

Courtesy translation – only the Italian text is authentic

Activity report under article 32 of Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations (year 2025)

1. Functions and responsibilities of the Authority as national enforcement body in charge of the enforcement of rail passengers' rights

The Transport Regulation Authority (hereinafter: Authority), established under Article 37 of Decree-Law No 201 of 6 December 2011, as converted with amendments into Law No 214 of 22 December 2011, has been designated as the national enforcement body (NEB) in charge of the enforcement of Regulation (EC) No 1371/2007 on rail passengers' rights and obligations pursuant to Legislative Decree No 70 of 17 April 2014¹.

Following the entry into force of Regulation (EU) 2021/782 (hereinafter also referred to as the "Regulation")², Legislative Decree No. 70/2014 was amended by Article 24-bis (1) (a) of Decree-Law No. 69 of 13 June 2023 (converted, with amendments, into Law No. 103 of 10 August 2023). This amendment not only reaffirmed the designation of the Authority as the national enforcement body but also streamlined the legislative framework and revised the sanctioning regime, including an increase in the applicable fines³.

In particular, in laying down the rules on penalties for infringements of the provisions of the Regulation, Legislative Decree 70/2014 entrusts the Authority with the tasks of: (i) carrying out monitoring and inquiries on the services covered by the Regulation, as provided therein; (ii) obtaining information and documentation from railway undertakings, station managers, infrastructure managers, ticket vendors, tour operators, and any other relevant or involved parties, and conducting inspections and checks; (iii) ordering the cessation of conduct in breach of the Regulation and, where appropriate, imposing suitable remedial measures. In exercising these powers, the Authority may, in particular, obtain information and documentation from railway undertakings, station managers, infrastructure managers, ticket vendors, tour operators, and any other relevant or involved parties and conduct controls and inspections.

It should be noted that the Authority, in its capacity as NEB, is tasked with verifying that the rights of passengers have been respected and with imposing sanctions on the company, as the case may be; further, pursuant to article 10 of Law No. 118 of 5 August 2022 (*"Annual competition Law 2021"*) it was granted the power to regulate *"on the basis of its own decisions, the methods for the out-of-court dispute resolution between economic operators managing transport networks, infrastructure and services, and users or consumers through simple and non-burdensome procedures, also by means of electronic communication"*.

This provision was implemented by the Authority with the adoption of Decision No. 21/2023 of 8 February 2023 on *"Rules governing the initial implementation of out-of-court settlement of disputes between economic entities operating transport networks, infrastructure and services, and users or consumers, pursuant to Article*

¹ Legislative Decree No. 70/2014 sets out the sanctioning regime for infringements of Regulation (EU) No 1371/2007 on rail passengers' rights and obligations.

² Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations.

³ Cf. paragraph 5 below.

10 of Law No 118 of 5 August 2022” (hereinafter: ADR Rules), concerning ADR (alternative dispute resolution) procedures in the sectors falling under the Authority's remit, including rail transport⁴.

As required by Article 32 (3) of the Regulation ("*Enforcement tasks*"), this report illustrates the activity carried out by the Authority in its capacity as national enforcement body, by specifying, in particular, the actions taken, and provides statistical data relating to the complaints received and the penalties imposed in the period from 7 June 2023 to 31 March 2025⁵.

Finally, pursuant to Article 3 (3) of Legislative Decree 70/2014, the Authority may, where necessary, submit proposals to the Parliament and the Government to amend the provisions whereby it was designated as national enforcement body, including with reference to the extent of the applicable sanctions⁶.

2. Exemptions

Pursuant to Article 1 (2-bis) of the amended Legislative Decree 70/2014, an exemption has been granted whereby the penalties provided for infringements of Article 14 of the Regulation ("*Insurance and coverage of liability*") do not apply to "*services operated exclusively for historical or touristic purposes*".

The rationale behind this exemption stems from the distinctive nature of the rail services concerned, as noted in Recital (6) of the Regulation. In Italy, these services are governed by Article 2 of Law No. 128 of 9 August 2017, which designates as tourist railway lines those routes—either decommissioned or suspended—characterized by significant cultural, scenic, or touristic value⁷, given that such trains do not primarily serve the purpose of ensuring passenger mobility in the strict sense⁸.

⁴ Paragraph 3.1 of this report provides evidence of the activities relating to the requests concerning this sector submitted through the ART dispute settlement procedure. It should be noted that the provisions laid down in the a.m. Decision No. 21/2023 include, *inter alia*, Article 12(3), which stipulates that: "*For the sole purpose of the exercise of the sanctioning powers by the competent national body, the possibility that users lodge complaints pursuant to Articles 16 (2) of Regulation (EC) No 261/2004, 15 (2) of Regulation (EC) No 1107/2006, 30 (2) of Regulation (EC) No 1371/2007, 33 (2) of Regulation (EU) No 782/2021, 25 (3) of Regulation (EU) No 1177/2010, 28 (3) of Regulation (EU) No 181/2011 shall remain unaffected*".

⁵ The reference period was defined in accordance with the two-year timeframe established by Article 32 of the Regulation, which runs from 7 June 2023 to 7 June 2025. Since the European Commission has set the deadline for submitting the first report as 30 June 2025, it was possible to provide updated data up to 31 March 2025.

⁶ On 5 December 2018 the Authority addressed a recommendation to the Government and the Parliament on "*Enforcement of passenger rights in rail, sea and inland waterway and bus and coach transport: sanctioning system*", which included proposals for amendment to Legislative Decrees No. 129/2015 and No. 169/2014 (implementing, in the Italian legal system, the provisions of the EU regulations on passengers' rights in sea and bus transport, respectively), as well as to the then-applicable Legislative Decree No. 70/2014 (also available in English at the following link: <https://www.autorita-trasporti.it/atti-di-segnalazione/arts-recommendation-on-the-protection-of-passenger-rights-in-rail-sea-inland-waterway-and-coach-bus-transport-rules-on-penalties/?lang=en/>). Only the sanctioning regime laid down in the latter decree was subsequently amended upon the entry into force of the new Regulation.

⁷ On these routes, as designated by Interministerial Decree No. 146 of 17 May 2022, trains consisting of historic or tourist rolling stock authorised for their operation may run in compliance with specific regulations; see also the website of ANSFISA, the National Railway and Highway Infrastructures Safety Agency (<https://www.ansfisa.gov.it/ferrovie-turistiche>).

⁸ The Authority clarified the reasons for the exemption to the European Commission through the Presidency of the Council of Ministers, by means of official communication no. 62135/2024 of 27 June 2024.

