

# Summary of EDF main amendments to the Proposal for a Regulation on passenger rights in the multimodal context

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The European Disability Forum is an independent NGO that represents the interests of 100 million persons with disabilities in Europe. EDF is a unique platform which brings together representative organisations of persons with disabilities from across Europe. EDF is run by persons with disabilities and their families. We are a strong, united voice of persons with disabilities in Europe.

## Abstract

On 29<sup>th</sup> November 2023, [the European Commission published a legislative proposal on Passenger Rights in the context of Multimodal Journeys](#). On February 2024, EDF published an [in-depth analysis of this legislative proposal](#), which was followed by a detailed proposal of additional amendments to improve the provisions relevant for persons with disabilities. This document aims to provide a summary of EDF main suggested amendments.

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## EDF main amendments to the multimodal proposal

- **Stronger link with the European Accessibility Act<sup>1</sup>.** The multimodal regulation proposal comes a few years after the adoption [of Directive \(EU\) 2019/882](#) (European Accessibility Act - EAA). Although the EAA already refers to transport services covered by accessibility obligations, it only refers to the passenger rights regulations that were in force in the moment of its adoption: Rail, Air, Waterborne, Bus and Coach. Taking into account that access to

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<sup>1</sup> EDF new proposed amendments to Article 5, 8, 10, 11,12, 13, 18,19 of the Multimodal Regulation Proposal.

accessible information is an important right for passengers with disabilities and that recital 15 of the current proposal mentions it, is necessary to link the accessibility provisions to the accessibility requirements of the EAA. This link will provide legal certainty on what accessibility is, coherence in the passenger rights legal framework and homogeneity in the way accessibility provisions are implemented in the different member states. This practice is not rare, as the [Rail Passenger Rights Regulation](#) (2021) already contains such direct references to the EAA in all relevant articles (Articles 8, 9, 22 and 30).

- **Eliminate pre-notification time to request assistance in the multimodal context<sup>2</sup>.** EDF believes that pre-notification should not be set at 48h as a general rule. Especially considering that prenotification time for rail and bus is 24h and 36h respectively. It makes no sense to request 48h for a multimodal journey combining them. EDF advocates for the abolition of pre-notification to book assistance, as it means that persons with disabilities and reduced mobility do not have equal access to transport, which is a binding provision of the UNCRPD. Ideally, all passengers should be able to 'turn up and go'. In rail, some Member States have abolished or significantly reduced pre-notification in major stations.
- **Expand PRM rights to other categories of multimodal tickets<sup>3</sup>.** The scope of the proposal is limited, as most PRM rights are only guaranteed in Single Multimodal Contracts (including the provision of assistance and compensation in respect of mobility equipment). It would be important to extend them to other types of tickets, such as combined multimodal tickets.
- **Strengthen the provisions on compensation in respect of mobility equipment, assistive devices and assistant dogs<sup>4</sup>.** Whenever a passenger buys a single multimodal contract, carriers and transport operators involved in the multimodal journey should be liable for the full cost of replacement or repair of the mobility equipment, not only at connecting points (under the current legal framework, liability in air is limited to what is stipulated in the Montreal

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<sup>2</sup> EDF new proposed amendment to Article 14 of the Multimodal Regulation Proposal

<sup>3</sup> EDF new proposed amendment to Articles 14 and 16 of the Multimodal Regulation Proposal

<sup>4</sup> EDF new proposed amendment to Article 16 of the Multimodal Regulation Proposal

convention). Besides, this right should be extended to combined multimodal tickets, as the current scope of this article is limited to single multimodal tickets. The carrier and terminal manager should be liable for any extra cost derived from such loss.

- **Proper care in event of delay or cancellation**<sup>5</sup>. As in article 7 of the proposal (reimbursement and rerouting) it is important to specify that paying special attention to the needs of persons with disabilities and reduced mobility also means providing, in the event of delay or cancellation, alternative services that meet the needs of persons with disabilities. This might imply providing services that differ from those offered to other passengers. For example, if the carrier provides hotel accommodation in the case of cancellation, if that hotel is not accessible to the passenger with disability, the carrier must provide a suitable alternative for that passenger.
- **Expand the responsibilities of the Single Point of Contact for Assistance**<sup>6</sup>: As it is the case for [Single Point of Contact \(SPC\) under the Rail Passenger regulation \(Article 24\)](#), SPC under the Multimodal Regulation should also be tasked with providing passengers information on accessibility.
- **Application of Service Quality Standards to terminal operators**<sup>7</sup>. The obligation to publish information on the performance pursuant to the quality standards should also apply to terminal operators. In the current form, only carriers will have to make this information public in their websites. Terminal operators are also responsible for the provision of assistance, one of the key passenger rights for persons with disabilities and should also be accountable for the quality of their service, including on the number and nature of complaints received. This information would provide an accurate picture of the situation in passenger rights, help consumers to choose the transport mode that offers better service and push carriers and infrastructure managers to improve their performance.

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<sup>5</sup> EDF new proposed amendment to Article 9 of the new Multimodal Regulation Proposal.

<sup>6</sup> EDF new proposed amendment to Article 15 of the new Multimodal Regulation Proposal.

<sup>7</sup> EDF new proposed amendment to Article 17 of the new Multimodal Regulation Proposal.

- **Clarify the work of National Enforcement Bodies<sup>8</sup>.** Article 20 should specify the type of and number of complaints to be included in their activity report, as statistics can be understood quite generally.
- **Risk based approach to compliance of passenger rights<sup>9</sup>.** While this new provision already gives an indicative list of the monitoring activities that should be carried out by the National Enforcement Bodies (NEBs), it is important to specify other type of initiatives, such as the monitoring of carriers and infrastructure managers websites and applications (in terms of accessibility and transparency of PRM related information). When carrying out such monitoring activities, NEBs should rely on the expertise and ‘lived experience’ of persons with disabilities themselves.
- **The Commission to publish a report in which all the information published by carriers and infrastructure managers in the Service Quality Standards can be compared<sup>10</sup>.** To allow passengers and public authorities to have an overview of carriers and infrastructure managers performance in relation to the Service Quality Standards, it is important that there is a centralised point of information that presents in a homogeneous and comparable manner all the data that has been published, including on PRM-related complaints and data. This is a practice that already exists in the United States, where the [Department of Transportation publishes a yearly report with the number and type of disability related complaints submitted to carriers operating in the United States](#). This is a good practice that should be replicated in the European Union.
- **Improve the information published through Service Quality Standards.** Beyond the information already contained in the proposed new Annexes, carriers and infrastructure managers should also report on the assistance provided (if it was provided or not and if there was a delay) as well as the frequency of disability related training (and if organisations of persons with disabilities were involved in such training)<sup>11</sup>

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<sup>8</sup> EDF new proposed amendment to Article 20 of the new Multimodal Regulation Proposal.

<sup>9</sup> EDF new proposed amendment to Article 22 of the new Multimodal Regulation Proposal.

<sup>10</sup> EDF new proposed amendment to Article 24 of the new Multimodal Regulation Proposal.

<sup>11</sup> EDF new proposed amendment to Annex II of the new Multimodal Regulation Proposal.

## **Related documents**

[EDF Analysis of the Proposal for a Regulation on Passenger Rights in multimodal journeys](#) (February 2024)

## **Contact persons at the EDF secretariat**

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