

## Targeted consultation on Passenger Rights in Bus and Coach Transport

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# Fact-finding study on passenger rights in bus and coach transport

### OVERVIEW OF CONSULTATION

The European Commission's Directorate-General for Mobility and Transport (DG MOVE) has appointed a Consortium led by PwC, with TIS and Steer to carry out a **fact-finding study on passenger rights in bus and coach transport**.

The overall aim of the study is to: assess the **evolution of the bus and coach market**; **gather** data on the **current level of protection of passengers in bus and coach transport** for scheduled services of less than 250 km; identify the **concerns of the relevant stakeholders** concerning the rights of passengers in bus and coach transport; find **solutions to identified issues or legal gaps of Regulation EU no. 181/2011**.

The ultimate goal is to **prepare possible new rules for passenger rights in bus and coach transport** and/or identify whether any **change to the passenger rights framework** is needed to better suit the recent market evolution.

Under this initiative, the Commission is gathering information on the following points:

- [The bus and coach market evolution in the past five years](#);
- [National laws regarding the protection of passenger rights](#);
- [Data on delays in bus and coach journeys, national laws on carriage of luggage, carriers' policies on carriage of luggage and liability of luggage, data on luggage stolen, lost or damaged](#);
- [PRM assistance during bus and coach travel and on terminals, including disability awareness training for assistance staff](#);
- [Enforcement of passenger rights and complaint handling](#).

### PURPOSE OF THE CONSULTATION

This questionnaire is part of the targeted consultation activities for the fact-finding study that the appointed Consortium is conducting on behalf of the European Commission, DG MOVE. The objective of the questionnaire is to collect stakeholders' views on the above-mentioned issues and it is used to collect as much quantitative information as possible. You are invited to reply on behalf of your organisation; one reply per organisation is required.

Please note that the inputs collected through the online questionnaire will potentially lead to the review of the bus and coach passenger rights framework, therefore, your participation is crucial for the success of the project. Additionally, as a thank-you for the time spent to complete the online questionnaire, upon request we will share an extract of the key results of the targeted consultation to interested parties.

The replies will only be used for the purposes of this study and the internal work of the European Commission. Access to your personal data is provided to the European Commission staff responsible for carrying out this processing operation and to authorised staff according to the "need to know" principle. Such staff abide by statutory, and when required, additional confidentiality agreements. If you wish to provide information which you consider to be confidential, please feel free to contact the contractors to discuss any such concerns ([it\\_eu\\_busandcoach@pwc.com](mailto:it_eu_busandcoach@pwc.com) or [raoul.brancaccio@pwc.com](mailto:raoul.brancaccio@pwc.com)).



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Note that this survey has been structured so that you are only asked the questions relevant for your stakeholder group. Not a single question is mandatory. At the end of each page you will have the opportunity to upload any documents that you think could be useful for this study.

## PERSONAL DATA AND PRIVACY STATEMENT

[Privacy notice](#)

[PwC Global Privacy Notice](#)

## INSTRUCTIONS TO COMPLETE THE ONLINE QUESTIONNAIRE

1. To access the survey, use this [link](#).

At the start of the survey, please **select the stakeholder group you belong to**, and the survey will redirect you to the relevant questions. Fill in relevant sections to the best of your abilities.

2. You do not need to complete the survey in a **single session**, and you may retrieve the survey where you left off in the following ways:

- (Recommended) After partially filling the survey, **proceed to the last page and click on “save and submit” bottom**, after which you will be asked to **insert your email** address. Then **a link will be sent to the inserted email**, through which you can always re-access the survey. It is very important that you provide your correct email, otherwise the answers will be submitted anonymously, and you will lose the possibility to edit the answers.
- You may also re-access your incomplete survey without submitting it, as long as you do it with the same browser and your device saves cookies. However, **the previous method is recommended to avoid loss of data** in case cookies are deleted or in case you re-access the survey from another device/browser.
- Please note that you **cannot go backwards on the questionnaire and edit** your given answers **unless you save and submit** them (explained in the first point above). The second way will only allow you to respond to the questions that were left unanswered.

