



2017/0237(COD)

17.4.2018

AMENDMENTS

209 - 375

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 209

Anneleen Van Bossuyt, Mark Demesmaeker

Proposal for a regulation

Article 14 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Within 12 months, the Commission shall propose a standard method, to be applicable in all Member States, for calculating delays. That method shall be incorporated into the definition set out in point (13) of Article 3.

Or. nl

Justification

This amendment is linked to Articles 16 and 17 as amended by the recast proposal.

Amendment 210

Lucy Anderson, Julia Reda, Virginie Rozière, Catherine Stihler, Igor Šoltés, Sergio Gutiérrez Prieto

Proposal for a regulation

Article 16 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

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

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

Or. en

Justification

Passengers should be entitled to have the choice regardless of whether they are on a through

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

Amendment 211

Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová

Proposal for a regulation

Article 16 – paragraph 2

Text proposed by the Commission

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

Amendment

2. For the purposes of point (b) of paragraph 1, ***in case of missed connection due to delay or cancellation of an earlier leg of the passenger's journey, the passenger shall be allowed to take the next service available in order to reach his/her final planned destination.***

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

Or. en

Amendment 212

Jiří Pospíšil

Proposal for a regulation

Article 16 – paragraph 3

Text proposed by the Commission

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

Amendment

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

Or. cs

Amendment 213

Julia Reda, Pascal Durand, Igor Šoltes

**Proposal for a regulation
Article 16 – paragraph 3**

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 214

Lucy Anderson, Virginie Rozière, Biljana Borzan, Catherine Stihler, Igor Šoltes, Sergio Gutiérrez Prieto, Evelyne Gebhardt

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

Text proposed by the Commission

1. Without losing the right of transport, a passenger **may request** compensation for delays from the railway undertaking if he or she is facing a delay between the places of departure and destination **stated in the transport contract** for which the cost of the ticket has not been

Amendment

1. Without losing the right of transport **for the journey or combined journey** a passenger **shall be entitled to** compensation for delays from the railway undertaking, **tour operator or ticket vendor** if he or she is facing a delay between the places of departure and destination for

reimbursed in accordance with Article 16.
The minimum compensations for delays shall be as follows:

which the cost of the ticket has not been reimbursed in accordance with Article 16.
The minimum compensations for delays shall be as follows:

Or. en

Justification

In order to ensure that undertakings take enforcement of this Regulation seriously, as per the aims of this Regulation, and to ensure passengers have confidence travelling by rail in the EU it is important that passengers are fairly compensated for delays. A delay of more than 45 minutes amounts to a significant disruption for passengers and it should be reflected in a higher offering of compensation. The precise compensation scheme is an important aspect of the overall effectiveness of the Regulation and is therefore inextricably linked to its underlying aims and to Chapters VI and VII especially.

Amendment 215

Edward Czesak

Proposal for a regulation

Article 17 – paragraph 1 – introductory part

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 216

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

Proposal for a regulation

Article 17 – paragraph 1 – point a

Text proposed by the Commission

Amendment

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

(a) 50 % of the ticket price for a delay of 60 to 119 minutes,

Or. en

Justification

Higher reimbursement rates will reflect the appropriate compensation for the passengers and will encourage the rail operators to do their best to limit the delays, thus further improving performance of railway services. The concept of delay and the percentage that should be reimbursed in case of such delay is broadly described in the Commission's Interpretative Guidelines on regulation (EC) No 1371/2007 on rail passengers' rights and obligations.

Amendment 217

Julia Reda, Pascal Durand, Igor Šoltes, Michael Cramer

Proposal for a regulation

Article 17 – paragraph 1 – point a

Text proposed by the Commission

Amendment

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

(a) 25 % of the ticket price for a delay of 30 to 59 minutes,

Or. en

Justification

Starting compensation from 30 minutes is more appropriate and will encourage railways to be more punctual. It will also raise attractiveness of railway services with better compensation scheme for their passengers. This is linked to the proposed changes on compensation for delays in Article 17 paragraph 2.

Amendment 218

Lucy Anderson, Catherine Stihler, Marc Tarabella, Sergio Gaetano Cofferati, Nicola Danti, Kerstin Westphal, Igor Šoltes, Sergio Gutiérrez Prieto

Proposal for a regulation

Article 17 – paragraph 1 – point a

Text proposed by the Commission

Amendment

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

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

Or. en

Justification

In order to ensure that undertakings take enforcement of this Regulation seriously, as per the aims of this Regulation, and to ensure passengers have confidence travelling by rail in the EU it is important that passengers are fairly compensated for delays. A delay of more than 45 minutes amounts to a significant disruption for passengers and it should be reflected in a higher offering of compensation. The precise compensation scheme is an important aspect of the overall effectiveness of the Regulation and is therefore inextricably linked to its underlying aims and to Chapters VI and VII especially.

Amendment 219

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

Proposal for a regulation

Article 17 – paragraph 1 – point b

Text proposed by the Commission

Amendment

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

(b) **75** % of the ticket price for a delay of 120 minutes or more.

Or. en

Justification

The reimbursement rates amounting to 25 % for 60-119 min and to 50% for 120 or more minutes are largely insufficient, considering the heavy repercussions these delays may cause in the passengers. Higher rates will provide appropriate compensation and incentivise the rail operators to do their best to limit delays. The AM consists in a technical changes and does not interfere in the logic of the text. The compensation for delays is broadly described in the Commission's Interpretative Guidelines on regulation (EC) No 1371/2007 on rail passengers' rights. It therefore brings consistency.

Amendment 220

Lucy Anderson, Catherine Stihler, Marc Tarabella, Sergio Gaetano Cofferati, Nicola Danti, Kerstin Westphal, Igor Šoltes, Sergio Gutiérrez Prieto

Proposal for a regulation
Article 17 – paragraph 1 – point b

Text proposed by the Commission

Amendment

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

(b) **100%** of the ticket price for a delay of **90** minutes or more.

Or. en

Justification

In order to ensure that undertakings take enforcement of this Regulation seriously, as per the aims of this Regulation, and to ensure passengers have confidence travelling by rail in the EU it is important that passengers are fairly compensated for delays. A delay of more than 45 minutes amounts to a significant disruption for passengers and it should be reflected in a higher offering of compensation. The precise compensation scheme is an important aspect of the overall effectiveness of the Regulation and is therefore inextricably linked to its underlying aims and to Chapters VI and VII especially.

Amendment 221

Julia Reda, Pascal Durand, Igor Šoltes, Michael Cramer

Proposal for a regulation
Article 17 – paragraph 1 – point b

Text proposed by the Commission

Amendment

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

(b) 50 % of the ticket price for a delay of **60 to 119** minutes;

Or. en

Justification

Compensation scheme more appropriate and that will encourage railways to be more punctual; it will also raise attractiveness of railway services with better compensation scheme for their passengers. This is linked to the proposed changes on compensation for delays in Article 17 paragraph 2.

Amendment 222

Julia Reda, Pascal Durand, Igor Šoltes

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

Text proposed by the Commission

Amendment

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

Or. en

Justification

Compensation scheme more appropriate and that will encourage railways to be more punctual. It will also raise attractiveness of railway services with better compensation scheme for their passengers. This is linked to the proposed changes on compensation for delays in Article 17 paragraph 2.

Amendment 223
Julia Reda, Pascal Durand, Igor Šoltés, Michael Cramer

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

Text proposed by the Commission

Amendment

(bb) Holders of a seasonal ticket or reduction pass shall receive a compensation as mentioned under points (a) and (b) and based on the normal price of a ticket.

Or. en

Justification

Starting compensation from 30 minutes is more appropriate and will encourage railways to be more punctual. It will also raise attractiveness of railway services with better compensation scheme for their passengers; this is linked to the proposed changes on compensation for delays in Article 17 paragraph 2.

Amendment 224
Evelyne Gebhardt

Proposal for a regulation
Article 17 – paragraph 2

Text proposed by the Commission

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

Amendment

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

Or. de

Justification

Der Änderungsantrag zielt im Hinblick auf die Erwägungsgründe 3 und 5 und dem damit verbundenen Verordnungsziel darauf ab die Passagierrechte zu fördern. Dies muss konsequenterweise und aufgrund des Gleichbehandlungsgrundsatzes und des Diskriminierungsverbotes nach den Grundsätzen von Art. 14 der Europäischen Menschenrechtskonvention auch für Passagiere mit einer Zeitkarte gelten, deren Ansprüche im selben Verhältnis geltend gemacht werden sollten, wie die Ansprüche von Passagieren mit Einzelfahrschein. Eine solche Gleichbehandlung ist durch den bloßen Verweis auf die Entschädigungsbedingungen des Eisenbahnunternehmers nicht gewährleistet.

Amendment 225
Richard Sulík

Proposal for a regulation
Article 17 – paragraph 2

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 226

Lucy Anderson, Catherine Stihler, Sergio Gaetano Cofferati, Igor Šoltes, Sergio Gutiérrez Prieto

Proposal for a regulation
Article 17 – paragraph 2

Text proposed by the Commission

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

Amendment

2. Paragraph 1 also applies to passengers who hold a travel pass or season ticket. If they encounter recurrent delays or cancellations during the period of validity of the travel pass or season ticket, they ***shall be entitled to*** adequate compensation in accordance with the railway undertaking's compensation arrangements. These arrangements shall state the criteria for determining delay and for the calculation of the compensation.

delays of *less than 60* minutes occur repeatedly during the period of validity of the travel pass or season ticket, the delays shall be counted cumulatively and passengers shall be compensated in accordance with the railway undertaking's compensation arrangements.

Where delays of *between 15 and 45* minutes occur repeatedly during the period of validity of the travel pass or season ticket, the delays shall be counted cumulatively and passengers shall be compensated *on that basis* in accordance with the railway undertaking's compensation arrangements.

Or. en

Justification

The recast regulation aims to strengthen rail passenger rights and this amendment follows that internal logic. The original wording of "request" does not provide sufficient legal clarity. This amendment is pressing for reasons of internal logic within the text in this article, which states "where delays of less than 60 minutes occur...". Our amendment clarifies the length of delay.

Amendment 227

Julia Reda, Pascal Durand, Igor Šoltes

Proposal for a regulation

Article 17 – paragraph 2

Text proposed by the Commission

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

Amendment

2. Paragraph 1 also applies to passengers who hold a travel pass or season ticket. If they encounter recurrent delays or cancellations during the period of validity of the travel pass or season ticket, they may request adequate compensation in accordance with the railway undertaking's compensation arrangements. These arrangements shall state the criteria for determining delay and for the calculation of the compensation. Where delays of less than **30** minutes occur repeatedly during the period of validity of the travel pass or season ticket, the delays shall be counted cumulatively and passengers shall be compensated in accordance with the railway undertaking's compensation arrangements.

