cases, inform the passenger by what date within a period of less than three months from the date of receipt of the complaint a reply can be expected. Railway undertakings, ticket vendors, station managers and infrastructure managers shall

Amendment

2. Passengers may submit a complaint to any railway undertaking, ticket vendor, station manager or infrastructure manager involved. Passengers shall have the right to submit complaints in the same manner in which they received their ticket. Complaints shall be submitted within six months of the incident that is the subject of the complaint. Within one month of submitting the complaint, the addressee shall either give a reasoned reply or, in justified cases, inform the passenger by what date within a period of less than three months from the date of receipt of the
keep the incident data necessary to assess the complaint for two years and make them available to national enforcement bodies upon request. complaint a reply can be expected. Railway undertakings, ticket vendors, station managers and infrastructure managers shall keep the incident data necessary to assess the complaint for two years and make them available to national enforcement bodies upon request.

Amendment 99
Proposal for a regulation
Article 28 – paragraph 3

Text proposed by the Commission

Amendment

3. Details of the complaint handling procedure shall be accessible to persons with disabilities and with reduced mobility.

3. Details of the complaint handling procedure shall be easily available to passengers and accessible to persons with disabilities and with reduced mobility. This information shall be made freely available in writing upon request in the domestic language of the railway undertaking.

Amendment 100
Proposal for a regulation
Article 28 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The Commission shall adopt a standardised EU complaint form that passengers may use to apply for compensation in accordance with this regulation.

Justification

In the spirit of non-discrimination set out in Article 5 and in light of Recital 12, passengers should be able to file a complaint regardless of the language. The passenger may decide to use the standardised EU complaint form instead of the one provided by the railway undertaking, ticket vendor, station manager, infrastructure manager involved if they wish so, and it should be equally valid. Especially for passengers travelling outside their own Member States, it could be easier to lodge a complaint by using an EU complaint format.
Amendment 101
Proposal for a regulation
Article 29 – paragraph 2 a (new)

Text proposed by the Commission
Amendment

2a. Railway undertakings and station managers shall actively cooperate with organisations representing persons with disabilities to improve the quality of accessibility of transport services.

Justification
There is an internal logic between Article 26 and 29 as the Commission proposes staff training and demands service quality standards. This amendment could facilitate the use of rail services for persons with disabilities and improve the quality of services offered to them.

Amendment 102
Proposal for a regulation
Article 30 – paragraph 2

Text proposed by the Commission
Amendment

2. Railway undertakings and station managers shall inform passengers in an appropriate manner, including in accessible formats in accordance with the accessibility requirements in Directive XXX, at the station and on the train, of their rights and obligations under this Regulation, and of the contact details of the body or bodies designated by Member States pursuant to Article 31.

2. Railway undertakings and station managers shall inform passengers in an appropriate manner, including in accessible formats in accordance with the accessibility requirements in Directive XXX, at the station, on the train and on their website, of their rights and obligations under this Regulation, and of the contact details of the body or bodies designated by Member States pursuant to Article 31.

Amendment 103
Proposal for a regulation
Article 31 – paragraph 3

Text proposed by the Commission
Amendment

Member States shall inform the Commission of the body or bodies
Member States shall inform the Commission of the body or bodies
designated in accordance with this Article and of its or their respective responsibilities.

designated in accordance with this Article and of its or their respective responsibilities and shall publish them in a suitable place on their website.

Justification

Publishing on the internet provides more transparency for passengers and also contributes to the European Union’s objective of creating a digital single market. At the time of the publication of the original Regulation, the Digital Single Market Strategy had not yet entered into force.

Amendment 104

Proposal for a regulation
Article 32 – paragraph 1

Text proposed by the Commission

1. The national enforcement bodies shall closely monitor compliance with this Regulation and take the measures necessary to ensure that the rights of passengers are upheld. For this purpose, railway undertakings, station managers and infrastructure managers shall provide the bodies with relevant documents and information at their request. In carrying out their functions, the bodies shall take account of the information submitted to them by the body designated under Article 33 to handle complaints, if this is a different body. They may also decide on enforcement actions based on individual complaints transmitted by such a body.

Amendment

1. The national enforcement bodies shall closely monitor compliance with this Regulation and take the measures necessary to ensure that the rights of passengers are upheld. For this purpose, railway undertakings, station managers and infrastructure managers shall provide the bodies with relevant documents and information at their request without delay and in any event within one month. In carrying out their functions, the bodies shall take account of the information submitted to them by the body designated under Article 33 to handle complaints, if this is a different body. Member States shall ensure that national enforcement and complaint handling bodies shall be given sufficient powers and resources for the adequate and effective enforcement of individual complaints from passengers under this Regulation.