3. Even though the questionnaire is in English, you may also fill it in in other EU languages. However, it will facilitate our task if you fill it in in English.

If you wish to download the **word version of the questionnaire**, please follow the instructions below:

- **Insert your personal details**, at least the mandatory ones that are: name of the organisation, country, and stakeholder group;
- Continue until you reach a page with the following sentence: **“If you wish to download and print the questionnaire, please find the word version here”**. On the word “here” **a link is inserted to download the word version**.

The reason why we ask you to insert your personal details first is because both the online and offline versions of the questionnaire are **customized based on the stakeholder groups**. Hence, each stakeholder group has access to a different set of questions.

## Technical assistance

If you encounter technical issues or bugs when filling in the survey in Qualtrics, please contact:

1. [it\\_eu\\_busandcoach@pwc.com](mailto:it_eu_busandcoach@pwc.com)  
Raoul Brancaccio: e-mail: [raoul.brancaccio@pwc.com](mailto:raoul.brancaccio@pwc.com)



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Please insert the name of your organisation.

What is the main country of operations of your organisation?

Which stakeholder group best represents your organisation?

- Consumer organisation
- PRM representative organisation
- Umbrella organisation of bus and coach carriers
- Bus and coach carrier
- National Enforcement Body
- Member state authority
- Alternative dispute resolution body
- Umbrella organisation of terminal operators
- Terminal operator
- Umbrella organisation of intermediary ticket vendors
- Intermediary ticket vendor

Some data heavy questions will require you to answer by **filling in an excel sheet**, available [here](#). You will have the possibility to upload this file at the end of the online questionnaire.



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### The bus and coach market evolution in the past five years

#### Frequency and consequences of bus and coach carriers' insolvencies and/or reorganisations

Are you aware of any case of insolvencies of long-distance bus and coach carriers in the past 5 years?

- Yes
- No

Please provide information on the name of the bus and coach carrier.

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Do you collect data on the number of bus and coach tickets that have been cancelled due to carriers' insolvencies?

- Yes
- No

Can you provide us with data estimates of bus and coach tickets that have been cancelled due to carriers' insolvencies for the past 5 years? If you did not download it yet, please find the blank data collection template [here](#). You will have the possibility to upload this file at the end of the online questionnaire.

Do you collect data on the number of complaints filed by passengers due to carriers' insolvencies in the past 5 years?

- Yes
- No

Can you provide us with data estimates on the number of complaints filed by passengers due to carriers' insolvencies for the past 5 years? If you did not download it yet, please find the blank data collection template [here](#). You will have the possibility to upload this file at the end of the online questionnaire.

Do you collect data on the number of passenger complaints due to insolvencies caused by Covid-19?

- Yes
- No

Can you provide us with data estimates on the number of complaints filed by passengers due to carriers' insolvencies caused by Covid-19? If you did not download it yet, please find the blank data collection template [here](#). You will have the possibility to upload this file at the end of the online questionnaire.

Do you collect data on the number of refunded passengers (both in terms of vouchers and refunds) following carriers' insolvencies in the last 5 years?

- Yes
- No

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Could you provide us with data estimates on the number of refunded passengers (both in terms of vouchers and refunds) following carriers' insolvencies for the past 5 years? If you did not download it yet, please find the blank data collection template [here](#). You will have the possibility to upload this file at the end of the online questionnaire.

Are you aware of bus and coach market leaders that reorganised (i.e. overhaul their company's internal structure) their businesses in the past 5 years?

- Yes
- No

Please provide the name of the carrier.

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### Effects of large-scale illiquidity crises on the bus and coach market

Note: for the purpose of this questionnaire, when referring to "illiquidity crisis", the following definition applies: a financial situation characterised by a lack of cash or easily-convertible-to-cash assets on hand across many businesses simultaneously

Do you collect data on the number of bus and coach tickets that have been cancelled due to large-scale illiquidity crises?

- Yes
- No

Can you provide us with data estimates on the number of bus and coach tickets that have been cancelled due to large-scale illiquidity crises for the past 5 years? If you did not download it yet, please find the blank data collection template [here](#). You will have the possibility to upload this file at the end of the online questionnaire.