Amendment 228

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

**Proposal for a regulation
Article 17 – paragraph 3**

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

This amendment is necessary because it relates to the internal logic of the text in Chapter II Article 10 on availability of different types of tickets: it acknowledges the different types of ticket and journeys available to passengers and it relates to our other amendments on this subject in article 16 (1).

Amendment 229

Lucy Anderson, Julia Reda, Catherine Stihler, Sergio Gaetano Cofferati, Igor Šoltes, Sergio Gutiérrez Prieto

**Proposal for a regulation
Article 17 – paragraph 4**

Text proposed by the Commission

Amendment

4. *The calculation of the period of delay shall not take into account any delay that the railway undertaking can demonstrate as having occurred outside the territories of the Union.* **deleted**

Or. en

Justification

The calculation should be based upon the journey as a whole and should not be affected by whether elements of it occur outside the territories of the union or not. It is inextricably linked to our other amendments on passengers' rights coverage for the entirety of their journey and to the internal logic of the Commission's revised text in chapter III.

Amendment 230
Evelyne Gebhardt

Proposal for a regulation
Article 17 – paragraph 4

Text proposed by the Commission

Amendment

(4) The calculation of the period of delay shall not take into account any delay that the railway undertaking can demonstrate as having occurred outside the territories of the Union.

(4) The calculation of the period of delay shall not take into account any delay that the railway undertaking can demonstrate as having occurred outside the territories of the Union, ***unless the railway undertaking caused the delay.***

Or. de

Justification

In light of recitals 3 and 5 of the Regulation, it stands to reason that where a railway undertaking has caused the delay, it should bear the responsibility irrespective of the territory in which it occurred.

Amendment 231
Olga Sehnalová, Lucy Anderson

Proposal for a regulation
Article 17 – paragraph 5

Text proposed by the Commission

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

Amendment

5. The compensation of the ticket price shall be paid within one month after the submission of the request for compensation. The compensation may be paid in vouchers and/or other services if the terms are flexible (in particular regarding the validity period and destination). The compensation shall be paid in money at the request of the passenger. ***Passenger must be informed in a comprehensible manner about all options of compensation, including financial, from which he or she can choose.***

Or. en

Justification

This amendment is related to the Article 30. Passengers should have all necessary information about ways of compensation.

Amendment 232

Julia Reda, Pascal Durand, Igor Šoltes, Lucy Anderson

Proposal for a regulation
Article 17 – paragraph 5

Text proposed by the Commission

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

Amendment

5. The compensation of the ticket price shall be paid within one month after the submission of the request for compensation. The compensation may be paid in vouchers and/or other services if the terms are flexible (in particular regarding the validity period and destination). The compensation shall be paid in money ***within the same payment system as the ticket was bought*** at the request of the passenger. ***By no means***

shall the passenger be discouraged from requesting compensation.

Or. en

Justification

Compensation is a right that should not be restricted but facilitated for passengers. This is linked to other changes made to this Article in light of restructuring the overall compensation scheme.

Amendment 233

Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová

Proposal for a regulation

Article 17 – paragraph 5

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

An automatic compensation system is becoming more and more a reality and it represents a good tool to speed up compensation claims and to build on loyalty with the passengers, even more in light of the new provision set in Article 17, paragraph 2.

Amendment 234

Lucy Anderson, Catherine Stihler, Kerstin Westphal, Igor Šoltés, Sergio Gutiérrez Prieto

Proposal for a regulation
Article 17 – paragraph 5

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

Consumers buy tickets from a variety of different sources, which should be reflected and covered by the provisions of this Regulation. This is linked directly to many other amendments and also to the Commission's revised text in article 10.

Amendment 235
Edward Czesak

Proposal for a regulation
Article 17 – paragraph 5

Text proposed by the Commission

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

Amendment

5. The compensation may be paid in vouchers and/or other services if the terms are flexible (in particular regarding the validity period and destination). The compensation shall be paid in money at the request of the passenger. ***The complaint procedure is governed by Article 28 of this Regulation.***

Or. en

Justification

This amendment is inextricably linked to the new article proposed by the Commission on complaint handling (Articles 25, 28 and 33; non-codified). The new proposed one-month time limit is not coherent with the one + two months deadline in article 28 of the Regulation. The deadline regulated by article 28 is essential to take into account delays caused for instance by severe weather conditions or in case of massively disrupted rail services. In these cases, a significant raise of requests for delay compensation cannot be handled by railway undertakings within the foreseen time period.

Amendment 236

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

Proposal for a regulation

Article 17 – paragraph 6

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

This new price accounts for adjusted inflation since 2007, and is therefore necessary and inextricably linked to the revised Regulation as a whole and to the compensation rates in particular. The Commission has also proposed amending this provision of the text so it would not be logically internally to restrict other amendments.

Amendment 237

Evelyne Gebhardt

Proposal for a regulation

Article 17 – paragraph 7

Text proposed by the Commission

(7) The passenger shall not have any

Amendment

(7) The passenger shall not have any

right to compensation if he is informed of a delay before he buys a ticket, or if a delay due to continuation on a different service or re-routing remains below 60 minutes.

right to compensation if he is informed of a delay before he buys a ticket – ***unless the actual delay is more than 60 minutes longer than the delay announced*** – or if a delay due to continuation on a different service or re-routing remains below 60 minutes.

Or. de

Justification

In light of recitals 3 and 5 of the Regulation, in order to render the rules on delays more precise and to avoid any legal loopholes to the detriment of the passenger, it should be made clear that a passenger is entitled to compensation even if previously aware of the delay, if the delay increased significantly after purchasing the ticket.

Amendment 238

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

Proposal for a regulation Article 17 – paragraph 7

Text proposed by the Commission

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

Amendment

7. The passenger shall not have any right to compensation if **they are** informed of a delay before **buying** a ticket, or if a delay due to continuation on a different service or re-routing remains below **45** minutes.

Or. en

Justification

In line with the revised text at article 17 (1) that we have proposed.

Amendment 239

Julia Reda, Pascal Durand, Igor Šoltes

Proposal for a regulation Article 17 – paragraph 7

Text proposed by the Commission

Amendment

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

7. The passenger shall not have any right to compensation if he is informed of a delay before he buys a ticket, or if a delay due to continuation on a different service or re-routing remains below **30** minutes.

Or. en

Justification

In coherence with the amendments on the compensation scheme in paragraph 1.

Amendment 240
Evelyne Gebhardt

Proposal for a regulation
Article 17 – paragraph 8

Text proposed by the Commission

Amendment

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

Or. de

Justification

Das wesentliche Regelungsziel der Fahrgastrechteverordnung ist der Schutz der Rechte der Fahrgäste im Eisenbahnverkehr, insbesondere im Sinne der Erwägungsgründe 3 und 5 der Verordnung. Dem widerspricht Absatz 8 der Verordnung, der eine erhebliche Verschlechterung von Fahrgastrechten gegenüber der derzeitigen gesetzlichen Lage darstellt. Diese wesentliche Verschlechterung des Verbraucherschutzes kann zu einem unerwünschten Attraktivitätsverlust des Eisenbahnverkehrs führen. Dagegen stellt die derzeitige Regelung einen Vorteil im intermodalen Wettbewerb dar und begründet einen wichtigen Anreiz für Reisende, anstelle des PKW die Bahn zu wählen.

Amendment 241

Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová

Proposal for a regulation

Article 17 – paragraph 8

Text proposed by the Commission

Amendment

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

Or. en

Amendment 242

Lucy Anderson, Julia Reda, Olga Sehnalová, Catherine Stihler, Sergio Gaetano Cofferati, Nicola Danti, Igor Šoltes, Sergio Gutiérrez Prieto, Evelyne Gebhardt

Proposal for a regulation

Article 17 – paragraph 8

Text proposed by the Commission

Amendment

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

Or. en

Amendment 243

Julia Reda, Pascal Durand, Igor Šoltes, Michael Cramer, Lucy Anderson

Proposal for a regulation

Article 17 – paragraph 8

Text proposed by the Commission

Amendment

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

Or. en

Amendment 244

Olga Sehnalová

Proposal for a regulation

Article 17 – paragraph 8

Text proposed by the Commission

Amendment

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

Or. en

Amendment 245

Maria Grapini

Proposal for a regulation

Article 17 – paragraph 8

Text proposed by the Commission

Amendment

(8) A railway undertaking shall not be obliged to pay compensation if it can prove that the delay was caused by severe weather conditions or major natural

(8) A railway undertaking shall not be obliged to pay compensation if it can prove that the delay was caused by severe weather conditions or major natural

disasters endangering the safe operation of the service and could not have been foreseen or prevented even if all reasonable measures had been taken.

disasters endangering the safe operation of the service and could not have been foreseen or prevented even if all reasonable measures had been taken.

At the same time, compensation may be paid to passengers where railway journeys are delayed owing to:

1. *spontaneous (unannounced) strikes;*
2. *administrative formalities (checks by customs authorities or border police, police checks on board trains);*
3. *unforeseen external events.*

Or. ro

Amendment 246

Anneleen Van Bossuyt, Mark Demesmaeker

Proposal for a regulation Article 17 – paragraph 8

Text proposed by the Commission

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

Amendment

8. A railway undertaking shall not be obliged to pay compensation if it can prove that the delay was caused by severe weather conditions or major natural disasters endangering the safe operation of the service and could not have been foreseen or prevented even if all reasonable measures had been taken. ***In this connection, the impact of such weather conditions or major natural disasters on other modes of transport shall be taken into consideration.***

Or. nl

Amendment 247

Philippe Juvin

Proposal for a regulation Article 17 – paragraph 8

Text proposed by the Commission

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

Amendment

8. A railway undertaking shall not be obliged to pay compensation if it can prove that the delay was caused by:

- ***interruptions or traffic restrictions imposed by the emergency services or public authorities for public security reasons, including the fight against terrorism;***
- ***accidents or criminal acts committed by a third party;***
- ***severe weather conditions.***

Or. fr

Amendment 248

Jiří Pospíšil

**Proposal for a regulation
Article 17 – paragraph 8**

Text proposed by the Commission

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

Amendment

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

Or. cs

Amendment 249

Richard Sulík

Proposal for a regulation
Article 18 – paragraph 1

Text proposed by the Commission

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

Amendment

1. In the case of a delay in arrival or departure, passengers shall be kept informed of the situation and of the estimated departure time and estimated arrival time by the railway undertaking or ticket vendor or by the station manager as soon as such information is available.
Station managers, infrastructure managers and railway undertakings provide ticket vendors with information in real time and in the appropriate format;

Or. en

Justification

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

Amendment 250

Lucy Anderson, Catherine Stihler, Igor Šoltés, Sergio Gutiérrez Prieto, Evelyne Gebhardt

Proposal for a regulation
Article 18 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 251

Lucy Anderson, Julia Reda, Catherine Stihler, Sergio Gaetano Cofferati, Kerstin Westphal, Igor Šoltés, Sergio Gutiérrez Prieto, Evelyne Gebhardt

Proposal for a regulation

Article 18 – paragraph 2 – introductory part

Text proposed by the Commission

2. In the case of any delay as referred to in paragraph 1 of more than **60** minutes, passengers shall also be offered free of charge:

Amendment

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

Or. en

Justification

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

Amendment 252

Evelyne Gebhardt

Proposal for a regulation

Article 18 – paragraph 2 – introductory part

Text proposed by the Commission

(2) In the case of any delay as referred to in paragraph 1 of more than **60** minutes, passengers shall also be offered free of charge:

Amendment

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

Or. de

Justification

The reduction of the minimum length of delay, for which passengers are entitled to compensation in accordance with points (a), (b) or (c), is meant to provide an additional incentive for punctuality in rail transport and thereby improve the rights of passengers in line with recitals 3 and 5 of the Regulation.