3. Procedure to lodge a complaint with the Authority

As mentioned under paragraph 1, the Authority has been entrusted, *inter alia*, with the task of inquiring and evaluating the complaints lodged by rail passengers, in order to ascertain the infringements of the obligations laid down first in Regulation (EC) 1371/2007 and later in Regulation (EU)2021/782⁹.

National legislation¹⁰ provides that, in case of an alleged infringement of EU legislation, before applying to the Authority, passengers must first lodge their complaint with the carrier¹¹. Specifically, under the amendment introduced by the Regulation, the complaint must be submitted within three months of the incident to which it relates.

In particular, for rail transport, current regulations provide that second-instance complaints shall be lodged with the Authority – including through representative associations, where specifically delegated to do so – through one of the following methods:

- by using the dedicated online platform (SiTe), accessible via the Authority's website at <https://www.autorita-trasporti.it/site/?lang=en>, which does not require further transmission. The system, accessible at https://secure.autorita-trasporti.it/ART_Login/LoginB.aspx, allows users to submit complaints directly online through a guided procedure, subject to prior registration and issuance of the relevant login credentials (ID and password)¹². If the user completes the procedure by uploading all the required documents, the system automatically forwards the complaint to the Authority and allows the user to verify its registration. The platform is also available in English;
- by completing the complaint form available at <https://www.autorita-trasporti.it/modulistica>, and in English at <https://www.autorita-trasporti.it/en/forms/>. The completed form shall be submitted, under penalty of inadmissibility, either by registered mail with acknowledgement of receipt or via certified e-mail (CEM) to the following address: pec@pec.autorita-trasporti.it.

It is worth noting that the SiTe tool streamlines the services provided to users; this submission method guides users through the correct completion of complaints, centralises their receipt, and facilitates more effective responses by ensuring access to all relevant information.

⁹ For the sake of completeness, it is worth clarifying that the infringements reported in this document refer to cases involving:

(i) events that occurred prior to 7 June 2023, for which Regulation (EC) No 1371/2007 continues to apply, in accordance with Article 24-bis of Decree-Law No 69/2023;

(ii) events that occurred after that date, which were assessed on the merits under Regulation (EU) No 2021/782.

¹⁰ Enacted most recently following the approval of the Regulation, pursuant to Article 28 (2) thereof.

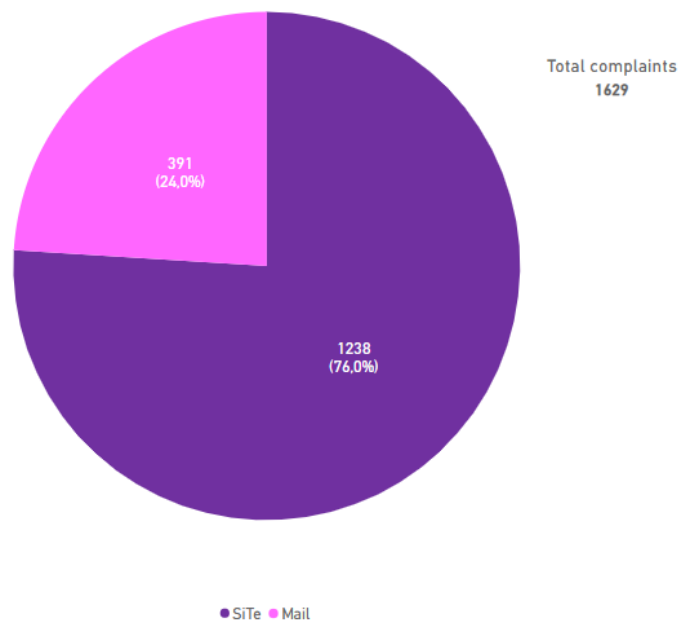
¹¹ In this regard, carriers are required to establish or maintain a complaint-handling mechanism covering the rights and obligations set out in the Regulation. Passengers may submit a complaint to any railway company or station manager, within their respective areas of responsibility, through this system. Within one month of receiving the complaint, the recipient shall provide a reasoned response or, in justified cases, inform the passenger that a reply will be provided no later than three months from the date of receipt of the complaint. With regard to the handling of complaints, reference is also made to the "*Measures concerning the minimum rights that may be claimed by users of rail and bus and coach transport services against service providers and managing bodies of the related infrastructure with regard to the handling of complaints*" (<https://www.autorita-trasporti.it/wp-content/uploads/2021/03/Annex-A-to-Decision-no-28-2021-Rail-Bus-Complaints.pdf>), approved by the Authority with Decision No. 28/2021 of 25 February 2021.

¹² As of 23 September 2020, SiTe is accessible through the Public Digital Identity System (SPID) or electronic identity card (e-ID Card).

During 2024, ongoing system improvements were carried out on the SiTe platform, with the introduction of new features aimed at further enhancing the Authority's transparency and improving the operational management of complaints by the competent offices, as well as ensuring more immediate accessibility of information for users regarding the processing status of their cases.¹³

As shown in the chart under Figure 1 relating to rail transport, during the period under review 76% of 1629 complaints were received via SiTe, while only 24% was submitted using a form sent through one of the other designated channels (collectively referred to as "mail").

Figure 1 – Methods of receipt of complaints concerning rail transport in the period 7 June 2023-31 March 2025



Source: ART

3.1. Alternative Dispute Resolution of the Authority

As illustrated under paragraph 1, by Decision No. 21/2023, the Authority adopted the ADR Rules, implementing the provisions of Article 10 of Law No 118 of 5 August 2022. The scope of the ADR Rules covers (i) not only disputes related to passenger rights—over which the Authority already exercises supervisory functions under European legislation (passenger rights in rail, bus, maritime, and inland waterway transport), but also (ii) disputes concerning the regulation of the minimum content of rights approved by the Authority itself, as well as (iii) disputes concerning the rights granted to air passengers under Regulations (EC) No. 261/2004 and No. 1107/2006¹⁴.

These rules allow users to resolve disputes related to travel by train, ship, bus, or air through the ConciliaWeb platform, enabling them to assert their claims, including those of a financial nature. The attempt to settle

¹³ In particular, the digital processes for managing online cases have been optimized, and a tracking and monitoring function has been introduced for the processing status of complaint handling, including detailed explanatory updates.

¹⁴ Without prejudice to the existing legal framework under which the National Civil Aviation Authority (ENAC) serves as the National Enforcement Body (NEB) for the application of these two regulations, pursuant to Legislative Decrees No. 69/2006 and No. 24/2009.

disputes before the Authority's Dispute Settlement Service has been available since 3 April 2023, the date ConciliaWeb became operational.

A prerequisite for the admissibility of the request is that the user must have already submitted a complaint or a request for compensation or reimbursement to the economic operator¹⁵.

