

The Consumer Voice in Europe

## TICKET TO RIDE

BEUC recommendations for a successful “Single Digital Booking and Ticketing Regulation” and the better protection of rail passenger rights



**Contact: Robin Loos & Steven Berger – [sustainability@beuc.eu](mailto:sustainability@beuc.eu)  
[consumerrights@beuc.eu](mailto:consumerrights@beuc.eu)**

**BUREAU EUROPÉEN DES UNIONS DE CONSOMMATEURS AISBL | DER EUROPÄISCHE VERBRAUCHERVERBAND**

Rue d'Arlon 80, B-1040 Brussels • Tel. +32 (0)2 743 15 90 • [www.twitter.com/beuc](https://www.twitter.com/beuc) • [www.beuc.eu](http://www.beuc.eu)  
EC register for interest representatives: identification number 9505781573-45



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***“We will propose a Single Digital Booking and Ticketing Regulation, to ensure that Europeans can buy one single ticket on one single platform and get passengers’ rights for their whole trip.”***

Ursula von der Leyen, [Europe’s Choice](#) (page 9), 18 July 2024.

## **BEUC can only agree with the ambition of President von der Leyen**

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### **What consumer groups from across Europe say:**

*“It is not possible to book Flixbus tickets on Deutsche Bahn’s website (but the connection will be displayed), and it is not possible to book Deutsche Bahn tickets on the Flixbus website (it’s not even displayed) (...) Trainline shows tickets from all operators but does not offer the possibility to book alltickets”*

vzbv (Germany)

*“SNCF Connect does not offer the option to book tickets from Trenitalia but used to offer the possibility to book Deutsche Bahn tickets. Trenitalia does not offer any SNCF tickets (neither high speed nor regional connections)”*

UFC Que-Choisir (France)

*“When it comes to the cross-border Celta Train (Porto – Vigo), the Portuguese operator’s website doesn’t allow you to buy tickets, indicating a link to the Spanish operator’s (RENFE) website”*

DECO (Portugal)

*“To raise a complaint is not easy, you have to go in person to a certain train station (there are two in Budapest and one in nine other big cities in the country)”*

TVE (Hungary)

*“Crossing a border often means falling into an insecurity hole for passengers. This is representative of how rail passenger rights apply differently across countries and operators. A lack of frequency and of the possibility to hop on the next train, along with the poor coordination of timetables make it harder for many consumers to envisage cross-border trains as a go-to option.”*

BEUC report [‘Railway to \(consumer\) heaven’](#)

## Simpler ticketing, better passenger rights: the basis for a convenient cross-border rail system

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### Why it matters to consumers

Although consumers want to move around more sustainably, the need for a modal shift (and in particular towards rail) in their mobility habits is of such magnitude that it cannot rely on their individual decisions alone. The pre-condition for this modal shift to happen is for consumers to have **a multimodal offer that is easy to use and attractive**.

Yet, planning a multimodal or long-distance journey is still an obstacle course, due to difficulties in finding and paying for tickets, poor information on connections or lack of rights for passengers who use several modes of transport or travel with different operators.

### Why we need to act now

This is one of the most frustrating experiences for consumers looking to book a cross-border train ticket: jumping from one tab to another among the dozen or so sites open on their browser to try and find a coherent journey at the right price. Adding to that, the fear of a missed connection and its consequences in terms of passenger rights does not make for a peaceful experience. And this is only about those consumers who are committed to take the train in the first place. Many do not even know they are missing out on alternative journey options for many reasons: some options are not displayed on their usual ticket platforms, prices vary, or the plane journey is presented as the only default option.

The crux of the problem has been widely identified. The Commission's "[White Paper on Transport](#)" published in 2011 already highlighted the ticketing/booking issues and hinted it at regulatory intervention. Ten years later, the Commission set out an [action plan to boost long-distance and cross-border passenger rail](#) with the same diagnostic. In the meantime, railway operators have promised to act on both ticketing and journey continuation via voluntary agreements which have, in practice, not delivered. Finally, the usefulness of regulatory intervention to ease cross-border rail travel keeps being demonstrated by the various competition cases opened by national and EU authorities.<sup>1</sup>

Since the first promises of change were made almost 15 years ago, the situation has not improved for consumers to easily book and travel with cross-border trains.

### What we need

- A **new Regulation** mandating the exchange of data between stakeholders so that cross-border rail offers are truly visible and available to consumers.

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<sup>1</sup> Italian railway Trenitalia has committed to allow rival Italo-Nuovo Trasporto Viaggiatori (NTV) to sell Trenitalia tickets for regional and intercity trains alongside its own high-speed services after an [investigation](#) by Italy's Competition and Market Authority. The [Bundeskartellamt](#) called out Deutsche Bahn for imposing unlawful restrictions on platforms. The French 'Autorité de la Concurrence' [called](#) for greater competition and interoperability in the distribution market by making accessible the data and interfaces necessary for the establishment of ticketing services by all kinds of operators. The [European Commission](#) concluded a formal investigation over concerns that Renfe has abused its dominant position in the Spanish passenger rail transport market by refusing to provide rival ticketing platforms with full content concerning its range of tickets, discounts and features and real-time data related to its passenger rail transport services.

