



# Report of the Federal Railway Authority

on the Activities to enforce the Rights of Passengers in  
Bus and Coach Transport in accordance with Article 29  
of Regulation (EU) No 181/2011



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## 1. Introduction

Since the publication of the last report on the activities for the enforcement of the rights of passengers travelling by bus and coach in accordance with Article 29 of Regulation (EU) No 181/2011 (period under review 2013 and 2014) on 1 June 2015, the Federal Railway Authority has remained the competent authority for the implementation of Regulation (EU) No 181/2011. Moreover, it is the appeal body in cases where no solution with the carrier could be agreed on (Section 3 (2) second sentence of the EU-Fahrgastrechte-Kraftomnibus-Gesetz (EU-FahrgRBusG - EU Bus and Coach Passenger Rights Act) and Article 28 (3) (2) of Regulation (EU) No 181/2011).

The Federal Railway Authority performs this function as enforcement body in accordance with Regulation (EU) No 181/2011, using the synergy effects from the experiences made as enforcement body for the rail and waterway sectors.

The Member State Germany has, pursuant to Section 1 (2) of the EU-FahrgRBusG, made use of the exemption provided for in Article 2 (5) of Regulation (EU) No 181/2011, exempting regular services from the scope of application of this Regulation, because a significant part of such services, including at least one scheduled stop, is operated outside the Union.

This prerequisite does not exist for many third-country services to and from Germany so that passengers' rights already apply in many cases to such services. In addition, most Member States (e.g. Poland, Czech Republic) which have to be crossed in transit by third-country services, do not apply the exemption so that carriers from third countries in any case have to observe Regulation (EU) No 181/2011 there. Therefore, Germany will not renew this exemption. It will, thus, expire on 28 February 2017.

Furthermore, Section 1 (3) of the EU-FahrgRBusG provides that Article 16 (1) of Regulation (EU) No 181/2011 does not apply to the carriers as regards the training of their drivers until 28 February 2018 (cf. Article 16 (2) of Regulation (EU) No 181/2011).



The top-level federal state authorities which are responsible for the legislation on the qualification of professional drivers have confirmed that the training subjects of Annex II (a) of Regulation (EU) No 181/2011 are taught in the initial and continuing training courses. For this reason, it can be assumed that the drivers of the carriers will have been trained in conformity with the requirements of the Regulation until 1 March 2018, i.e. after the expiry of the exemption.

The national enforcement body considers the significance of the exemptions to be rather low. Up to now, only two submissions have been received in connection with third-country services, concerning an Ukrainian carrier. The Federal Railway Authority did not receive any complaints with regard to shortcomings in the training of drivers when dealing with disabled or mobility-impaired persons; in one case a complaint was made about a lacking boarding device.

Passengers can submit their complaints under passengers' rights legislation not only to the enforcement body at the Federal Railway Authority but can, in accordance with Section 6 of the EU-FahrgRBusG, also contact dispute settlement authorities recognised by the Federal Ministry of Transport and Digital Infrastructure (BMVI). Currently, these dispute settlement authorities are the Schlichtungsstelle für den öffentlichen Personenverkehr (söp - dispute settlement authority for public passenger transport) and the Nahverkehr Schlichtungsstelle e.V. (SNUB - dispute settlement authority for short-distance transport).



## **2. Functions and activities of the national enforcement body as appeal body**

### **2.1 General**

Since 1 March 2013, Regulation (EU) No 181/2011 concerning the rights of passengers in bus and coach transport has been in force. With effect from 27 July 2013, the Federal Railway Authority (EBA) was nominated as the national enforcement body. As part of this function, EBA has, among other things, to deal with complaints submitted by passengers.

In accordance with Section 3 (2) of the EU-FahrRBusG, passengers have first of all to contact the carrier before consulting the enforcement body as appeal body. Subsequently, the passenger can submit the decision of the carrier in the form of a complaint to the national enforcement body for review, if he is of the opinion that the carrier did not observe his passenger rights which are guaranteed by law.