Amendment 105

Proposal for a regulation
Article 32 – paragraph 2
2. The national enforcement bodies shall publish statistics on their activity, including on sanctions applied, every year, at the latest at the end of April of the following calendar year.

Amendment 106

Proposal for a regulation
Article 32 – paragraph 3 a (new)

Text proposed by the Commission

3a. The national enforcement bodies, in collaboration with representative organisations of persons with disabilities and with reduced mobility, shall conduct regular audits of the assistance services provided in accordance with this Regulation and publish the results in accessible and commonly used formats.

Amendment 107

Proposal for a regulation
Article 33 – paragraph 3 – subparagraph 1

Text proposed by the Commission

The body shall acknowledge receipt of the complaint within two weeks of receiving it. The complaint-handling procedure shall take a maximum of three months. For complex cases, the body may, at its discretion, extend this period to six months. In such a case, it shall inform the
passenger of the reasons for the extension and of the expected time needed to conclude the procedure. Only cases that involve legal proceedings may take longer than six months. Where the body is also an alternative dispute resolution body within the meaning of Directive 2013/11/EU, the time limits laid down in that Directive shall prevail.

Amendment 108
Proposal for a regulation
Annex II – title

Text proposed by the Commission
MINIMUM INFORMATION TO BE PROVIDED BY RAILWAY UNDERTAKINGS AND TICKET VENDORS

Amendment
MINIMUM INFORMATION TO BE PROVIDED BY RAILWAY UNDERTAKINGS, TOUR OPERATORS AND TICKET VENDORS

Justification
This amendment is necessary because it is inextricably linked to our other amendments on information provision by the various retailers of rail journeys concerned, in particular "tour operators" in articles 5, 7, 9 and 10.

Amendment 109
Proposal for a regulation
Annex II – part I – indent 1

Text proposed by the Commission
– General conditions applicable to the contract

Amendment
– General conditions applicable to the contract or contracts that form part of the journey or combined journey

Justification
For the sake of legal clarity within the regulation overall it is important to note that combined
journeys will require more than one contract. This is linked to our amendments in chapter II.

Amendment 110

Proposal for a regulation
Annex II – part I – indent 2

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Time schedules and conditions for the fastest trip</td>
<td>Time schedules and conditions for the fastest trip and best connections</td>
</tr>
</tbody>
</table>

Justification

Combined journeys represent a much wider set of rail options than the limited range of through tickets, and combined journeys across different tickets are already technically possible so it makes sense for undertakings to provide the information to passengers on the optimal way of completing the journey. This is inextricably linked to our amendments on the subject in chapter II.

Amendment 111

Proposal for a regulation
Annex II – part I – indent 3

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Time schedules and conditions for the lowest fares</td>
<td>Time schedules and conditions for the lowest and all available fares</td>
</tr>
</tbody>
</table>

Justification

Combined journeys represent a much wider set of rail options than the limited range of through tickets, and combined journeys across different tickets are already technically possible so it makes sense for undertakings to provide the information to passengers on the optimal way of completing the journey. This is inextricably linked to our amendments on the subject in chapter II.

Amendment 112

Proposal for a regulation
Annex II – part I – indent 5

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Access conditions for bicycles</td>
<td>Access arrangements for bicycles</td>
</tr>
</tbody>
</table>
Justification

This is inextricably linked to our other amendments on the subject on Article 6.

Amendment 113
Proposal for a regulation
Annex II – part I – indent 6

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>– Availability of seats in smoking and non-smoking, first and second class as well as couchettes and sleeping carriages</td>
<td>– Availability of seats for all applicable fares in non-smoking, and, where applicable, smoking, first and second class as well as couchettes and sleeping carriages</td>
</tr>
</tbody>
</table>

Justification

This amendment is necessary for pressing reasons of logic and emphasis of the text. In most member states now smoking is generally not allowed on trains so the text should not be drafted in a misleading fashion and follows the internal logic of chapter II.

Amendment 114
Proposal for a regulation
Annex II – part I – indent 8

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>– Availability of on-board services</td>
<td>– Availability of on-board services, including wifi and toilets</td>
</tr>
</tbody>
</table>

Justification

In light of the regulation as a whole and its focus on improving passenger rights, it is important that certain basic facets of human dignity are recognised and that toilets are provided on board trains. This can be particularly important for disabled persons and persons of reduced mobility. The Wi-Fi element is important as it is in keeping with the move to increased digitalisation and will assist passengers to be able to book an onward journey at short notice in the event a booking office or ticket machine is not working. This is inextricably linked to the aims of the Regulation and information provisions in particular in Chapter II, and the accessibility provisions in Chapter V.