Do you collect data on the number of passengers who received a reimbursement for their cancelled tickets due to large-scale illiquidity crises?

- Yes
- No

Can you provide us with data estimates on the number of passengers who received a reimbursement for their cancelled tickets due to large-scale illiquidity crises for the past 5 years? If you did not download it yet, please find the blank data collection template [here](#). You will have the possibility to upload this file at the end of the online questionnaire.

Do you collect data on the number of passengers being repatriated following large-scale illiquidity crises?

- Yes
- No

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Can you provide us with data estimates on the number of passengers being repatriated following large-scale illiquidity crises for the past 5 years? If you did not download it yet, please find the blank data collection template [here](#). You will have the possibility to upload this file at the end of the online questionnaire.

Do you collect data on the number of complaints made by passengers due to large scale illiquidity crises?

- Yes
- No

Can you provide us with data estimates on the number of complaints made by passengers due to large scale illiquidity crises for the past 5 years? If you did not download it yet, please find the blank data collection template [here](#). You will have the possibility to upload this file at the end of the online questionnaire.

### The effects of major crises on the bus and coach market

Note: for the purpose of this questionnaire, when referring to “major crisis”, we shall take into consideration at least one of the following definitions:

- A) An alignment with the definition in the Package Travel Directive Art. 12.2.: ‘unavoidable and extraordinary circumstances’ occurring at the place of destination or its immediate vicinity and significantly affecting the purpose of the journey, or which significantly affect the carriage of passengers to the destination’. More information on this definition can be obtained [here](#).
- B) A definition strictly defining the circumstances, limiting them to: i) warfare at the place of departure or destination or its immediate vicinity; ii) terrorist attack at the place of destination or its immediate vicinity; iii) natural disaster, such as major earthquake or flood, at the place of destination or its immediate vicinity, prohibiting leisure stays; or iv) major health risk at the place of departure or place of destination or its immediate vicinity, limiting the possibility of travel.
- C) A right to cancellation based on national travel warnings concerning the passenger’s destination issued by the Member State of departure (there are currently no harmonized rules for such travel warnings, and they could therefore vary between Member States).
- D) A public health emergency of international concern, in line with Article 1.1 of the WHO International Health Regulations, affecting not only the place of destination and its immediate vicinity but also the place of departure.

Do you collect data on the number of self-cancellations by passengers due to major crises?

- Yes
- No

Can you provide us with data estimates on the number of self-cancellations by passengers due to major crises for the past 5 years? If you did not download it yet, please find the blank data collection template [here](#). You will have the possibility to upload this file at the end of the online questionnaire.

Do you collect data on the number of reimbursement claims filed by passengers in case of self-cancellations?

- Yes
- No



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Can you provide us with data estimates on the number of reimbursement claims filed by passengers in case of self-cancellations for the past 5 years? If you did not download it yet, please find the blank data collection template [here](#). You will have the possibility to upload this file at the end of the online questionnaire.

### National legislation on bus and coach passenger rights

Beyond the level of protection set out in Regulation (EU) No 181/2011, what national laws exist in your Member States for passenger rights travelling by bus or coach? Please provide us a link if possible.

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Beyond the level of protection set out in Regulation (EU) No 181/2011, is there some bus and coach passenger rights legislation which is dependent on the distance travelled by passengers? Please explain.

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Are there specific guidelines or legislative requirements for bus and coach passenger rights under PSO services in your Member State/regional or local area?

- Yes
- No

If you selected “Yes” in the previous question, please describe these guidelines or legislative requirements for bus and coach passenger rights under PSO services or provide a link we could refer to.

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Regarding the threshold of 250km set out in the Reg. EU 181/2011, would you change such threshold to increase or reduce the coverage of the passenger rights framework?

- Yes
- No

If you selected “Yes” in the previous question, on how many kilometres would you set such threshold?

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Is there a registry of bus and coach public service obligations contracts in your Member State/regional or local area?

- Yes
- No

If you selected “Yes” in the previous question, please provide us with a link.

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What legal gaps have you identified related to the protection of bus and coach passenger rights in your Member State?