In the initial phase, i.e. in the years 2013 and 2014, the enforcement body for the rights of bus passengers did only receive a relatively low number of enquiries/complaints concerning passengers' rights, but this number considerably increased in 2015 and 2016.

In order to compare the number of complaints among the individual transport modes, the Federal Ministry of Transport and Digital Infrastructure which is competent in this respect, defined the term "complaint" in July 2016 as follows. Accordingly, complaint as defined by the relevant EU Passenger Rights Regulation means only written submissions reporting an infringement of the relevant Regulation and for which the Federal Railway Authority as the national enforcement body takes a decision of substance.

In practice, this means that for example such submissions where the Federal Railway Authority only refers the passenger to the carrier, to other regulatory authorities, other enforcement bodies or to dispute settlement authorities, can for statistical purposes, not be considered as complaints under passengers' rights law. This includes general submissions, for instance concerning out-of-order toilets, rude drivers or civil claims for loss of luggage.



Other complaints, which are not covered by the narrow definition of the term, will in the future of course also be dealt with by the Federal Railway Authority. In the following, these complaints are designated as submissions.

The complainants will receive a reply to all submissions which either explains the function of the Federal Railway Authority as an appeal body or which refers them to the carrier or a dispute settlement authority, as the case may be. In the case of complaints covered by the narrow definition of the term, the complainant will receive an explanation of the outcome of the administrative procedure and of the settlement of possible claims.

## **2.2 Data concerning the handling of complaints in 2015**

In 2015, a total of 836 written and 387 oral submissions in connection with the rights of passengers travelling by bus and coach were received by the enforcement body.

252 of the written submissions did not concern passenger rights issues. In 457 cases, the complainants were directly referred to the carrier. These were either submissions which were not related to passengers' rights such as requests for rebooking or requests for which the carrier is the first point of contact for complaining in accordance with Article 28 (3) (2) of Regulation (EU) No 181/2011 in conjunction with Section 3 (2) second sentence of the EU-FahrgRBusG.

29 cases were referred to the dispute settlement authority. In some individual cases, complaints were transferred to other national enforcement bodies.

120 submissions comply with the narrow definition of the term "complaint" as mentioned above which applies to all transport modes. These complaints are analysed in greater detail in the following.

**Type and contents of the complaints in 2015<sup>1</sup>**

(Here, only complaints complying with the definition of the BMVI are mentioned)

Regulation (EU) No 181/2011	Contents	Number of complaints	Offences	Remarks
Article 7(1)	Compensation for luggage due to accidents	3	52 <sup>2</sup>	Damage to luggage due to accidents
Article 8	Assistance to passengers in the event of an accident	2		Inadequate assistance after an accident
Article 9 (1)	Refusal to take a person with reduced mobility on board	3		Wheelchair user arriving with delay at the halt
Article 19 (1) (a)	Choice offered between alternative transport or reimbursement	4		
Article 19 (1) (b)	Reimbursement in accordance with Article 19 (b)	22		No reimbursement or reimbursement by voucher instead of money
Article 19 (2) - (5)	Obligations in the case of a cancelled or delayed service or overbooking	44		Delay in departure / cancellation, compensation, deadline for reimbursement, inoperability of the vehicle
Article 20	Information in the event of a delay in departure / cancellation	15		
Article 21 (b)	Assistance in the case of cancellation provision of a hotel room	1		Provision of a hotel room
Article 24	Adequate information of passengers during the journey	4		
Article 27	Handling of complaints	22		No reply or standard reply without reference to the reason for complaint

<sup>1</sup>Evaluation until the deadline of 26 January 2017<sup>2</sup> Related to all complaints complying with the narrow definition of the term



In many cases the complaints referred to Article 19 providing, among other things, that the carrier, in the case of a cancellation, overbooking or delayed departure from a terminal for more than 120 minutes, has to offer the passenger the choice of continuation at no additional cost and under comparable conditions or of reimbursement of the ticket price. Such complaints frequently include a reference to inadequate or lacking information about the situation and the expected delay in departure (Article 20). Further complaints were made in connection with the right to adequate travel information during the journey (Article 24) and non-compliance with the deadlines for responses (Article 27).

