Association of public services and enterprises Austria

Feedback on the Public Consultation

On the Proposal for Rail Ticketing 2026/0115

Vienna, 31 July 2026

About the Association of Public Services and Enterprises Austria

We are committed to ensuring that essential public services remain accessible, affordable, and of high quality for everyone in Austria – today and in the future. Representing more than 120 companies, institutions, and organisations in the field of public services, the Association of Public Services and Enterprises Austria (VÖWG) fosters cross-sector collaboration and knowledge exchange — especially in areas such as energy supply, public transport, water and wastewater management, waste disposal, economic and financial governance, housing, as well as health and social care. VÖWG supports its members with a wide range of services and promotes the values and interests of the public sector at national and European levels.

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Association

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Introduction

The proposal for a Regulation on Rail Ticketing (2026/0115), seeks to establish a Union-wide framework to support the expansion of sustainable and energy-efficient mobility by creating a robust digital infrastructure for the sharing, hosting, and booking of rail products. The proposal was published on 13 May 2026 as part of the Passenger Package. In the course of the ongoing legislative process, it is being assessed whether the proposed targets and instruments are suitable to meet the current and future requirements of the transport sector, particularly in ensuring the technical interoperability and operational resilience of the Single European Railway Area.

Due to the diverse operational areas and characteristics of various railway services, VÖWG members providing services of general interest are affected by different challenges arising from the proposed rail ticketing framework and its associated sharing and hosting obligations. The proposed obligations concerning the combination and distribution of rail products may have considerable technical, operational and economic implications for public transport providers. This applies in particular to the required digital interfaces, the allocation of liability within travel chains and the preservation of affordable public transport services.

Given the structural weaknesses in the current ticketing market and the resulting obstacles to cross-border travel, a significant improvement in market transparency and interoperability is essential. Based on the varying requirements and operational realities in the field of public services, the VÖWG underscores the necessity for a differentiated and tailored approach in the Rail Ticketing Regulation, particularly regarding scope exceptions for urban-suburban services and realistic implementation timelines.

Overview of VÖWG positions

In the interest of ensuring reliable mobility as well as high-quality and affordable services of general interest, the VÖWG calls for differentiated and pragmatic solutions within the framework of the proposed Rail Ticketing Regulation. It is essential to balance the technical requirements of the rail sector – particularly the transition to digital and multimodal standards – with the need to preserve the effective functioning of the Single European Railway Area and ensure high levels of passenger protection.

The Regulation should improve the availability and comparability of railway products without disregarding the technical, tariff-related and operational structures of rail transport. Its requirements must be proportionate, technologically feasible and sufficiently coordinated with the parallel proposals on multimodal booking and rail passenger rights.

The key considerations that should be prioritized in the legislative proposal include:

- **Scope of the Regulation and Inclusion of MSEs**

  The existing proposal draws a narrow definition of standalone networks. Yet suburban railway services often use at least partially network infrastructure that is also used by other railway services of urban transport operators for cost and efficiency purposes. The decisive factor should not be whether the network is formally and technically completely self-contained, but rather the primary purpose of the respective transport services. The relevant definitions and exceptions should be explicitly based on Directive 2012/34/EU to ensure that no new or divergent terms for urban, suburban, and regional transport—nor any additional or more restrictive exceptions—are created. In particular, it should be clarified that hybrid network structures do not preclude the application of the exception.

  The same functional approach should apply to publicly contracted regional railway services whose principal purpose is to meet local or regional mobility needs. Such services should not become subject to obligations designed primarily for long-distance ticket distribution solely because they use infrastructure that is also used by long-distance or cross-border services.

  Online meta search engines (MSEs) that systematically aggregate, compare, rank display or re-link offers from two or more transport operators perform functions equivalent to those of online ticket service providers or B2C MDMS providers. Due to their strategic role as gatekeeper, including online meta search engines within the scope of this regulation would guarantee a level playing field for all stakeholders, especially for smaller transport service providers. The inclusion of MSEs into the Rail Ticketing regulation would strengthen transparency, fair competition and sustainability while regulating paid prominence and self-preferencing in their online search results. This step would complement legal frameworks such as the Digital Services Act and the Digital Markets Act.

Such providers should, however, be subject to the relevant obligations of this regulation only insofar as they systematically perform functions equivalent to those of an online ticketing service provider. General online search engines should not fall within the scope merely because individual search results refer users to railway operators or ticketing websites.