Users may submit a request for dispute settlement and take part in the procedure either independently or through a designated representative or authorised party (such as consumer associations, representative bodies, or lawyers registered with the Bar).

The dispute settlement procedure takes place through the asynchronous exchange of communications between the parties and the conciliator via the platform.

If the parties reach an agreement, the conciliator draws up a report, which is then signed by the parties and constitutes an enforceable instrument pursuant to Article 2(24)(b) of Law No. 481/1995.

The procedure must be concluded within thirty days¹⁶ of the submission of the request—or its regularisation—in accordance with Article 37(3)(h) of Decree-Law 201/2011.

To highlight the activities carried out by the Authority's Dispute Settlement Service specifically in the rail transport sector in the period from 7 June 2023 to 31 March 2025, the following information is provided: the number of requests received, their temporal trends, the outcomes of dispute settlement procedures, and the economic value of the settlements concluded in favour of users (hereinafter: reimbursements).

During the period under review, a total of 614 dispute settlement requests relating to rail transport were received, as shown in the timeline under Figure 2. Figure 3 displays the outcomes, focusing on procedures concluded and not dismissed¹⁷.

The main issues raised in the requests received, falling within the scope of passenger rights under the Regulation, are:

- failure to provide a ticket reimbursement in the event of cancellation or a foreseeable delay in arrival exceeding 60 minutes
- failure to provide a final response to the complaint within 3 months
- unreasoned response to the complaint
- failure to pay compensation for late arrival of 60 minutes or more (single delay)
- failure to provide re-routing under comparable transport conditions for cancellation or foreseeable delay in arrival exceeding 60 minutes
- failure to provide information on passenger rights
- failure to provide information in the event of delayed departure

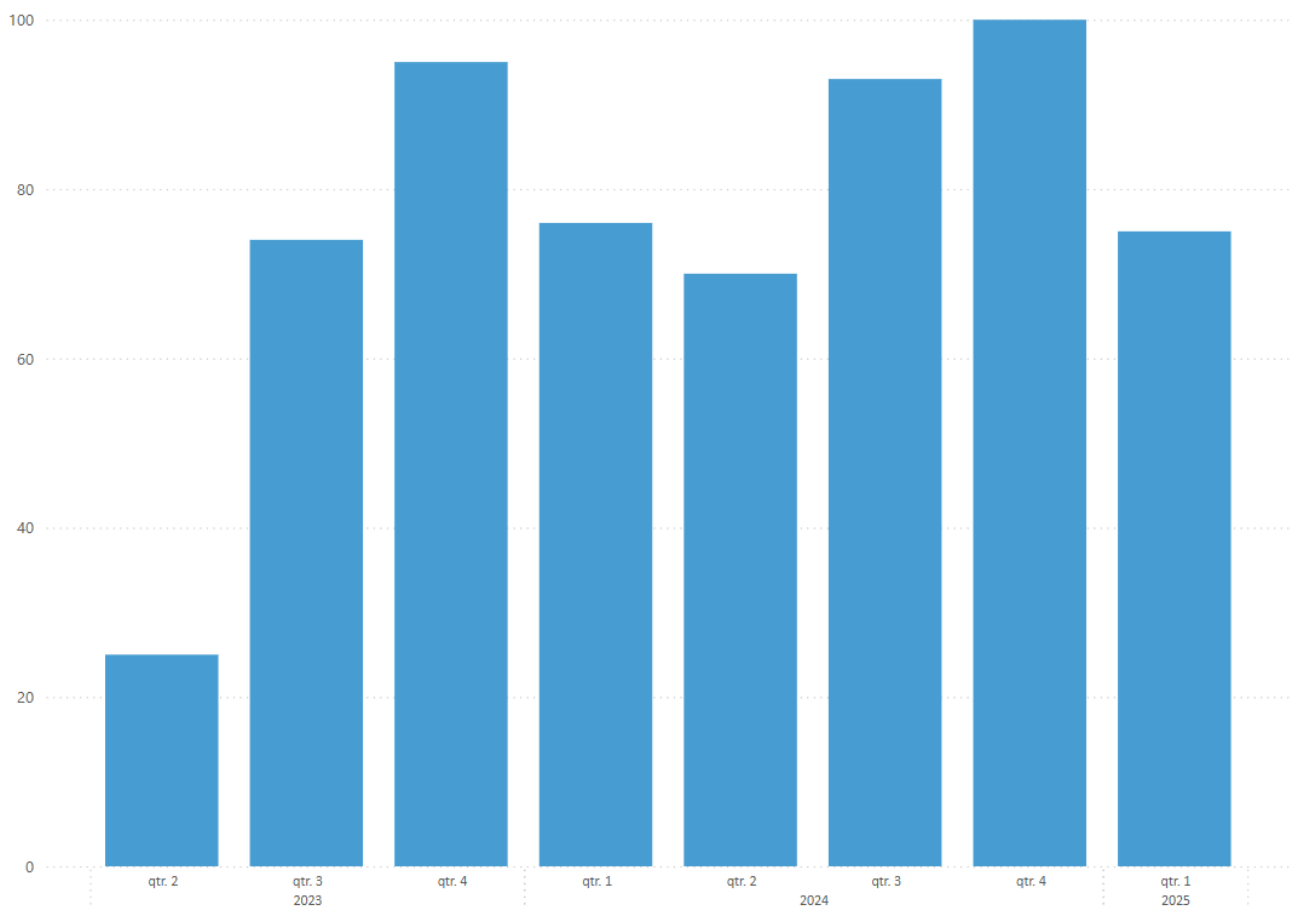
¹⁵ The ART Dispute Settlement Service places special emphasis on supporting users in submitting their requests, offering assistance via a dedicated email inbox and by continuously updating the FAQs available at <https://www.autorita-trasporti.it/frequently-asked-questions-faq/>.

¹⁶ This deadline is not considered mandatory; however, to safeguard the right to judicial protection, it is established that users may turn to the court after 30 days from the submission of the request.

¹⁷ It is noted that the dismissed requests referred to here include: (i) cases of inadmissibility, in accordance with Article 7 of the ADR Rules, either identified ex officio or raised by the operator; (ii) cases where the user failed to appear (i.e. no participation followed the initial submission of the request); or (iii) cases of user withdrawal during the procedure (often, although not currently traceable with precision, because a settlement was reached outside the platform).