Amendment 253
Evelyne Gebhardt

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

Text proposed by the Commission

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

Amendment

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

Or. de

Justification

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

Amendment 254

Lucy Anderson, Julia Reda, Olga Sehnaľová, Catherine Stihler, Marc Tarabella, Igor Šoltés, Sergio Gutiérrez Prieto, Evelyne Gebhardt, Nicola Danti

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

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 255
Evelyne Gebhardt

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

Text proposed by the Commission

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

Amendment

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

Or. de

Justification

Limiting the scope of the provision to the extent that it is ‘physically possible’ to implement it entails the risk of undermining the rights of passengers pursuant to points (a), (b) and (c) and therefore runs counter to the purpose of the recast as set out in recitals 3 and 5, according to which the aim is to improve passengers’ rights.

Amendment 256

Lucy Anderson, Julia Reda, Olga Sehnalová, Biljana Borzan, Catherine Stihler, Daniel Dalton, Nicola Danti, Igor Šoltés, Sergio Gutiérrez Prieto, Evelyne Gebhardt

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

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

In line with the intention of this Regulation to strengthen the rights of persons with disabilities and of persons with reduced mobility, and the provisions of Chapter V in particular, any alternative transportation from the train and on the onward journey must be accessible for all

passengers. It has to be a clear requirement that the needs of those passengers are taken into account as they may require additional assistance, for example in case of an evacuation

Amendment 257
Evelyne Gebhardt

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

Text proposed by the Commission

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

Amendment

(c) if the train is blocked on the track, ***accessible*** transport from the train to the railway station, to the alternative departure point or to the final destination of the service.

Or. de

Amendment 258
Evelyne Gebhardt

Proposal for a regulation
Article 18 – paragraph 3

Text proposed by the Commission

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

Amendment

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

Or. de

Amendment 259
Lucy Anderson, Julia Reda, Olga Sehnalová, Biljana Borzan, Catherine Stihler, Daniel Dalton, Igor Šoltes, Sergio Gutiérrez Prieto, Evelyne Gebhardt

Proposal for a regulation
Article 18 – paragraph 3

Text proposed by the Commission

Amendment

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

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

Or. en

Justification

In line with the intention of this Regulation to strengthen the rights of persons with disabilities and of persons with reduced mobility and the provisions of Chapter V in particular, any alternative transportation from the train and on the onward journey must be accessible for all passengers.

Amendment 260
Evelyne Gebhardt

Proposal for a regulation
Article 18 – paragraph 4

Text proposed by the Commission

Amendment

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

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

Or. de

Justification

Since confirmation of a delay or of a missed connection by the railway undertaking is mostly provided as evidence, the legal text should, according to its spirit and purpose and in view of recitals 3 and 5 of the Regulation, specify that such confirmation should always be in writing.

Amendment 261
Lucy Anderson, Julia Reda, Olga Sehnalová, Biljana Borzan, Catherine Stihler, Marc

Proposal for a regulation
Article 18 – paragraph 4

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

This will assist with the onward journey of passengers by enabling them to have proof of any delay to show to the relevant member of staff. This also will ease applications for compensation by passengers and help to combat fraudulent claims, helping to reduce the administrative burden on railway undertakings as per the aims of the recast regulation. It is inextricably linked to Chapter VI and VII in particular.

Amendment 262
Olga Sehnalová, Lucy Anderson

Proposal for a regulation
Article 18 – paragraph 4

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

This amendment is inextricably linked to the Article 17. Passengers need to have certification for handling claims when their train was delayed, they missed their connection or the train was cancelled. For that reason railway undertakings should automatically certify that the rail

service has suffered a delay, which will prevent passengers from losing their rights to compensation.

Amendment 263

Lucy Anderson, Julia Reda, Catherine Stihler, Marc Tarabella, Igor Šoltés, Sergio Gutiérrez Prieto, Evelyne Gebhardt

Proposal for a regulation

Article 18 – paragraph 6

Text proposed by the Commission

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

Amendment

6. In addition to the obligations on railway undertakings pursuant to Article 13a (3) of *Directive 2012/34/EU*, the station manager of a railway station handling at least **5 000** passengers per day on average over a year shall ensure that the operations of the station, the railway undertakings and the infrastructure manager are coordinated through a proper contingency plan in order to prepare for the possibility of major disruption and delays leading to a considerable number of passengers being stranded in the station. The plan ***shall pay particular attention to the needs of persons with disabilities and persons with reduced mobility and*** shall ensure that stranded passengers are provided with adequate assistance and information, including in accessible formats in accordance with the accessibility requirements laid down in Directive XXX. ***The plan shall also include requirements for the accessibility of alert and information systems.*** Upon request, the station manager shall make the plan, and any amendments to it, available to the national enforcement body or to any other body designated by a Member State. Station managers of railway stations handling fewer than **5 000** passengers per day on average over a year shall make all reasonable efforts to coordinate station users and to assist and inform stranded passengers in such situations.

Amendment 264

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

Proposal for a regulation**Article 18 – paragraph 6***Text proposed by the Commission*

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

Amendment

6. In addition to the obligations on railway undertakings pursuant to Article 13a(3) of *Directive 2012/34/EU*, the station manager of a railway station handling at least 10 000 passengers per day on average over a year shall ensure that the operations of the station, the railway undertakings and the infrastructure manager are coordinated through a proper contingency plan in order to prepare for the possibility of major disruption and delays leading to a considerable number of passengers being stranded in the station. The plan *shall pay particular attention to the needs of persons with disabilities and persons with reduced mobility and* shall ensure that stranded passengers are provided with adequate assistance and information, including in accessible formats in accordance with the accessibility requirements laid down in Directive XXX. *The plan shall also include requirements for the accessibility of alert and information systems.* Upon request, the station manager shall make the plan, and any amendments to it, available to the national enforcement body or to any other body designated by a Member State. Station managers of railway stations handling fewer than **10000** passengers per day on average over a year shall make all reasonable efforts to coordinate station users and to assist and inform stranded passengers in such situations.

Justification

Particular needs of passengers with disabilities should be taken into consideration in circumstances of major disruption and delays in rail operations. This is particularly important in case of people with visual and hearing impairments.

Amendment 265

Julia Reda, Pascal Durand, Igor Šoltes

Proposal for a regulation

Article 18 – paragraph 6

Text proposed by the Commission

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

Amendment

6. In addition to the obligations on railway undertakings pursuant to Article 13a(3) of Directive 2012/34/EU, the station manager of a railway station handling at least **5 000** passengers per day on average over a year shall ensure that the operations of the station, the railway undertakings and the infrastructure manager are coordinated through a proper contingency plan in order to prepare for the possibility of major disruption and long delays leading to a considerable number of passengers being stranded in the station. The plan shall ***pay particular attention to the needs of persons with disabilities and persons with reduced mobility; it shall*** ensure that stranded passengers are provided with adequate assistance and information, including in accessible formats in accordance with the accessibility requirements laid down in Directive XXX. ***The plan shall also include requirements for the accessibility of alert and information systems***. The station manager shall make the plan, and any amendments to it, ***publicly*** available. Station managers of railway stations handling fewer than **5 000** passengers per day on average over a year shall make all reasonable efforts to coordinate station users and to assist and inform stranded passengers in such situations.

Amendment 266
Evelyne Gebhardt

Proposal for a regulation
Article 18 – paragraph 6

Text proposed by the Commission

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

Amendment

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

Or. de

Amendment 267
Lucy Anderson, Julia Reda, Liisa Jaakonsaari, Virginie Rozière, Catherine Stihler,

Proposal for a regulation

Article 18 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. Without prejudice to this Article or Articles 16 and 17, in the case of a missed connection due to the delay or cancellation of a train on an earlier leg of the journey or combined journey the passenger should be allowed to take the next service enabling them to reach their destination station in the most convenient reasonable manner.

Or. en

Justification

As combined journeys represent a much wider set of rail options than the limited range of available through tickets, and combined journeys across different tickets are already technically possible, it makes sense to ensure that these combined journeys offer passengers the same protection as through tickets. The recast regulation aims to strengthen rail passenger rights and this amendment follows the internal logic of chapter IV.

Amendment 268
Evelyne Gebhardt

Proposal for a regulation

Article 18 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

(6a) Without prejudice to the rights under this Article or the rights derived from Article 16 and 17, in the event of a missed connection due to a delay or the cancellation of a train at an earlier leg of the journey or transport chain, passengers shall be entitled to travel on the next possible alternative transport to their final destination.

Or. de

Justification

This addition is intended to protect the rights of rail passengers throughout the transport chain. In the event of delays, cancellations or disruptions in individual legs of a journey, it is more difficult for passengers to bring a successful claim for compensation. For this reason, and in the light of recitals 3 and 5 of the Regulation, an entitlement to travel on the next available connection is in the interests of the passenger and of the railway undertaking and allows for a simple and unbureaucratic solution.

Amendment 269

Dennis de Jong

Proposal for a regulation

Article 18 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. In case of a missed connection due to delay or cancellation of a train on an earlier leg of the journey the passenger should, regardless of the type of ticket a passenger is travelling with, be allowed to take the next service enabling them to reach their destination.

Or. en

Justification

This amendment is linked to Article 16, paragraph 2 which is part of the recast and deals with continuation and re-routing.

Amendment 270

Lucy Anderson, Olga Sehnalová, Catherine Stihler, Nicola Danti, Igor Šoltés, Sergio Gutiérrez Prieto, Evelyne Gebhardt

Proposal for a regulation

Article 19 – paragraph 1

Text proposed by the Commission

Amendment

Where a railway undertaking pays compensation or meets its other obligations in accordance with this Regulation, no provision of this Regulation **or national**

Where a railway undertaking pays compensation or meets its other obligations in accordance with this Regulation, no provision of this Regulation may be

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

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

Or. en

Amendment 271

Julia Reda, Pascal Durand, Igor Šoltes

Proposal for a regulation

Article 20 – paragraph 1

Text proposed by the Commission

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

Amendment

1. Railway undertakings and station managers shall, with the active involvement of representative **organizations** of persons with disabilities and persons with reduced mobility, establish, or shall have in place, non-discriminatory **rules for barrier-free and independent** access for the transport of persons with disabilities and persons with reduced mobility including their personal assistants. The rules shall allow the passenger to be accompanied by **a service animal or an accompanying person, both free of charge**, in accordance with any relevant national rules; **they shall ensure that rail transport for persons with disabilities and persons with reduced mobility is immediate and spontaneous**

wherever possible.

