

EMTA REFLEXION ON THE RIGHTS OF PASSENGERS IN URBAN TRANSPORT¹

Introduction

EMTA, the European Metropolitan Transport Authorities represents 28 cities/city regions and their Transport Authorities, brings together and shares best practice amongst 16 European Member States. EMTA allows the collaboration on best practice but also the sharing and joint problem-solving of issues that are common across the European Union.

It collectively spends billions of Euros in improving public transport for the constituents of those cities and city regions and, between its members has wide experience in identifying and addressing individuals needs in terms of providing comprehensive transport systems serving over 90 million European citizens.

As an organisation representing such a large number of Transport Authorities, EMTA would like to share some thoughts on how to address passenger rights that are currently subject to draft European legislation.

EMTA organised a hearing on passenger rights in Budapest on 15/16 April, with representatives from the members of EMTA, representatives of the European

¹ In reference to draft regulation on the rights of passengers in buses and coaches 2008/0237 (COD)

employers and employees of public services (CEEP) and of European passengers (EFP). This hearing was held in order to gain a better understanding of the interests and opinions of important players in the public transport field with regard to the draft Regulation of Passenger Rights for Buses and Coaches 2008/0237(COD). This was an informative debate which enabled both the invited guests to state their positions, for Transport Authorities to identify how they currently address such issues and how, in the future, these things can be addressed by individual Transport Authorities, individual nation states and on a European-wide basis.

What is the role for Transport Authorities?

It is clear that the Transport Authorities' key objective is to identify the needs of existing and future users of their transport systems and then use all of the tools available to it to deliver the right level of quality at the right price. It is clear from the constitution of Transport Authorities, which all include democratically elected politicians that all Transport Authorities base their policies on extensive market research, consultation with users and potential users and understanding the specific requirements of the people in their cities and their city regions. It is clear from work we've done with members of EMTA, and from the debate in Budapest, there is a vast amount of experience in identifying what passengers require and how it can be best delivered by Transport Authorities and operators, and how we can enshrine passenger rights within those agreements.

We can highlight extensive good practice in Amsterdam, Turin, Stuttgart region, Vienna, Paris-Ile de France and various quality partnerships in place in the UK to name but a few. These partnerships and contracts are specifically related to local

circumstances and take into account all issues of quality identified by existing users and potential users. These customer expectations can be built into these partnerships/contracts in a way that provides incentives and disincentives for operators to achieve sustained improvements in quality. Passengers should be convinced that their rights are enhanced when translated into quality targets in negotiation between Transport Authorities and operators. The signal must be clear for quality should bring in turn more passengers thus revenues. This, however, has to be balanced against affordable funding available to Transport Authorities and, indeed, operators.

EMTA, and individual Authorities, can provide examples of where passenger rights, as well as expectations, are captured in existing contracts and have been used to maintain or improve quality.

There are, however, areas where it is not possible to enshrine these issues in contracts or partnerships as the number of services may require greater co-ordination outside of Metropolitan areas and the involvement of other local authorities. It is necessary, therefore, that there should be strong partnership working to contribute in a co-operative way with, for example, city planning authorities in allocating road space, road traffic administration and managing the rights of way etc and also the greater use of information to inform people, not only on their journey requirement by real time information, but also the way that customers are dealt with in times of service disruption. In large Metropolitan areas the geographical scope either includes or connects with different modes of public transport who, in turn, report to different Transport Authorities. This requires strong co-ordination—across administrative boundaries but does not require a European-wide regulation.

EMTA can demonstrate where partnerships and contracts are in place and strong co-ordination between relevant authorities and operators deliver to customers' expectations.

Raising quality and funding

It is clear that raising the quality of public transport offer should, in theory, raise the volume of people using the service and, therefore, the revenues that are generated. Transport Authorities always need to balance both improvements to customer service, customer expectations, the quality of service offer, together with the price that people are willing to pay. Therefore, it needs to be a specific judgement taken by Transport Authorities in the areas of quality and areas of passenger rights which are most required in their area to improve the overall quality of offer and also identify potential funding for these areas of quality. It cannot be the case that a blanket approach, improving one specific area of passenger quality, or protecting a specific passenger right, is the correct manner; it needs to be identified on a Metropolitan area basis.

European nation states and Metropolitan authorities

As highlighted above, strong contracts with clear plans for improving quality and incentives with the necessary funding associated is a key way to improve both the quality and the volume of people using public transport. However, from the discussions with EMTA members it is clear that specific requirements are best done on a localised basis as issues in one Metropolitan area will be different and have less value to customers in another area and, therefore, in most cases applying European-wide regulation to address some specific passenger rights doesn't appear

as appropriate or desirable. Metropolitan Transport Authorities feel they are best placed to identify, through their research, collaboration and discussion with users and non-users and with the strong support of elected politicians ensuring adequate funding, what the actual requirements for improving quality and protecting passenger rights are and then building those into strong contracts with operators. However in some national specific cases and in spite of all remarkable efforts, Transport Authorities cannot ensure through the contractual relationships with their operators the high level of performance they aspire to for the passengers, in particular where the national regulations do not allow to bring adequate pressure on operators.

Summary

EMTA are keen to engage in this conversation and demonstrate best practice in securing passenger rights and customer expectations as a priority through contracts that they have in place, which is based upon collaboration and discussion with existing users and non-users, as well as advice and support received from elected politicians. We believe that driving up quality, protecting and ensuring good customer service and passenger rights, is a key element to delivering public transport which needs to be carefully balanced against the available funding. This also needs to respond specifically to local issues identified by strong research and then delivered through contractual arrangements between Metropolitan authorities and operators.



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