

## Information about your passenger rights

Rail passengers have a number of fundamental rights, only **extracts** of which can be presented here for information due to the scope of the legislation. You will find more detailed **information** and the transport conditions at the points of sale and on the websites of the railway operators or transport associations.

### 1. Transport contract, Information and Tickets

#### a. The passenger must receive the following information:

**Information before commencement of travel upon request:** General Terms and Conditions, Train Schedules and Conditions of Travel with the shortest travel time and at the least expensive fares, accessibility and access conditions for persons with limited mobility and for passengers travelling with bicycles, availability of seats (if available) and disruptions or delays of transport services. Ticket sellers that offer transport contracts on their own account, must provide this information to the extent available.

**Information during travel:** Services on the train, next station, delays, important connections, security.

**Information after travel:** Procedures and reporting offices for lost luggage and complaints procedures.

#### b. Tickets must be available to the passenger at one of the following points of sale (at least):

- Ticket counter/ticket vending machines or by telephone, internet or any other information technology available in a broad scope or in selected trains.

The railway companies may impose limitations on the points of sale for particular reasons.

### 2. Liability of the railway operators

#### a. In the event of passenger death or injury

The railway operator is liable for the death or affectation of the (physical or mental) health of a passenger if the causal accident occurred during the passenger's presence on the train or while embarking/disembarking. After an accident, the passenger has 15 days from the time of determination of the person entitled to damage compensation to make a claim for a prepayment to cover the immediate economic requirements.

#### b. Loss or damage to checked luggage or carry-on luggage

In the event of a passenger death or injury, the railway operator is liable for the total or partial loss or damage to the items that the passenger is carrying with them. The railway operator is liable for the loss, damage or delayed delivery of checked luggage.

#### c. Different successive railway operators

For international journeys with different successive conveying railway companies, the passenger may make a claim with the company of their choice.

### 3. Liability and other services due to delays, missed connections and cancelled trains

The railway operator will pay damage compensation for any reasonable costs related to accommodation and reporting to waiting persons if the journey cannot be continued on the same day due to delay or missed connections to the extent that this was not the fault of the passenger them self.

#### a. Assistance

In the event of a delay of departure or arrival of more than 60 minutes, the passengers are entitled to:

- Meals and refreshments in proportion to the waiting time depending on availability;
- Accommodation in cases in which one or more overnight stays are necessary;
- Conveyance from the train to the train station, to an alternative departure location or to the destination of the transport service if the train is blocked on the line.
- Organisation of an alternative mode of transport if there is no possibility of continuing the journey at all.

#### b. Refund or continuing the journey on a different route

In the event of an anticipated delayed arrival at the destination of more than 60 minutes, the passengers must be offered the choice between:

- Cancelling the journey and refund (repayment) of the full fare at the conditions under which it was purchased and the return to the first departure location at the next possible opportunity;
- Continuation of the journey or onward journey by a different route under comparable transport conditions to the destination at the next available time or at a later time chosen by the passenger.

In all other cases, please find the refund (repayment) conditions of the fare in the respective applicable transport conditions of the railway companies.

#### c. Reduction in ticket price for single long-distance tickets

If there are delays or cancelled trains for which no reduction in ticket price has occurred, the passenger may claim compensation which must be paid by the railway company within one month of entry of the claim and which is calculated as follows:

- 25% of the fare for a delay of 60 to 119 minutes;
- 50% of the fare from a delay of 120 minutes.

Payment occurs in the form of a voucher or (upon request of the passenger) as cash.

#### There is no claim to fare reduction for single tickets:

- if the delay occurred outside of the EU;

- on local and regional networks (e.g. S-Bahn, R, REX)
- if the amount of damages falls under the minimum amount (maximum € 4);
- if the passenger had already been informed of a delay before purchasing the ticket or if upon arrival at the destination there is a delay due to continuing the journey with a different mode of transport or changed route of less than 60 minutes.

#### d. Fare compensation for weekly and monthly tickets

The exact compensation regulations for train delays can be found in the transport conditions of the respective railway company.

#### e. Fare compensation for annual tickets

For transport association annual ticket holders, there is a claim to compensation of at least 10% of the monthly share of the fare applicable to the railway connection if within that relevant month, a punctuality score of less than 95% has not been achieved in local and regional transport. This is a one-time settlement and payment and only at the end of the validity period and is to be claimed by way of the transport association. For exact details, see the transport conditions of the conveying transport association/railway company.

For railway company annual ticket holders there is compensation of at least 10% of the monthly share of the fare if the stated degree of punctuality is not achieved. For exact details, see the transport conditions of the railway operator.

#### f. Refunds

Single tickets can generally be returned before the first day of validity, season tickets also during the validity period. The application must be made within 6 months. For the redemption, the railway company may apply a processing fee, except if the railway company is at fault for the non-utilization of the ticket (in whole or in part). For exact details, see the transport conditions of the issuing railway company/transport association.

### 4. Statute of limitations on claims

Claims to damage compensation based on the liability of the railway operator in the event of passenger death or injury lapse:

- in the case of the passenger, 3 years after the accident;
- in the case of other entitled persons, three years after the death of the passenger, at the latest five years from the date of the accident;
- other claims based on the transport contract lapse in most cases one year after the date of the accident.

### 5. No railway operator liability

The railway operator is released from liability *inter alia* if it can prove that the damages were caused by a third party or the passenger themselves. This also applies in the case of passenger death or injury. Supplemental legal or contractual liability limitations may exist.

### 6. Persons with limited mobility

Persons with limited mobility have the following rights:

- The right to non-discriminatory access to transport and tickets and reservations without a surcharge;
- Upon request, information must be provided about the accessibility of the railway services and the conditions for access to the vehicles;
- Railway companies and station operators must ensure that trains and other facilities are as accessible as possible;
- railway operators and station operators must ensure that passengers receive free assistance both on board the train and in the train stations. The condition for this assistance is that the passenger follows certain regulations (such as notification 48 hours before departure);
- Claim to compensation if the railway operator is responsible for the loss of or damage to mobility aids.

For more information, contact the **ÖBB customer service, daily from 06:00 - 21:00 at telephone number +43 (0)5 1717.**

### 7. Personal safety of the passengers

Conveying railway companies and station operators must take suitable measures in accordance with state regulations to ensure the personal safety of the passengers on the trains and in the train stations. If there are safety concerns, please contact **ÖBB Operative Services at telephone number +43 (0)5 1778 851 17417.**

### 8. Complaints and Implementation

#### a. Complaints office of the railway company or transport association

For complaints, please immediately contact the complaints department of your railway operator or transport association. You can find the respective contact information at the points of sale. Fundamentally, railway operators/transport associations have one month to respond to your complaint, at the most three months in justified cases.

#### b. Independent public arbitration board

Passengers who do not agree with the decision of the railway operator or transport association in cases of complaint may contact the Agency for Passenger and Traveller Rights (apf). More information and an individual complaint form can be found on the website **www.passagier.at**

**Agency for Passenger and Traveller Rights  
Linke Wienzeile 4/1/6, 1060 Vienna**