



**2017/0237(COD)**

17.4.2018

# **AMENDMENTS**

## **30 - 208**

**Draft opinion**  
**Dennis de Jong**  
(PE619.085v01-00)

Rail passengers' rights and obligations (recast)

Proposal for a regulation  
(COM(2017)0548 – C8-0324/2017 – 2017/0237(COD))



## Amendment 30

Lucy Anderson, Virginie Rozière, Catherine Stihler, Marc Tarabella, Igor Šoltés, Sergio Gutiérrez Prieto

### 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<sup>24</sup>. In the interests of clarity, *that Regulation* should be recast.

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<sup>24</sup> Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations (OJ L 315, 3.12.2007, p. 14).

*Amendment*

(1) A number of amendments are to be made to Regulation (EC) No 1371/2007 of the European Parliament and of the Council<sup>24</sup> *in order to provide improved protection for passengers and encourage increased rail travel, with due regard to Articles 11, 12 and 14 of the Treaty on the Functioning of the European Union in particular. In view of these amendments and* in the interests of clarity, *Regulation 1371/2007* should *therefore* be recast.

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<sup>24</sup> Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations (OJ L 315, 3.12.2007, p. 14).

Or. en

## Amendment 31

Maria Grapini

### 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 in protecting the rights of rail passengers *and ensuring they are compensated for delays, cancellations and any material damage* are still to be made.

### **Amendment 32**

**Kerstin Westphal, Virginie Rozière, Lucy Anderson, Nicola Danti, Arndt Kohn, Pina Picierno**

#### **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 in protecting the rights of rail passengers are still to be made, ***especially regarding the access to information and compensation in case of delay.***

Or. en

### **Amendment 33**

**Maria Grapini**

#### **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 consumer protection in the Union, ***guarantee that passengers receive as precise as possible information on their rights,*** ensure a level playing-field for railway undertakings and guarantee a uniform level of rights for passengers.

Or. ro

### **Amendment 34**

**Kerstin Westphal, Virginie Rozière, Lucy Anderson, Nicola Danti, Arndt Kohn, Pina**

Picierno

**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 consumer protection in the Union, ensure a level playing-field for railway undertakings and guarantee a uniform level of rights for passengers, ***especially regarding their access to information and compensation in case of delay.***

Or. en

**Amendment 35**

**Lucy Anderson, Arndt Kohn, Sergio Gaetano Cofferati, Kerstin Westphal, Igor Šoltes, Sergio Gutiérrez Prieto**

**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*

***deleted***

Or. en

**Amendment 36**

**Matthijs van Miltenburg, Jasenko Selimovic**

**Proposal for a regulation**

**Recital 6**

*Text proposed by the Commission*

*Amendment*

(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.* **deleted**

Or. en

### **Amendment 37**

**Anneleen Van Bossuyt, Richard Sulík, Mark Demesmaeker**

#### **Proposal for a regulation**

##### **Recital 6**

*Text proposed by the Commission*

*Amendment*

(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.

(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 which are not cross-border services within the Union from certain provisions on passengers' rights.

Or. nl

### **Amendment 38**

**Olga Sehnalová**

#### **Proposal for a regulation**

##### **Recital 6**

*Text proposed by the Commission*

*Amendment*

(6) Urban, suburban **and regional** rail passenger services are different in character from long-distance services.

(6) Urban **and** suburban rail passenger services are different in character from **regional or** 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.

Member States should therefore be allowed to exempt urban **and** suburban rail passenger services which are not **cross-border** services within the Union from certain provisions on passengers' rights.

Or. en

**Amendment 39**  
**Julia Reda, Igor Šoltés, Pascal Durand**

**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 which are not cross-border services within the Union from certain provisions on passengers' rights.

Or. en

**Amendment 40**  
**Lucy Anderson, Arndt Kohn, Sergio Gaetano Cofferati, Kerstin Westphal, Igor Šoltés, Sergio Gutiérrez Prieto**

**Proposal for a regulation**  
**Recital 7**

*Text proposed by the Commission*

(7) ***It is an aim of this Regulation to improve rail passenger services within the Union . Therefore, Member States should be able to grant exemptions for services in regions where a significant part of the service is operated outside the Union, provided that an adequate level of passenger rights is ensured on the part of such services provided on those Member***

*Amendment*

***deleted***

*States' territory, in accordance with their national law .*

Or. en

*Justification*

*In keeping with the desire to cover passengers for the full length of journey it makes sense not to grant an exemption for routes with elements outside the EU as this will result in passengers not being covered for the full route. This is inextricably linked to many other amendments, including those to Article 2 and all substantive provisions relating to passenger rights coverage for the full duration of the journey.*

**Amendment 41**

**Lucy Anderson, Olga Sehnalová, Arndt Kohn, Sergio Gaetano Cofferati, Kerstin Westphal, Igor Šoltes, Sergio Gutiérrez Prieto**

**Proposal for a regulation**

**Recital 8**

*Text proposed by the Commission*

*Amendment*

**(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.** **deleted**

Or. en

**Amendment 42**

**Richard Sulík**



**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) Users' rights to rail services include the receipt of information regarding service **and all available rail options** before, during **and after** the journey. **All retailers, railway undertakings and ticket vendors, should provide this information in advance and as soon as possible, using data provided by railway undertakings and infrastructure companies. Railway undertakings must enable ticket vendors to provide passengers with all relevant information.**

Or. en

*Justification*

*The new regulation shall require the real-time data sharing relating to train from the railway undertakings with the ticket vendors. In most cases this sharing is technically possible and this requirement would therefore strengthen the European railway market. Today, some railway undertakings are reluctant to data-sharing in order to reduce the space for their competitors on the same tracks or near-by tracks. This reluctance reduces the passengers comfort and undermines the European railway market. Passenger railway transport is usually subsidised from public budget across EU countries so this requirement is justified in order to raise the effectivity of taxpayers' money.*

**Amendment 43**

**Lucy Anderson, Olga Sehnalová, Virginie Rozière, Catherine Stihler, Marc Tarabella, Igor Šoltes, Sergio Gutiérrez Prieto**

**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**

*Amendment*

(9) Users' rights to rail services include the receipt of information regarding **those services and related matters** both before and during the journey. That information should be provided in accessible formats

*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.

for persons with disabilities or persons with reduced mobility.

Or. en

#### *Justification*

*Additional information may obviously be required that does not immediately pertain to the service itself but rather to a country's overall rail network in the event of widespread transport disruption. This is a pressing reason relating to the internal logic of the text.*

#### **Amendment 44**

**Kerstin Westphal, Nicola Danti, Arndt Kohn, Virginie Rozière**

#### **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) 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 *and should be available publicly.*

Or. en

#### **Amendment 45**

**Julia Reda, Michael Cramer, Pascal Durand, Igor Šoltés**

#### **Proposal for a regulation**

##### **Recital 9**

###### *Text proposed by the Commission*

(9) Users' rights to rail services include

###### *Amendment*

(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.

the receipt of information regarding the service both before and during the journey. Railway undertakings and ticket vendors should provide this information in advance and **in real-time**. That information should be provided in accessible formats for persons with disabilities or persons with reduced mobility.

Or. en

#### *Justification*

*Information should always be provided to passengers before and during the journey. This is related to the new Article 9.3 and related amendments on it.*

#### **Amendment 46**

**Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová**

#### **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) Users' rights to rail services include the receipt of information regarding the service both before, during **and after** the journey. 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.

Or. en

#### *Justification*

*Passenger rights don't stop at the arrival of the journey, especially, as is also set out in article 18, in case of delay or cancellation when, assistance with, for instance, accommodation, alternative transport services, etc. is required.*

## **Amendment 47**

**Róza Gräfin von Thun und Hohenstein, Renaud Muselier, Antonio López-Istúriz White**

### **Proposal for a regulation**

#### **Recital 9 a (new)**

*Text proposed by the Commission*

*Amendment*

***(9 a) Access to all real-time operational, timetable and tariffs data on a non-discriminatory basis makes travel more accessible to new customers and provides them with a wider range of journey possibilities and tariffs to choose from. Railway undertakings shall provide all ticket vendors with their real-time operational, timetable and tariff data in order to facilitate rail travel.***

Or. en

#### *Justification*

*Access to real-time data and tariffs will allow passenger to make an informed choice and thus, it is key to enabling transparency of the railway network services. This amendment of Recital is inextricably linked to Article 4(10), which is part of the recast.*

## **Amendment 48**

**Anneleen Van Bossuyt, Mark Demesmaeker**

### **Proposal for a regulation**

#### **Recital 9 a (new)**

*Text proposed by the Commission*

*Amendment*

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

Or. nl

## *Justification*

*This amendment is inextricably linked to articles 9 and 14.*

### **Amendment 49**

**Kerstin Westphal, Virginie Rozière, Evelyne Gebhardt, Nicola Danti, Arndt Kohn, Pina Picierno**

### **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. ***All prices, tickets and travel options should be available online on a customer friendly interface. Customers should have the possibility to compare all prices, tickets and travel options without any discrimination or restriction.*** 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.

