

ROADMAP

Title of the initiative: **Communication on passenger rights: all modes of transport**
Type of initiative (CWP/Catalogue/Comitology): Communication from the Commission to EP and Council, EESC, CoR
Lead DG/contact person/details: DG MOVE Unit A4
Expected date of adoption of the initiative (month/year): 11/2010
Date of modification:
Version No:

Initial IA screening & planning of further work

A. Context and problem definition

(i) What is the political context of the initiative? (ii) How does this initiative relate to past and possible future initiatives, and to other EU policies?

The adoption of the two regulations on coach and on maritime is expected by December 2010. These two regulations will complete the EU set of regulations protecting passengers on all modes of transport. At the same time, the rail regulation will complete its first year of application in December. Five years after the adoption of the first communication on passenger rights the Commission will adopt a new horizontal communication covering all modes of transport where it takes stock of the experience, identifies common patterns between all modes of transport and set out its general policy orientation for the coming years, without already suggesting concrete measures. The Communication will reflect on the overall picture, across all the EU law to improve passenger awareness and better implementation within the scope of current legislation, and set out a general policy orientation on Passengers' rights.

(i) What is the political context of the initiative? (ii) How does this initiative relate to past and possible future initiatives, and to other EU policies?

Further to this communication, the Commission will reflect on the need of any additional measures including the advisability of any additional regulatory initiative. The final objective at mid-term could be the establishment of a common document for passenger rights in the EU as VP Kallas indicated at his inaugural hearing at the EP.

What are the main problems identified?

Recent Eurobarometers on air passenger rights show that there is still a lack of information among citizens about their rights when travelling. A reflexion is needed on how to overcome this gap. This reflection on how to pass the necessary information to citizens, which falls outside the scope of current legislation, will be based mainly on the experience gathered from the air and at less extend, the rail sector.

Existing regulations are not always fully respected by the industry and enforcement by Member State authorities could be improved. The Communication will reflect on the lessons driven from 5 years of experience in the air sector and one year on rail on how national administrative and legal frameworks influence the enforcement of Passenger rights.

Who is affected?

Stakeholders such as the transport industry, passengers (rights not well developed nor protected), national authorities (efforts diluted by national legal and administrative shortcomings hampering a correct enforcement).

(i) Is EU action justified on grounds of subsidiarity? (ii) Why can the objectives of the proposed action not be achieved sufficiently by Member States (necessity test)? (iii) As a result of this, can objectives be better achieved by action by the Community (test of EU Value Added)?
Only a Communication at EU level can provide stock-taking in the EU as a whole

B. Objectives of EU initiative

What are the main policy objectives?

Define the strategy to ensure that Passenger rights are better known and better implemented without modifying current legislation. Set up of general policy orientations for the future.

Do the objectives imply developing EU policy in new areas or in areas of strategic importance?

No

C. Options

(i) What are the policy options? (ii) What legislative or 'soft law' instruments could be considered? (iii) Would any legislative initiatives go beyond routine up-date of existing legislation?

(i) 1. Do nothing

2. Present a Communication

(II)+(III) no legislative or 'soft law' instruments considered at this stage Does the action proposed in the options cut across several policy areas or impact on action taken/planned by other Commission departments?

DG SANCO, DG MARKT, DG JLS, DG EMPL policies.

Explain how the options respect the proportionality principle.

Communication is proportional in view of the objective to provide a comprehensive overview of the state of play and how current information and application can be improved without further regulation.

D. Initial assessment of impacts

What are the significant impacts likely to result from each policy option (cf. list of impacts in the Impact Assessment Guidelines pages 32-37), even if these impacts would materialise only after subsequent Commission initiatives?

N/A since Communication will not include concrete measures

Could the options have impacts on the EU-Budget (above 5 Mio €) and/or should the IA also serve as the ex-ante evaluation, required by the Financial Regulation?

No

Could the options have significant impacts on (i) simplification, (ii) administrative burden or on (iii) relations with third countries?

N/A since Communication will not include concrete measures

E. Planning of further impact assessment work

When will the impact assessment work start?

N/A since Communication will not include concrete measures

Which stakeholders & experts have been/will be consulted, how and at what stage?

N/A in the context of an IA but the Communication will take account of the reactions on a public consultation launched in December 2009.