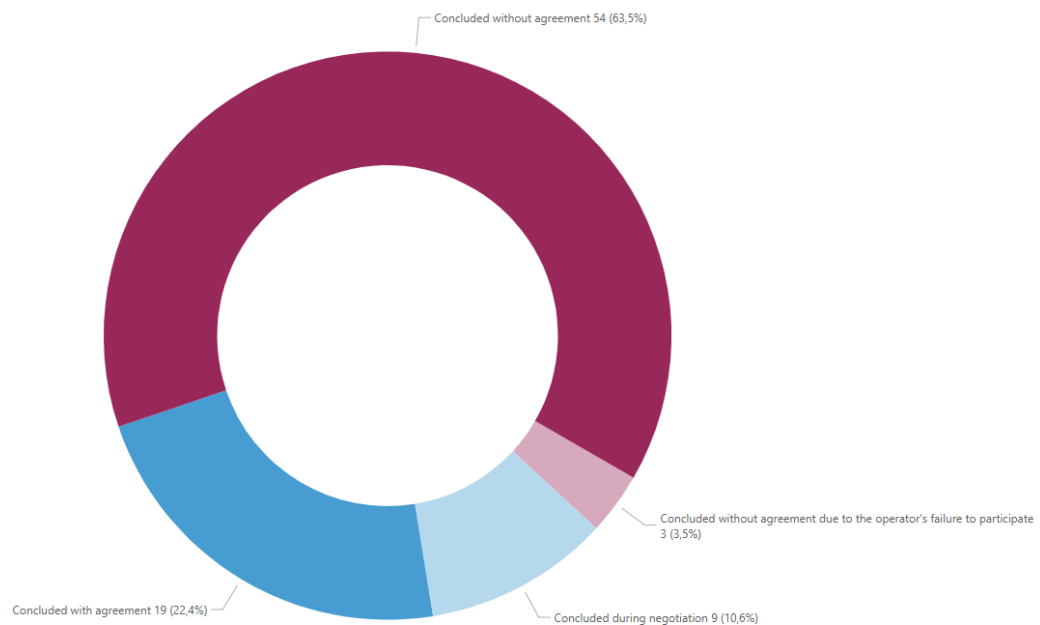
- failure to provide assistance (meals, refreshments) in the event of cancellation or delayed departure exceeding 60 minutes
- failure to provide information on cancellation of services
- failure to provide alternative transport services when the railway services cannot be continued anymore
- failure to provide certification that the rail service has suffered a delay, has been cancelled or led to a missed connection
- failure to provide assistance (night accommodation) in the event of cancellation or delayed departure exceeding 60 minutes.

Figure 2 - Quarterly trend of requests in the period from 7 June 2023 to 31 March 2025.



Source: ART

Figure 3 – Outcomes of procedures concluded and non-dismissed¹⁸ in the period from 7 June 2023 to 31 March 2025.



The total reimbursements granted for rail transport through dispute settlement procedures conducted via the ConciliaWeb platform in the period under review, account for €1,558.00, with an average reimbursement of €50 per passenger.

4. Alerts and complaints received

This Report presents data on complaints and alerts (requests) received in the period of reference, i.e., as specified in paragraph 3, from 7 June 2023 to 31 March 2025.

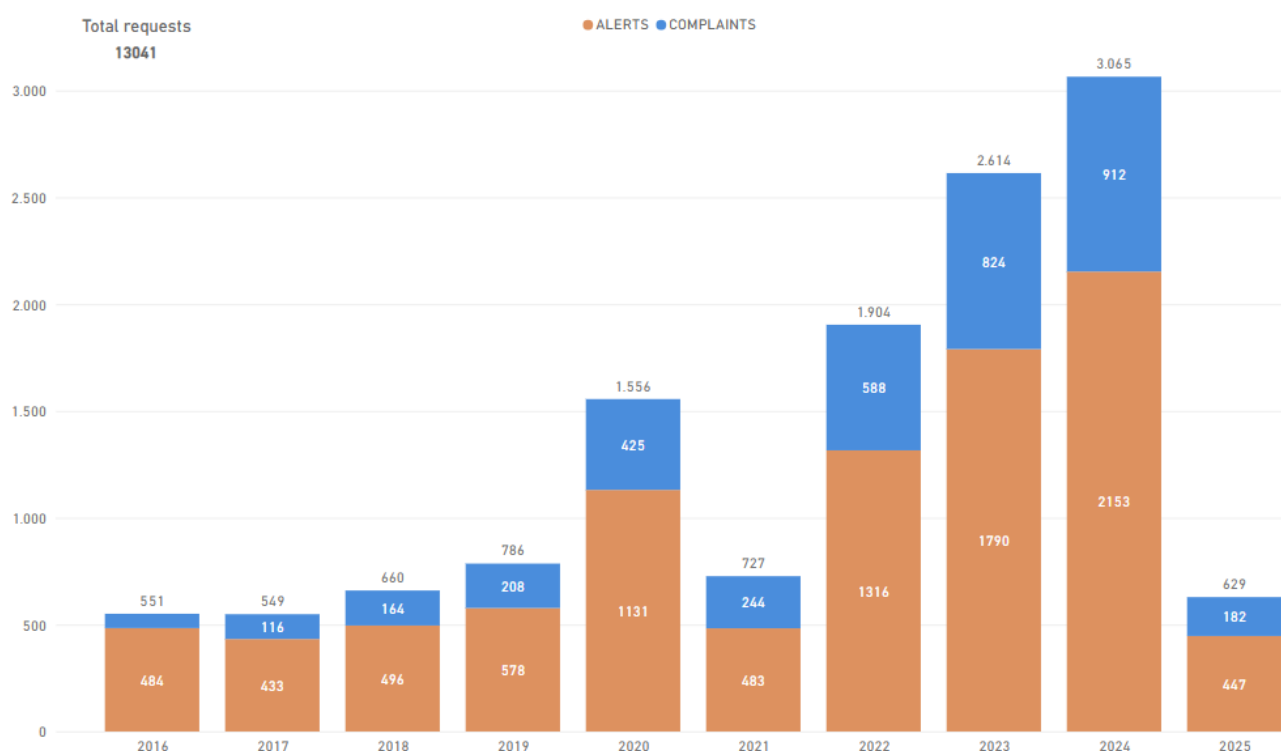
For clarity, an alert is a request submitted by the user that does not comply with the prescribed formalities, for example, one submitted before the expiry of the one-month period following the lodging of a complaint with the carrier, or one containing only a general description of the issue. Conversely, a complaint is a properly filed request that includes all the essential information necessary for a thorough assessment of the user's case.

¹⁸ In particular, in the period of reference, 523 dispute settlement requests were dismissed due to inadmissibility, user failure to appear, or user withdrawal, accounting for approx. 85% of the total requests received for rail transport.