Or. en

## **Amendment 50**

**Lucy Anderson, Olga Sehnalová, Virginie Rozière, Igor Šoltés, Sergio Gutiérrez Prieto**

### **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.

Or. en

## **Amendment 51**

**Lucy Anderson, Julia Reda, Virginie Rozière, Catherine Stihler, Marc Tarabella, Kerstin Westphal, Igor Šoltés, Sergio Gutiérrez Prieto**

### **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

*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.

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 ***and providing adequate capacity for*** the carriage of bicycles on board ***all types of*** trains, ***including on long-distance services and cross-border journeys.***

Or. en

**Amendment 52**  
**Philippe Juvin**

**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*

(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 ***all types of train, provided that those bicycles are placed in the designated area.***

Or. fr

**Amendment 53**  
**Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová**

**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*

(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. ***The carriage of bicycles may be refused on the ground of safety and good functioning of rail operation services.***

Or. en

**Amendment 54**

**Julia Reda, Pascal Durand, Igor Šoltes, Michael Cramer**

**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*

(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. In particular by ***providing mandatory bicycle stands for*** the carriage of ***assembled*** bicycles on board ***of all kinds of passenger trains, including on high-speed, long-distance and cross-border journeys.***

Or. en



**Amendment 55**  
**Kerstin Westphal, Virginie Rozière, Pina Picierno**

**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*

(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 *safe* carriage of bicycles on board trains.

Or. en

**Amendment 56**  
**Edward Czesak**

**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*

(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 *where possible and in accordance with operational and safety requirements.*

Or. en

## Amendment 57

Richard Sulík

### 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-ticket. In addition or alternatively they should also cooperate in this respect with ticket vendors in providing combined tickets. Railway undertakings shall co-operate with ticket-vendors in information sharing in order to ensure that the passenger is provided with full information about possible journeys.**

Or. en

#### *Justification*

*Greater use of combined tickets would broaden the possibilities of European passengers to get from point A to point B anywhere in the EU. Wider use of through-tickets might take years to implement as it requires to conclude agreements between the railway undertakings that provide them. Some of them are reluctant to such cooperation with their private competitors as they would prefer less competition on the railway tracks to the detriment of the consumer. On the other hand, selling of combined tickets is technically possible already today, even for journeys for which through-tickets are not available at all. Recast of the regulation should therefore reflect this as it would be for the benefit of the European consumer.*

## Amendment 58

Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová

### 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

*Amendment*

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

*possible.*

*through-tickets should be considered whenever, according to the time schedules, known at the time of the purchase of the ticket, there is time for the passenger to transfer between one service to another.*

Or. en

#### *Justification*

*This regulation is expected to ensure more information to passengers about their rights but also to ensure attractiveness of the rail sector. Therefore when purchasing separate tickets for a single journey, whenever there is time for a passenger to transfer between one rail service to another, according to the time schedules which is known at the time of the purchase of the ticket, the passenger should be considered in possession of a through-ticket. This recital refers to article 3 paragraph 1(8) and article 10(6), which are an integral part of the text of the recast.*

#### **Amendment 59**

**Lucy Anderson, Olga Sehnalová, Virginie Rozière, Biljana Borzan, Catherine Stihler, Marc Tarabella, Daniel Dalton, Kerstin Westphal, Igor Šoltés, Sergio Gutiérrez Prieto**

#### **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. In this respect, they should also cooperate with ticket vendors providing combined journeys.*

Or. en

#### *Justification*

*The Commission's Impact Assessment confirmed the limited availability of through tickets and the text has been amended by the Commission to reflect this. This amendment is inextricably linked to the provisions and internal logic of Chapter II and our other amendments on Article 10. Through tickets afford the most straightforward solution to the issues faced by passengers when completing a journey via multiple operators as they would*

*then be covered under a single contract for the duration of their journey. By cooperating with vendors, undertakings can provide passengers with the most accurate information about combined journey options.*

**Amendment 60**  
**Philippe Juvin**

**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.

Or. fr

*Justification*

*This text should give consumers a higher level of protection. This amendment is linked to Article 17(8), which is part of the recast.*

**Amendment 61**  
**Julia Reda, Pascal Durand, Igor Šoltes**

**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.

Or. en

*Justification*

*Through-tickets should be made mandatory in Article 10. Therefore the use of “whenever*

*possible” is obsolete.*

**Amendment 62**  
**Philippe Juvin**

**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 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) 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 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 ***when there is no other way to purchase tickets in advance***. 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 ***free*** 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 63**

**Kerstin Westphal, Virginie Rozière, Lucy Anderson, Evelyne Gebhardt, Pina Picierno**

**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 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

*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 **before and** 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 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.

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.

Or. en

## Amendment 64

Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová

### 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 of the European Parliament and of the Council<sup>26</sup>, 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.

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<sup>26</sup> Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).

##### *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 the directive XXX when complementing TSI**. In addition, in accordance with Union public procurement rules, in particular Directive 2014/24/EU of the European Parliament and of the Council<sup>26</sup>, 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.

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<sup>26</sup> Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).

Or. en

#### *Justification*

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

**Amendment 65**  
**Anneleen Van Bossuyt, Mark Demesmaeker**

**Proposal for a regulation**  
**Recital 16 a (new)**

*Text proposed by the Commission*

*Amendment*

***(16a) The method of calculating delays differs from country to country. A uniform European punctuality standard applicable in all Member States would allow passengers to compare operators and ensure that they know what rights they can exercise in which circumstances. Building on this revision, the Commission should therefore propose a methodology for calculating delays. That method of calculation would subsequently be applied in the same way in all Member States and by all operators.***

Or. nl

*Justification*

*This amendment is inextricably linked to article 17(2).*

**Amendment 66**  
**Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová**

**Proposal for a regulation**  
**Recital 17**

*Text proposed by the Commission*

*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. In the event of a delay of a passenger

(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.

service, railway undertakings should provide passengers with compensation based on a percentage of the ticket price. ***Compensation rates should reflect the need to mitigate delays and to reduce the passenger's dissatisfaction. Passengers should be able to use an EU standardised complaint form for submitting a complaint in their own EU language if they prefer and it should be equally valid to the complaint format provided by the railway undertakings, ticket vendors, railway station or infrastructure manager involved in the complaint process. Railway undertakings, ticket vendors are encouraged to develop an automatic compensation system, like a passenger account or a Smartcard, to claim compensation for delay or cancellation, both to avoid a complex and cumbersome process for the passenger and to speed up the payment of the compensation.***

Or. en

**Amendment 67**  
**Richard Sulík**

**Proposal for a regulation**  
**Recital 17**

*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.

*Amendment*

(17) 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. ***Railway undertakings shall keep the right to decide the compensations limits for delays.***

*Justification*

*Compensations for delays should be left on the market agreement between consumers and railway undertakings. Higher compensation limits imply higher ticket prices. This decision should therefore be left upon consumer demand. There is no need for the regulator to set specific compensation limits if the consumer prefers lower prices and possibility of voluntary insurance against a delay.*

**Amendment 68**

**Kerstin Westphal, Virginie Rozière, Lucy Anderson**

**Proposal for a regulation****Recital 17***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.

*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. ***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.

Or. en

**Amendment 69**

**Kerstin Westphal, Virginie Rozière, Lucy Anderson, Nicola Danti**

**Proposal for a regulation****Recital 18***Text proposed by the Commission*

(18) Railway undertakings should be obliged to be insured, or to make

*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.

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 any time.***

Or. en

**Amendment 70**  
**Evelyne Gebhardt**

**Proposal for a regulation**  
**Recital 18 a (new)**

*Text proposed by the Commission*

*Amendment*

***(18a) Accidents within the meaning of this Regulation shall 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 shall 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.***

Or. de

*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 71**

**Lucy Anderson, Catherine Stihler, Igor Šoltés, Sergio Gutiérrez Prieto**

#### **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 persons with disabilities and persons with reduced mobility should ***in particular*** be taken into account in such an event.

Or. en

#### **Amendment 72**

**Evelyne Gebhardt**

#### **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 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*

***deleted***

**Amendment 73**  
**Olga Sehnalová**

**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.*** **deleted**

**Amendment 74**  
**Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová**

**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*** **deleted**

*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.*

Or. en

**Amendment 75**

**Julia Reda, Pascal Durand, Igor Šoltes, Michael Cramer**

**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.* *deleted*

Or. en

**Amendment 76**

**Philippe Juvin**

**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 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) However, a railway undertaking should not be obliged to pay compensation if it can prove that the delay is caused by ***measures imposed by the public authorities to suspend or restrict traffic for reasons of public safety, or by criminal or accidental acts by third parties, or by severe weather conditions.*** Railway undertakings should prove that they could neither foresee nor prevent the delay even if all reasonable measures had been taken.

Or. fr

**Amendment 77**

**Anneleen Van Bossuyt, Mark Demesmaeker**

**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 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) 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. ***In this connection, the impact of such weather conditions or major natural disasters on other modes of transport should be taken into consideration.*** 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.