Or. en

Amendment 272
Evelyne Gebhardt

Proposal for a regulation
Article 20 – paragraph 1

Text proposed by the Commission

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

Amendment

(1) Railway undertakings and station managers shall, with the active involvement of representative organisations of persons with disabilities and persons with reduced mobility, establish, or shall have in place, non-discriminatory access rules for the transport of persons with disabilities and persons with reduced mobility including their personal assistants. The rules shall allow the passenger to be accompanied by *a service animal* in accordance with any relevant national rules, *and shall ensure that spontaneous rail travel without the need for lengthy planning is possible for persons with disabilities and persons with reduced mobility.*

Or. de

Amendment 273

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

Proposal for a regulation
Article 20 – paragraph 1

Text proposed by the Commission

1. Railway undertakings and station managers shall, with the active involvement of representative

Amendment

1. Railway undertakings and station managers shall, with the active involvement of representative

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

organisations of persons with disabilities and persons with reduced mobility, establish, or shall have in place, non-discriminatory access rules for the transport of persons with disabilities and persons with reduced mobility including their personal assistants. The rules shall allow the passenger to be accompanied by ***a service animal*** in accordance with any relevant national rules, ***and shall ensure that rail transport for persons with disabilities and persons with reduced mobility is immediate and spontaneous wherever possible.***

Or. en

Amendment 274
Philippe Juvin

Proposal for a regulation
Article 20 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. fr

Amendment 275
Róza Gräfin von Thun und Hohenstein, Renaud Muselier

Proposal for a regulation
Article 20 – paragraph 1

Text proposed by the Commission

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

Amendment

1. Railway undertakings and station managers shall, with the active involvement of representative organisations of persons with disabilities and persons with reduced mobility, establish, or shall have in place, non-discriminatory access rules for the transport of persons with disabilities and persons with reduced mobility including their personal assistants. The rules shall allow the passenger to be accompanied by **a certified** assistance dog in accordance with any relevant national rules **at no extra cost**.

Or. en

Justification

Passengers with disabilities should not bear any extra cost due to their condition.

Amendment 276
Evelyne Gebhardt

Proposal for a regulation
Article 21 – paragraph 1

Text proposed by the Commission

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

Amendment

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

rules referred to in Article 20(1) and shall inform persons with disabilities and persons with reduced mobility about facilities on board.

rules referred to in Article 20(1) and shall inform persons with disabilities and persons with reduced mobility about facilities on board. ***This information shall also be made available on the website of the station manager or railway undertaking in an accessible manner.***

Or. de

Amendment 277
Edward Czesak

Proposal for a regulation
Article 21 – paragraph 1

Text proposed by the Commission

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

Amendment

1. Upon request, a station manager, a railway undertaking, a ticket vendor or a tour operator shall provide persons with disabilities and persons with reduced mobility with information , including in accessible formats in accordance with the accessibility requirements laid down in Regulation (EU) No 454/2011 and ***Regulation 1300/2014***, on the accessibility of the station and associated facilities, rail services and on the access conditions of rolling stock in accordance with the access rules referred to in Article 20(1) and shall inform persons with disabilities and persons with reduced mobility about facilities on board.

Or. en

Amendment 278
Lucy Anderson, Julia Reda, Catherine Stihler, Igor Šoltes, Sergio Gutiérrez Prieto

Proposal for a regulation
Article 21 – paragraph 2

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 279
Olga Sehnalová

Proposal for a regulation
Article 21 – paragraph 2

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

Persons with disabilities are customers like everyone else and railway undertakings should have the same obligations towards them as regards the transport contract.

Amendment 280

Kerstin Westphal, Virginie Rozière, Lucy Anderson, Evelyne Gebhardt, Arndt Kohn, Pina Picierno

Proposal for a regulation

Article 21 – paragraph 2

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 281

Edward Czesak

Proposal for a regulation

Article 22 – paragraph 1

Text proposed by the Commission

1. On departure from, transit through or arrival at, a staffed railway station of a person with disabilities or a person with reduced mobility, the station manager or the railway undertaking or both shall

Amendment

1. On departure from, transit through or arrival at, a staffed railway station of a person with disabilities or a person with reduced mobility, the station manager or the railway undertaking or both shall

provide assistance free of charge in such a way that that person is able to board the departing service, or to disembark from the arriving service for which he or she purchased a ticket, without prejudice to the access rules referred to in Article 20(1).

provide assistance free of charge in such a way that that person is able to board the departing service, or to disembark from the arriving service for which he or she purchased a ticket, without prejudice to the access rules referred to in Article 20(1).

The booking of assistance shall always be done without extra costs, irrespective of the communication channel being used.

Or. en

Justification

This amendment is needed for pressing reasons of internal logic. The Regulation provides that assistance should be free of charges however it does not specify that assistance should be also done without extra costs.

Amendment 282

Dennis de Jong

Proposal for a regulation

Article 22 – paragraph 1

Text proposed by the Commission

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

Amendment

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

The booking of assistance shall always be free of charge, irrespective of the communication channel being used.

Or. en

Justification

This amendment is needed in order to make sure that people with disabilities or reduced mobility do not face any disincentive to travel. This amendment is in line with point 5.4 of the Commission's Interpretative Guidelines on Regulation (EC) No 1371/2017 on rail passengers' rights and obligations.

Amendment 283

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

Proposal for a regulation

Article 22 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 284

Róza Gräfin von Thun und Hohenstein, Renaud Muselier

Proposal for a regulation
Article 22 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

Passengers with disabilities should not bear any extra cost due to their condition: which is already mentioned in the Commission's text. In order to avoid misinterpretation and possible loopholes as well as provide alignment with the text, it is important to specify that the booking of assistance should be free of charge too. This amendment is in line with the Commission's Interpretative Guidelines on regulation (EC) No 1371/2007 on rail passengers' rights and obligations which already states that the booking of assistance should be free of charge.

Amendment 285
Edward Czesak

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

Text proposed by the Commission

Amendment

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

*an equivalent or higher level of
accessibility of transport services.*

Or. en

Justification

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

Amendment 286

Edward Czesak

Proposal for a regulation

Article 22 – paragraph 3

Text proposed by the Commission

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

Amendment

3. In unstaffed stations, railway undertakings and station managers shall ensure that easily available information, including in accessible formats in accordance with the accessibility requirements laid down in *Regulation 1300/2014*, is displayed in accordance with the access rules referred to in Article 20(1) regarding the nearest staffed stations and directly available assistance for persons with disabilities and persons with reduced mobility.

Or. en

Amendment 287

Lucy Anderson, Olga Sehnalová, Catherine Stihler, Igor Šoltés, Sergio Gutiérrez Prieto

Proposal for a regulation

Article 22 – paragraph 4

Text proposed by the Commission

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

Amendment

4. *Without prejudice to paragraph 3 of this Article*, assistance shall be available

operate.

in stations during all times when rail services operate.

Or. en

Amendment 288
Philippe Juvin

Proposal for a regulation
Article 22 – paragraph 4

Text proposed by the Commission

Amendment

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

4. *Where possible, assistance* shall be available in stations during all times when rail services operate.

Or. fr

Amendment 289
Olga Sehnalová, Lucy Anderson

Proposal for a regulation
Article 23 – paragraph 4

Text proposed by the Commission

Amendment

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

4. Assistance shall be available on board trains during all times when rail services operate *with the exception referred to in paragraph 3.*

Or. en

Justification

The paragraph 3 in this Article is related to provisions of the information for persons with disabilities and persons with reduced mobility.

Amendment 290
Philippe Juvin

Proposal for a regulation
Article 23 – paragraph 4

Text proposed by the Commission

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

Amendment

4. *Where possible, assistance* shall be available in stations during all times when rail services operate.

Or. fr

Amendment 291
Olga Sehnalová, Lucy Anderson

Proposal for a regulation
Article 24 – paragraph 1 – introductory part

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 292
Róza Gräfin von Thun und Hohenstein

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

Text proposed by the Commission

(a) assistance shall be provided on condition that the railway undertaking, the

Amendment

(a) assistance shall be provided **during the operating hours of rail services** on

station manager, the ticket vendor or the tour operator with which the ticket was purchased is notified of the person's need for such assistance at least **48** hours before the assistance is needed. Where a ticket or season ticket permits multiple journeys, one notification shall be sufficient provided that adequate information on the timing of subsequent journeys is provided. Such notifications shall be forwarded to all other railway undertakings and station managers involved in the person's journey;

condition that the railway undertaking, the station manager, the ticket vendor or the tour operator with which the ticket was purchased is notified of the person's need for such assistance *upon booking the ticket or* at least **3** hours before the assistance is needed. *With exemption for rail station handling less than 10 000 passengers per day, that have to ensure assistance with at least 24 hours pre-notification.* Where a ticket or season ticket permits multiple journeys, one notification shall be sufficient provided that adequate information on the timing of subsequent journeys is provided. Such notifications shall be forwarded to all other railway undertakings and station managers involved in the person's journey;

Or. en

Justification

The need to provide a 48 hours notification before the assistance is needed is largely out of proportions. As we have seen in several Member States, it is possible to provide assistance to person with disabilities at a very short notice (even 1 hours). Requiring a 48 hours notification will largely limit the mobility of persons with disabilities, hindering therefore their ability to integrate well with the society. An exemption for local rail station (with less than 10 000 passengers per day) is needed to ensure the right quality of assistance and to allow rail operators to perform their duties towards passengers with disabilities.

Amendment 293 **Evelyne Gebhardt**

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

Text proposed by the Commission

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

Amendment

(a) assistance shall be provided on condition that the railway undertaking, the station manager, the ticket vendor or the tour operator with which the ticket was purchased is notified of the person's need for such assistance at *the time of booking of the ticket or upon arrival at the station*

season ticket permits multiple journeys, one notification shall be sufficient provided that adequate information on the timing of subsequent journeys is provided. Such notifications shall be forwarded to all other railway undertakings and station managers involved in the person's journey;

where the assistance is needed. ***The passenger shall be able to book such assistance free of charge.*** Where a ticket or season ticket permits multiple journeys, one notification shall be sufficient provided that adequate information on the timing of subsequent journeys is provided. Such notifications shall be forwarded to all other railway undertakings and station managers involved in the person's journey;

Or. de

Justification

The period of prior notice for booking assistance pursuant to the Commission proposal is 48 hours. This would, however, mean that disabled persons are not able to travel spontaneously. Such a rule is contrary to the UN Convention on the Rights of Persons with Disabilities. One should therefore be able to request assistance free of charge and be able to do so directly at the station.