- **Timeframe for Commercial Agreement Negotiations**

  The timeframe for concluding commercial agreements between railway service providers and online ticketing service providers (MDMS platforms) should be extended from eight to 18 months to ensure proper implementation and agreement on all necessary aspects. Commercial agreements carry a variety of implications such as technical complexity of TEL TSI data exchange, extensive audit obligations like financial stability, cybersecurity aspects and business-continuity-planning. Further, a timeframe of 18 months could mitigate potential complaints to the national enforcement body and would provide additional scope for consensual and technically robust solution. Thus, an extension to an eighteen-month negotiation timeline appropriately reflects operational realities and the complex nature of these agreements and their implementation.

- **Operationally Robust Travel Chains**

  It is important that transport service providers approve combinations of rail products offered by online ticketing providers since having algorithms create operationally unvalidated multimodal travel chains that are prone to disruptions or delays without sufficient validation would create significant risks for liability cases for transport service providers. It ensures that all involved parties know of the combination of transport services, which connections are being protected and what information must be exchanged and how passenger could be supported in case of delays or missed connections. Without such prior agreement, there is a significant risk that the allocation of liability may become unclear, potentially exposing railway undertakings to claim relation to travel chains they neither designed nor approved, which would create legal and commercial uncertainty.

- **Timetable Changes and Liability**

  Allowing railway service providers to adjust timetables and travel routes ensures that transport services providers have the necessary flexibility to adjust their services to special circumstances, balancing long-term planning with operational realities. Where an appropriate alternative is provided and passengers are informed about the change at least two weeks prior to the scheduled departure, planned timetable adjustments should not be treated in the same manner as short-notice cancellations or operational disruptions. Cases such as planned maintenance, construction works or temporary restrictions should not fall within the same category as other liability cases under the applicable passenger-rights framework. The European rail network is increasingly exposed to extreme weather events and climate-related disruptions which highlights the need for enhanced resilience to external shocks. This amendment also contributes to passenger rights protection as rerouting under comparable conditions to the initial journey is proposed.

- **Role of National Enforcement Bodies**

  Giving the competent national enforcement body a mediation role during commercial agreement negotiations of transport service providers and MDMS platforms, after complaints were issued, would strengthen the potential for consensual solutions and successful long-term cooperation between transport service providers and MDMS providers. National enforcement bodies could identify critical aspects and issue recommendations for the further course of negotiations while also setting a timeframe for the agreement to be concluded. They should not, however, replace the parties by determining the detailed commercial terms of the agreement. Regulatory intervention should not replace commercial negotiation where practical and innovative solutions are possible.

- **Committee Procedure and Stakeholder Involvement**

  Mandatory consultations with national enforcement bodies, rail service providers as well as online ticketing service providers for the provisions for the harmonised interpretation of fair, reasonable and non-discriminatory (FRAND) criteria would offer several advantages. Such consultations would ensure that national market expertise is leveraged and that national enforcement bodies can provide their practical experience of their local rail markets. Especially with regard to interoperability for data sharing and cybersecurity as well as other aspects of technical and operational implementation, involving Member States is crucial. Furthermore, their involvement would support consistency and prevent fragmentation across different rail markets in the EU. Member States should therefore have a substantive role in the adoption of the relevant implementing acts.

Conclusion

The Rail Ticketing Regulation must deliver fair competition and better passenger services without creating disproportionate risks for transport operators. The inclusion of meta search engines, alignment with Directive 2012/34/EU, sufficient time for commercial negotiations and operator approval of travel chains are essential to ensure legal certainty and a level playing field.

Railway undertakings must also retain the flexibility to manage timetable changes, planned works and external disruptions without facing unjustified liability. The relationship between the Rail Ticketing Regulation and the rail passenger-rights framework must therefore be clearly defined. National enforcement bodies should facilitate negotiated solutions, while their ability to impose detailed commercial terms should be appropriately limited. Affected stakeholders must be closely involved in developing harmonised rules. The Regulation should use existing TEL TSI and national data infrastructures, avoid duplicative technical obligations and protect the tariff autonomy, customer relationships and commercially sensitive information of railway service providers.

A workable regulation must combine strong passenger protection with operational realism, proportionality and respect for the responsibilities of transport service providers. Only a technically feasible and legally coherent framework will strengthen confidence in rail travel and support the intended modal shift towards sustainable mobility.

Inhaltliche Verantwortung

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