In several cases, the Federal Railway Authority asked the carriers for a statement in order to clarify the situation. It was then, as a rule, not necessary to take more far-reaching enforcement measures. After reviewing the comments of the carriers, 52 offences were determined which had already been settled in the course of the administrative procedures. Further penalties beyond the administrative procedures were not necessary.

### **2.3 Data concerning the handling of complaints in 2016**

In 2016, a total of 1269 written and 458 oral submissions in connection with the rights of passengers travelling by bus and coach were received by the enforcement body.

311 of the written submissions did not concern passengers' rights issues.

In 823 cases (submissions without a reference to passengers' rights such as arrangements for the carriage of luggage, or submissions which had not been addressed to the carrier as the first appeal body), the complainants were directly referred to the carrier and in 35 cases to the dispute settlement authorities. In this context it should be noted that even in those cases where the complainant is directly referred to the carrier, the passenger is, if necessary, informed about the dispute settlement authority, if the facts of the case are eligible for dispute settlement.

In 2016, too, complaints were occasionally transferred to neighbouring national enforcement bodies. In the case of two submissions, information about the unreliability of a carrier was passed on to the federal state authorities licencing the regular services. Two submissions in 2016 referred to long-distance journeys to third countries and/or the operator of long-distance coach services from a third country.

137 submissions comply with the narrow definition of the term “complaint” as mentioned above which applies to all transport modes. These complaints are analysed in greater detail in the following.

The complaints made in 2016 also frequently referred to Article 19, indicating in many cases inadequate or lacking information about the situation and the expected delay in departure (Article 20). Further complaints were also made in connection with the right to adequate travel information (Article 24) and the handling of complaints (Article 27).

On the deadline of the data collection (26 January 2017), 41 administrative procedures had not yet been concluded so that the actual number of offences will still increase.

After clarification of the facts, 56 offences were determined which have already been settled in the course of the administrative procedures. In one case, a carrier was by means of a notice, obliged to provide travel information in conformity with the law. In this case, the carrier has lodged an appeal. The settlement in an administrative procedure is still pending.

For reasons of a complaints procedure, a proceedings for the collection of fines has been initiated vis-à-vis a carrier beyond the administrative procedure; this procedure has not yet been concluded.

**Type and contents of the complaints in 2016<sup>3</sup>**

(Here, only complaints complying with the definition of the BMVI are mentioned)

Regulation (EU) No 181/2011	Contents	Number of complaints	Offences	Remarks
Article 13 (2)	Assistance for disabled persons and persons with reduced mobility	1	56 <sup>4</sup>	No assistance for boarding
Article 19 (1) (a)	Choice offered between alternative transport or reimbursement	5		
Article 19 (1) (b)	Reimbursement in accordance with Article 19 (b)	41		No reimbursement or reimbursement by voucher instead of money
Article 19 (2) - (5)	Obligations in the case of a cancelled or delayed service or overbooking	39		Delay in departure / cancellation, compensation, deadline for reimbursement, inoperability of the vehicle
Article 20	Information in the event of a delay in departure / cancellation	20		
Article 21 (b)	Assistance in the case of cancellation provision of a hotel room	1		Provision of a hotel room
Article 24	Adequate information of passengers during the journey	5		
Artikel 27	Handling of complaints	25		No reply Standard reply without reference to the reason for complaint

<sup>3</sup>Evaluation until the deadline of 26 January 2017<sup>4</sup> Related to all complaints complying with the narrow definition of the term



## **2.4 Prospects for the handling of complaints**

The awareness level of the Federal Railway Authority as national enforcement body significantly increased during the period under review 2015/2016.

It must, however, be stated that the complainants have, in the majority of cases, first of all to be referred to the carrier. The Federal Railway Authority has acted as an appeal body only in a few cases.

It has to be assumed that the number of submissions/complaints will gradually rise along with the increasing importance of bus and coach transport.



