

Report concerning rights of passengers travelling by bus and coach (Regulation (EU) No. 181/2011)

Article 29 of Regulation (EU) No. 181/2011 provides that by 1 June 2015 and every 2 years thereafter, the enforcement bodies designated pursuant to Article 28 (1) of the Regulation (EU) No. 181/2011 shall publish a report on their activity in the previous 2 calendar years, containing in particular a description of actions taken in order to implement this Regulation and statistics on complaints and sanctions applied.

1) Distribution of tasks between different NEB?

Following area in Slovak Republic is covered by The Act No. 56/2012 Coll. on road transport follow:

- a) impose sanctions for infringements in the international bus transport may Ministry of Transport and Construction of the Slovak Republic,
- b) complaints and claims concerning the discharge of obligations resulting from the Transport order and their handling by the carrier shall be examined by the Slovak Trade Inspection.

During inspections are inspected rights of passengers in long-distance services on the bus lines, the route of which between the departure stop and destination stop exceeds 250 km, shall be regulated by Regulation (EU) No. 181/2011. Unless otherwise stated in special Regulation (EU) No. 181/2011, the passengers have the right:

- a) of the safe, undisturbed and convenient carriage by the bus link, for which he possesses the ticket and seat reservation ticket as far as the stop covered by his fare,
- b) of the carriage of hand baggage and, when the carriage conditions or the contract on passenger carriage allow it, also the carriage of luggage and pets in the same bus,
- c) to require the bus crew and dispatcher for necessary travel information about the carriage conditions and they shall be obliged to provide immediately such information,
- d) to refund the fare if the carriage didn't take place, or to utilize the fare allowance in case that the carriage was delayed or the carrier don't meet his obligations resulting from the contract on carriage of passengers.

The passenger with the seat reservation ticket bought before the boarding the bus has the right for reserved place according to the seat reservation ticket, if he is ready to get on before the departure of the bus from the departure stop or within the time of boarding the bus in the running stop in accordance with the transport order.

The disabled passenger with specially trained dog or the passenger with reduced mobility has right for reserved place.

If some link has been cancelled or the carriage on it has been cut off or stopped, the passenger with the valid ticket has exclusive right for substitute carriage to the stop for which the fare has been paid, performed by other link of the same bus line or by other link of the other bus line of the same carrier. If this would be impossible, the passenger has right of free carriage back to the departure stop and to refund the fare.

2) Information and statistics on complaint handling:

Year	Number of complaints	Reason for complaint (e.g. cancellation, delay, discrimination, lack of assistance):	Comments (if any):
From 1 January 2019 – 31 December 2019	3	3 Cancellation of the Bus services 1 Long delay	Complaints did not include appropriate documentation (mainly complaint, which were submitted to the bus operator). We advised passengers to contact the bus operator at first and after that, they could send complaints to our authority for investigation.
From 1 January 2020 – 31 December 2020	6	Cancellation of the Bus services due to the Covid-19 pandemic and not refund of the ticket price to passengers	1 complaint is under investigation (operator FlixBus) 5 complaints – the complaints did not include relevant documentation (the complaints which were submitted to the bus operator, neither documentation needed for investigation). We advised passengers to contact the bus operator at first and after that, they could send the complaints to our authority for investigation.

Could passengers always submit their complaint directly to the NEB?

No, in Slovak Republic passengers are obliged to submit their complaints to the carrier/terminal managing body etc first, and then can only submit a complaint to an NEB if they are not satisfied with the solution offered by the carrier/terminal managing body, etc.

Do you use a complaint form at national level?

At national level we do not use a complaint form.

Which of the methods of communication can be used to file complaints?

We prefer complaints submitted electronically (e.g. by email or via a website), in a paper format, a in person at the NEBs office.

Did you reattribute any complaints to NEBs of other Member State? If yes, how many complaints?

No.

Is it possible to settle passengers complaints via alternative dispute resolution?

Yes, if the bus operator has a registered office in the Slovak republic.

If an NEB takes a decision based on a complaint, will this decision be binding for the complainant and the carrier, terminal manager etc against whom the complaint was made?

Yes.

Do you have any information about the number of complaints that passengers submitted to carriers, terminal managing bodies, ticket vendors etc operating in the territory of your Member State since 1 March 2013?

No.

3) Information and statistics on sanctions:

Year	Number of sanctions imposed:	Type of sanction imposed (in case of fines, what was the sum imposed):	Reason for imposing the sanction (which provision of the Regulation was breached):
From 1 January 2019 – 31 December 2019	0		No sanctions were imposed
From 1 January 2020 – 31 December 2020	0		No sanctions were imposed

Did you impose sanctions in procedures which started on the basis of complaints or on the NEBs own initiative?

The sanctions were not imposed in relevant period.

Are the sanctions imposed by the NEB or by another body?

The sanctions were not imposed in relevant period.

4) Other actions in order to ensure the correct application of the Regulation:

How do you monitor that carriers, terminal managing bodies, ticket vendors etc respect the Regulation? Do you organize inspections?

In the field of road transport, inspection activity, may be planned or under own initiatives.