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If you have any other information on national/regional/local law or guidelines (including on PSO) relevant to bus and coach passenger rights, please provide it.

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### **Data on delays in bus and coach journeys, national laws on carriage of luggage, carriers' policies on carriage of luggage and liability of luggage, data on luggage stolen, lost or damaged**

#### Data on delays in bus and coach journeys

Please provide any statistics you have on bus/coach delays on departure in 2022 (and if not available in 2021). If you did not download it yet, please find the blank data collection template [here](#). You will have the possibility to upload this file at the end of the online questionnaire.

Please provide any statistics you have on bus/coach delays upon arrival in 2022 (and if not available in 2021) years. If you did not download it yet, please find the blank data collection template [here](#). You will have the possibility to upload this file at the end of the online questionnaire.

Please explain the main causes of delays on departure.

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Please explain the main causes of delays upon arrival.

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Please explain how attributable the carrier is regarding delays.

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Please provide any statistics you have on bus/coach delay-related complaints in 2022 (if not available, please provide statistics for the year 2021). If you did not download it yet, please find the blank data collection template [here](#). You will have the possibility to upload this file at the end of the online questionnaire.

Please provide a link to bus/coach delay related databases.

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Please explain the possible impact for your organisation/operators of introducing compensation due to delays on arrival.

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Please explain under which circumstances a compensation could be foreseen for delays on arrivals and what you consider a fair compensation.

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With reference to the previous question, please explain any circumstances under which this compensation would be waived.

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Please explain the proportionality between the procedure to get reimbursement and compensation and the ease of getting it.

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### Re-routing in case of bus and coach travel disruption

Please select the option that best represents how you reroute passengers who experience travel disruptions.

- Using your own services
- Using your competitors' services

Please explain how you interpret “at the earliest opportunity” of Regulation EU 181/2011.

---

How many services have you rerouted in 2022 (and if not available in 2021)?

	2021	2022
<b>Number of services rerouted</b>		

Please explain what are the cost that you incur for rerouting and journey continuation of passengers.

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Please explain how the time threshold of the [Regulation EU 181/2011](#), guaranteeing reimbursement or rerouting following an overbooking, cancellation or delay of more than 120 minutes from the estimated time of departure impact on your rerouting policies and decisions.

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Please provide examples of good practices, if any, on how to fulfil the obligation of rerouting and rebooking effectively and efficiently.

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How would you recommend that re-routing/journey continuation is done in a bus and coach journey?

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How could re-routing by other bus and coach carriers be implemented?

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In Regulation 181/2011, passengers only have rights for delayed departing bus services, but not for delayed services on arrival. Could bus and coach passengers have some rights regarding delays on arrival, considering the context of road safety? Please explain.

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What do you suggest should be considered as 'comparable condition' for a re-routing 'at the earliest opportunity'?

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### Data on luggage stolen, lost or damaged

Please explain the national laws that exist in your Member State, if any, regarding the carriage of luggage of passengers in bus and coach services (not in the case of accident).

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Please explain the national laws that exist in your Member State, if any, regarding the liability of carriers or terminal managing bodies for the loss, damage or theft of luggage in bus and coach services (not in the case of accidents).

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Please explain the practical mechanisms that are in place at your terminal/in your coaches or buses, if any, to prevent the damage, loss or theft of luggage.

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Please explain the policies in your Member State in regard to compensation for damaged luggage (not in the case of accidents).

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Please explain the national policies in your Member State in regard to compensation for lost luggage (not in the case of accidents).

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Please explain the amounts paid (min and max) for lost/stolen and damaged luggage. If weight related, please explain how you agree on luggage weight. If it relates to the value of what was in the luggage please explain the receipts you require from the passengers to make a claim.

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Please detail how passengers prove luggage damage, or prove the loss (not in the case of accidents). Please list the sort of evidence that you consider.

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Do you provide passengers with a luggage receipt for each piece of luggage that they put in the load.

- Yes
- No

Are passengers able to notify the driver of valuable/fragile items they have with them.

- Yes
- No



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If yes, how are drivers notified by passengers (orally, in writing, etc) and what proof do passengers have to show? Where are valuable/fragile items stored and kept secure in the bus/coach?