Amendment 294 **Edward Czesak**

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

Text proposed by the Commission

(a) assistance shall be provided on condition that the railway undertaking, the station manager, the ticket vendor or the tour operator with which the ticket was purchased is notified of the person's need for such assistance at least 48 hours before the assistance is needed. Where a ticket or season ticket permits multiple journeys, one notification shall be sufficient provided that adequate information on the timing of subsequent journeys is provided. Such notifications shall be forwarded to all other railway undertakings and station managers involved in the person's journey;

Amendment

(a) assistance ***in staffed stations*** shall be provided on condition that the railway undertaking, the station manager, the ticket vendor or the tour operator with which the ticket was purchased is notified of the person's need for such assistance at least 48 hours before the assistance is needed. Where a ticket or season ticket permits multiple journeys, one notification shall be sufficient provided that adequate information on the timing of subsequent journeys is provided. Such notifications shall be forwarded to all other railway undertakings and station managers involved in the person's journey;

Justification

This amendment is inextricably linked to article 22 paragraph 4. There are more than 55,000 stations in the EU, the vast majority of which are very small serving less than 1000 passengers per day, unstaffed, staffed atonally certain hours or without adequate staff providing assistance. It is not possible to offer assistance at all stations.

Amendment 295

Lucy Anderson, Julia Reda, Olga Sehnalová, Catherine Stihler, Marc Tarabella, Sergio Gaetano Cofferati, Igor Šoltés, Sergio Gutiérrez Prieto, Evelyne Gebhardt

Proposal for a regulation**Article 24 – paragraph 1 – point a***Text proposed by the Commission*

(a) assistance shall be provided on condition that the railway undertaking, the station manager, the ticket vendor or the tour operator with which the ticket was purchased is notified of the person's need for such assistance ***at least 48 hours before the assistance is needed***. Where a ticket or season ticket permits multiple journeys, one notification shall be sufficient provided that adequate information on the timing of subsequent journeys is provided. Such notifications shall be forwarded to all other railway undertakings and station managers involved in the person's journey;

Amendment

(a) assistance shall be provided on condition that the railway undertaking, the station manager, the ticket vendor or the tour operator with which the ticket was purchased is notified of the person's need for such assistance ***upon booking the ticket or upon arrival at the station***. Where a ticket or season ticket permits multiple journeys, one notification shall be sufficient provided that adequate information on the timing of subsequent journeys is provided. Such notifications shall be forwarded to all other railway undertakings and station managers involved in the person's journey;

Or. en

Justification

Requiring disabled persons and persons with reduced mobility to give 48 hours' notice to book assistance effectively means that they do not have equal access to rail transport. Equal access to transportation is a binding provision of the UNCRPD and passengers should be able to 'turn up and go' at railways stations. Considering that some Member States do not impose a notification requirement at all, it is illogical to have one here. The recast regulation aims to strengthen rail passenger rights, particularly for disabled persons, and this amendment follows the internal logic of Chapter V and our other amendments on this.

Amendment 296
Richard Sulík

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

Text proposed by the Commission

(a) assistance shall be provided on condition that the railway undertaking, the station manager, the ticket vendor or the tour operator with which the ticket was purchased is notified of the person's need for such assistance at least **48** hours before the assistance is needed. Where a ticket or season ticket permits multiple journeys, one notification shall be sufficient provided that adequate information on the timing of subsequent journeys is provided. Such notifications shall be forwarded to all other railway undertakings and station managers involved in the person's journey;

Amendment

(a) assistance shall be provided on condition that the railway undertaking, the station manager, the ticket vendor or the tour operator with which the ticket was purchased is notified of the person's need for such assistance at least **3** hours before the assistance is needed. Where a ticket or season ticket permits multiple journeys, one notification shall be sufficient provided that adequate information on the timing of subsequent journeys is provided. Such notifications shall be forwarded to all other railway undertakings and station managers involved in the person's journey;

Or. en

Justification

The 48 hours pre-notification procedure is a direct disincentive for persons with disabilities or reduced mobility to travel spontaneously. 3 hours notification appears to be acceptable compromise for persons with disabilities on one hand and train operators on the other. Some of the train operators already require shorter notification period than the amendment requires.

Amendment 297
Olga Sehnalová

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

Text proposed by the Commission

(a) assistance shall be provided on condition that the railway undertaking, the station manager, the ticket vendor or the tour operator with which the ticket was

Amendment

(a) assistance shall be provided on condition that the railway undertaking, the station manager, the ticket vendor or the tour operator with which the ticket was

purchased is notified of the person's need for such assistance at least **48** hours before the assistance is needed. Where a ticket or season ticket permits multiple journeys, one notification shall be sufficient provided that adequate information on the timing of subsequent journeys is provided. Such notifications shall be forwarded to all other railway undertakings and station managers involved in the person's journey;

purchased is notified of the person's need for such assistance at least **3** hours before the assistance is needed. Where a ticket or season ticket permits multiple journeys, one notification shall be sufficient provided that adequate information on the timing of subsequent journeys is provided. Such notifications shall be forwarded to all other railway undertakings and station managers involved in the person's journey;

Or. en

Justification

This amendment is inextricably linked to the Article 1 point a). Although the Commission proposes the non-discrimination between passengers with regard to transport conditions, a 48-hour pre-notification period to book assistance means that persons with disabilities and persons with reduced mobility do not have equal access to rail transport. Equal access to transportation is a binding provision of the UNCRPD, which has been ratified by all EU Member States.

Amendment 298

Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová

Proposal for a regulation

Article 24 – paragraph 1 – point a

Text proposed by the Commission

(a) assistance shall be provided on condition that the railway undertaking, the station manager, the ticket vendor or the tour operator with which the ticket was purchased is notified of the person's need for such assistance at least **48** hours before the assistance is needed. Where a ticket or season ticket permits multiple journeys, one notification shall be sufficient provided that adequate information on the timing of subsequent journeys is provided. Such notifications shall be forwarded to all other railway undertakings and station managers involved in the person's journey;

Amendment

(a) assistance shall be provided on condition that the railway undertaking, the station manager, the ticket vendor or the tour operator with which the ticket was purchased is notified of the person's need for such assistance at least **3** hours before the assistance is needed. Where a ticket or season ticket permits multiple journeys, one notification shall be sufficient provided that adequate information on the timing of subsequent journeys is provided. Such notifications shall be forwarded to all other railway undertakings and station managers involved in the person's journey;

Or. en

Justification

The 48 hours pre-notification procedure is a direct disincentive for persons with disabilities or reduced mobility to travel spontaneously. It is therefore in violation with Article 9 of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) which states that persons with disabilities or reduced mobility should be able to travel independently and spontaneously. One of the aims of this recast proposal is to bring the Regulation in line with the UNCRPD.

Amendment 299

Lucy Anderson, Julia Reda, Olga Sehnalová, Virginie Rozière, Catherine Stihler, Arndt Kohn, Sergio Gaetano Cofferati, Igor Šoltés, Sergio Gutiérrez Prieto

Proposal for a regulation

Article 24 – paragraph 1 – point e

Text proposed by the Commission

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

Amendment

(e) assistance shall be provided on condition that the person with disabilities or person with reduced mobility presents ***themselves*** at the designated point at the time at which all passengers are asked to check in.

Or. en

Justification

All passengers should be able to “turn up and go” at railway stations. Equal access to transportation is a binding provision of the UNCRPD and it is in keeping with the internal logic of chapter V and our other amendments on that chapter.

Amendment 300
Evelyne Gebhardt

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

Text proposed by the Commission

Amendment

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

Or. de

Justification

To clarify the text, in the interests of a service-oriented offer, as an expression of mutual support in society and in the light of the spirit and purpose of the Regulation, in particular of recitals 3 and 5 of the Regulation, assistance should always be offered in an unbureaucratic manner whenever appropriate and possible.

Amendment 301
Lucy Anderson, Julia Reda, Olga Sehnalová, Virginie Rozière, Catherine Stihler, Igor Šoltés, Sergio Gutiérrez Prieto

Proposal for a regulation
Article 25 – paragraph 1

Text proposed by the Commission

Amendment

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

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

Or. en

Amendment 302

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

Proposal for a regulation

Article 25 – paragraph 2

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 303

Lucy Anderson, Julia Reda, Olga Sehnalová, Catherine Stihler, Marc Tarabella, Igor Šoltés, Sergio Gutiérrez Prieto

Proposal for a regulation

Article 25 – paragraph 2

Text proposed by the Commission

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

Amendment

2. The compensation *for loss or damage* referred to in paragraph 1 shall be *paid within one month of submission of a claim and be* equal to the cost of replacement *based on the actual value, or on the full costs of* repair, of the *wheelchair*, equipment, devices lost or damaged *or the loss or injury of the*

service animal. The compensation shall also include the cost of temporary replacement in case of repair, when those costs are borne by the passenger.

Or. en

Amendment 304
Evelyne Gebhardt

Proposal for a regulation
Article 25 – paragraph 2

Text proposed by the Commission

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

Amendment

(2) The compensation referred to in paragraph 1 shall be equal to the cost of replacement or repair of the equipment or devices lost or damaged. ***It shall also cover the cost of renting suitable replacement assistive devices required by the passenger until the mobility device is replaced or the repaired device is returned to the passenger.***

Or. de

Amendment 305
Jiří Pospíšil

Proposal for a regulation
Article 25 – paragraph 2

Text proposed by the Commission

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

Amendment

2. The compensation referred to in paragraph 1 shall be equal to the cost of replacement or repair of the equipment or devices lost or damaged, ***the cost of repairing the injury caused by assistance dogs, or the cost of purchasing a new assistance dog in case of its loss.***

Or. cs

Amendment 306
Evelyne Gebhardt

Proposal for a regulation
Article 25 – paragraph 3

Text proposed by the Commission

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

Amendment

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

Or. de

Amendment 307
Lucy Anderson, Julia Reda, Olga Sehnalová, Liisa Jaakonsaari, Virginie Rozière, Catherine Stihler, Arndt Kohn, Sergio Gaetano Cofferati, Nicola Danti, Igor Šoltes, Sergio Gutiérrez Prieto

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

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 308

Lucy Anderson, Julia Reda, Olga Sehnalová, Liisa Jaakonsaari, Virginie Rozière, Catherine Stihler, Arndt Kohn, Sergio Gaetano Cofferati, Nicola Danti, Igor Šoltes, Sergio Gutiérrez Prieto

Proposal for a regulation

Article 26 – paragraph 1 – point b

Text proposed by the Commission

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

Amendment

(b) provide training to raise awareness of the needs of persons with disabilities among all *staff*;

Or. en

Amendment 309

Jiří Pospíšil

Proposal for a regulation

Article 26 – paragraph 1 – point b

Text proposed by the Commission

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

Amendment

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

Or. cs

Amendment 310

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

Proposal for a regulation

Article 26 – paragraph 1 – point c

Text proposed by the Commission

(c) ensure that, upon recruitment, all

Amendment

(c) ensure that, upon recruitment, all

new employees receive disability-related training and that personnel attend regular refresher training courses.