### **3. Enforcement of passengers' rights by supervisory measures**

#### **3.1 General**

During the period under review 2015/2016, the Federal Railway Authority as the national enforcement body has also proactively taken measures in accordance with Article 28 (1) of Regulation (EU) No 181/2011 and Section 4 of the EU-FahrRBusG to ensure compliance with Regulation (EU) No 181/2011. In the majority of cases, the observance of the obligation to provide information in regular long-distance coach services had to be examined in the period under review.

While the carriers had first of all to be sensitized to the contents of Regulation (EU) No 181/2011 in 2013/2014 and were predominantly consulted on passengers' rights issues, the focus in the following period under review 2015/2016 was on the verification of compliance with passengers' rights when travelling in long-distance buses and coaches.

Supervisory measures at bus terminals in accordance with Articles 3 (m) and 12 of Regulation (EU) No 181/2011 concentrated on the obligation to inform passengers of delays in departure and the cancellation of regular services in accordance with Article 20 (1) of Regulation (EU) No 181/2011.

The examination of travel agents and tour operators covered mainly the safeguarding of the rights of disabled persons and persons with reduced mobility in accordance with Chapter III of the Regulation.

#### **3.2 Data on the proactive enforcement of passengers' rights in 2015**

In 2015, altogether 330 examinations were performed involving carriers, infrastructure managers and the vendors of long-distance bus and coach tickets. The carriers accounted for 171 of these examinations, terminal managing bodies for 58 and ticket vendors for 101.



If offences were identified, the obligated parties were asked to comply with the law within the framework of administrative procedures. Further penalties beyond the administrative procedures were not necessary.

### 3.2.1 Carriers

The supervisory measures in long-distance buses and coaches which have in the meantime been installed as a control process were intensified in 2015. In this connection, staff members of the enforcement body carried out random checks or incident-related checks in these buses and coaches in order to find out whether the Passenger Rights Regulation is complied with. They travelled either as passengers with a pre-booked ticket or as passengers on spontaneous trips.

The focus was placed on supervisory measures in buses engaged in highly-frequented long-distance services (to and from Berlin and in Southwest Germany). The checks were performed in particular on those days with a higher passenger volume (e.g. during strikes at other transport modes) and/or with an expected increase in the movement of travellers in road transport (before public holidays) where there will presumably be changes in regular patterns. Deviations from the schedule were determined prior to the examinations by evaluating real-time information about delays in order to take ad hoc measures.

The key issues of the examinations were the adequate information of the passengers during the journey in accordance with Article 24 of Regulation (EU) No 181/2011 as well as the information on passenger rights in accordance with Article 25 of the Regulation. At the same time, within the context of these measures, compliance with the obligation of the carriers to inform passengers in the case of delays in departure or cancellation of the journey by electronic means in accordance with Article 20 (1) and (4) of Regulation (EU) No 181/2011 was checked.

Moreover, the processes of one carrier were, by way of example, examined with regard to the observance of his obligations vis-à-vis disabled and mobility-impaired passengers. Here, it was found out that the co-operation with terminal managing bodies as defined by Article 14 (1) (a) and (3) of Regulation (EU) No 181/2011 can definitely still be optimized. The qualification of the staff members of the service hotlines also showed shortcomings in this respect. They did not know about the existence of two “designated bus and coach terminals” in ac-



cordance with Article 12 of Regulation (EU) No 181/2011, including the assistance to be provided there free of charge for disabled and mobility-impaired persons in accordance with Article 13 (1) in conjunction with Annex I Section (a) of Regulation (EU) No 181/2011 and, therefore, requests for assistance were neither accepted and passed on to the designated terminals in compliance with the Regulation nor did they make arrangements for providing assistance. An administrative procedure was initiated.