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If passengers are able to notify the driver of valuable/fragile items they have with them, where are valuable/fragile items stored and kept secure in the bus/coach?

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Please provide any statistics you have on damaged luggage (not in the case of accidents) in 2022 (and if not available in 2021). If you did not download it yet, please find the blank data collection template [here](#). You will have the possibility to upload this file at the end of the online questionnaire.

Please provide any statistics you have on lost and stolen luggage (not in the case of accidents) in 2022 (and if not available in 2021). If you did not download it yet, please find the blank data collection template [here](#). You will have the possibility to upload this file at the end of the online questionnaire.

Do you have examples of good practice on liability for luggage of passengers stolen, lost or damaged (not in the case of accidents)?

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### **PRM assistance during bus and coach travel and on terminals, including disability awareness training for assistance staff**

What are the best practices to ensure the best levels of assistance and accessibility to PRMs to/from terminals and within the terminal?

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### **Enforcement of passenger rights and complaint handling**

#### NEB activities related to the bus and coach passenger rights

How many passenger complaints did you receive over the last two years?

	Complaints that you address entirely	Complaints that you address partially
<b>Number of complaints that you address</b>		

If you only address part of the complaints that you receive, which criteria do you use to select the ones that you address?

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Please provide the number of complaints that you received per topic (such as bus delayed, early departure, baggage complaint, etc) in 2022 (and if not available in 2021).

	2021	2022
Accessibility issues		
PRM denied boarding		
Bus/coach terminal issues		
Delays of bus/coach service on departure		
Delays of bus/coach service on arrival (outside of Regulation 181/2011 scope)		
Cancellations of bus/coach services		
Reimbursement issues		
Compensation issues		
Choice between re-routing or reimbursement not given		
Handling of complaints issue		
Ticket issues		
Compliance with the bus/coach timetable issues		
Loss/theft of luggage (outside of Regulation 181/2011 scope)		
Damage of luggage (outside of Regulation 181/2011 scope)		
Other luggage issues		
No operation of vehicle		
Other issues outside of Regulation 181/2011		
Other		

If you inserted a number for "other" complaint, please explain what these complaint refer to.

\_\_\_\_\_

Please provide statistics and qualitative information on the outcome of complaints in 2022 (and if not available in 2021), including the time to resolve them.

\_\_\_\_\_

What obstacles may exist for passengers to submit complaints (if relevant)?

\_\_\_\_\_

Do NEBs in your MS perform the monitoring activity: "Collection and verification of evidence in relation to a consumer complaint". Please explain.

\_\_\_\_\_

Do NEBs in your MS perform the monitoring activity: "Assessments of whether carriers' procedures are compliant, including their conditions of carriage and information on their websites". Please explain.

\_\_\_\_\_

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Do NEBs in your MS perform the monitoring activity: “Open and hidden monitoring of compliance, through inspections for instance”. Please explain.

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Do NEBs in your MS perform the monitoring activity: “Awareness-raising of the Regulation”. Please explain.

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Do NEBs in your MS perform the monitoring activity: “Specific monitoring of PRM issues”. Please explain.

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Do NEBs in your MS perform any other monitoring activity? Please explain.

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### Proof needed by passengers to substantiate bus and coach passenger rights claims

What proof should PRM collect in case of lack of information on a terminal accessibility?

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What proof should PRM collect in case of denied boarding?

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What is the impact of the complexity of the burden of the proof on the efficiency of the enforcement and complaint handling system?

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What could be done to reduce the complexity of the burden of the proof?

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### Introduction of a standardised passenger complaint form

Do you think that having an EU-wide form for passenger complaints to carriers and NEBs in relation to bus and coach transport is a good idea?

- Yes
- No
- I don't know

Please find attached the draft model of such [form](#). What areas of improvement would you suggest?

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### The role of Alternative Dispute Resolution bodies in bus and coach passenger rights

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For bus and coach disputes, what Alternative Dispute Resolution bodies (ADRs) exist in your MS?

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Please explain the powers of these ADR bodies.