As the national body responsible for the enforcement of Regulation (EC) No. 1371/2007 and, later, of Regulation (EU) 2021/782, the Authority received complaints and alerts in the period from 1 January 2016 to 31 March 2025 as detailed in the bar chart and table shown in Figure 4.

In this respect, all submissions—both alerts and complaints—have shown a consistently upward trend.

Figure 4 - Complaints and alerts received in rail transport from 1 January 2016 to 31 March 2025.

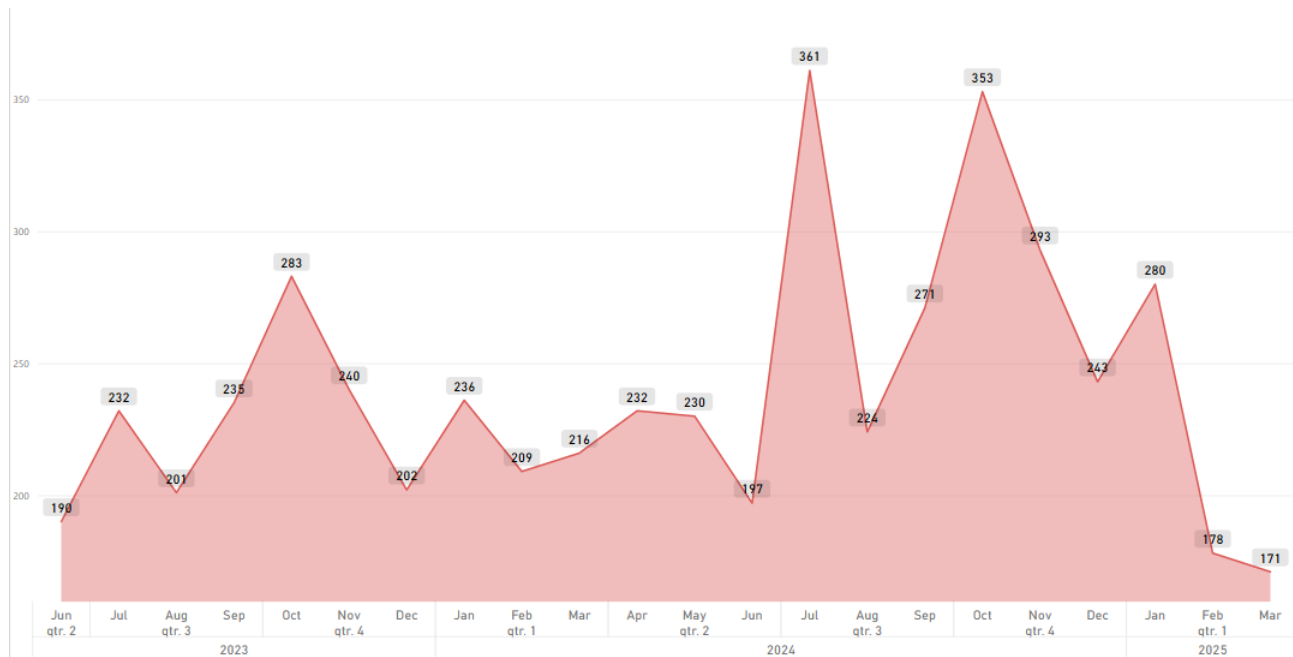


Source: ART

Type of request	2016	2017	2018	2019	2020	2021	2022	2023	2024	1/1-31/3 2025	Total
Alerts	484	433	496	578	1131	483	1316	1790	2153	447	9,311
Complaints	67	116	164	208	425	244	588	824	912	182	3,730
Total	551	549	660	786	1556	727	1904	2614	3065	629	13,041

The quarterly trend in the complaints and alerts received in the period of reference is shown in the graph in Figure 5.

Figure 5 – Trend in complaints and alerts concerning rail transport from 7 June 2023 to 31 March 2025



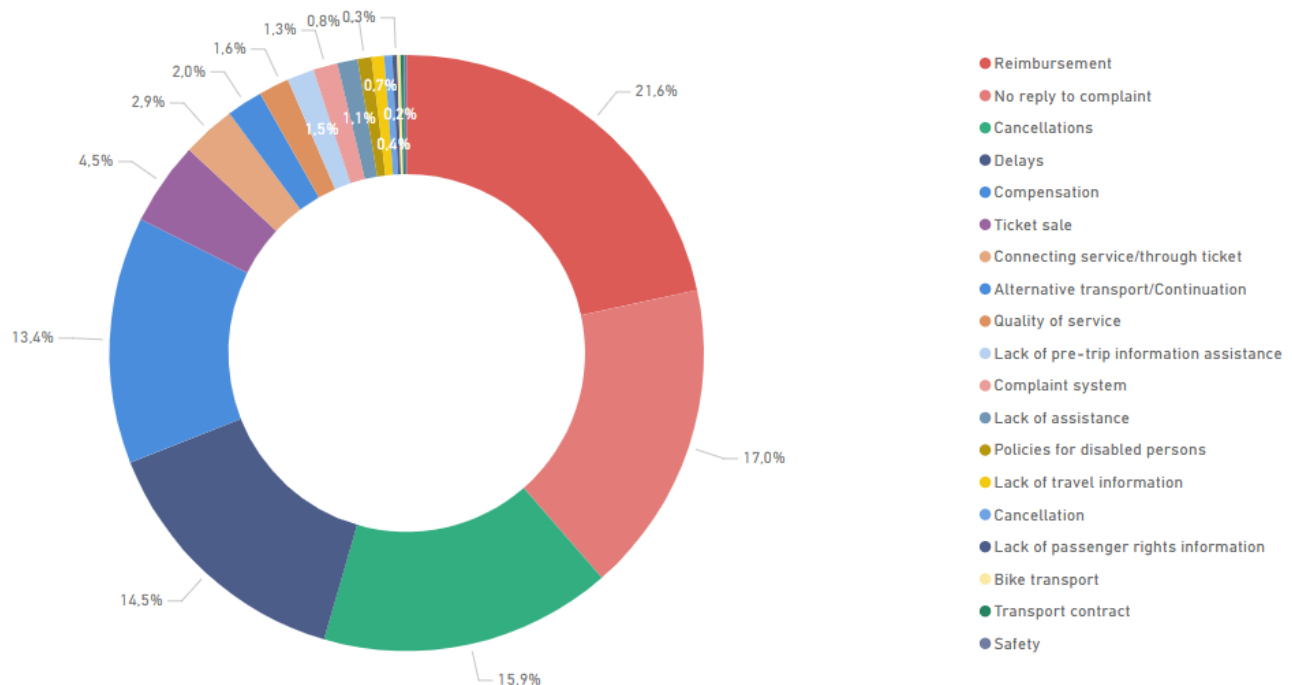
Source: ART

The graph shows a sharp increase in requests for 2024, mainly due to complaints concerning the failure to respond to first-instance claims within the prescribed time limits¹⁹.