<b>Key issues of the examinations of carriers in 2015</b>				
Regulation (EU) No 181/2011	Contents	Number of examinations	Offences	Remarks
Article 13	Ensuring accessibility for disabled persons	171 <sup>5</sup>	50	Entitlement to request assistance at designated bus and coach terminals is not known
Article 14 (1) and (3)				The conditions on which assistance is provided are not yet existing
Article 20 (1) and (4)	Information in the event of a delay in departure / cancellation			The obligation to provide information in the case of delays in departure or cancellation was not fully complied with
Article 21	Assistance in the case of cancellation or delayed departure			
Article 24	Adequate information of passengers during the journey			The carriers had to be made aware of the requirement for information of the passengers during the journey
Article 25	Information on passengers' rights			The carriers where advised in writing on their obligation to provide information to the passengers about their rights; in this connection, proposals for implementation were submitted. Nevertheless, the information about passengers' rights was inadequate

<sup>5</sup> Thereof 134 covert examinations



The carrier has already initiated first measures to organize assistance at the “designated bus and coach terminals”. Instructions were given to the staff members of the service hotline. The above-mentioned processes were and will be re-examined as to their validity within the context of supervisory measures and evaluated.

In order to examine scheduled bus services with itineraries of less than 250 km, the operators of short-distance bus and coach services were identified in a first step.

### **3.2.2 Terminal managing bodies**

Supervisory functions at bus terminals in accordance with Articles 3 (m) and 12 of Regulation (EU) No 181/2011 comprised mainly the examination of the obligation to inform the passengers of delays in departure and the cancellation of regular services in accordance with Article 20 (1) of Regulation (EU) No 181/2011.

The indispensable prerequisite for the timely and comprehensive information of the passengers is the support of the relevant operators of regular long-distance coach services. Within the context of supervisory measures, the co-operation in this regard and the information processes installed were identified.

Further key areas of the examination were the information on passenger rights (Article 25 of Regulation (EU) No 181/2011) as well as the accessibility of buses and coaches for disabled and mobility-impaired persons, especially at a designated bus and coach terminal in accordance with Article 12 of Regulation (EU) No 181/2011.

In this context, the existence of non-discriminatory access conditions for such persons was also examined. The necessary organisational preconditions, such as the establishment of a point of contact for disabled and mobility-impaired persons to offer them assistance free of charge in accordance with Article 13 (1) in conjunction with Annex I Section (a) of Regulation (EU) No 181/2011 were created.

These persons were informed about the accessibility of the service directly at the bus terminal as well as on the website of the managing body which also included necessary contact details and indications to the assistance offered.



Future supervisory measures will also examine the acceptance of requests for assistance as well as the actual granting of such assistance.

<b>Key issues of the examinations of terminal managing bodies in 2015</b>				
Regulation (EU) No 181/2011	Contents	Number of examinations	Offences	Remarks
Article 11	Non-discriminatory access conditions	58 <sup>6</sup>	13	As part of its work, the enforcement body examined the necessary organizational prerequisites for the realization of accessible transport services for disabled and mobility-impaired persons at the bus terminals designated  Some carriers complied with the obligation to provide information in an exemplary way. In the case of other carriers, shortcomings with regard to this obligation were determined.
Article 13	Ensuring accessibility for disabled persons			
Article 14 (5)	Establishment of contact points			
Article 20 (1)	Information in the event of a delay in departure / cancellation			
Article 25	Information on passenger rights			

### 3.2.3 Tour operators and travel agents

Travel agents and tour operators are mainly examined with regard to the observance of the rights of disabled and mobility-impaired persons already before concluding a travel contract.

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<sup>6</sup> The number of examinations also includes examinations of terminals



Key issues of the examinations of tour operators and travel agents in 2015				
Regulation (EU) No 181/2011	Contents	Number of examinations	Offences	Remarks
Article 9	Right to transport	101	0	The individual ticket vendors were in some cases only to a low degree acquainted with passengers' rights  Nevertheless, passengers were treated in compliance with passengers' rights due to the strong service awareness of the obligated parties.  As a rule, the travel agents provide support for the planning and organization of a journey for disabled and mobility-impaired persons and pass on the requests for assistance to the relevant carrier free of charge.
Article 10	Exceptions and special conditions			
Article 15	Transmission of a request for assistance			

### 3.3 Data on the proactive enforcement of passengers' rights in 2016

In 2016, the enforcement body has carried out a total of 219 proactive examinations of the obligated parties under the Regulation. The carriers accounted for 142 of these examinations, the terminal managing bodies for 62 and the vendors of long-distance bus tickets for 15.