Or. nl

#### **Amendment 78**

**Lucy Anderson, Biljana Borzan, Marc Tarabella, Sergio Gaetano Cofferati, Kerstin Westphal, Igor Šoltes, Sergio Gutiérrez Prieto, Evelyne Gebhardt**

#### **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 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) *In view of the decision of Court of Justice of the European Union in Case C 509/11<sup>1a</sup> (ÖBB-Personenverkehr AG) and the need for legal certainty, protection of passengers, continued high levels of investment in railway rolling stock and infrastructure and good contingency planning, a railway undertaking should be obliged to pay compensation to a passenger for a delay or cancellation that is not the fault of that passenger, regardless of the cause of the delay or cancellation concerned.*

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<sup>1a</sup> *1a Case C-509/11, ÖBB-Personenverkehr AG (EU: C2013:613).*

Or. en

#### **Amendment 79**

**Julia Reda, Pascal Durand, Igor Šoltes, Lucy Anderson**

#### **Proposal for a regulation**

##### **Recital 22**

*Text proposed by the Commission*

(22) In cooperation with infrastructure

*Amendment*

(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.

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.

Or. en

## **Amendment 80**

**Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová**

### **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 manager** to seek compensation from any person, including third parties, in accordance with applicable national law.

Or. en

## **Amendment 81**

**Lucy Anderson, Olga Sehnalová, Igor Šoltés, Sergio Gutiérrez Prieto**

### **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 to seek compensation **where applicable** from any person, including third parties, **for meeting its obligations under the provisions of this Regulation to passengers**.

Or. en

## Amendment 82

Lucy Anderson, Arndt Kohn, Sergio Gaetano Cofferati, Kerstin Westphal, Igor Šoltes, Sergio Gutiérrez Prieto

### Proposal for a regulation

#### Recital 24

*Text proposed by the Commission*

*Amendment*

(24) *Where a Member State grants railway undertakings an exemption from the provisions of this Regulation, it should encourage railway undertakings, in consultation with organisations representing passengers, to put in place arrangements for compensation and assistance in the event of major disruption to a rail passenger service.*

*deleted*

Or. en

#### *Justification*

*This amendment is necessary because it is inextricably linked to our other amendment on exemptions in article 2. Both the 2013 application report and the 2015 report on exemptions highlighted the over-extensive use of exemptions by Member States. It is important that the recast Regulation takes steps to address this by removing the exemptions where possible and proportionate to do so. This is a pressing reason in keeping with the internal logic of the revised text in chapter I.*

## Amendment 83

Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová

### Proposal for a regulation

#### Recital 27

*Text proposed by the Commission*

*Amendment*

(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.

(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.

*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 84**

**Olga Sehnalová, Lucy Anderson**

**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 85**

**Lucy Anderson, Olga Sehnalová, Virginie Rozière, Biljana Borzan, Catherine Stihler, Marc Tarabella, Daniel Dalton, Kerstin Westphal, Igor Šoltés, Sergio Gutiérrez Prieto**

**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

*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. 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.

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<sup>1b</sup>***. 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<sup>1c</sup> 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 the Regulation should continue to be listed in the Annex to the revised Consumer Protection Cooperation Regulation 2017/2394/EU<sup>1d</sup>***. ***Enforcement bodies shall each year publish reports on their websites detailing the number and type of complaints that they have received, detailing the outcome of their enforcement actions. In addition, these reports shall be made available on the website of the European Union Agency for Railways.***

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***<sup>1b</sup> 1b Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (OJ L 165, 18.6.2013, p. 14).***

***<sup>1c</sup> 1c Regulation 524/2013/EU of the European Parliament and of the Council of 21 May 2013 on online dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (OJ L 165, 18.6.2013, p.1).***

***<sup>1d</sup> 1d Regulation 2017/2394/EU of the European Parliament and of the Council of 12 December 2017 on cooperation between national authorities responsible***

*for the enforcement of consumer protection laws and repealing Regulation (EC) No 2006/2004 (OJ L 345, 27.12.2017, p. 1).*

Or. en

#### **Amendment 86**

**Lucy Anderson, Virginie Rozière, Catherine Stihler, Marc Tarabella, Igor Šoltes, Sergio Gutiérrez Prieto**

#### **Proposal for a regulation**

##### **Recital 31**

###### *Text proposed by the Commission*

(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.

###### *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 ***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.***

Or. en

###### *Justification*

*The lack of proper enforcement provision was one of the principal reasons justifying the recast of this Regulation. It is therefore of the utmost 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 87**

**Lucy Anderson, Olga Sehnalová, Catherine Stihler, Igor Šoltes, Sergio Gutiérrez Prieto**

## Proposal for a regulation

### Article 1 – title

*Text proposed by the Commission*

*Amendment*

1 Subject matter

Subject matter *and objectives*

Or. en

#### *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 88

**Lucy Anderson, Julia Reda, Olga Sehnalová, Virginie Rozière, Biljana Borzan, Catherine Stihler, Marc Tarabella, Kerstin Westphal, Igor Šoltes, Sergio Gutiérrez Prieto**

## Proposal for a regulation

### Article 1 – paragraph 1 – introductory part

*Text proposed by the Commission*

*Amendment*

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

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

Or. en

#### *Justification*

*See the justification in the previous amendment.*

### Amendment 89

**Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová**

## Proposal for a regulation

### Article 1 – paragraph 1 – point a a (new)

*Text proposed by the Commission*

*Amendment*

***(a a) the minimum information to be provided to the passengers by railway undertakings and ticket vendors, including the conclusion of transport contracts, and the issuing of tickets, as laid out in Annex II Part I and Part II;***

Or. enJustification

*See also amendment 63.*

**Amendment 90**  
**Evelyne Gebhardt**

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

*Text proposed by the Commission*

*Amendment*

b) the liability of railway undertakings and their insurance obligations for passengers and ***their luggage***;

b) the liability of railway undertakings and their insurance obligations for passengers, ***their luggage and other items worn by the passenger or which they have with them***;

Or. de

*Justification*

*In order to avoid legal loopholes to the detriment of the passenger and having regard to recitals 3 and 5 of the Regulation, liability should reasonably extend to items such as clothes, wallets or watches, which the passenger wears or has with him and which are not considered to form part of the passenger's luggage.*

**Amendment 91**  
**Lucy Anderson, Julia Reda, Olga Sehnalová, Liisa Jaakonsaari, Virginie Rozière, Biljana Borzan, Catherine Stihler, Marc Tarabella, Nicola Danti, Kerstin Westphal, Igor Šoltes, Sergio Gutiérrez Prieto**

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

*Text proposed by the Commission*

*Amendment*

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

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

Or. en

#### **Amendment 92**

**Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová**

#### **Proposal for a regulation**

**Article 1 – paragraph 1 – point e**

*Text proposed by the Commission*

*Amendment*

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

**deleted**

Or. en

#### **Amendment 93**

**Richard Sulík**

#### **Proposal for a regulation**

**Article 1 – paragraph 1 – point e**

*Text proposed by the Commission*

*Amendment*

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

(e) **the** information to be provided **by railway undertakings and ticket vendors, the conclusion of transport contracts, the issuing of tickets and the implementation of a Computerised Information and Reservation System for Rail Transport;**

Or. en

#### **Amendment 94**

**Lucy Anderson, Julia Reda, Olga Sehnalová, Liisa Jaakonsaari, Virginie Rozière, Biljana Borzan, Catherine Stihler, Marc Tarabella, Nicola Danti, Igor Šoltés, Sergio Gutiérrez Prieto**



**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, timely and accessible*** information to be provided to passengers;

Or. en

*Justification*

*The Regulation Recast's explanatory memorandum acknowledges that passengers are not always adequately informed when their journey does not go according to plan. It is important that the correct information is received by passengers in good time and in a format they can understand in order for them to be able to make the best use of it. This amendment is inextricably linked to Chapter II in particular.*

**Amendment 95**

**Lucy Anderson, Julia Reda, Olga Sehnalová, Liisa Jaakonsaari, Virginie Rozière, Biljana Borzan, Catherine Stihler, Sergio Gaetano Cofferati, Kerstin Westphal, Igor Šoltes, Sergio Gutiérrez Prieto**

**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, ***immediate, spontaneous*** and mandatory assistance ***by trained staff*** for, persons with disabilities and persons with reduced mobility;

Or. en

**Amendment 96**

**Lucy Anderson, Julia Reda, Olga Sehnalová, Virginie Rozière, Biljana Borzan, Catherine Stihler, Daniel Dalton, Nicola Danti, Igor Šoltes, Sergio Gutiérrez Prieto**

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

*Text proposed by the Commission*

*Amendment*

(h) *the* handling of complaints;

(h) ***proper procedures for*** handling of complaints;

Or. en

*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 97**

**Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová**

#### **Proposal for a regulation**

**Article 1 – paragraph 1 – point h**

*Text proposed by the Commission*

*Amendment*

(h) the handling of complaints;

(h) the ***filing and*** handling of complaints;

Or. en

*Justification*

*As set out in recital 2 it's important to improve the quality and effectiveness of rail passenger services in order to increase rail transport. The addition is to stress the need to look at this regulation also from the passenger's perspective, who needs to file the complaint, and therefore improve rail passenger services.*

#### **Amendment 98**

**Lucy Anderson, Julia Reda, Olga Sehnalová, Virginie Rozière, Biljana Borzan, Catherine Stihler, Marc Tarabella, Daniel Dalton, Sergio Gaetano Cofferati, Kerstin Westphal, Igor Šoltés, Sergio Gutiérrez Prieto**

#### **Proposal for a regulation**

**Article 1 – paragraph 1 – point i**

*Text proposed by the Commission*

*Amendment*

(i) general rules on enforcement.

