

Report on the enforcement of Regulation (EU) No 181/2011 of the European Parliament and of the Council concerning the rights of passengers in bus and coach transport from 1 January 2021 to 31 December 2022

1 General

Under Article 29 of Regulation (EU) No 181/2011 of the European Parliament and of the Council concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 (hereinafter 'Regulation (EU) No 181/2011' or 'Regulation'), the enforcement bodies responsible for the enforcement of the Regulation shall publish a report on their activity every two years.

The report shall contain a description of actions taken in order to implement the Regulation and statistics on complaints and sanctions applied. The present enforcement report concerns the activities of the Finnish Transport and Communications Agency (Traficom) from 1 January 2021 to 31 December 2022.

Provisions on Traficom's competence are laid down in the Act on Transport Services (320/2017), more specifically in section 186, subsection 2, paragraph 4; section 186, subsection 4; and section 187 of the Act. Traficom supervises compliance with the Regulation on a general level with respect to the rights of business passengers and the rights of disabled passengers and passengers with reduced mobility. Moreover, Traficom has the competence to recommend decisions regarding complaints that concern the rights of passengers who are not consumers and the rights of persons with disabilities and persons with reduced mobility.

Traficom's duties also include the designation of bus and coach terminals where assistance shall be provided to persons with disabilities and persons with reduced mobility, as referred to in Article 12 of the Regulation.

On a case-by-case basis, Traficom supervises compliance with the Regulation in cooperation with the Consumer Ombudsman.

2 Contacts and complaints

In 2021–2022, Traficom was not contacted and did not receive any complaints in matters concerning the rights of passengers in bus or coach transport.

3 Supervision measures and other activities

In 2021–2022, Traficom considered passenger rights in its general supervision duties by examining carriers' obligation to provide information regarding passenger rights, as required by Article 25 of the Regulation. Based on Traficom's observations, the websites of carriers often include very limited information about passenger rights. These observations resulted in individual supervision measures in 2021 and 2022.

In connection with its general supervision duties concerning the rights of persons with disabilities and persons with reduced mobility in 2021–2022, Traficom looked

Reg. no.: TRAFICOM/208989/06.03.22/2023

31 May 2023

into the availability of non-discriminatory access conditions on carriers' websites. These conditions are referred to in Article 11 (accessibility and information) of the Regulation, which applies to regular services where the scheduled distance of the service is 250 km or more. Based on Traficom's observations, the availability of the information on carrier websites varies greatly. For example, information about the opportunities of persons with disabilities and persons with reduced mobility to use bus and coach services or the opportunity to carry assistive devices or assistance dogs is scarce or difficult to find.

As a result of the shortcomings observed on carriers' websites, Traficom sent in 2022 a supervisory letter to carriers, reminding them in particular about access conditions (Article 11), personnel training (Article 16) and the general obligation to provide passengers with information about their rights (Article 25) in accordance with the Regulation. The letter also reminded carriers of the obligation of passenger transport service providers to provide information to persons with disabilities as required by section 150, subsection 1, paragraph 5 of the Act on Transport Services (320/2017). The letter was sent to 31 carriers.

On 1 March 2021, Traficom published a news article about the end of a limitation to the scope of application of the Regulation in accordance with Article 2(5). As of 1 March 2021, the Regulation has also applied to regular services between Finland and Russia.

In 2021, Traficom compiled and published situational pictures about the accessibility of long-distance bus services and local public transport services. The situational pictures provide information about the current state and key development needs of the accessibility of regular long-distance bus services and local public transport services provided by cities in Finland. The information is part of wider transport system analysis providing a strategic overview of the current state of the transport system, its development needs and developments in the operating environment. The situational pictures are updated every two years.