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

Or. en

Justification

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

Amendment 311 **Evelyne Gebhardt**

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

Text proposed by the Commission

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

Amendment

(c) ensure that, upon recruitment, all new *staff* receive disability-related training and that personnel attend regular refresher training courses, *and that advanced or in-depth courses in the provision of assistance to persons with disabilities are offered.*

Or. de

Amendment 312 **Lucy Anderson, Julia Reda, Olga Sehnalová, Liisa Jaakonsaari, Virginie Rozière, Catherine Stihler, Marc Tarabella, Sergio Gaetano Cofferati, Igor Šoltés, Sergio Gutiérrez Prieto, Evelyne Gebhardt**

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

Text proposed by the Commission

(c) ensure that, upon recruitment, all

Amendment

(c) ensure that, upon recruitment, all

new **employees** receive disability-related training **and that personnel** attend regular refresher training courses.

new **staff** receive disability-related training, attend regular refresher training courses, **and that advanced level or more specialised disability-related training is also provided where necessary;**

Or. en

Amendment 313

Lucy Anderson, Julia Reda, Olga Sehnalová, Liisa Jaakonsaari, Virginie Rozière, Catherine Stihler, Daniel Dalton, Sergio Gaetano Cofferati, Igor Šoltés, Sergio Gutiérrez Prieto

Proposal for a regulation

Article 26 – paragraph 1 – point d

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 314

Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová

Proposal for a regulation

Article 26 – paragraph 1 – point d

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 315
Evelyne Gebhardt

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

Text proposed by the Commission

Amendment

(da) The training courses relating to persons with disabilities referred to in points (a) to (d) shall comply with the specifications set out in Annex VI.

Or. de

Amendment 316

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

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

Text proposed by the Commission

Amendment

(da) involve organisations representing persons with disabilities and with reduced mobility in the design and delivery of disability-related training;

Or. en

Amendment 317

Lucy Anderson, Julia Reda, Liisa Jaakonsaari, Virginie Rozière, Catherine Stihler, Sergio Gaetano Cofferati, Igor Šoltes, Sergio Gutiérrez Prieto, Evelyne Gebhardt

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

Text proposed by the Commission

Amendment

(db) disability-related training courses mentioned in paragraphs (a) to (e) of this Article shall meet the specifications set out in Annex VI.

Amendment 318
Evelyne Gebhardt

Proposal for a regulation
Article 28 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. de

Justification

Any information on passenger rights and the complaints procedure, notably the compensation claim forms, must be offered in the national language of the country of the railway undertaking and at least also in English and the languages of neighbouring countries. This reflects the increasingly international nature of transport and makes it possible for foreign passengers to assert their rights. Article 28 should be amended accordingly.

Amendment 319
Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová

Proposal for a regulation
Article 28 – paragraph 1

Text proposed by the Commission

1. All railway undertakings, ticket

PE620.939v01-00

Amendment

1. All railway undertakings, ticket

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

vendors, station managers and infrastructure managers of stations shall each set up a complaint-handling mechanism for the rights and obligations covered in this Regulation in their respective field of responsibility. They shall make their contact details and working language(s) widely known to passengers.

Or. en

Amendment 320

Anneleen Van Bossuyt, Mark Demesmaeker, Richard Sulík

Proposal for a regulation

Article 28 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. nl

Amendment 321

Lucy Anderson, Julia Reda, Catherine Stihler, Sergio Gaetano Cofferati, Igor Šoltes, Sergio Gutiérrez Prieto

Proposal for a regulation

Article 28 – paragraph 1

Text proposed by the Commission

1. All railway undertakings, ticket

Amendment

1. All railway undertakings, ticket

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

vendors, station managers and infrastructure managers of stations handling more than **500** passengers per day on average over a year shall each set up a **complaint-handling** mechanism for the rights and obligations covered in this Regulation in their respective field of responsibility. They shall make their contact details and working language(s) widely known to passengers.

Or. en

Amendment 322
Evelyne Gebhardt

Proposal for a regulation
Article 28 – paragraph 2

Text proposed by the Commission

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

Amendment

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

Or. de

Amendment 323

Jiří Pospíšil

Proposal for a regulation

Article 28 – paragraph 2

Text proposed by the Commission

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

Amendment

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

Or. cs

Amendment 324

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

Proposal for a regulation

Article 28 – paragraph 2

Text proposed by the Commission

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

Amendment

2. Passengers may submit a complaint to any railway undertaking, ticket vendor, station *manager* or infrastructure manager involved. Complaints shall be submitted within six months of the incident that is the subject of the complaint. Within one month of *submitting* the complaint, the addressee shall either give a reasoned reply or, in justified cases, inform the passenger by

what date within a period of less than three months from the date of receipt of the complaint a reply can be expected. Railway undertakings, ticket vendors, station managers and infrastructure managers shall keep the incident data necessary to assess the complaint for two years and make them available to national enforcement bodies upon request.

what date within a period of less than three months from the date of receipt of the complaint a reply can be expected. Railway undertakings, ticket vendors, station managers and infrastructure managers shall keep the incident data necessary to assess the complaint for two years and make them available to national enforcement bodies upon request.

Or. en

Amendment 325

Lucy Anderson, Olga Sehnalová, Virginie Rozière, Catherine Stihler, Marc Tarabella, Kerstin Westphal, Igor Šoltés, Sergio Gutiérrez Prieto

Proposal for a regulation Article 28 – paragraph 3

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 326

Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová

Proposal for a regulation Article 28 – paragraph 3

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 327

Matthijs van Miltenburg, Jasenko Selimovic, Dita Charanzová

Proposal for a regulation

Article 28 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

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

Or. en

Justification

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

Amendment 328

Olga Sehnalová, Lucy Anderson

Proposal for a regulation

Article 29 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

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

Or. en

Justification

There is an internal logic between Article 26 and 29 as the Commission proposes staff

training and demands service quality standards. This amendment could facilitate the use of rail services for persons with disabilities and improve the quality of services offered to them.

Amendment 329
Edward Czesak

Proposal for a regulation
Article 30 – paragraph 1

Text proposed by the Commission

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

Amendment

1. When selling tickets for journeys by rail, railway undertakings, station managers, ticket vendors and tour operators shall inform passengers of their rights and obligations under this Regulation. In order to comply with this information requirement, they may use a summary of the provisions of this Regulation prepared by the Commission in all official languages of the Union and made available to them. In addition, they shall provide ***information***, in either paper or electronic format or by any other means, including in accessible formats for persons with disabilities and persons with reduced mobility in accordance with the requirements laid down in ***Regulation 1300/2014 that specifies*** where such information can be obtained in the event of cancellation, missed connection or long delay.

Or. en

Amendment 330
Evelyne Gebhardt

Proposal for a regulation
Article 30 – paragraph 2

Text proposed by the Commission

(2) Railway undertakings and station managers shall inform passengers in an

Amendment

(2) Railway undertakings and station managers shall inform passengers in an

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

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

Or. de

Amendment 331
Edward Czesak

Proposal for a regulation
Article 30 – paragraph 2

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 332
Evelyne Gebhardt

Proposal for a regulation
Article 31 – paragraph 3

Text proposed by the Commission

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

Amendment

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

responsibilities.

responsibilities *and shall publish them in a suitable place on their websites.*

Or. de

Justification

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

Amendment 333

Lucy Anderson, Julia Reda, Olga Sehnalová, Catherine Stihler, Marc Tarabella, Nicola Danti, Kerstin Westphal, Igor Šoltes, Sergio Gutiérrez Prieto

Proposal for a regulation

Article 32 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 334
Róza Gräfin von Thun und Hohenstein

Proposal for a regulation
Article 32 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

The adequate and effective enforcement on national level is crucial to ensure that new regulations will be fully implemented by rail railway undertakings.

Amendment 335
Lucy Anderson, Julia Reda, Virginie Rozière, Catherine Stihler, Marc Tarabella, Kerstin Westphal, Igor Šoltés, Sergio Gutiérrez Prieto

Proposal for a regulation
Article 32 – paragraph 2

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 336

Julia Reda, Pascal Durand, Igor Šoltes

Proposal for a regulation

Article 32 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 337

Lucy Anderson, Olga Sehnalová, Liisa Jaakonsaari, Virginie Rozière, Catherine Stihler, Marc Tarabella, Kerstin Westphal, Igor Šoltes, Sergio Gutiérrez Prieto

Proposal for a regulation

Article 32 – paragraph 3 a (new)

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

Or. en

Amendment 338

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

Proposal for a regulation Article 33 – paragraph 1

1. Without prejudice to the rights of consumers to seek alternative redress pursuant to Directive 2013/11/EU of the European Parliament and of the Council³², after having complained unsuccessfully to the railway undertaking, ticket vendor, station or infrastructure manager pursuant to Article 28, the passenger may complain to an enforcement body. Enforcement bodies shall inform complainants about their right to complain to alternative dispute resolution bodies to seek individual redress.

1. Without prejudice to the rights of consumers to seek alternative redress pursuant to Directive 2013/11/EU of the European Parliament and of the Council³², after having complained unsuccessfully to the railway undertaking, ticket vendor, station or infrastructure manager pursuant to Article 28, the passenger may complain to an enforcement body. Enforcement bodies shall inform complainants about their right to complain to alternative dispute resolution bodies to seek individual redress. **Member States shall ensure that enforcement or complaint-handling bodies are recognised for the purposes of alternative redress schemes pursuant to Directive 2013/11/EU, and that where passengers seek alternative redress, the railway undertaking, ticket vendor, station or infrastructure manager concerned is required to participate and the outcome shall be binding on and effectively enforceable against them^{2a}.**

³² 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).

^{2a} *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).*

³² 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).

Or. en

Amendment 339

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

Proposal for a regulation Article 33 – paragraph 2

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 340

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

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

Text proposed by the Commission

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

Amendment

The body shall acknowledge receipt of the complaint within two weeks of receiving it. The ***complaint-handling*** procedure shall take a maximum of three months. For complex cases, the body may, at its discretion, extend this period to six months. In such a case, it shall inform the passenger ***or organisation representing passengers*** of the reasons for the extension and of the expected time needed to conclude the procedure. Only cases that involve legal proceedings may take longer than six months. Where the body is also an alternative dispute resolution body within the meaning of Directive 2013/11/EU, the time limits laid down in that Directive shall prevail ***and the use of online dispute resolution in accordance with Regulation 524/2013/EU^{2b} may be made available with the agreement of all parties involved.***

^{2b} ***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).***

Or. en

Amendment 341
Julia Reda, Pascal Durand, Igor Šoltes

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

Text proposed by the Commission

The body shall acknowledge receipt of the complaint within two weeks of receiving it.

Amendment

The body shall acknowledge receipt of the complaint within two weeks of receiving it.