(i) general rules on enforcement, ***including through the option for passengers of binding alternative dispute resolution.***

Or. en

*Justification*

*This amendment is necessary because it is inextricably linked to our amendments on article 33 on the complaint-handling procedure and the internal logic of Chapter VII on Information and Enforcement.*

**Amendment 99**

**Lucy Anderson, Julia Reda, Catherine Stihler, Arndt Kohn, Marc Tarabella, Sergio Gaetano Cofferati, Kerstin Westphal, Igor Šoltés, Sergio Gutiérrez Prieto**

**Proposal for a regulation**

**Article 2 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

This Regulation shall apply to domestic ***and*** international rail journeys and services ***throughout*** the Union ***provided by one or more railway undertakings licensed in accordance with Directive 2012/34/EU of the European Parliament and of the Council***<sup>29</sup> .

This Regulation shall apply to ***all*** domestic, ***cross-border or*** international rail ***passenger*** journeys and services ***operating, stopping, travelling, departing or arriving within the territory of*** the Union.

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<sup>29</sup> OJ L 343, 14.12.2012, p. 32.

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<sup>29</sup> OJ L 343, 14.12.2012, p. 32.

Or. en

*Justification*

*This is linked to our other amendments on passenger coverage, and the Article as a whole should be subject to amendments (including the first paragraph) in the light of the Commission's extensive deletions and additions to subsequent paragraphs. So both for reasons relating to the internal logic of the text and as inextricably linked to other amendments, this amendment is in order.*

**Amendment 100**

**Lucy Anderson, Arndt Kohn, Sergio Gaetano Cofferati, Kerstin Westphal, Igor Šoltes, Sergio Gutiérrez Prieto**

**Proposal for a regulation**

**Article 2 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. Subject to paragraph 4, Member States may exempt the following services from the application of this Regulation:** *deleted*

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

**(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.**

Or. en

**Amendment 101**

**Matthijs van Miltenburg, Jasenko Selimovic**

**Proposal for a regulation**

**Article 2 – paragraph 2 – point a**

*Text proposed by the Commission*

*Amendment*

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

Or. en

**Amendment 102**  
**Edward Czesak**

**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, suburban and regional rail passenger services as referred to in Directive 2012/34/EU;

Or. en

**Amendment 103**  
**Julia Reda, Pascal Durand, Igor Šoltes**

**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* suburban rail passenger services as referred to in Directive 2012/34/EU, except cross-border services within the Union;

Or. en

**Amendment 104**  
**Olga Sehnalová**

**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* suburban rail passenger services as referred to in Directive 2012/34/EU, except cross-border services within the Union;

Or. en

### *Justification*

*Member States should not exempt regional rail services, which would be hugely detrimental to all passengers, taking into account that regional rail passenger services make up large part of passenger traffic.*

#### **Amendment 105**

**Anneleen Van Bossuyt, Richard Sulík, Mark Demesmaeker**

#### **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** suburban rail passenger services as referred to in Directive 2012/34/EU, except cross-border services within the Union;

Or. nl

#### **Amendment 106**

**Edward Czesak**

#### **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;

Or. en

#### **Amendment 107**

**Edward Czesak**

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

*Text proposed by the Commission*

*Amendment*

**(b a) domestic rail passenger services where such exemption was granted under the Regulation (EC)No 1371/2007 for period no longer than until 3 December 2024.**

Or. en

**Amendment 108**

**Lucy Anderson, Olga Sehnalová, Sergio Gaetano Cofferati, Igor Šoltes, Sergio Gutiérrez Prieto**

**Proposal for a regulation**  
**Article 2 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**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.** **deleted**

Or. en

**Amendment 109**

**Lucy Anderson, Sergio Gaetano Cofferati, Igor Šoltes, Sergio Gutiérrez Prieto**

**Proposal for a regulation**  
**Article 2 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

**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.** **deleted**

**Amendment 110****Róza Gräfin von Thun und Hohenstein, Renaud Muselier****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**, 10, 11, **12** and **17** 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.

Or. en

*Justification*

*Urban, suburban and regional services constitute a majority of train travel (90% of passenger journeys and 50% of passenger kilometres). Passengers most typically need to take their bicycles with them on shorter journeys and thus opt for urban, suburban or regional operators. Therefore, it is crucial that operators of such services also adjust their policies to the growing trend of riding bicycles and to the demands of passengers. Carriage of bicycles on regional, sub-urban and urban trains is important for the implementation of the much-needed modal shift in EU, with positive effects on passengers' ease of travel and environmentally sustainable mobility. In the 2015 study, the European Parliament has stressed that daily bicycle users can be increased through better traffic intermodality, both with trains and public transport, and that EU regulations do not provide any incentives to encourage operators to facilitate the transport of bicycles on trains and buses. Moreover, frequent travellers who commute on shorter distances with seasonal tickets should also have the right to compensation in case of repeated delays, which may have a direct impact on their everyday life and their work perspectives. It is pointless to single out Article 25, as it is already included in Chapter V.*

**Amendment 111****Evelyne Gebhardt****Proposal for a regulation****Article 2 – paragraph 4***Text proposed by the Commission*

4. Articles 5, 10, 11 and 25 and

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*Amendment*

4. Articles **3 to 7**, 10, 11 and 25 and

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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.

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.

Or. de

#### **Amendment 112**

**Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová**

#### **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**, 10, 11, **12** and **17** 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.

Or. en

#### **Amendment 113**

**Edward Czesak**

#### **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, 10, 11, **20, 21(1)** and 25 shall apply to all rail passenger services referred to in paragraph 1, including services exempted in accordance with **point (a)** of paragraph 2.

Or. en

#### **Amendment 114**

**Richard Sulík**

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

*Text proposed by the Commission*

(1) ‘railway undertaking’ means a railway undertaking as defined in Article 3(1) of Directive 2012/34/EU ;

*Amendment*

(1) ‘railway undertaking’ means a railway undertaking as defined in Article 3(1) of Directive 2012/34/EU; ***if a rail-transport providing entity also sells rail tickets for transport then that retail part of the business shall be considered as a ticket vendor;***

Or. en

*Justification*

*The ticket vendor is a different part of the value chain and is the one that shows information on all rail options and sell rail tickets.*

**Amendment 115**  
**Evelyne Gebhardt**

**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, ***through-tickets or combined tickets*** on behalf of ***one or more*** railway ***undertakings*** or for its own account;

Or. de

*Justification*

*The amendment must be read in relation with Article 10 (1) and other parts of the proposal concerning through-tickets and combined tickets.*

**Amendment 116**  
**Lucy Anderson, Olga Sehnalová, Virginie Rozière, Catherine Stihler, Marc Tarabella,**

**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, **through-tickets or combined journeys** on behalf of **one or more** railway **undertakings** or for its own account;

Or. en

*Justification*

*The recast regulation requires an expanded definition of ticket vendor in order to accommodate the different types of tickets they should be expected to be able to offer to customers. This is necessary for pressing reasons relating to internal logic and linked inextricably to many other amendments, including on definitional issues in Chapter I.*

**Amendment 117**

**Richard Sulík**

**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/or** selling **tickets, through-tickets or combined** tickets on behalf of **one or more** railway **undertakings**;

Or. en

*Justification*

*The ticket vendor shall sell combined tickets along the through-tickets based on the consumer preference. If it is not possible to offer a through-ticket for a requested journey, combined ticket shall be offered as the remaining option. This is linked to AM on Article 10(6).*

## Amendment 118

Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová

### 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 on behalf of **one or more** railway **undertakings** or for its own account;

Or. en

#### *Justification*

*Also in light of article 10 paragraph 1, ticket vendors shall make all possible efforts to offer through-tickets, including journeys with more than one railway undertaking. Ticket vendors are allowed to sell on behalf of more railway undertakings and not only on behalf of one railway undertaking or its own account.*

## Amendment 119

Richard Sulík

### Proposal for a regulation

#### Article 3 – paragraph 1 – point 6 a (new)

*Text proposed by the Commission*

*Amendment*

**(6 a) "combined journey" means a passenger transport between the departure station and the arrival station on the basis of more than one transport contract of one or more railway undertakings;**

Or. en

#### *Justification*

*Adding the definition of combined journey is necessary as this term is used in other places at this set of amendments.*

## **Amendment 120**

**Lucy Anderson, Olga Sehnalová, Virginie Rozière, Catherine Stihler, Marc Tarabella, Daniel Dalton, Sergio Gaetano Cofferati, Igor Šoltés, Sergio Gutiérrez Prieto**

### **Proposal for a regulation**

#### **Article 3 – paragraph 1 – point 6 a (new)**

*Text proposed by the Commission*

*Amendment*

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

Or. en

#### *Justification*

*The recast regulation requires an expanded definition of “combined journey” to afford greater legal certainty to passengers and undertakings. This is in keeping with the internal logic of the recast regulation and linked critically to many admissible amendments throughout, such as those in Chapter I on definitions but also Article 10 and Chapter IV.*

## **Amendment 121**

**Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová**

### **Proposal for a regulation**

#### **Article 3 – paragraph 1 – point 6 a (new)**

*Text proposed by the Commission*

*Amendment*

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

Or. en

#### *Justification*

*Tickets can make 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 122**  
**Evelyne Gebhardt**