Amendment 115
Proposal for a regulation
Annex II – part II – indent 1

Text proposed by the Commission

– On-board services

Amendment

– On-board services, including wifi

Justification

In keeping with the regulation as a whole, the Wi-Fi element is important as it is in keeping with the move to increased digitalisation and will assist passengers to be able to book an onward journey at short notice in the event a booking office or ticket machine is not working. This is inextricably linked to the aims of the Regulation and information provisions in particular in Chapter II, and the accessibility provisions in Chapter V.

Amendment 116

Proposal for a regulation
Annex III – part I – paragraph 2 – point 1 – point a – point iii – indent 1

Text proposed by the Commission

– percentage of delays of less than 60 minutes;

Amendment

– percentage of delays of less than 45 minutes;

Amendment 117

Proposal for a regulation
Annex III – part II – paragraph 1 – point 4 – point 1 – point vii

Text proposed by the Commission

(vii) accessibility of station and station facilities.

Amendment

(vii) accessibility of station and station facilities, including step-free access, escalators, elevators and luggage ramps;

Amendment 118

Proposal for a regulation
Annex IV – paragraph 1

Text proposed by the Commission

In complex cases such as cases involving multiple claims or a number of operators,

Amendment

In complex cases such as cases involving multiple claims or a number of operators,
cross-border travel or accidents on the territory of a Member State other than that which granted the undertaking’s licence, in particular where it is unclear which national enforcement body is competent, or where it would facilitate or accelerate the resolution of the complaint, national enforcement bodies shall cooperate to identify a ‘lead’ body, which shall serve as single point of contact for passengers. All national enforcement bodies involved shall cooperate to facilitate the resolution of the complaint (including by sharing information, assisting with the translation of documents and providing information on the circumstances of incidents). Passengers shall be informed which body is acting as ‘lead’ body. In addition, in all cases, national enforcement bodies shall in any event ensure compliance with Regulation 2017/2394/EU.
## PROCEDURE – COMMITTEE ASKED FOR OPINION

<table>
<thead>
<tr>
<th>Title</th>
<th>Rail passengers’ rights and obligations (recast)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Committee responsible</td>
<td>TRAN 5.10.2017</td>
</tr>
<tr>
<td>Date announced in plenary</td>
<td></td>
</tr>
<tr>
<td>Opinion by</td>
<td>IMCO 26.10.2017</td>
</tr>
<tr>
<td>Date announced in plenary</td>
<td></td>
</tr>
<tr>
<td>Rapporteur</td>
<td>Dennis de Jong 4.12.2017</td>
</tr>
<tr>
<td>Date appointed</td>
<td></td>
</tr>
<tr>
<td>Discussed in committee</td>
<td>21.2.2018 21.3.2018 16.5.2018</td>
</tr>
<tr>
<td>Date adopted</td>
<td>4.6.2018</td>
</tr>
</tbody>
</table>
| Result of final vote | +: 29  
-: 1  
0: 1 |
| Members present for the final vote | John Stuart Agnew, Pascal Arimont, Carlos Coelho, Sergio Gaetano Cofferati, Daniel Dalton, Nicola Danti, Dennis de Jong, Pascal Durand, Liisa Jaakonsaari, Philippe Juvin, Nosheena Mobarak, Jiří Pospíšil, Virginie Rozière, Christel Schaldemose, Olga Sehnalová, Jasenko Selimovic, Mylène Troszczyński, Anneleen Van Bossuyt, Marco Zullo |
| Substitutes present for the final vote | Cristian-Silviu Buşoi, Birgit Collin-Langen, Roberta Metsola, Marc Tarabella, Sabine Verheyen |
| Substitutes under Rule 200(2) present for the final vote | Asim Ademov, Clara Eugenia Aguilera García, Klaus Buchner, Peter Liese, Emilian Pavel, Annie Schreijer-Pierik, Tomáš Zdechovský |
### FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>29</td>
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</tr>
<tr>
<td>ALDE</td>
<td>Jasenko Selimovic</td>
</tr>
<tr>
<td>ECR</td>
<td>Daniel Dalton, Nosheena Mobarik, Anneleen Van Bossuyt</td>
</tr>
<tr>
<td>ENF</td>
<td>Mylène Troszczyński</td>
</tr>
<tr>
<td>GUE/NGL</td>
<td>Dennis de Jong</td>
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<tr>
<td>PPE</td>
<td>Asim Ademov, Pascal Arimont, Cristian-Silviu Bușoi, Carlos Coelho, Birgit Collin-Langen, Philippe Juvín, Peter Liese, Roberta Metsola, Jiří Pospíšil, Annie Schreijer-Pierik, Sabine Verheyen, Tomáš Zdechovský</td>
</tr>
<tr>
<td>S&amp;D</td>
<td>Clara Eugenia Aguilera García, Sergio Gaetano Cofferati, Nicola Danti, Liisa Jaakonsaari, Emilian Pavel, Virginie Rozière, Christel Schaldemose, Olga Sehnalová, Marc Tarabella</td>
</tr>
<tr>
<td>VERTS/ALE</td>
<td>Klaus Buchner, Pascal Durand</td>
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<td></td>
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<td>1</td>
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<tr>
<td>EFDD</td>
<td>John Stuart Agnew</td>
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<td></td>
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<td>0</td>
</tr>
<tr>
<td>EFDD</td>
<td>Marco Zullo</td>
</tr>
</tbody>
</table>