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

The complaint-handling procedure shall take a maximum of three months. Only cases that involve legal proceedings may take longer than ***three*** months. Where the body is also an alternative dispute resolution body within the meaning of Directive 2013/11/EU, the time limits laid down in that Directive shall prevail.

Or. en

Amendment 342

Julia Reda, Pascal Durand, Igor Šoltes, Michael Cramer

Proposal for a regulation

Article 33 a (new)

Text proposed by the Commission

Amendment

Article 33a

Independent conciliation bodies

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

Or. en

Justification

Passengers must have a realistic, independent and practicable option to defend their rights in case of conflicts with railway undertaking. This is linked with the overall approach to make the Regulation more consumer-centric and necessary in light of more cross-border cooperation in particular in the area of through-tickets.

Amendment 343

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

Proposal for a regulation

Article 35 – paragraph 1

Text proposed by the Commission

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

Amendment

1. Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive, ***and shall include, but not be limited to, a minimum fine or a percentage of the relevant undertaking or organisation's annual turnover, whichever is the higher.*** Member States shall notify the Commission of those rules and measures and shall notify it without delay of any subsequent amendment affecting them.

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 344

Jiří Pospíšil

Proposal for a regulation

Article 36 – paragraph 1 – point i

Text proposed by the Commission

(i) adjust the financial amounts referred to in Article 13 in light of ***inflation***;

Amendment

(i) adjust the financial amounts referred to in Article 13 in light of ***changes in the price level***;

Amendment 345

Edward Czesak

Proposal for a regulation

Article 40 – paragraph 1

Text proposed by the Commission

This Regulation shall enter into force ***on the twentieth day following that*** of its publication in the Official Journal of the European Union.

Amendment

This Regulation shall enter into force ***48 months after the date*** of its publication in the Official Journal of the European Union.

Or. en

Justification

This amendment fits in the overall aim of this revision to give appropriate transitional time given the extent of the new requirements proposed. Appropriate transitional time should be provided given the extent of the new requirements proposed. If the new text would enter into force immediately after adoption of theca-legislators, this would lead to unsuccessful implementation.

Amendment 346

Evelyne Gebhardt

Proposal for a regulation

Annex I – Article 9 – point 1 – introductory part

Text proposed by the Commission

(1) ***The*** passenger must, from the start of his journey, be in possession of a valid ticket and produce it on the inspection of tickets. The General Conditions of Carriage may provide:

Amendment

(1) ***If there are no grounds for exemption pursuant to Article 10 of the Regulation, the*** passenger must, from the start of his journey, be in possession of a valid ticket and produce it on the inspection of tickets. The General Conditions of Carriage may provide:

Or. de

Justification

The proposed amendments to Article 10 of the Regulation and the spirit and purpose of the Regulation, i.e. to improve rail passenger rights, necessitate clarification of the legal text in Article 9 of the Annex.

Amendment 347 **Evelyne Gebhardt**

Proposal for a regulation **Annex I – Article 11 – paragraph 1**

Text proposed by the Commission

The carrier must, where necessary, certify on the ticket that the train has been cancelled or the connection missed.

Amendment

The carrier must, where necessary, certify on the ticket ***in writing*** that the train has been cancelled or the connection missed.

Or. de

Justification

The amendment is essential in light of the amendment tabled to Article 18(4) of the Regulation and to preserve evidence.

Amendment 348 **Evelyne Gebhardt**

Proposal for a regulation **Annex I – Article 12 – point 1**

Text proposed by the Commission

(1) The passenger may take with him articles which can be handled easily (hand luggage) and also live animals in accordance with the General Conditions of Carriage. Moreover, the passenger may take with him cumbersome articles in accordance with the special provisions, contained in the General Conditions of Carriage. Articles and animals likely to annoy or inconvenience passengers or cause damage shall not be allowed as hand

Amendment

(1) The passenger may take with him articles which can be handled easily (hand luggage) and also live animals in accordance with the General Conditions of Carriage. Moreover, the passenger may take with him cumbersome articles in accordance with the special provisions, contained in the General Conditions of Carriage. Articles and animals likely to annoy or inconvenience passengers or cause damage ***and which cannot be stowed appropriately or accommodated in an***

luggage.

animal-friendly manner shall not be allowed as hand luggage.

Or. de

Justification

By way of a less restrictive measure, before refusing to carry objects or animals, consideration ought to be given – with regard to the spirit and purpose of the recast, in particular of recitals 3 and 5 of the Regulation – as to whether those goods or animals could not be accommodated elsewhere on the train, such as in a freight car, where they are not likely to cause annoyance, inconvenience or damage.

Amendment 349
Evelyne Gebhardt

Proposal for a regulation
Annex I – Article 30 – point 2

Text proposed by the Commission

(2) The amount of damages to be awarded pursuant to paragraph 1 shall be determined in accordance with national law. However, for the purposes of these Uniform Rules, the upper limit per passenger shall be set at **175 000** units of account as a lump sum or as an annual annuity corresponding to that sum, where national law provides for an upper limit of less than that amount.

Amendment

(2) The amount of damages to be awarded pursuant to paragraph 1 shall be determined in accordance with national law. However, for the purposes of these Uniform Rules, the upper limit per passenger shall be set at **500 000** units of account as a lump sum or as an annual annuity corresponding to that sum, where national law provides for an upper limit of less than that amount.

Or. de

Justification

Where national law provides for a lower upper limit, the upper limit of 175 000 units of account for the lump sum or a corresponding annual annuity is in no way in proportion to the potential damage, notably in the case of serious bodily harm or death of a passenger. For this reason and in keeping with the spirit and purpose of the recast, in particular having regard to recitals 3 and 5 of the Regulation, the amount should be increased significantly.

Amendment 350
Evelyne Gebhardt

Proposal for a regulation
Annex I – Article 32 – point 2 – introductory part

Text proposed by the Commission

(2) The carrier shall be relieved of this liability, when the cancellation, late running or missed connection is attributable to one of the following causes:

Amendment

(2) The carrier shall be relieved of this liability, when the cancellation, late running or missed connection is **solely** attributable to one of the following causes:

Or. de

Justification

In keeping with the spirit and purpose of this Regulation and its Annex, a full discharge of liability of the carrier is not justified where the carrier is partially at fault. The amendment serves to clarify the text accordingly, particularly having regard to recitals 3 and 5 of the Regulation.

Amendment 351
Evelyne Gebhardt

Proposal for a regulation
Annex I – Article 36 – point 2

Text proposed by the Commission

(2) The carrier shall be relieved of this liability to the extent that the loss, damage or delay in delivery was caused by a fault of the passenger, by an order given by the passenger other than as a result of the fault of the carrier, by an inherent defect in the registered luggage or by circumstances which the carrier could not avoid and the consequences of which he was unable to prevent.

Amendment

(2) The carrier shall be relieved of this liability to the extent that the loss, damage or delay in delivery was caused by a fault of the passenger, by an order given by the passenger other than as a result of the fault of the carrier, by an inherent defect in the registered luggage or by circumstances which the carrier **acting in compliance with his duty of care** could not avoid and the consequences of which he was unable to prevent.

Or. de

Justification

In keeping with the spirit and purpose of the Regulation and its annex, a discharge of the carrier's liability presupposes that the carrier has acted properly and that there are no

grounds for liability. For this reason, and in particular having regard to recitals 3 and 5, a clarification of the text is necessary.

Amendment 352
Evelyne Gebhardt

Proposal for a regulation
Annex I – Article 36 – point 3 – introductory part

Text proposed by the Commission

(3) The carrier shall be relieved of this liability to the extent that the loss or damage arises from the special risks inherent in one or more of the following circumstances:

Amendment

(3) The carrier ***acting in compliance with his duty of care*** shall be relieved of this liability to the extent that the loss or damage arises from the special risks inherent in one or more of the following circumstances:

Or. de

Justification

A discharge of the carrier's liability presupposes that the carrier has acted properly and that there are no grounds for liability. For this reason, and in particular having regard to recitals 3 and 5 of the Regulation, a clarification of the text is necessary.

Amendment 353
Evelyne Gebhardt

Proposal for a regulation
Annex I – Article 39 – point 3

Text proposed by the Commission

(3) Any special agreement under which the carrier assumes obligations not imposed by these Uniform Rules or waives rights conferred by these Uniform Rules shall be of no effect in respect of the substitute carrier who has not accepted it expressly ***and in writing***. Whether or not the substitute carrier has accepted it, the carrier shall nevertheless remain bound by the obligations or waivers resulting from

Amendment

(3) Any special agreement under which the carrier assumes obligations not imposed by these Uniform Rules or waives rights conferred by these Uniform Rules shall be of no effect in respect of the substitute carrier who has not accepted it expressly. Whether or not the substitute carrier has accepted it, the carrier shall nevertheless remain bound by the obligations or waivers resulting from such

such special agreement.

special agreement.

Or. de

Justification

Since both the carrier and substitute carrier are merchants, the written form requirement for giving consent is not necessary and serves primarily to limit joint and several liability to the detriment of the passenger and is contrary to the spirit and purpose of the recast, in particular of recitals 3 and 5 of the Regulation.

Amendment 354
Evelyne Gebhardt

Proposal for a regulation
Annex I – Article 40 – point 2

Text proposed by the Commission

(2) If an item of luggage deemed to have been lost is recovered ***within one year after the request for delivery***, the carrier must notify the person entitled if his address is known or can be ascertained.

Amendment

(2) If an item of luggage deemed to have been lost is recovered, the carrier must notify the person entitled if his address is known or can be ascertained.

Or. de

Justification

Since the value of an item of luggage can be far higher than the compensation received and may potentially be of high personal value, the person concerned should, in keeping with the guaranteed right of ownership and with the spirit and purpose of the recast, in particular with regard to recitals 3 and 5, be notified irrespective of when the item of luggage is found.

Amendment 355
Evelyne Gebhardt

Proposal for a regulation
Annex I – Article 40 – point 4

Text proposed by the Commission

(4) If the item of luggage recovered has not been claimed within the period stated

Amendment

(4) If the item of luggage recovered has not been claimed within the period stated

in paragraph 3 *or if it is recovered more than one year after the request for delivery*, the carrier shall dispose of it in accordance with the laws and prescriptions in force at the place where the item of luggage is situated.

in paragraph 3 the carrier shall dispose of it in accordance with the laws and prescriptions in force at the place where the item of luggage is situated.

Or. de

Justification

Since the value of an item of luggage can be far higher than the compensation received and may potentially be of high personal value, it should be possible, in keeping with the guaranteed right of ownership and with the spirit and purpose of the recast, in particular with regard to recitals 3 and 5, to demand the return of the item of luggage at all times irrespective of when it is found.

Amendment 356 **Evelyne Gebhardt**

Proposal for a regulation **Annex I – Article 55 – point 2**

Text proposed by the Commission

(2) Other claims relating to the contract of carriage must be addressed in writing to the carrier specified in Article 56(2) and (3).