- A **revision of the Rail Passenger Rights** to ensure the protection of consumers throughout their cross-border or multi-operator<sup>2</sup> journey.

## **What should be the measures put forward by the European Commission for simpler ticketing and booking and strengthened rail passenger rights?**

### **Simpler ticketing and booking for rail trips**

A unique selling point for all cross-border or multi-operator tickets should not be the purpose of an EU initiative. Instead, independent and railway-owned platforms should compete on an equal footing to sell tickets from multiple operators. For this to happen:

- The new Regulation should mandate data sharing between rail operators, infrastructure managers and intermediaries (ticket vendors, aggregators, planning tools, ...) under fair, reasonable and non-discriminatory (FRAND) conditions,<sup>3</sup> making the following possible:
  - Rail operators willing to sell their offers on ticket vending platforms should be able to appear on these platforms upon request<sup>4</sup>
  - Rail operators should be obliged to allow the re-selling of their tickets on trustworthy (owned by rail operators or independent) platforms.
- Information on schedules, fares and real-time travel times must reach consumers in a neutral and timely fashion no matter where they book their tickets, leaving them the choice to choose their travel preferences.
- The new Regulation should integrate regional train services and rail operations under Public Service Obligation to allow for a complete offer.
- Minimum connecting times within mobility hubs must be commonly defined, agreed and applied across platforms.
- Costs related to data sharing must be transparent and cannot be unduly passed on to consumers.
- Unfair practises from transport operators or platforms must be strictly identified and banned.<sup>5</sup>
- The new Regulation should strive to promote truly multimodal platforms<sup>6</sup> and notably the fair competition between rail and air travel options.

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<sup>2</sup> The initiative announced by President von der Leyen should also apply within national borders when a journey implies several operators.

<sup>3</sup> See page 8 of our position paper [Mind the gap – Making the multimodal journey the easy journey](#)

<sup>4</sup> For example: a new rail operator should be able to sell its tickets via the main platforms of incumbent operators.

<sup>5</sup> This includes practises nudging consumers in purchasing a ticket quickly (“only a few tickets left!”) or ‘dark patterns’ which BEUC has identified on many occasions. Our member UFC Que-Choisir also pointed out at [hidden fees](#) applied by ticket-vending platforms and passed on to consumers at the very end of their purchase process.

<sup>6</sup> The CountEmissions EU initiative or the Flight Emissions Label developed under Refuel EU Aviation cannot be truly successful without the possibility to see alternative travel options when looking for long distance journeys often covered by aviation.

## Strengthened rail passenger rights

Ticket vendors and platforms should be accountable for the services they provide to consumers who must benefit from an improved protection of their rights when traveling cross-border or with multiple operators. For this to happen:

- Consumers should have guaranteed protection all along their journey, no matter where they booked their ticket. In case of disruption, they should be entitled to core passenger rights: information, care and assistance, re-routing ('hop on the next train') and compensation.
- The liability of rail operators, infrastructure managers and third-party platforms should be legally defined. Compensation mechanisms between stakeholders should be clearly established for consumers to easily claim for their rights to the company which sold them the ticket.
- Real-time information about disruptions should be shared between rail operators, infrastructure managers and platforms for consumers to be informed directly, no matter where they booked their tickets.
- Technology should empower consumers to know and exercise their rights (e.g. information via SMS or email in case of disruption), allowing for consumers to exercise their rights.
- National exemptions to the application of the Rail Passenger Rights Regulation should be removed. Currently, 64% of EU trains are covered by exemptions. This is a real obstacle to making train travel more attractive.
- Intermediary ticket vendors should be governed by stricter rules. Provisions to regulate the reimbursement of tickets purchased via intermediaries in the air sector currently under discussion<sup>7</sup> should be replicated into all passenger rights regulations, including rail.<sup>8</sup>
- Enforcement and redress should be a top priority. Shortcomings in the implementation and enforcement of passenger rights prevent passengers from fully exercising their rights.<sup>9</sup> To correct this, BEUC proposes the following measures:
  - Automated refund and compensation schemes
  - Mandatory participation to Alternative Dispute Resolution (ADR) schemes
  - Harmonised investigative and sanctioning powers for national authorities
  - Stronger sanctions for non-compliance with the Regulation should be established.

ENDS

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<sup>7</sup> See the [Commission proposal](#) on 29 November 2023.

<sup>8</sup> See our position paper on the [Revision of the Passenger Rights Regulations](#).

<sup>9</sup> This is clearly highlighted in the [Commission proposal](#) on 29 November 2023.