If offences were identified, the obligated parties were asked to comply with the law within the framework of administrative procedures. Further penalties beyond the administrative procedures were not necessary.

In 2016, 2 administrative procedures ensuing from supervisory measures led to contentious administrative proceedings. Their settlement in an administrative court is still pending.



### 3.3.1 Carriers

The key issues of the examination of the carriers from 2015 were also applied in 2016.

In 2016, incident-related examinations were increasingly carried out for the purpose of monitoring the enforcement of the measures ordered and/or for the identification of continued shortcomings. The framework for this approach were diverse nationwide concerted monitoring activities which extended in each case over several months.

The examination in connection with the acceptance of an accompanying person free of charge as defined by Article 10 (4) of Regulation (EU) No 181/2011, in order to rebut possible reasons for an exclusion from transport, which was for the first time carried out in 2014, was repeated in 2016 for reasons of sustainability. The service hotlines of the five major long-distance coach operators as well as of two medium-sized enterprises were examined as to the application of the above arrangement in conformity with the Regulation. The shortcomings still existing were identified. The General Conditions of Business and the FAQ of the individual carriers in this regard were, without exception, in conformity with passengers' rights.

Furthermore, in 2016, the examinations were extended to scheduled bus services with an itinerary of less than 250 m (short-distance bus services).

First of all, nine operators of short-distance bus and coach services were examined with regard to the observance of the Passenger Rights Regulation. The issues examined were the observance of the minimum standards concerning the availability of information during the journey, the general information of passengers about their rights as well as the structures and procedures of the complaints management. A further issue were the difficulties encountered with the transport of mobility-impaired persons.



Key issues of the examinations of carriers in 2016				
Regulation (EU) No 181/2011	Contents	Number of examinations	Offences	Remarks
Article 20 (1) and (4)	Information in the event of a delay in departure / cancellation	142 <sup>7</sup>	44	The obligation to provide information in the case of delays in departure or cancellation was not fully complied with  In some cases, there was disagreement on the legal interpretation of the Regulation  To some extent, passengers were still informed inadequately about their rights
Article 21	Assistance in the case of cancellation or delayed departure			
Article 24	Adequate information of passengers during the journey			
Article 25	Information on passenger rights			

After the legal appraisal of the results of the examinations, the above subject areas emerged as effective key issues for future examinations. The only exception were the problems in connection with the transport of disabled and mobility-impaired persons. Here, the amount of space available in the vehicles as well as safety-related factors impose some restrictions on the right to transport laid down in Article 9 of Regulation (EU) No 181/2011. For this reason, the scope of action vis-à-vis the carriers in this conflict area is rather limited.

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<sup>7</sup> Thereof 95 covert examinations



### 3.3.2 Terminal managing bodies

For the bus terminals, too, the key issues of the previous year were again examined.

Future supervisory measures will also examine the acceptance of requests for assistance as well as the actual granting of such assistance.

Key issues of the examinations of bus terminal managing bodies in 2016				
Regulation (EU) No 181/2011	Contents	Number of examinations	Offences	Remarks
Article 13	Ensuring accessibility for disabled persons	62 <sup>8</sup>	10	Key issue of the examination: Acceptance of requests for assistance as well as the actual granting of assistance  The obligation to provide information according to the Passenger Rights Regulation was in some cases still not always complied with.
Article 14 (5)	Establishment of contact points			
Article 20 (1)	Information in the event of a delay in departure / cancellation			
Article 25	Information on passenger rights			

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<sup>8</sup> The number of examinations also includes examinations of terminals



### 3.3.3 Tour operators and travel agents

Owing to the fact that in 2015 no offences of tour operators and travel agents with regard to the observance of the rights of disabled or mobility-impaired persons had been identified, the number of examinations was reduced accordingly in 2016.

In view of the treatment of passengers which is in the majority of cases in compliance with the Passenger Rights Regulation, supervisory measures are, as a rule, only carried out if a relevant incident occurs.