The requests received have highlighted several critical issues, as shown in the chart in Figure 6.

¹⁹ In this regard, the companies concerned attributed the malfunctions to critical issues following a cyberattack, as well as to service disruptions caused by serious natural events, which led to such a surge in complaints that their management systems were compromised.

Figure 6 – Grounds for complaints and alerts in rail transport in the period from 7 June 2023 to 31 March 2025



Source: ART

It should be noted that all requests received are classified according to the complaints expressed by passengers, who are not always fully aware of the available rights. Therefore, the issues raised often fall outside the scope of the protections specifically provided by the applicable Regulation²⁰.

In consideration of the above, noting that each complaint or alert may include multiple grounds for complaint, the chart in Figure 6 shows how the main categories of issues raised by passengers are associated with delays, cancellations, and related matters, as detailed below:

- requests for reimbursement as a result of cancellations or delays at departure/arrival, and related payment procedures
- failure to provide a response to the complaint
- failure to provide compensation as a result of delays
- choice offered between re-routing or reimbursement in the event of cancelled or delayed departures.

With specific regard to the outcomes of the requests, the table below shows the main grounds for dismissal and the corresponding percentages.

²⁰ Examples include complaints or alerts concerning ticket sales methods, service quality, or cancellation of local public transport services.

Reasons for dismissal	Requests received from 07/06/2023 to 31/12/2023 and dismissed	%	Requests received in 2024 and dismissed	%	Requests received from 01/01/2025 to 31/03/2025 and dismissed	%
Requests dismissed for formal reasons (e.g. no submission of first-instance complaint; lack of documentation required to assess the complaint; failure to use the appropriate channels)	1121	72.3%	2097	71.2%	441	80.3%
Requests dismissed due to being unrelated to the rights established by the European Union for the protection of rail passengers	180	11.6%	349	11.9%	70	12.8%
Requests dismissed due to lack of grounds to contest infringements of the Regulation	245	15.8%	491	16.7%	37	6.7%
Requests dismissed for lack of jurisdiction and forwarded to another NEB	5	0.3%	6	0.2%	1	0.2%

Where relevant, the content of the requests—also in cases where they were dismissed—has been taken into account by the Authority in exercising the regulatory functions assigned to it under its founding act²¹. In addition, such requests have been forwarded to other competent administrations for matters falling within their remit (e.g. to the Competition Authority, in relation to potentially unfair commercial practices; or, in the case of services subject to public service obligations, to the awarding entities responsible for verifying the proper performance of the public service contract).

²¹ In particular, article 37 (2) of Legislative Decree 201/2011 stipulates under (d) that the Authority lays down “the minimum quality standards of national and local transport services that are subject to public service obligations, as identified in accordance with the local characteristics of supply and demand;” and under (e) that the Authority defines “in relation to the different services and infrastructure, the minimum rights and entitlements, including compensation, that may be claimed by users from infrastructure managers and service providers, and [settles] the relevant disputes, without prejudice to the additional collaterals increasing users’ protection which infrastructure managers and service providers may include in their service charters”.

It should also be noted that, in analysing the requests—even those that were dismissed—the Authority has, in several instances, undertaken proactive measures and, more generally, engaged in direct dialogue with the companies concerned, within the framework of these entities' duty to cooperate with the Authority. The use of collaborative tools has proven particularly effective, among other things, in fostering the organisational and managerial conditions necessary to address—or at least reduce the recurrence of—certain inefficiencies.

5. Sanctioning activity

With regard to the specific sanctioning framework, penalties for infringements of the rights established by the European Union for rail passenger protection are determined based on the assessed violation and are proportionate to the seriousness and recurrence of the infringement and to any measures taken to mitigate or eliminate its effects. Further, under the rules on sanctioning proceedings, where the assessed infringement is still in place, the statement of objections also includes a formal notice to cease the violation. Compliance or non-compliance with this notice is assessed in accordance with applicable law, including for the purpose of determining any applicable penalties.

As noted in paragraph 1, the amendment to Legislative Decree No. 70/2014 introduced significant changes to the sanctioning framework, including the direct reference of sanctionable cases to the Rules without further specification, and the sole establishment of the applicable fine range. The monetary thresholds were raised, with the vast majority of cases now subject to a minimum fine of €5,000 and a maximum of €50,000.

Furthermore, in order to specifically safeguard the right to transport for persons with disabilities or reduced mobility, the aforementioned amendment by the national legislator excluded the possibility of applying reduced-payment procedures for contested sanctions in such cases²².

Lastly, it is worth noting that Article 20-bis of Legislative Decree No. 70/2014 introduced a significant provision addressing non-compliance with orders issued by the Authority pursuant to Articles 4(2)(c) and 7 of the same decree. This provision establishes an administrative fine ranging from €500 to €2,000 for each day of delay in remedying the harmful conduct.

It should be noted that, pursuant to Article 5 (4) of Legislative Decree No. 70/2014, the proceeds from penalties imposed under the regulations on passenger rights are paid into a dedicated fund established within the budget of the Ministry of Infrastructure and Transport. This fund is intended to support projects that benefit consumers in the transport sectors. In this regard, the Decree of the Minister of Infrastructure and Transport dated 19 February 2019—adopted on the Authority's proposal and in agreement with the State-Regions Conference—provides that these resources are to be allocated to consumer-oriented initiatives, including awareness and information campaigns on passenger rights, which may also be carried out in cooperation with the relevant service providers and infrastructure managers²³.

In particular, the proceeds from penalties imposed on transport services of national interest are allocated to the Ministry of Infrastructure and Transport, while those deriving from penalties imposed on public transport

²² Cf note 29.

²³ Ministerial decree of 19 February 2019 on *"Methods of allocation of proceeds deriving from the payment of penalties for infringement of the provisions on passenger rights in rail, bus and coach, and inland waterway transport"*, published in the Official Journal, General Series, No. 83 of 8 April 2019.

services of regional and local interest are allocated to the respective Region in proportion to the penalties paid and attributable to their territories²⁴.

With regard to the quantification of penalties, the Authority applies the “*Guidelines on the quantification of administrative fines*”, adopted by Decision No. 49/2017, with a view to ensuring consistency, transparency, and objectivity in the exercise of its sanctioning powers. These guidelines set out the criteria for determining penalties, as broadly provided by the legislator, and distinguish between the parameters established in Law No. 689 of 24 November 1981 (“*Amendments to the penal system*”), which apply to cases under the Authority’s general sanctioning remit, and the specific criteria for calculating penalties for infringements of passenger rights, as laid down in the legislative decrees implementing EU regulations on rail, bus and coach, maritime, and inland waterway transport.

