



## **National Transport Authority**

**Republic of Ireland National Enforcement Body**

**Activity Report 2017**

**Rights of Passengers travelling by Bus and Coach**

**Regulation (EU) No 181/2011**

**September 2017**

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**1. Introduction**

Under the provisions of Article 29 of the Regulation (EU) 181/2011, the National Enforcement Bodies (NEBs) of each EU Member State are required to publish a report on their activities in the previous 2 calendar years.

The National Transport Authority is the designated National Enforcement Body for passenger rights in Ireland. The NTA's role as the Irish NEB is prescribed in national regulations (S.I. no 152 of 2013). These regulations also set out the penalties that can be imposed in cases of non-compliance (on summary conviction the operator is liable to a class B fine up to €4,000). No sanctions have been imposed to date – complaints have been resolved with the operator without the need for infringement notices or fines. Ireland has not applied for any exemption under Articles 2(4) and 2(5) of the Regulation.

**2. The Irish National Enforcement Body**

The National Transport Authority is a statutory body established by the Minister for Transport on 1 December 2009. The Authority's remit is provided for under the Dublin Transport Authority Act 2008, the Public Transport Regulation Act 2009 and the Taxi Regulation Act (2013) for securing the provision of public passenger land transport services, licensing of public bus passenger services, regulation of the small public service vehicle sector, the provision and operation of a smartcard integrated ticketing scheme and integrated information schemes for public transport and all associated administrative activities. The Authority is also the national enforcement body responsible for the rights of passenger travelling by rail or on sea ferries and bus and

coach. The commission for aviation regulation is responsible for air passenger rights in Ireland.

The NTA also has responsibility for the development of an integrated transport system within the [Greater Dublin Area](#) (GDA). The principal functions of the NTA with respect to the GDA are:

- Strategic planning of transport;
- Development of an integrated, accessible public transport network;
- Promoting cycling and walking;
- Provision of public transport infrastructure generally including light rail, metro and heavy rail;
- Effective management of traffic and transport demand.

In addition to its statutory responsibilities, the Authority has various arrangements with the Department of Transport, Tourism and Sport to discharge functions on its behalf with regard to the following:

- Regional cities traffic management grants
- National Accessibility Programme
- Smarter Travel Workplaces and campuses
- Smarter Travel schools
- Rural Transport

The Authority is financed by central government. We currently have a staff of approximately 100, across a range of areas, planners, engineers, economists, accounts, IT, admin, and communications.

### **3. Background Information on the Bus Market in Ireland**

The bus market in Ireland is divided into 2 sectors, services which are socially necessary but commercially unviable and services which are provided on a commercial basis for profit.

### ***Subsidised Sector (PSO)***

Socially necessary but commercially unviable services are funded by the State and are provided under contract to the National Transport Authority. These subsidised services are subject to a Public Service Contract and are required to deliver Public Service Obligations (PSO). Heretofore the majority of PSO services have been provided by two state owned companies, Dublin Bus and Bus Éireann.

Public Service Contracts were delivered under direct award contracts by the two state owned companies from 2009. In 2013 the first Public Service Contract was awarded to a non-state owned company following a public tender and a number of similar procurements and services have followed since then. The operation of approximately 10% of the PSO bus network has been competitively tendered. This competitive tendering was split into three separate competitions:

Dublin Metropolitan: Go Ahead Ireland were selected as the preferred tenderer has been chosen to operate 24 orbital routes around Dublin metropolitan area. The operator commenced operating these services on a phased basis in September 2018, with the final phase in March 2019.

Waterford: Bus Éireann were selected as the preferred bidder to operate bus routes in Waterford City. The operator commenced operating these services under this new contract in June 2019.

Dublin commuter: Go Ahead Ireland were selected as the preferred bidder for operating five commuter routes between Dublin and County Kildare, with the first phase of operations commencing on 1<sup>st</sup> December 2019.

The Authority also carried out a number of smaller tender competitions for the operation of a number of bus services, including Route 197 between Swords and Ashbourne (Go Ahead Ireland ), Kilkenny City services (City Direct) and Route 139 Naas to Blanchardstown (JJ Kavanagh).

The Authority continues to manage a number of other PSO bus contract across the country, including Route 975 between Cavan and Longford, operated by Andrew

Wharton, Route 817 between Kilkenny and Dublin, operated by Bernard Kavanagh and Route 828 between Cashel and Portlaoise, operated by M&A Coaches.

**Table 1: Annual Passenger Journeys (millions)**

<b>Year</b>	<b>Dublin Bus</b>	<b>Bus Éireann</b>	<b>Licensed Bus Services</b>	<b>Rural Transport</b>
2015	119.82	30.23	22.74	1.76
2016	125.35	32.12	25.24	1.79
2017	136.2	31.1	25.8	1.9
2018	140.0	35.3	27.6 (preliminary)	2.0

Dublin Bus provide the bulk of city services in Dublin and support the most passenger journeys in Ireland. Bus Éireann provide the majority of PSO services outside of Dublin. This includes PSO services in the regional cities and towns, interurban/intercity services and services which originate outside of Dublin but have a destination within Dublin.

The Rural Transport Programme provides bus services in many isolated areas of rural Ireland with journeys tending to be local in nature and approximately 75% of them being delivered door to door. The National Transport Authority took over the management of the programme, which is grant aided by the state in 2012.

### ***Commercial Services***

Commercial bus passenger services operating anywhere within the State are licensed by the National Transport Authority. Any person or party may apply for a licence. These licenced services are often called “commercial” bus services because they are operated without any public subsidy. Many of the services do receive free travel payments from the Department of Social Protection for carrying passengers who are entitled to free travel.

The state owned companies Dublin Bus and Bus Éireann also provide commercial services under licence.

The total number of passenger journeys on commercial services represents over 13% of the total travel on public bus passenger journeys in the State.

***Length of Journeys***

The number of journeys >250km in the PSO and licenced sector in the state is less than 1%.

**4. Complaint Handling**

The Authority acts as an appeals body only and passengers are obliged to make their complaint to the relevant operator in the first instance. If the individual is not satisfied with the outcome of their complaint or if they do not receive a response they can bring their complaint to the attention of the Authority. The Authority will decide if it is a valid complaint under the regulations and if so conduct a full investigation. Passengers can submit their complaint in writing, by email or by filling out the online complaint form on the Authority’s website. The Authority also facilitates complaints which are outside of its jurisdiction by passing them on to the relevant NEB’s in other countries.

The Authority did not receive any complaints under the regulation in the period 2014 – 2016.

**Statistical Data:**

<b>Year</b>	<b>Number of complaints</b>	<b>Reason for complaint (e.g. cancellation, delay, discrimination, lack of assistance):</b>	<b>Comments (if any):</b>
From 1 March 2015 – 28 February 2016	0	-	-
From 1 March 2016 – 28 February 2017	0	-	-

## **5. Guidance and Enforcement**

Passenger rights form an integral part of the PSO contracts between operators and the NTA. Monitoring of the contractual obligations is carried out on a quarterly basis, with operators reporting directly to the National Transport Authority.

Monitoring of licenced services is carried out by the Public Transport Regulation Division Bus Licencing Compliance team. This team under takes on-going monitoring, both overt and covert, of licensed services throughout the State.

Our website provides a comprehensive summary of the regulations and where to go for additional information. It also contains a link to our online complaint form for passengers who wish to submit a complaint to us.

The Authority works closely with the Department of Transport's Accessibility Consultative Committee on issues relating to accessible transport. The main stakeholders representing passengers with reduced mobility and other transport interest groups are represented on the committee. In addition the Authority liaise with the accessibility officers in each of the main operators