**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*

8. ‘through-ticket’ means a ticket or tickets representing a single transport contract for successive railway services operated by one or more railway undertakings ***purchased in a coherent operation or for the purposes of an actual transport chain;***

Or. de

*Justification*

*The specific definition of the concept of a ‘through-ticket’ makes it clear that several tickets in any case constitute a single transport contract. Any clauses in the transport contract seeking to deprive the passenger of his rights as regards information, assistance, care, or compensation or to limit them to one part of the transport chain should therefore be invalidated.*

**Amendment 123**  
**Róza Gräfin von Thun und Hohenstein, Antonio López-Istúriz White**

**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*

(8) ‘through-ticket’ means a ticket or tickets representing a single transport contract for successive railway services operated by one or more railway undertakings. ***Several tickets always represent a single contract of carriage if they are part of an actual travel chain;***

Or. en

### *Justification*

*The AM further enhances the internal logic of the text. Narrowing down the definition of a through-ticket should rule out vague interpretations and protect customers from an undesirable interpretation on behalf of railway undertakings. Such changes are bound to encourage more people to travel by trains, allowing us to complete our goal of shifting from road to rail transport and protecting our environment. This AM aligns this Regulation with the regulations governing passenger rights in other transport modes. The rail passenger rights should be equal to those of air passenger rights.*

#### **Amendment 124**

**Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová**

#### **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*

(8) ‘through-ticket’ means a ticket or **separate** tickets representing a single transport contract for successive railway services operated by one or more railway **undertaking, forming part of an end-to-end journey**;

Or. en

### *Justification*

*Separate tickets sold under a single contract should also be understood as a through-ticket, especially when forming part of an end-to-end journey, as the details are further explained in article 10(6), which is part of the text of the recast.*

#### **Amendment 125**

**Lucy Anderson, Olga Sehnalová, Virginie Rozière, Catherine Stihler, Daniel Dalton, Igor Šoltes, Sergio Gutiérrez Prieto**

#### **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

##### *Amendment*

(8) ‘through-ticket’ means a ticket or tickets for successive railway services operated by one or more railway

operated by one or more railway undertakings;

undertakings, *forming part of an end-to-end journey*;

Or. en

*Justification*

*The clarification is necessary for passengers and undertakings to ensure that passengers are covered by the protections afforded by the one through ticket for the entire duration of their journey. It is in keeping with the internal logic of the text, and linked inextricably to all of the amendments and proposals on through-tickets in chapter II.*

**Amendment 126**

**Richard Sulík**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point 8 a (new)**

*Text proposed by the Commission*

*Amendment*

**(8 a) "Combined ticket" means a ticket or tickets representing more than one transport contract for successive railway services operated by one or more railway undertakings in order to provide a combined journey, that respects minimum standard connection times, purchased in the same booking;**

Or. en

*Justification*

*Adding the definition of combined ticket is necessary as this term is used in other places at this set of amendments.*

**Amendment 127**

**Lucy Anderson, Olga Sehnalová, Virginie Rozière, Catherine Stihler, Daniel Dalton, Sergio Gaetano Cofferati, Igor Šoltés, Sergio Gutiérrez Prieto**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point 10**



*Text proposed by the Commission*

*Amendment*

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

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

Or. en

## **Amendment 128**

**Róza Gräfin von Thun und Hohenstein, Antonio López-Istúriz White**

### **Proposal for a regulation**

#### **Article 3 – paragraph 1 – point 10 a (new)**

*Text proposed by the Commission*

*Amendment*

***(10 a) ‘optimal single rail journey’ means the most optimal (e.g. 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. Such a journey may comprise of more than one successive tickets or transport contracts, depending on which solution suits the passenger best.***

Or. en

#### *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 bring 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 most suitable travel option and is duly justified with the development of new technologies.*

## Amendment 129

Dennis de Jong

### Proposal for a regulation

#### Article 3 – paragraph 1 – point 12 a (new)

*Text proposed by the Commission*

*Amendment*

***(12 a) 'high-speed rail passenger service' means rail passenger service using lines that operate in excess of 200 kilometres per hour during the complete journey or parts of the journey;***

Or. en

*Justification*

*This amendment adds a definition which is related to a proposed amendment on Article 17, paragraph 1 on compensation schemes.*

## Amendment 130

Edward Czesak

### Proposal for a regulation

#### Article 3 – paragraph 1 – point 13

*Text proposed by the Commission*

*Amendment*

(13) ‘delay’ means the time difference between the ***time the passenger was scheduled to arrive*** in accordance with ***the published timetable and the time of his or her actual or expected arrival at the final station of destination*** ;

(13) ‘delay’ means the time difference between the ***arrival scheduled in the timetable and real-time arrival at destination. In case of delays which are announced to passengers at least two weeks in advance of the train departure the passengers are not entitled to compensation*** in accordance with ***article 17***;

Or. en

*Justification*

*The amendment is inextricably linked to Articles 16- 17 related to compensations (non codified), where the definition of “delay” is cornerstone. This clarification is needed to take into account timetable changes affecting passengers who purchased tickets in advance. This*

*clarification is important to allow railway undertakings to continue to sell tickets in advance.*

### **Amendment 131**

**Lucy Anderson, Olga Sehnalová, Virginie Rozière, Catherine Stihler, Daniel Dalton, Sergio Gaetano Cofferati, Igor Šoltés, Sergio Gutiérrez Prieto**

#### **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 a passenger misses one or more services in the course of a journey **or combined journey** as a result of the delay or cancellation of one or more previous services;

Or. en

### **Amendment 132**

**Lucy Anderson, Olga Sehnalová, Virginie Rozière, Catherine Stihler, Daniel Dalton, Nicola Danti, Igor Šoltés, Sergio Gutiérrez Prieto**

#### **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;

Or. en

### **Amendment 133**

**Evelyne Gebhardt**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point 17 a (new)**

*Text proposed by the Commission*

*Amendment*

**17a. ‘Bicycle’ means a one or more wheeled terrestrial vehicle propelled by the muscular energy of the persons on it by means of pedals or hand cranks, possibly supplemented by the use of an electronic motor.**

Or. de

*Justification*

*The inclusion of a definition for the term ‘bicycle’ is intended to ensure that, following technical developments, the transport of e-bikes is also covered by the Regulation.*

**Amendment 134**  
**Julia Reda, Pascal Durand, Igor Šoltes**

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

*Text proposed by the Commission*

*Amendment*

**(19 a) ‘application programming interface’ within the meaning of this Regulation 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.**

Or. en

*Justification*

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

(new).

### Amendment 135

Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová

#### 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 or ticket vendors shall offer ***transport contract and ticketing*** conditions and tariffs to the general public 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 or ticket vendor within the Union ***or the means through which passengers bought the ticket.***

Or. en

### Amendment 136

Róza Gräfin von Thun und Hohenstein, Renaud Muselier

#### 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 or ticket vendors shall offer contract conditions and tariffs to the general public ***and shall sell tickets, through-tickets and accept reservations from customers*** 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.

Or. en

### *Justification*

*The prohibition of discrimination should explicitly apply also to selling tickets and accepting reservations.*

#### **Amendment 137**

**Lucy Anderson, Catherine Stihler, Igor Šoltes, Sergio Gutiérrez Prieto**

#### **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 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, ***tour operators*** or ticket vendor within the Union.

Or. en

#### **Amendment 138**

**Evelyne Gebhardt**

#### **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 or ticket vendors shall offer contract conditions and tariffs to the general public without direct or indirect discrimination ***particularly*** on the basis of the final customer's nationality, ***origin*** or residence, or the place of establishment of the railway undertaking or ticket vendor within the Union.

Or. de

## Amendment 139

Julia Reda, Pascal Durand, Igor Šoltes

### 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 or ticket vendors shall offer contract conditions and tariffs to the general public 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 or ticket vendor within the Union.

Or. en

## Amendment 140

Lucy Anderson, Julia Reda, Virginie Rozière, Catherine Stihler, Kerstin Westphal, Igor Šoltes, Sergio Gutiérrez Prieto

### 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, free of charge* on board the train, *all new or refurbished rolling stock shall include an appropriate designated space* for the carriage of *assembled* bicycles.

**Amendment 141****Edward Czesak****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, 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.

**Amendment 142****Dennis de Jong****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*

*Amendment*

Passengers shall be entitled to take bicycles on board the train, where appropriate for a reasonable fee. *All new or refurbished rolling stock shall include a designated space for* the carriage of bicycles. Railway undertakings, ticket vendors, tour operators and, where appropriate, station managers inform passengers of the conditions for



*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.

*bicycle carriage on all services* in accordance with Regulation (EU) No 454/2011.

Or. en

**Amendment 143**  
**Richard Sulík**

**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, where appropriate for a reasonable fee. 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.