Concerning the sanctioning procedure, the rules adopted by the Authority under Decision No. 52/2014 of 4 July 2014 were updated by Decision No. 146/2023 of 1 October 2023, which approved the rules of procedure for the conduct of sanctioning proceedings within the Authority’s remit related to passenger rights (hereinafter: Rules on sanctioning proceedings)²⁵.

This measure was introduced with the specific aim of enhancing transparency for stakeholders—taking into account recent rulings by administrative courts²⁶, while also simplifying and expediting procedures²⁷ and providing greater clarity through the formalisation of interpretative solutions developed over time.

Furthermore, in accordance with the guidance provided by the Council of State²⁸, the participation rights of undertakings subject to sanctioning proceedings have been expanded to ensure that, upon conclusion of the preliminary inquiries, they are notified of the preliminary findings and simultaneously granted the opportunity to submit counterarguments and request a hearing before the Authority’s Board.

The table below provides a breakdown of the sanctioning proceedings concluded during the period under review, distinguishing, based on the applicable law for each case, between infringements of Regulation (EC) No. 1371/2007 and those of Regulation (EU) 2021/782.

²⁴ To implement the provisions of Article 3(2) of the Ministerial Decree, the Authority has, within the prescribed deadline (the first quarter of each year), submitted summary tables detailing all penalties imposed in the previous year, specifying the Region associated with the sanctions imposed on regional and local public transport operators.

²⁵ In particular, these Rules replace and consolidate under a single framework the rules on sanctioning proceedings in rail transport (Decision No. 52/2014 of 4 July 2014), in bus transport (Decision No. 4/2015 of 20 January 2015), and in sea transport (Decision No. 86/2015 of 15 October 2015).

The aforementioned rules, approved by Decision No. 146/2023, apply specifically to proceedings concerning the railway sector that were initiated after 1 October 2023, with the exception of cases involving potential violations of Regulation (EC) No 1371/2007 relating to conduct occurring prior to 7 June 2023. Such cases remain subject to sanctions under Legislative Decree No. 70 of 2014 as it stood before the amendments introduced by Article 24-bis of Decree-Law No. 69/2023 — for which the previous regulation referred to in Decision No. 52/2014 continues to apply.

²⁶ Cf. among others, Council of State’s Judgment No. 584/2021.

²⁷ For example, by providing that “*where the person against whom the proceeding is brought has exercised the right to make the reduced payment, in accordance with Article 16 of Law 689 of 24 November 1981, with respect to all the complaints mentioned in the decision to initiate the proceeding, the head of the office shall declare the termination of the proceeding by his/her own decision*”, instead of requiring a decision by the Board (Art. 14 of the Rules on sanctioning proceedings), the provision allows such proceedings to be concluded by a resolution of the head of the office (available at the following link <https://www.autorita-trasporti.it/trasparenza/provvedimenti-dirigenti/>).

²⁸ Council of State, Section VI, No 10359/2022 of 24 November 2022.

Regarding the outcomes of the proceedings, all the alleged violations were concluded with the payment of a reduced fine²⁹.

Initiation sanctioning proceeding	Infringed rules of the Regulation	Measure closing the sanctioning proceeding	Amount of reduced payment
Decision No. 137/2023	art. 16 <i>"Reimbursement and re-routing"</i> Reg. (EC) No 1371/2007	Decision No. 172/2023	EUR 3,333.33
	art. 18 <i>"Assistance"</i> , para 3, Reg. (EC) No 1371/2007		EUR 3,333.33
Decision No. 140/2023	art. 16 <i>"Reimbursement and re-routing"</i> Reg. (EC) No 1371/2007	Decision No. 183/2023	EUR 3,333.33
Decision No. 141/2023	art. 16 <i>"Reimbursement and re-routing"</i> Reg. (EC) No 1371/2007	Decision No. 1/2024	EUR 3,333.33
	art. 17 <i>"Compensation of the ticket price"</i> , para 1, Reg. (EC) No 1371/2007		EUR 3,333.33
Decision No. 150/2023	art. 16 <i>"Reimbursement and re-routing"</i> Reg. (EC) No 1371/2007	Decision No. 199/2023	EUR 3,333.33
	art. 17 <i>"Compensation of the ticket price"</i> , para 2, Reg. (EC) No 1371/2007		EUR 166.66
	art. 27 <i>"Complaints"</i> , para 2, Reg. (EC) No 1371/2007		EUR 333.33
Decision No. 170/2023	art. 16 <i>"Reimbursement and re-routing"</i> Reg. (EC) No 1371/2007	Decision No. 2/2024	EUR 3,333.33
	art. 8 <i>"Travel information"</i> , par. 2, Reg. (CE) No 1371/2007		EUR 1,666.66
Decision No. 182/2023	art. 17 <i>"Compensation of the ticket price"</i> , para 1, Reg. (EC) No 1371/2007	Decision No. 9/2024	EUR 3,333.33
Decision No. 198/2023 (8 consolidated complaints)	art. 17 <i>"Compensation of the ticket price"</i> , para 2, Reg. (EC) No 1371/2007	Decision No. 37/2024	EUR 1,333.28
	art. 27 <i>"Complaints"</i> , par. 2, Reg. (CE) 1371/2007		EUR 666.66
Decision No. 24/2024	art. 20 <i>"Assistance"</i> , para 2, Reg. (EU) 2021/782	Resolution No. 160/2024	EUR 10,000.00
	art. 20 <i>"Assistance"</i> , para 3, Reg. (EU) 2021/782		EUR 10,000.00
Decision No. 35/2024 (8 consolidated complaints)	art. 18 <i>"Reimbursement and re-routing"</i> , para 5, Reg. (EU) 2021/782	Resolution No. 169/2024	EUR 3,333.32
	art. 19 <i>"Compensation"</i> , para 7, Reg. (EU) 2021/782		EUR 9,999.96