Do you cooperate with organizations representing passengers, disabled people or consumers, consumer authorities or other national authorities?

Yes, we cooperate with the National Disabilities Council and with Association of bus transport of the Slovak Republic.

Do you cooperate with NEBs in other Member States (common handling of complaints, common inspections, etc)?

Yes mainly with the Ministry of Transport of the Czech Republic. We consult and exchange experiences, knowledge and information how some cases dealt with.

Have you taken any action to disseminate information about bus and coach passenger rights?

Concerning to implementation of Regulation (EU) No. 181/2011 on passenger rights in bus and coach transport:

- we published on our internet site detailed information about the Regulation (EU) No. 181/2011

<https://www.mindop.sk/ministerstvo-1/doprava-3/cestna-doprava-a-cestna-infrastruktura/cestna-doprava/prava-cestujucich-v-autobusovej-a-autokarovej-doprave/prava-cestujucich-v-autobusovej-a-autokarovej-doprave>

<https://www.soi.sk/sk/prava-cestujucich/prava-cestujucich-v-autobusovej-a-autokarovej-doprave.soi>

- we created an e-mail address buspravo@mindop.sk where it is possible to send questions about the rights of passengers in bus and coach transport,
- we determined to bus and coach terminals where is offered assistance for disabled persons and persons with reduced mobility. List of terminals has been sent to the European Commission and published on the website of the Ministry

<https://www.mindop.sk/ministerstvo-1/doprava-3/cestna-doprava-a-cestna-infrastruktura/cestna-doprava/prava-cestujucich-v-autobusovej-a-autokarovej-doprave/zoznam-urcenych-autobusovych-stanic-kde-sa-poskytuje-pomoc-podla-nariadenia-eu-c-181-2011>

We published information from European Commission concerning COVID situation in web site of Ministry of Transport of the Slovak Republic.

- Interpretative Guidelines on EU passenger rights regulations in the context of the developing situation with Covid-19,

[https://eur-lex.europa.eu/legal-content/SK/TXT/?uri=CELEX:52020XC0318\(04\)](https://eur-lex.europa.eu/legal-content/SK/TXT/?uri=CELEX:52020XC0318(04))

- Commission recommendation of 13.5.2020 on vouchers offered to passengers and travellers as an alternative to reimbursement for cancelled package travel and transport services in the context of the COVID19 pandemic

https://ec.europa.eu/info/sites/info/files/recommendation_vouchers_sk.pdf

- Safe travel between European countries

https://ec.europa.eu/info/live-work-travel-eu/coronavirus-response/travel-during-coronavirus-pandemic_sk#passengerrights

- Question and answer from European Commission concerning passenger rights and organized tours

https://ec.europa.eu/info/sites/default/files/passenger-rights-faqs_3107_sk.pdf

We promoted campaign of European Commission concerning smart app for mobile "Your Passenger Rights"

<https://www.mindop.sk/ministerstvo-1/doprava-3/cestna-doprava-a-cestna-infrastruktura/cestna-doprava/prava-cestujucich-v-autobusovej-a-autokarovej-doprave/kampan-europskej-komisie-mobilna-aplikacia>

We published on regular basis all restriction concerning COVID 19 pandemic in bus transport

- International bus transport

<https://www.mindop.sk/ministerstvo-1/statny-dopravny-urad-4/upozornenia-covid-19/medzinarodna-autobusova-doprava-36379>

- National bus transport

<https://www.mindop.sk/ministerstvo-1/statny-dopravny-urad-4/upozornenia-covid-19/vnutrostatna-autobusova-doprava>

The Ministry of Transport and Construction of the Slovak Republic cooperates with the Slovak Disability Council. In cooperation with the Slovak Disability Council and:

- we created guideline for training, which can be downloaded from:

<https://www.mindop.sk/ministerstvo-1/doprava-3/cestna-doprava-a-cestna-infrastruktura/cestna-doprava/prava-cestujucich-v-autobusovej-a-autokarovej-doprave/dalsie-informacie>

- we created information card for drivers, which can be downloaded from:

<https://www.mindop.sk/ministerstvo-1/doprava-3/cestna-doprava-a-cestna-infrastruktura/cestna-doprava/prava-cestujucich-v-autobusovej-a-autokarovej-doprave/dalsie-informacie>

- we have carried out according annex II of the Regulation (EU) No. 181/2011 the training about disability awareness and instructions for the staff of some bus companies.

Also, The Slovak Trade Inspection published information concerning the bus passenger rights on the web site:

- <https://www.soi.sk/sk/prava-cestujucich/prava-cestujucich-v-autobusovej-a-autokarovej-doprave.soi>
- <https://www.soi.sk/sk/informacie-pre-verejnost/informacia-pre-cestujucich-poukazy.soi?ind>
- <https://www.soi.sk/sk/informacie-pre-verejnost/novela-zakona-o-zajazdoch-pandemia-covid-19.soi?ind>

How has been implemented article 11?

Some bus stations were reconstructed for allowing the access for persons with reduced mobility. The number of low-floor buses mainly in urban services has increasing tendency and has increasing tendency in suburban services.