Amendment

(2) Other claims relating to the contract of carriage must be addressed in writing **or through a suitable digital medium** to the carrier specified in Article 56(2) and (3).

Or. de

Justification

In a digital society, the written form requirement for consumers constitutes an unnecessary barrier for the recovery of claims and is outdated. The recast should serve as an opportunity to adapt the text, in particular having regard to recitals 3 and 5.

Amendment 357 **Evelyne Gebhardt**

Proposal for a regulation **Annex I – Article 55 – point 3**

Text proposed by the Commission

Amendment

(3) Documents which the person entitled thinks fit to submit with the claim shall be produced either in the original or as copies, where appropriate, the copies duly certified if the carrier so requires. On settlement of the claim, the carrier may require the **surrender** of the ticket, the luggage registration voucher and the carriage voucher.

(3) Documents which the person entitled thinks fit to submit with the claim shall be produced either in the original or as copies, where appropriate, the copies duly certified if the carrier so requires. On settlement of the claim, the carrier may require the **submission of a copy** of the ticket, the luggage registration voucher and the carriage voucher.

Or. de

Justification

Given that, in case of a legal dispute, the presentation of the ticket, the luggage registration voucher or the carriage voucher, may serve an important probative purpose for the person entitled, it is appropriate not to require the surrender of the originals in the event of a claim, in the interest of improving passenger rights in keeping with the spirit and purpose of the recast, and in particular having regard to recitals 3 and 5.

Amendment 358

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

**Proposal for a regulation
Annex II – title**

Text proposed by the Commission

Amendment

MINIMUM INFORMATION TO BE PROVIDED BY RAILWAY UNDERTAKINGS AND TICKET VENDORS

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

Or. en

Justification

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

Amendment 359

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

Proposal for a regulation

Annex II – part I – indent 1

Text proposed by the Commission

- General conditions applicable to the contract

Amendment

- General conditions applicable to the contract *or contracts that form part of the journey or combined journey*

Or. en

Justification

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

Amendment 360

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

Proposal for a regulation

Annex II – part I – indent 2

Text proposed by the Commission

- Time schedules and conditions for the fastest trip

Amendment

- Time schedules and conditions for the fastest trip *and best connections*

Or. en

Justification

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

Amendment 361

Lucy Anderson, Olga Sehnalová, Virginie Rozière, Catherine Stihler, Igor Šoltes, Sergio

Gutiérrez Prieto

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

Text proposed by the Commission

Amendment

- Time schedules and conditions for the lowest fares

- - Time schedules and conditions for the lowest **and all available** fares

Or. en

Justification

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

Amendment 362

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

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

Text proposed by the Commission

Amendment

- Access **conditions** for bicycles

- - Access **arrangements** for bicycles

Or. en

Justification

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

Amendment 363

Lucy Anderson, Olga Sehnalová, Catherine Stihler, Igor Šoltés, Sergio Gutiérrez Prieto

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

Text proposed by the Commission

- Availability of seats in **smoking and** non-smoking, first and second class as well as couchettes and sleeping carriages

Amendment

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

Or. en

Justification

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

Amendment 364

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

Proposal for a regulation

Annex II – part I – indent 8

Text proposed by the Commission

- Availability of on-board services

Amendment

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

Or. en

Justification

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

Amendment 365

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

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

Text proposed by the Commission

Amendment

- On-board services

- On-board services, *including wifi*

Or. en

Justification

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

Amendment 366

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

Proposal for a regulation

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

Text proposed by the Commission

Amendment

- percentage of delays of less than **60** minutes;

- - percentage of delays of less than **45** minutes;

Or. en

Amendment 367

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

Proposal for a regulation

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

Text proposed by the Commission

Amendment

- percentage of delays of **60-119** minutes;

- - percentage of delays of **45-89** minutes;;

Or. en

Amendment 368
Lucy Anderson, Catherine Stihler

Proposal for a regulation
Annex III – part I – paragraph 2 – point 1 – point a – point iii – indent 3

Text proposed by the Commission

Amendment

- percentage of delays of **120** minutes or more;

- - percentage of delays of **90** minutes or more;

Or. en

Amendment 369
Jiří Pospíšil

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

Text proposed by the Commission

Amendment

2) *Customer satisfaction survey* **deleted**

- *Minimum set of categories to be included:*

(i) *punctuality of trains;*

(ii) *information to passengers in the event of delay;*

(iii) *accuracy and availability of information on trains;*

(iv) *quality of maintenance/condition of trains;*

(v) *level of security on trains;*

(vi) *cleanliness of inside of the train;*

(vii) *provision of useful information throughout the journey;*

(viii) *availability of good-quality toilets on every train;*

(ix) *cleanliness and maintenance of stations to a high standard;*

(x) *accessibility of trains and on-board facilities, including accessible toilets;*

(xi) number of incidents and quality of assistance effectively provided to persons with disabilities and persons with reduced mobility on board in accordance with Article 24, irrespective of the prior notification of a request of assistance.

Or. cs

Amendment 370

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

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(vii) provision of useful information throughout the journey;

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

Or. en

Amendment 371

Jiří Pospíšil

Proposal for a regulation

Annex III – part II – paragraph 1 – point 4

Text proposed by the Commission

Amendment

4) Customer satisfaction survey *deleted*

- Minimum categories to be included:

(i) information for passengers in the event of delay;

(ii) accuracy, availability and accessibility of information on train times/platforms;

(iii) level of security in the station;

(iv) time taken to respond to

information requests at stations;

(v) *availability of good quality toilets in the station (including accessibility);*

(vi) *cleanliness and maintenance of stations;*

(vii) *accessibility of station and station facilities.*

(viii) *number of incidents and quality of assistance provided to persons with disabilities and persons with reduced mobility at the station.*

Or. cs

Amendment 372

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

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(vii) accessibility of station and station facilities.

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

Or. en

Amendment 373

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

Proposal for a regulation

Annex IV – paragraph 1

Text proposed by the Commission

Amendment

In complex cases such as cases involving multiple claims or a number of operators, **cross-border** travel or accidents on the territory of a Member State other than that which granted the undertaking's licence, in particular where it is unclear which

In complex cases such as cases involving multiple claims or a number of operators, **cross-border** travel or accidents on the territory of a Member State other than that which granted the undertaking's licence, in particular where it is unclear which

national enforcement body is competent, or where it would facilitate or accelerate the resolution of the complaint, national enforcement bodies shall cooperate to identify a 'lead' body, which shall serve as single point of contact for passengers. All national enforcement bodies involved shall cooperate to facilitate the resolution of the complaint (including by sharing information, assisting with the translation of documents and providing information on the circumstances of incidents). Passengers shall be informed which body is acting as 'lead' body.

national enforcement body is competent, or where it would facilitate or accelerate the resolution of the complaint, national enforcement bodies shall cooperate to identify a 'lead' body, which shall serve as single point of contact for passengers. All national enforcement bodies involved shall cooperate to facilitate the resolution of the complaint (including by sharing information, assisting with the translation of documents and providing information on the circumstances of incidents). Passengers shall be informed which body is acting as 'lead' body. ***In addition, in all cases, national enforcement bodies shall in any event ensure compliance with Regulation 2017/2394/EU 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.***

Or. en

Amendment 374
Evelyne Gebhardt

Proposal for a regulation
Annex V a (new)

Text proposed by the Commission

Amendment

Annex VI – disability-related training specifications

(a) Disability-awareness training

Training of all staff, including those employed externally, shall include awareness-raising as regards

- appropriate interaction with passengers with physical, sensory (hearing and visual), hidden or learning disabilities, including how to distinguish between the different abilities of persons whose mobility, orientation or communication may be reduced

- barriers faced by persons with disabilities or reduced mobility, including attitudinal, environmental/physical and organisational barriers

- service animals, including their role and needs

- dealing with unexpected occurrences

- interpersonal skills and methods of communication with deaf people and people with hearing impairments, visual impairments, speech impairments, and learning difficulties

- handling wheelchairs and other mobility aids so as to avoid damage (for any staff responsible for handling luggage)

(b) Disability-assistance training

The training of all staff, including those employed externally, on the provision of direct assistance to persons with disabilities and persons with reduced mobility shall include

- assisting wheelchair users to board and alight

- assisting persons with disabilities and persons with reduced mobility travelling with a service animal, including the role and the needs of those animals

- techniques for escorting visually impaired passengers and for the handling and carriage of service animals,

- an understanding of the types of equipment which can assist persons with disabilities or with reduced mobility and a knowledge of how to handle such devices

- the use of boarding and alighting aids and knowledge of the appropriate procedures to assist passengers to board or alight so as to guarantee the safety and dignity of persons with disabilities or reduced mobility

- an understanding of the need for reliable and professional assistance; awareness of the possibility that certain passengers with disabilities may

experience feelings of vulnerability during travel because of their dependence on the assistance provided, a knowledge of first aid

Or. de

Amendment 375

Lucy Anderson, Julia Reda, Olga Sehnalová, Liisa Jaakonsaari, Virginie Rozière, Catherine Stihler, Marc Tarabella, Igor Šoltés, Sergio Gutiérrez Prieto, Evelyne Gebhardt

**Proposal for a regulation
Annex V a (new)**

Text proposed by the Commission

Amendment

**ANNEX VI - DISABILITY-RELATED
TRAINING SPECIFICATIONS**

(a) Disability-awareness training

Training of all staff, including those employed by any other performing party, includes:

- awareness of and appropriate responses to passengers with physical, sensory (hearing and visual), hidden or learning disabilities, including how to distinguish between the different abilities of persons whose mobility, orientation, or communication may be reduced,***
- barriers faced by disabled persons and persons with reduced mobility, including attitudinal, environmental/physical and organisational barriers,***
- service animals, including their role and needs,***
- dealing with unexpected occurrences,***
- interpersonal skills and methods of communication with deaf people and people with hearing impairments, people with visual impairments, people with speech impairments, and people with a learning disability,***
- how to handle wheelchairs and other***

mobility aids carefully so as to avoid damage (if any, for all staff who are responsible for luggage handling);

(b) Disability-assistance training

Training of all staff, including those employed by any other performing party, directly assisting disabled persons and persons with reduced mobility includes:

- how to help wheelchair users make transfers into and out of a wheelchair,*
- skills for providing assistance to disabled persons and persons with reduced mobility travelling with a service animal, including the role and the needs of these animals,*
- techniques for escorting visually impaired passengers and for the handling and carriage of service animals,*
- an understanding of the types of equipment which can assist disabled persons and persons with reduced mobility and a knowledge of how to handle such an equipment,*
- the use of boarding and alighting assistance equipment used and knowledge of the appropriate boarding and alighting assistance procedures that safeguard the safety and dignity of disabled persons and persons with reduced mobility,*
- understanding of the need for reliable and professional assistance. Also awareness of the potential of certain disabled passengers to experience feelings of vulnerability during travel because of their dependence on the assistance provided, a knowledge of first aid.*

Or. en