

Paris, October 24, 2016

Mr Michael Cramer (MEP)
Chair of the TRAN-Committee
Parlement Européen
Bât. Altiero Spinelli - 04F155
60, rue Wiertz
B-1047 Bruxelles / BELGIQUE

Subject : Proposed Directive on accessibility requirements for products and services (COM 2015/0278)

Dear Mr Cramer,

European Metropolitan Transport Authorities (EMTA) is a platform association for collaboration and policy exchange of 26 European main cities and metropolitan areas (including a partner institution in Canada, with responsibilities for administering public transport. Members have in common the remit of tendering and awarding transport service contracts in cities and larger urban areas for planning, coordinating and financing urban transport systems.

Our aim is to exchange and obtain best practice and identify conditions which lead to a quality network of integrated mobility services in cities and metropolitan areas that is well recognized by our governments, respected by our transport companies and valued by our customers in the most effective, economically responsible and environmentally sustainable way (www.emta.com).

EMTA hereby presents its position with regard to the proposed Directive (COM 2015/0278) that was forwarded today to mr Morten Løkkegaard, rapporteur for IMCO.

EMTA fully endorses the objective of this Directive to define functional requirements that supports accessibility principles to include elderly, impaired and other groups of people with mobility constraints, without specifying technical solutions.

This Directive focuses on fostering free movement by harmonisation of principles for fair trade rather than by addressing the needs of people with functional limitations and disabilities. Measurements and services should be geared at enabling free movement by elimination of physical and sensory barriers.

Barriers to public transport access - as well as alleviating them - can take many forms. As a general principle, transport authorities and operators are made accountable for supplying adequate facilities to include vulnerable groups and to alleviate multiple constraints that compromise the access to mass transit via bus, rail and water. Too much rigidity in the application of guidelines would take away valuable room for adaptive and flexible solutions, and without taking a holistic view of accessibility and for products and services, it could lead to adverse impacts.

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Local Accountability

It should be recognised that transport authorities in major urban network areas have made significant progress in improving physical accessibility of networks. Transport authorities have to abide by national and local regulations as regards to accessibility requirements for transport services and building or adapting transport infrastructure. By deploying transport vehicles with low floor, easy-to-use wayfinding and information services including for those with multiple physical and sensory constraints infrastructure managers, authorities and operators plan, act and evaluate to work on the needs of mobility impaired customers. We would also highlight the work of the Disability Design Reference Group in one of our members which has done so much to influence practical implementation.

Collaboration

The majority of authorities in public transport in general collaborate extensively with representatives of organisations to advocate the needs and interests of disabled persons or persons with reduced mobility. To ensure that the applicable functional requirements are met, public service contracts as well as transport infrastructure terms of reference and programmes are commissioned in compliance with existing demands of other European Union legislation.

Digitalisation

Moreover, online web-applications enable users with mobility impairments to request pre-trip support, as well as from assistance from station managers.

Practically all transactions and acts to obtain real time travel information and notably to acquire a valid ticket to travel from a ticket machine in a main station can be obtained from the web or from a smartphone app. The requirements set out in the directive should recognise this and allow until it is replaced for alternative ways to meet the overall objective of making services accessible to all, like accessible ticket machines, by invoking assistance from station staff, web apps and telephone help lines.

Proportionality

Investment involved to equip public amenities with multiple sensory channels needs to be covered by public means. Given the financial pressure of public transport budgets, adaptations to the systems would imply a disruptive change in spending targets. Hence, the available budget for service provision would be diminished to enable considerable expenses in collateral alternatives for solutions, needed to warrant the aforementioned accessibility requirements. Responding to the rapidly growing demand of services in urban networks would create a challenge: service capacity (vehicles, staff, capacity of supply) and quality of service would inevitably have to be compromised.

Retrospectivity

Recognising all the things that have been achieved so far, we shouldn't make measures retrospectively. Conversely, in going forward, we should be careful not to specify standards where they are very quickly overtaken by new technology.

Hence, it is essential to make clear that the Accessibility Requirements of Section IX as mentioned in article 21 should not be applied retrospectively and only to new contracts. One of EMTA's members, for example, estimates that replacing all its ticketing machines would cost hundreds of millions of Euros. These funds would have to be diverted from existing accessibility improvement budgets.

Affordability

EMTA is concerned that without the identification of costs of measures to improve access for people with exceptional impairments and without adequate additional funds, imposing comprehensive new requirements could lead to adverse effects.

When looking at the costs of replacing the existing ticketing machines the additional costs of this could compromise the initial supply of services or lead up to measures of limiting or cancelling assistance from local staff in stations.

Given the huge cost more generally to public transport providers of adapting their infrastructure to modern standards of accessibility, such as step-free access at stations, EMTA supports calls for an EU "Accessibility Fund" available to all public service providers.

Finally, some definitions i.e. that of "persons with functional limitations", are extremely broad and should be both more precise and consistent with the Technical Standard of Interoperability on People with Reduced Mobility.¹

EMTA sincerely hopes for a clear statement that public transport authorities and providers will be involved by the Commission to develop the more detailed implementing acts, authorized under article 14 of the proposed Directive.

Wolfgang Schroll,



EMTA President

¹ Commission Regulation (EU) 1300/2014, Annex 2.2