Or. en

**Amendment 144**  
**Philippe Juvin**

**Proposal for a regulation**  
**Article 6 – paragraph 1**

*Text proposed by the Commission*

Passengers shall be entitled to take bicycles

*Amendment*

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.

on board the train, where appropriate for a reasonable fee **or as registered luggage**. They shall keep their **non-disassembled** 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. **As from 2024, all railway rolling stock shall have designated spaces for storing bicycles.**

Or. fr

#### **Amendment 145**

**Julia Reda, Pascal Durand, Igor Šoltes**

#### **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, free of charge** on board the train, **including on high-speed, long-distance and cross-border trains. All trains shall be equipped with a well-indicated, dedicated space for the carriage of at least 8 assembled bicycles.** Railway undertakings, ticket vendors, tour operators and, where appropriate, station managers **shall** inform passengers of the conditions for **bicycle carriage on all services** in accordance with Regulation(EU) No 454/2011.

Or. en

**Amendment 146**  
**Róza Gräfin von Thun und Hohenstein**

**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, where appropriate for a reasonable fee. **Unless a dedicated area is provided for the storage of bicycles, passengers** shall keep **them** 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 **duly justified** safety 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) **No454/2011**.

Or. en

*Justification*

*The current wording leaves much room for interpretation, which could result in railway undertakings restricting the carriage of bicycles for a multitude of reasons to the disadvantage of passengers. Operators should respond to the growing demand for carrying bicycles, especially since most passengers with bicycles opt for taking their journey by rail.*

**Amendment 147**  
**Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová**

**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

*Amendment*

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.

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, ***at the latest when purchasing the ticket***, of the conditions for such a refusal or restriction in accordance with Regulation (EU) No 454/2011.

Or. en

**Amendment 148**  
**Jiří Pospíšil**

**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*

*(Does not affect English version.)*

Or. cs

**Amendment 149**  
**Evelyne Gebhardt**

**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. ***This shall also apply to transport conditions where a railway undertaking is freed from its obligation to pay compensation for the cost of the ticket in the event of delays if these are attributable to force majeure or one of the causes listed in Article 32(2) of the CIV Uniform Rules.***

Or. de

*Justification*

*Almost nine years after the date of entry into force of the Regulation on passenger rights, it must be considered a successful element of European consumer protection provisions. Certain minimum standards are now bound by law and do not depend on the goodwill of the railway undertakings. Through its judgement of 26 September 2013 in Case C-509/11 (ÖBB - Personenverkehr AG v. Schienen -Control Kommission), the ECJ created further legal certainty for passengers as regards a possible exclusion of compensation in cases of force majeure.*

**Amendment 150**

**Lucy Anderson, Olga Sehnalová, Virginie Rozière, Catherine Stihler, Sergio Gaetano Cofferati, Igor Šoltes, Sergio Gutiérrez Prieto, Evelyne Gebhardt**

**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.***

Or. en

*Justification*

*The aim of the recast is to strengthen rail passenger rights and the passenger is in a weaker position of bargaining power versus the undertaking. This addition seeks to clarify the position for the passenger; namely that they shall not be bound by contractual terms which purport directly or indirectly to waive, derogate from or restrict the rights resulting from this Regulation. It is inextricably linked to many amendments, including in particular those on complaints by passengers in article 28 and on enforcement generally in article 32.*

**Amendment 151**

**Lucy Anderson, Biljana Borzan, Catherine Stihler, Nicola Danti, Igor Šoltes, Sergio Gutiérrez Prieto**

**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.

Or. en

*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 152**

**Lucy Anderson, Olga Sehnalová, Biljana Borzan, Catherine Stihler, Sergio Gaetano Cofferati, Igor Šoltes, Sergio Gutiérrez Prieto**

**Proposal for a regulation**

**Article 8 – title**

*Text proposed by the Commission*

*Amendment*

Obligation to provide information concerning discontinuation of services

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

Or. en

*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 153**

**Lucy Anderson, Olga Sehnalová, Virginie Rozière, Catherine Stihler, Marc Tarabella, Sergio Gaetano Cofferati, Nicola Danti, Igor Šoltes, Sergio Gutiérrez Prieto**

**Proposal for a regulation**  
**Article 8 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

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<sup>31</sup>, and before **their** implementation, **decisions** to discontinue services either permanently or temporarily

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<sup>31</sup>, 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 before any implementation takes place.**

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<sup>31</sup> Directive XXX on the approximation of the laws, regulations and administrative

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<sup>31</sup> 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).

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).

Or. en

**Amendment 154**  
**Edward Czesak**

**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*<sup>31</sup>, 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, including in accessible formats for persons with disabilities in accordance with accessibility requirements laid down in *Regulation 1300/2014*, and before their implementation, decisions to discontinue services either permanently or temporarily.

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<sup>31</sup> *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).*

Or. en

**Amendment 155**  
**Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová**

**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 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. ***For this purpose, railway undertakings shall provide this information to ticket vendors and other railway undertakings, selling its service.*** Ticket vendors offering transport contracts on their own account, and tour operators, shall provide this information.

Or. en

*Justification*

*When a ticket vendor or a railway undertaking sells a ticket on behalf of another railway undertaking, they need to receive from the railway undertaking operating the service the information contained in Annex II part I in order to comply with the requirements set out in this paragraph and in the Annex II part I and accurately inform the passengers.*

**Amendment 156**

**Lucy Anderson, Virginie Rozière, Catherine Stihler, Marc Tarabella, Igor Šoltés, Sergio Gutiérrez Prieto**

**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,***

*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.

*shall provide this information where available.*

Or. en

*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 157**

**Julia Reda, Pascal Durand, Igor Šoltes**

**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 and ticket vendors offering transport contracts 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. Ticket vendors offering transport contracts on their own account, and tour operators, shall provide this information where available.

Or. en

*Justification*

*Ensure that information is always provided to passengers, not only upon request.*

**Amendment 158**

**Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová**

**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 shall provide the passenger during the journey, including at connecting stations, with at least the information set out in Annex II, Part II. ***The same shall apply to ticket vendors, except in cases where they don't have the possibility to connect with the passenger and inform him/her. For purpose of this paragraph, railway undertakings shall provide information set out in Annex II, Part II to ticket vendors and other railway undertakings, selling its service.***

Or. en

**Amendment 159**

**Lucy Anderson, Catherine Stihler, Igor Šoltés, Sergio Gutiérrez Prieto**

**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.

Or. en

**Amendment 160**

**Philippe Juvin**

**Proposal for a regulation  
Article 9 – paragraph 2**

*Text proposed by the Commission*

2. Railway undertakings and, ***where possible,*** ticket vendors shall provide the

*Amendment*

2. Railway undertakings and ticket vendors shall provide the passenger during

passenger during the journey, including at connecting stations, with at least the information set out in Annex II, Part II.

the journey, including at connecting stations, with at least the information set out in Annex II, Part II.

Or. fr

### **Amendment 161**

**Kerstin Westphal, Virginie Rozière, Lucy Anderson, Nicola Danti**

#### **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 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. ***Passengers shall have the right to claim for compensation if the railway undertakings and ticket vendors fail to provide the correct travel information.***

Or. en

### **Amendment 162**

**Lucy Anderson, Olga Sehnalová, Virginie Rozière, Catherine Stihler, Marc Tarabella, Igor Šoltes, Sergio Gutiérrez Prieto**

#### **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

###### *Amendment*

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 ***and in writing where possible***. Particular attention shall be paid to ensuring that this

to persons with disabilities in accordance with the accessibility requirements laid down in Directive XXX and Regulation 454/2011 .

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.***

Or. en

**Amendment 163**  
**Philippe Juvin**

**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 to passengers and ticket vendors*** 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 .

Or. fr

**Amendment 164**  
**Julia Reda, Pascal Durand, Igor Šoltes, Michael Cramer**

**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***

*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, ***including non-proprietary technologies*** . This information ***shall be***

accessible to persons with disabilities in accordance with the accessibility requirements laid down in Directive XXX and Regulation 454/2011 .

accessible to persons with disabilities in accordance with the accessibility requirements laid down in Directive XXX and Regulation 454/2011.

Or. en

**Amendment 165**  
**Edward Czesak**

**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 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 *Regulation 1300/2014* and Regulation 454/2011.

Or. en

**Amendment 166**  
**Richard Sulík**

**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-discriminatory manner.

*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 by this Regulation;*

Or. en

#### **Amendment 167**

**Julia Reda, Pascal Durand, Igor Šoltés**

#### **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-discriminatory *manner*.

##### *Amendment*

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. They shall communicate any delays or changes that may occur to passengers in real-time.*

Or. en

#### **Amendment 168**

**Anneleen Van Bossuyt, Richard Sulík, Mark Demesmaeker**

#### **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.*

Or. nl

*Justification*

*This amendment is inextricably linked to articles 9 and 14.*

**Amendment 169**

**Olga Sehnalová, Lucy Anderson**

**Proposal for a regulation**

**Article 9 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

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

Or. en

*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 170**

**Julia Reda, Pascal Durand, Igor Šoltes, Lucy Anderson**

**Proposal for a regulation**

**Article 9 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

**4 a. Rail travel publicity, booking information as well as tickets shall mention the data on emissions as well as the energy consumption and source of a train journey.**

Or. en

*Justification*

*This paragraph is necessary if we want to be coherent with the EU targets on emissions and energy consumption reduction as well as the need for behavioural change. It also*



corresponds to the CRS regulation 2009/80 recital 16 and the initiative 29 of the EC White Paper on transport of 2011. This is integral to the more consumer-centric approach of this recast by providing consumers accurate information on environmental impact of their journeys.