Key to symbols:
+ : in favour
- : against
0 : abstention
## PROCEDURE – COMMITTEE RESPONSIBLE

<table>
<thead>
<tr>
<th>Title</th>
<th>Rail passengers’ rights and obligations (recast)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date submitted to Parliament</td>
<td>27.9.2017</td>
</tr>
<tr>
<td>Committee responsible Date announced in plenary</td>
<td>TRAN 5.10.2017</td>
</tr>
<tr>
<td>Committees asked for opinions Date announced in plenary</td>
<td>IMCO 26.10.2017</td>
</tr>
<tr>
<td>Rapporteurs Date appointed</td>
<td>Boguslaw Liberadzki 25.10.2017</td>
</tr>
<tr>
<td>Discuss in committee</td>
<td>19.3.2018 25.4.2018</td>
</tr>
<tr>
<td>Date adopted</td>
<td>9.10.2018</td>
</tr>
<tr>
<td>Result of final vote</td>
<td>+: 39  --: 2  0: 6</td>
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<tr>
<td>Substitutes present for the final vote</td>
<td>Michael Detjen, Jill Evans, Maria Grapini, Ryszard Antoni Legutko, Marek Plura</td>
</tr>
<tr>
<td>Substitutes under Rule 200(2) present for the final vote</td>
<td>Angel Dzhambazki, John Howarth, Clare Moody</td>
</tr>
<tr>
<td>Date tabled</td>
<td>18.10.2018</td>
</tr>
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### FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

<table>
<thead>
<tr>
<th>39</th>
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<tbody>
<tr>
<td>ALDE</td>
<td>Izaskun Bilbao Barandica, Gesine Meissner, Dominique Riquet, Pavel Telička</td>
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<tr>
<td>ECR</td>
<td>Angel Dzhambazki, Ryszard Antoni Legutko, Peter Lundgren, Kosma Zlotowski, Peter van Dalen</td>
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<tr>
<td>EFDD</td>
<td>Daniela Aiuto</td>
</tr>
<tr>
<td>GUE/NGL</td>
<td>Tania González Peñas, Merja Kyllönen, Marie-Pierre Vieu</td>
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<tr>
<td>S&amp;D</td>
<td>Inés Ayala Sender, Isabella De Monte, Michael Detjen, Maria Grapini, Bogusław Liberadzki, Gabriele Preuß, Christine Revault d'Allonnes Bonnefoy, Claudia Țapardel, Janusz Zemke</td>
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<tr>
<td>VERTS/ALE</td>
<td>Michael Cramer, Jill Evans, Keith Taylor</td>
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<table>
<thead>
<tr>
<th>2</th>
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<tr>
<td>ECR</td>
<td>Jacqueline Foster</td>
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<tr>
<td>EFDD</td>
<td>John Stuart Agnew</td>
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<tr>
<td>ENF</td>
<td>Marie-Christine Arnautu, Georg Mayer</td>
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<tr>
<td>EPP</td>
<td>Markus Pieper</td>
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<tr>
<td>S&amp;D</td>
<td>Ismail Ertug, John Howarth, Clare Moody</td>
</tr>
</tbody>
</table>

**Key to symbols:**
- + : in favour
- - : against
- 0 : abstention