

Activity report of Slovak Republic

Regulation (EU) No 181/2011 concerning the rights of passengers in bus and coach transport

Year of 2021 and 2022

I- Information on the national system

The national system concerning the rights of passengers in bus and coach transport is in Slovak Republic covered by the Act No. 56/2012 Coll. on road transport following:

- a) impose sanctions for infringements in the international bus transport may Ministry of Transport 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.

II- Road transport (bus and coach) market

The number of carriers holding a Community licence in the Slovak Republic at the end of the year 2022 was 873. There were 128 regular bus lines provided by foreign hauliers that included at least one stop within the territory of the Slovak Republic. Detailed information about bus and coach operators can be found on the following link:

<https://www.jiscd.sk/registre/register-dopravcov-a-odborne-sposobilych-osob-v-cd/prehľad-dopravcov/>

List of international bus lines is in following link:

<https://www.jiscd.sk/registre/cestovne-poriadky-pre-medzinarodnu-dopravu/>

III- Complaint handling process

In the Slovak Republic passengers are indeed obliged to initially submit their complaints to the carrier/terminal managing body, etc. If they are not satisfied with the solution offered by the carrier/terminal managing body, they can then proceed to submit a complaint to the National Enforcement Body (NEB).

At the national level, there is no specific complaint form used. Instead, complaints are preferred to be submitted electronically (e.g., via email or a website), in a paper format, or in person at the NEB's office. It is also possible to settle passengers' complaints directly with the bus operator if they have a registered office in the Slovak Republic.

When an NEB makes a decision based on a complaint, that decision is non-binding for both the complainant and the carrier/terminal manager, etc., against whom the complaint was made.

IV- Complaint statistics

We did not reattribute complaints to NEBs of other Member State.

Table IV.1 - Statistical data of complaints submitted to the National Enforcement Body									
Year	Number of complaints	Reason for complaint							Comments
		Travel information (Article 24)	Right to assistance at designated terminals and on board buses and coaches (Article 13)	Compensation in respect of wheelchairs and other mobility equipment (Article 17)	Assistance in the event of cancelled or delayed departures (Article 21)	Continuation, re-routing and reimbursement in the event of cancelled or delayed departures (Article 19)	Compensation in the event of accidents (Article 7)	Others	
From 1 January to 31 December 2021	6	0	0	0	6	6	0		
From 1 January to 31 December 2022	2	0	1	0	0	2	0		Complaints are still under investigation

Table IV.2 – If available, statistical data of complaints submitted to carriers or terminal managing bodies									
Year	Number of complaints	Reason for complaint							Comments
		Travel information (Article 24)	Right to assistance at designated terminals and on board buses and coaches (Article 13)	Compensation in respect of wheelchairs and other mobility equipment (Article 17)	Assistance in the event of cancelled or delayed departures (Article 21)	Continuation, re-routing and reimbursement in the event of cancelled or delayed departures (Article 19)	Compensation in the event of accidents (Article 7)	Others	
From 1 January to 31 December 2021	N/A								
From 1 January to 31 December 2022	N/A								

V- Sanctions and penalties

The sanctions were not imposed in relevant period.

Table 6 – Statistics on national sanctions and penalties imposed			
Year	Number of sanctions imposed):	Type of sanction imposed (in case of fines, what was the sum imposed):	Penalty or fine amount
From 1 January to 31 December 2021	0	0	0
From 1 January to 31 December 2022	0	0	0

VI- Actions taken to implement and monitor the Regulation

Implementation and monitoring of Article 11 related to accessibility and information as well as Articles 13 and 14 related to the right to assistance and the conditions of assistance

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.

- 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-urceny-ch-autobusovych-stanic-kde-sa-poskytuje-pomoc-podla-nariadenia-eu-c-181-2011>

Implementation and monitoring of Article 16 on disability-related training

The Ministry of Transport 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.

Implementation and monitoring of Articles 20 and 21 on information and assistance in the event of a cancelled or delayed departures

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,

Implementation and monitoring of Article 25 on information on passenger rights

Based on § 3 of the Act No. 56/2012 Coll. are following provisions:

(1) For the purposes of this Act, a carrier is a road transport operator and a taxi service operator from the date of validity of the transport license, concession, or other authorization entitling them to provide transport services to the public based on a transport contract, in personal transport based on a passenger transport contract and in freight transport based on a cargo transport contract. (2) If some transport services are provided based on a contract with a carrier performed by a carrier-operator or subcontractor, the provisions of this Act regarding the carrier apply to them to the extent they provide transport services. (3) The status of a carrier according to this Act is also held by a commercial company established for the purpose of operating an integrated transport system or a municipal transport system, even if it does not meet the

requirements under paragraph 1 and § 2 (2) letter a). The ordering party may authorize this commercial company to perform control activities arising from a concluded service agreement if it holds a valid certificate of independence in carrying out control activities.

§ 4 Transport regulations

(1) The transport regulations include the transport conditions of the carrier necessary for the conclusion of a transport contract, especially a) the type of road transport operated and the scope of provided transport services, b) the method of concluding and the validity of the passenger transport contract or the cargo transport contract, c) the rights and obligations of the carrier, especially the extent of liability for damages caused to the health of passengers and animals and to goods, luggage, or other items, and the extent of resulting claims of passengers, senders, and recipients for compensation or a discount on the transport price.

(2) The transport regulations in personal transport and taxi service, in addition to the transport conditions according to paragraph 1, include

a) the scope of rights and obligations of the carrier in regular transport or taxi service,

b) the method of reservation and sale of tickets at bus stations and in scheduled buses or through electronic media in an electronic reservation and sales system,

c) the method of ordering taxi service vehicles, conditions for concluding a passenger transport contract and paying the fare,

d) the method of ordering bus and coach transport in occasional transport,

e) the extent of rights and obligations of passengers before the start of transport, during transport, and immediately after the end of transport, as well as in the event of non-realization, non-completion, or delay of transport, and the procedure for asserting their claims arising from non-compliance with transport conditions,

f) the extent of specific rights and obligations of passengers with disabilities and passengers with reduced mobility, including accompanying persons, as well as retirees, pupils, and students (hereinafter referred to as "selected group of passengers"),

g) conditions for the transport of hand luggage, travel luggage, postal and bus consignments, and live animals,

h) conditions for the transport of a service dog providing assistance to a passenger with a severe disability,

i) rules for the validity of tickets and seat reservations, and the method of proving paid fare during ticket inspection and the possibilities of reimbursement for lost tickets in regular transport,

j) rules for fare payment and issuing payment receipts in taxi service,

k) procedures for ticket inspection in regular transport, the rights and obligations of carrier employees authorized to inspect tickets (hereinafter referred to as "inspector"), and the method of sanctioning passengers without a valid ticket and collecting the fare,

l) tariffs,

m) complaint procedure.

Implementation and monitoring of Article 26 on complaints

The complaint procedure is describe above based on §3 and 4 of the Act No. 56/2012 Coll..

VII- Conclusion and evolutions observed since the previous reporting

The situation concerning the area covered by Regulation (EU) No 181/2011 concerning the rights of passengers in bus and coach transport is stable. No recommendations have been noted from stakeholders.

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>

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>