## **Amendment 171**

**Richard Sulík**

### **Proposal for a regulation**

#### **Article 10 – title**

*Text proposed by the Commission*

Availability of tickets, through-tickets and reservations

*Amendment*

Availability of tickets, through-tickets, **combined tickets** and reservations

Or. en

#### *Justification*

*Combined tickets shall be offered along the through-tickets. If it is not possible to offer a through-ticket for a requested journey, combined ticket shall be offered as the remaining option. This is linked to AM on Article 10(6).*

## **Amendment 172**

**Matthijs van Miltenburg, Dita Charanzová, Jasenko Selimovic**

### **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 and ticket vendors shall offer tickets and, where available reservations. They shall offer through-tickets, including for journeys across borders and with more than one railway undertaking, **where according to the time schedules known at the time of the purchase of the ticket, there is time for the passenger to transfer between one service to another. Ticket vendors and railway undertakings shall make available to station managers, infrastructure managers, and each other the data**

*concerning sold tickets and the related passengers in a real time basis in a non-discriminatory way, in line with the General Data Protection Regulation (EU)2016/679.*

Or. en

**Amendment 173**  
**Evelyne Gebhardt**

**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 and ticket vendors shall offer tickets and, where available, through-tickets and reservations. They shall offer through-tickets, including for journeys across borders and with more than one railway undertaking. *They shall develop suitable IT interfaces and data formats to allow the exchange of information across network, regional and national boundaries and the booking of tickets via the internet.*

Or. de

*Justification*

*Im Zuge des digitalen Wandels unserer Gesellschaft sollten Fahrgäste nicht mehr durch proprietäre Informations- und Buchungskanäle, die Wettbewerber ausschließen und ein Hindernis für die Ausstellung von Durchgangsfahrkarten darstellen, am Online-Abruf von erforderlichen Informationen, wie Preisauskünften oder vom Online-Erwerb von verbunds-, regional-, und länderübergreifenden Fahrkarten gehindert werden. Zur Buchung von lückenlosen Tür-zu-Tür-Reiseketten, sollten darüber hinaus auch regionale Bahn- und Busverkehre, inklusive Verbundtarife, integriert werden.*

**Amendment 174**  
**Lucy Anderson, Virginie Rozière, Biljana Borzan, Catherine Stihler, Marc Tarabella, Daniel Dalton, Kerstin Westphal, Igor Šoltés, Sergio Gutiérrez Prieto, Evelyne Gebhardt**

**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, **tour operators** and ticket vendors shall offer tickets, **through-tickets**, reservations **and combinations of tickets that provide the most optimal and cost-effective journey or combined journey, including cross-border, in an impartial and non-discriminatory manner**. They shall make all possible efforts to offer **through-tickets**, including for journeys across borders **or involving night trains and journeys** with more than one railway undertaking.

Or. en

**Amendment 175**

**Róza Gräfin von Thun und Hohenstein, Renaud Muselier**

**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 and ticket vendors shall offer tickets and, **except where this is factually impossible in spite of all reasonable efforts, through-ticket sand** reservations. They shall offer **through-tickets**, including for journeys across borders and with more than one railway undertaking. **It shall always be considered possible to offer through-tickets where the journey is operated by the same railway undertaking.**

Or. en

*Justification*

*The amendment obliges railway undertakings to offer through-tickets whenever such*

*possibility exists and remains within the factual conditions of the undertaking, especially if the journey is operated by one entity. This obligation could be implemented through EU-wide booking portals for small railway undertakings and would greatly increase the ease of travel for passengers*

#### **Amendment 176**

**Julia Reda, Pascal Durand, Igor Šoltes**

#### **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 and ticket vendors shall offer tickets and through-tickets and reservations. They shall offer through-tickets, including for journeys across borders and with more than one railway undertaking. **Booking these tickets shall be accessible and non-discriminatory, including for persons with disabilities and persons with reduced mobility**

Or. en

#### **Amendment 177**

**Richard Sulík**

#### **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 and ticket vendors shall **sell** tickets and, through-tickets, **combined tickets** and reservations. They shall make all possible efforts to **sell** through-tickets, **combined tickets** including for journeys across borders and with more than one railway undertaking;

Or. en

## Amendment 178

Kerstin Westphal, Virginie Rozière, Arndt Kohn, Pina Picierno

### 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 and ticket vendors shall offer tickets and, where available, through-tickets and reservations. They shall offer through-tickets, including for journeys across borders and with more than one railway undertaking.

Or. en

## Amendment 179

Dennis de Jong

### Proposal for a regulation

#### Article 10 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***1 a. In order to make passengers aware of all options before buying an international through-ticket, railway undertakings shall jointly set up a European on-line platform indicating all possible connections between European cities and their time schedules;***

Or. en

#### *Justification*

*This amendment is an addition to paragraph 1 which is part of the recast and in which the Commission states that railway undertakings should make all possible efforts to offer through-tickets, including for journeys across borders and with more than one railway undertaking.*

## Amendment 180

Róza Gräfin von Thun und Hohenstein, Renaud Muselier

### Proposal for a regulation

#### Article 10 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***1 a. Railway undertakings shall provide all ticket vendors and independent online retailers with all real-time operational, timetable and tariffs data on a non-discriminatory basis.***

Or. en

#### *Justification*

*Railway undertakings should make data on their connections, real-time operational data and fares available to both passengers and ticket vendors. This will enable ticket vendors to compile data on all possible connections and possibilities of combined journeys. This is a crucial step in the direction of greater transparency within the sector and cheaper tickets for passengers, as operators will have to attract passengers by introducing more competitive prices or additional services. This amendment of Recital is inextricably linked to Article 4(10), which is part of the recast.*

## Amendment 181

Richard Sulík

### Proposal for a regulation

#### Article 10 – paragraph 2 – subparagraph 1 – introductory part

*Text proposed by the Commission*

*Amendment*

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:

Without prejudice to paragraphs 3 and 4, railway undertakings and ticket vendors shall distribute tickets, **through-tickets and combined tickets** to passengers **preferably via Internet or by** at least one of the following points of sale:

Or. en

#### *Justification*

*Because of cross border impact of this Regulation, ticket vendors shall make all possible*

*effort to sell tickets via Internet. The options mentioned in Article 10 para 1 a), b), c) should be only complementary ones.*

## **Amendment 182**

**Lucy Anderson, Virginie Rozière, Catherine Stihler, Daniel Dalton, Igor Šoltes, Sergio Gutiérrez Prieto**

### **Proposal for a regulation**

#### **Article 10 – paragraph 2 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

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:

*Amendment*

Without prejudice to paragraphs 3 and 4, railway undertakings, ***tour operators*** and ticket vendors shall distribute tickets to passengers ***for single and any combined or return journeys*** via at least one of the following points of sale:

Or. en

#### *Justification*

*Railway undertakings, ticket vendors and tour operators offer a variety of different ticket options to customers and this should be reflected in the text of the Regulation to maintain the text's internal logic. This is inextricably linked to the many provisions on ticketing including the proposals in Article 10(5) and 10(6).*

## **Amendment 183**

**Evelyne Gebhardt**

### **Proposal for a regulation**

#### **Article 10 – paragraph 2 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

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:

*Amendment*

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

Or. de

### *Justification*

*It stands to reason that, in view of the digital transformation of our society and of the related need for the modernisation of legislation to create a digital single market, as set out in the European Parliament's report "Towards a Digital Single Market Act" (2015/2147(INI)), the benefits of internet technology should be fully exploited. Tickets should therefore always be available over the internet.*

#### **Amendment 184**

**Julia Reda, Pascal Durand, Igor Šoltes**

#### **Proposal for a regulation**

#### **Article 10 – paragraph 2 – subparagraph 1 – introductory part**

##### *Text proposed by the Commission*

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:

##### *Amendment*

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

Or. en

### *Justification*

*Tickets should be offered via at least two points of sale, one of which should be physical or with direct contact to enable people without smartphone or internet connection to buy tickets. Further, this is linked to the newly introduced provisions strengthening the accessibility in Article 10 paragraph 1.*

#### **Amendment 185**

**Lucy Anderson, Catherine Stihler, Igor Šoltes, Sergio Gutiérrez Prieto**

#### **Proposal for a regulation**

#### **Article 10 – paragraph 2 – subparagraph 1 – point a a (new)**

##### *Text proposed by the Commission*

##### *Amendment*

***(a a) Member States may provide that railway undertakings, tour operators and ticket vendors shall provide tickets for services provided under public service contracts through more than one point of sale.***



*Justification*

*This amendment corresponds with and fits the internal logic of the recast provisions of article 10 (2), opening up the point of sale beyond railway undertakings.*

**Amendment 186**

**Richard Sulík**

**Proposal for a regulation**

**Article 10 – paragraph 2 – subparagraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) telephone, *the Internet* or any other widely available information technology;

(b) telephone or any other widely available information technology;

Or. en

*Justification*

*Because of cross border impact of this Regulation, ticket vendors shall make all possible effort to sell tickets via Internet, as mentioned in the amendment to Article 10 para 1 of this Regulation. Options mentioned in Article 10 para 1 a), b), c) should be only complementary ones.*