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Is participation to an ADR in charge of bus/coach mandatory/voluntary for the carrier? Please explain.

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Do carriers have to pay fees to participate in the ADR?

- Yes
- No

Could you quantify these fees?

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Do passengers have to pay fees to participate in the ADR?

- Yes
- No

Could you quantify these fees?

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Are there minimum and maximum complaint values to use an ADR?

- Yes
- No

Do passengers need legal representation?

- Yes
- No

What legal texts (Regulation 181/2011 only, case law, national law, other) can the ADR take into account in bus and coach passenger rights disputes? Please explain.

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Is the outcome of disputes binding and for whom? Please explain.

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Are decisions taken by the ADR public/restricted to the parties?

- Public
- Restricted to the parties





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Do you have any feedback to report about the ADR use/quality of decisions on bus and coach in your Member State?

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In which languages can the ADR be contacted?

- Bulgarian
- Spanish
- Czech
- Danish
- German
- Estonian
- Greek
- English
- French
- Irish
- Croatian
- Italian
- Latvian
- Lithuanian
- Hungarian
- Maltese
- Dutch
- Polish
- Portuguese
- Romanian
- Slovak
- Slovenian
- Finnish
- Swedish
- Other \_\_\_\_\_

In which languages can the ADR liaise with the parties?

- Bulgarian
- Spanish
- Czech
- Danish
- German
- Estonian
- Greek
- English
- French
- Irish
- Croatian
- Italian

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- Latvian
- Lithuanian
- Hungarian
- Maltese
- Dutch
- Polish
- Portuguese
- Romanian
- Slovak
- Slovenian
- Finnish
- Swedish
- Other \_\_\_\_\_

How many cases related to passenger rights on long distance bus and coach services (i.e. services of 250km or more) did you receive in 2022? If not available, please provide the data for 2021.

	2021	2022
<b>Number of cases</b>		

What are the main topics that passengers contact you on long distance bus and coach services (i.e. services of 250km or more) passenger rights?

- Accessibility issues
- PRM denied boarding
- Bus/coach terminal issues
- Delays of bus/coach service
- Cancellations of bus/coach services
- Reimbursement issues
- Compensation issues
- Choice between re-routing or reimbursement not given
- Handling of complaints issue
- Ticket issues
- Compliance with the bus/coach timetable issues
- Bus/coach accidents
- Loss/theft of luggage
- Damage of luggage
- Other luggage issues
- Inoperation of vehicle
- Issues that are outside the scope of Regulation 181/2011
- Other \_\_\_\_\_



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How should information about ADRs be communicated to passengers?

- Electronically (e.g. by email or via a website)
- In paper format
- In person at the ADR office
- Other, please specify: \_\_\_\_\_

Do you think operator's Terms and Conditions should have a reference to ADRs?

- Yes
- No
- I don't know

Please explain.

\_\_\_\_\_

Do you think carriers should inform passengers about ADRs?

- Yes
- No
- I don't know

Please explain.

\_\_\_\_\_

Should carriers be mandated to join an ADR or other out-of-court dispute resolution procedures?

- Yes
- No
- I don't know

Why?

\_\_\_\_\_

What would be the best mechanism to mandate carriers to join an ADR or other out-of court resolution procedures?

\_\_\_\_\_

Can the dispute resolution lead to a compensation below what is provided by applicable law?

- Yes
- No

Can the dispute resolution lead to a compensation above what is provided by applicable law?

- Yes
- No

What role do digital tools play in your work?

\_\_\_\_\_



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How easy is it to access the services of an ADR via digital means?

- Extremely difficult
  - Somewhat difficult
  - Neither easy nor difficult
  - Somewhat easy
  - Extremely easy
  - I don't know
- 

**Thank you for completing the questionnaire!**

If you have any questions or observations about this questionnaire, or difficulty in accessing the site or completing the questionnaire, please do not directly respond to the sender (noreply@qualtrics-survey.com), but instead contact [it eu busandcoach@pwc.com](mailto:eu_busandcoach@pwc.com) or [raoul.brancaccio@pwc.com](mailto:raoul.brancaccio@pwc.com).