<b>Key issues of the examinations of tour operators and travel agents in 2016</b>				
Regulation (EU) No 181/2011	Contents	Number of examinations	Offences	Remarks
Article 9	Right to transport	15	0	As a rule, the passengers are treated in conformity with passengers' rights, even in cases where there is only a low level of awareness of such rights
Article 10	Exceptions and special conditions			
Article 15	Transmission of a request for assistance			



### **3.4 Prospects for the enforcement of passengers' rights by supervisory measures**

For the next period under review, the observance of passengers' rights is to be sustainably ensured by repeated examinations of the obligated parties under the Regulation.

After the consolidation of the long-distance coach market it is intended to subject the remaining carriers to a company review. The focus will be on the handling of the complaints management, the compliance with the obligation to provide information as well as the cooperation with the bus terminal managing bodies. At the same time, the operational procedures at bus terminals and traffic control centres will be examined.

The supervisory measures in the sector of short-distance bus services which have already been initiated will be continued with regard to the above issues on an incident-related basis.



## **4. Other activities of the enforcement body**

### **4.1 Public relations work of the enforcement body**

During the period under review, apart from the information on passengers' rights on the website of the Federal Railway Authority and its flyer in this respect issued for the rights of passengers in rail, waterway and bus and coach transport, the enforcement body made use of the press, radio and television to inform the passengers on their rights in accordance with Regulation (EU) No 181/2011.

At the annual open day of the Federal Ministries, the enforcement body for passengers' rights regularly offers a point of contact for the citizens to provide information on these rights. In the period under review, such events were held from 29 to 30 August 2015 and from 27 to 28 August 2016.

### **4.2 Cultivation of contacts with associations**

On 21 January 2015, the enforcement body had an exchange of opinion with the German passenger association "Fahrgastverband PRO BAHN" on passenger rights issues.

At a meeting on 3 July 2015 with the Association of German Transport Companies (VDV) and the Federal Association of German Bus and Coach Operators (bdo), the associations promised to clearly describe and communicate the requirements for the implementation of the Passenger Rights Regulation which have to be met by the carriers and to make them available to their members.

The subject of another meeting of the European Passenger Federation (EPF) in Berlin on 9 April 2016 was the enforcement of passengers' rights in long-distance bus and coach transport with the participation of the enforcement body.



### **4.3 Cooperation with the dispute settlement authorities**

At a meeting with the dispute settlement authority for short-distance transport of North Rhine-Westphalia on 30 June 2015, an exchange of views was held on passenger rights issues. It was agreed, if necessary, to transfer administrative processes to the in each case competent sector.

Reference is regularly made to the dispute settlement authorities for the handling of complaints if the reason for complaint is beyond the responsibility of the enforcement body and the case seems to be eligible for dispute settlement.

### **4.4 Cooperation of the national enforcement bodies**

Besides the exchange of information among the national enforcement bodies (NEB) in bus and coach transport under the auspices of the European Commission in Brussels, individual complaint cases are transferred to other enforcement bodies if these cases are outside the field of competence of the Federal Railway Authority.



## 5. Conclusion

During the period under review 2015/2016, too, an increase in the number of passengers in regular long-distance bus and coach services was experienced so that the issue of passengers' rights has become more important to the users of the bus transport mode. This trend is also reflected by the number of submissions to the Federal Railway Authority as the national enforcement body.

It has to be noted that many passengers directly contact the enforcement body without first of all approaching the carrier in accordance with Section 3 (2) second sentence of the EU-FahrgRBusG so that a majority of these cases is referred to the carrier. The enforcement body explains the legal situation in these cases to the complainants; therefore, it can be assumed that at least those complainants who use buses and coaches more frequently realize that they will in the future have to contact the carrier in the first place.

The supervisory measures of the enforcement body will continue to be based on the results determined in the course of the examinations as well as on the contents of the complaints made by passengers. Moreover, in the next period under review the focus will be on company reviews of the carriers.

In consideration of the number of submissions and the supervisory measures carried out it has to be assumed that passengers as well as the obligated parties are becoming more and more aware of the rights and obligations from Regulation (EU) No 181/2011 and of the Federal Railway Authority as the enforcement body for them.