**Amendment 187**

**Evelyne Gebhardt**

**Proposal for a regulation**

**Article 10 – paragraph 2 – subparagraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) telephone, *the Internet* or any other widely available information technology;

(b) telephone or any other widely available information technology;

Or. de

*Justification*

*Im Zuge des digitalen Wandels in unserer Gesellschaft und des damit verbundenen*

*Erfordernisses der Modernisierung von Rechtsvorschriften zur Schaffung eines digitalen Binnenmarktes, wie im Bericht des Europäischen Parlaments „Auf dem Weg zu einer Akte zum digitalen Binnenmarkt“ (2015/2147(INI)) festgelegt, sollten die Vorteile der Nutzung von Internettechnologie vernünftigerweise voll ausgeschöpft werden. Zum Zeitpunkt der Veröffentlichung der ursprünglichen Fahrgastrechteverordnung, war weder die Digitale Binnenmarktstrategie, noch der besagte Bericht des Europäischen Parlaments in Kraft getreten. Fahrkarten sollten deshalb immer auch über das Internet erhältlich sein. Konsequenterweise ist der Begriff „Internet“ deshalb aus Artikel 10, Paragraph 2, Unterparagraph 1- Punkt B zu entfernen.*

#### **Amendment 188**

**Julia Reda, Pascal Durand, Igor Šoltes**

#### **Proposal for a regulation**

#### **Article 10 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

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

*deleted*

Or. en

#### **Amendment 189**

**Julia Reda, Pascal Durand, Igor Šoltes**

#### **Proposal for a regulation**

#### **Article 10 – paragraph 3**

*Text proposed by the Commission*

*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 grounds relating to security or antifraud policy or compulsory train reservation or reasonable commercial grounds.***

3. Railway undertakings shall offer the possibility to obtain tickets for the respective service on board the train.

Or. en

### *Justification*

*It is important that passengers can get a ticket on the train, as in cases ticketing services in a station can be out of service or take much time, with the risk to miss the train. This provision is inextricably linked to the provisions on non-discrimination introduced in Article 10 paragraph 1.*

#### **Amendment 190**

**Lucy Anderson, Olga Sehnalová, Liisa Jaakonsaari, Virginie Rozière, Catherine Stihler, Igor Šoltes, Sergio Gutiérrez Prieto**

#### **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***.

Or. en

### *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 191**

**Lucy Anderson, Olga Sehnalová, Liisa Jaakonsaari, Catherine Stihler, Marc Tarabella, Igor Šoltes, Sergio Gutiérrez Prieto**

#### **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 ticket machine is not fully accessible*** passengers shall be informed at the station:

Or. en

*Justification*

*Printed tickets are often necessary for reimbursement of passengers' travel fees by employers. When it is 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 192**

**Julia Reda, Pascal Durand, Igor Šoltes**

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

Or. en

*Justification*

*ticketing machine should be accessible to persons with disabilities or reduced mobility.*

**Amendment 193**

**Evelyne Gebhardt**

**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 **functional** ticketing machine **or a functional ticket machine which is accessible to** persons with disabilities and persons with reduced mobility **at the place of departure, passengers** shall be permitted to buy tickets on board the train at no extra cost.

Or. de

**Amendment 194**  
**Philippe Juvin**

**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 buying tickets in advance**, persons with disabilities and persons with reduced mobility shall be permitted to buy tickets on board the train at no extra cost.

Or. fr

**Amendment 195**  
**Lucy Anderson, Liisa Jaakonsaari, Biljana Borzan, Catherine Stihler, Nicola Danti, Kerstin Westphal, Igor Šoltes, Sergio Gutiérrez Prieto**

**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**

*Amendment*

5. Tickets **bought** on board the train **shall not cost more than the relevant standard fare for the journey concerned with any applicable discounts.**

*permitted to buy* tickets on board the train  
*at no extra cost.*

Or. en

#### **Amendment 196**

**Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová**

#### **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, *passengers* shall be permitted to buy tickets on board the train at no extra cost.

Or. en

#### **Amendment 197**

**Kerstin Westphal, Virginie Rozière, Arndt Kohn, Pina Picierno**

#### **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, *passengers* shall be permitted to buy tickets on board the train at no extra cost.

Or. en

#### **Amendment 198**

**Richard Sulík, Anneleen Van Bossuyt**

**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, ***passengers*** shall be permitted to buy tickets on board the train at no extra cost.

Or. en

**Amendment 199**  
**Maria Grapini**

**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, ***passengers*** shall be permitted to buy tickets on board the train at no extra cost.

Or. ro

**Amendment 200**  
**Olga Sehnalová, Lucy Anderson**

**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 ***all passengers*** shall be permitted to buy tickets on board the train at no extra cost.

*Justification*

*This amendment is related to the Article 5. No passenger should be discriminated and to pay extra cost for tickets purchased on board when there is no possibility to buy tickets in the station.*

**Amendment 201**

**Julia Reda, Pascal Durand, Igor Šoltes**

**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, ***all passengers*** shall be permitted to buy tickets on board the train at no extra cost.

**Amendment 202**

**Julia Reda, Pascal Durand, Igor Šoltes**

**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***

*Amendment*

***deleted***



*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.*

Or. en

#### *Justification*

*Through-tickets to be made mandatory, this paragraph is obsolete.*

### **Amendment 203**

**Richard Sulík**

#### **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 *combined ticket*, 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.

Or. en

## Amendment 204

Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová

### 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 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.

Or. en

## Amendment 205

Róza Gräfin von Thun und Hohenstein, Antonio López-Istúriz White

### 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***

*Amendment*

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.

*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.*

Or. en

#### *Justification*

*When booking a connection, the passengers needs to be sure that they will reach their destination. The possibility of avoiding selling through-tickets by explicitly informing the passenger in writing undermines the entire idea behind through-tickets. Separate tickets mean separate transport contracts. If the passenger misses his or her connecting train, he or she will be forced to buy a ticket with an on-the-day fare. Through-tickets should become a standard within the rail sector and the EU should support this shift, as up to date only few of European railway undertakings have signed agreements in which they acknowledge the passengers' right to journey continuation.*

#### **Amendment 206**

**Lucy Anderson, Olga Sehnalová, Virginie Rozière, Catherine Stihler, Sergio Gaetano Cofferati, Igor Šoltes, Sergio Gutiérrez Prieto, Evelyne Gebhardt**

#### **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**

##### *Amendment*

6. Where a passenger receives 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.

*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.*

Or. en

**Amendment 207**  
**Edward Czesak**

**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 separate tickets for a single journey comprising successive railway services operated by one or more railway undertakings, *he must be considered as having as many contracts of transport as tickets, if he was informed of such fact, through the applicable general conditions of transport or any other adequate means as chosen by the carrier, and if he was made aware by the carrier or by the ticket vendor or the tour operator on behalf of the carrier, of the concrete consequences regarding* his rights to information, assistance, care and compensation *in case of a delay.*

Or. en

**Amendment 208**  
**Julia Reda, Pascal Durand, Igor Šoltes**

**Proposal for a regulation**  
**Article 10 a (new)**

**Article 10 a**

**Application Programming Interfaces to  
Travel Information and Reservation  
Systems**

**1. Railway undertakings shall publicly provide non-discriminatory access to all travel information as referred to in Article 9 through application programming interfaces.**

**2. Railway undertakings shall allow tour operators and ticket vendors to issue tickets, through-tickets, and reservations, as well as provide them with all necessary data or information to the end that they can successfully conclude a complete transport contract to issue tickets, including through-tickets, and reservations, through application programming interfaces, on a non-discriminatory basis.**

**Such data or information include but are not restricted to schedules and timetables, intermodal connections, available seats, applicable fares, mandatory reservations and special conditions.**

**3. Railway undertakings shall ensure that the technical specifications of the application programming interfaces are well-documented, and openly accessible at no charge. They shall ensure that the dedicated communication interfaces make use of open standards, commonly used protocols, and machine-readable formats.**

**Where no standards, protocols, or formats exist, railway undertakings shall make use of open documentation, development, and standardisation processes in their creation and make the standards, protocols, or formats, as well as the documentation accessible free of charge.**

**4. Railway undertakings shall ensure that, except for emergency situations, any change to the technical specification of**

*their application programming interfaces is made available to tour operators and ticket vendors in advance as soon as possible and no less than 3 months before a change is implemented. Railway undertakings shall document emergency situations and make the documentation available to competent authorities on request.*

*5. Railway undertakings shall ensure that access to the application programming interfaces 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 when compared with the railway undertakings themselves.*

*6. Application programming interfaces shall be established within 1 year after the entry into force of this Regulation.*

*7. Without prejudice to paragraphs 1-6 of this Article, railway undertakings shall not be permitted to establish technical measures that prevent or disadvantage parties from retrieving information from publicly available sources other than the application programming interfaces, such as their websites.*

Or. en

#### *Justification*

*This Article describes requirements for establishing non-discriminatory access to application programming interfaces in place of the old Article 10, deleted in the recast. It is linked to newly introduced information provisions in Article 9 paragraph 4 as well as the through-tickets provision in Article 10. This new provision is necessary to ensure that rail passengers can search and book all available options via impartial access to the relevant information.*