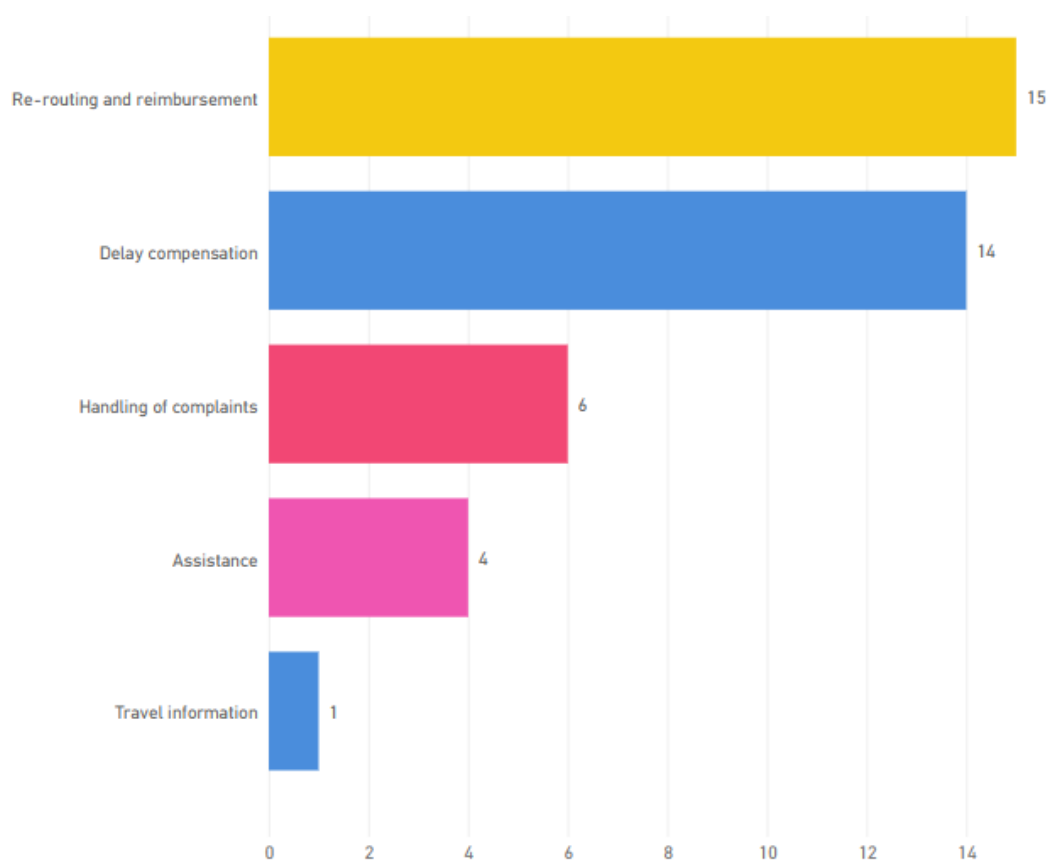
²⁹ The reduced-payment procedure, established under Article 16 of Law No. 689/1981, allows a party subject to a sanctioning proceedings to settle the matter by paying, within sixty days of receiving notification of the infringement, an amount equal to one-third of the maximum penalty prescribed for the violation or, if more favourable and where a minimum penalty is established, an amount equal to twice the minimum fine.

Initiation sanctioning proceeding	Infringed rules of the Regulation	Measure closing the sanctioning proceeding	Amount of reduced payment
	art. 28 “Complaints”, para 2, reg. (EU) 2021/782		EUR 3,333.32
Decision No. 36/2024 (11 consolidated complaints)	art. 17 “Compensation of the ticket price”, para 2, Reg. (EC) No 1371/2007	Decision No. 78/2024	EUR 1,833.26
	art. 27 “Complaints”, para 2, Reg. (EC) No 1371/2007		EUR 333.33
Decision No. 46/2024	art. 16 “Reimbursement and re-routing”, Reg. (EC) No 1371/2007	Decision No. 136/2024	EUR 4,500.00
	art. 17 “Compensation of the ticket price”, para 2, Reg. (EC) No 1371/2007		EUR 200.00
	art. 27 “Complaints”, para 2, Reg. (EC) No 1371/2007		EUR 400.00
Decision No. 57/2024 (9 consolidated complaints)	art. 18 “Reimbursement and re-routing”, para 5, Reg. (EU) 2021/782	Resolution No. 170/2024	EUR 9,999.96
	art. 19 “Compensation”, para 7, Reg. (EU) 2021/782		EUR 4,999.98
	art. 28 “Complaints”, para 2, Reg. (EU) 2021/782		EUR 1,666.66
Decision No. 65/2024	art. 20 “Assistance”, para 2, Reg. (EU) 2021/782	Resolution No. 155/2024	EUR 10,000.00
Decision No. 68/2024 (9 consolidated complaints)	art. 18 “Reimbursement and re-routing”, para 5, reg. (Eu) 2021/782	Resolution No. 172/2024	EUR 11,666.62
	art. 19 “Compensation”, para 7, Reg. (EU) 2021/782		EUR 3,333.32
Decision No. 77/2024	art. 18 “Reimbursement and re-routing”, para 1, Reg. (EU) 2021/782	Resolution No. 176/2024	EUR 10,000.00
Decision No. 93/2024 (8 consolidated complaints)	art. 18 “Reimbursement and re-routing”, para 5, Reg. (EU) 2021/782	Resolution No. 187/2024	EUR 6,666.64
	art. 19 “Compensation”, para 7, Reg. (EU) 2021/782		EUR 6,666.64
Decision No. 114/2024 (4 consolidated complaints)	art. 18 “Reimbursement and re-routing”, para 5, Reg. (EU) 2021/782	Resolution No. 197/2024	EUR 4,999.98
	art. 19 “Compensation”, para 7, reg. (UE) 2021/782		EUR 1.666,66
Decision No. 142/2024 (12 consolidated complaints)	art. 18 “Reimbursement and re-routing”, para 5, Reg. (EU) 2021/782	Resolution No. 220/2024	EUR 18,333.26
	art. 19 “Compensation”, para 7, Reg. (EU) 2021/782		EUR 3,333.32
Decision No. 179/2024 (6 consolidated complaints)	art. 19 “Compensation”, para 7, reg. (EU) 2021/782	Resolution No. 11/2025	EUR 9,999.96

Initiation sanctioning proceeding	Infringed rules of the Regulation	Measure closing the sanctioning proceeding	Amount of reduced payment
Decision No. 180/2024 (15 consolidated complaints)	art. 18 <i>“Reimbursement and re-routing”</i> , para 5, Reg. (EU) 2021/782	Resolution No. 10/2025	EUR 24,999.90
Decision No. 187/2024 (17 consolidated complaints)	art. 18 <i>“Reimbursement and re-routing”</i> , para 5, Reg. (EU) 2021/782	Resolution No. 23/2025	EUR 28,33.22
Decision No. 8/2025	art. 19 <i>“Compensation”</i> , para 7, Reg. (EU) 2021/782	Resolution No. 31/2025	EUR 1,666.66
Total initiated proceedings: 22	Total contested infringements: 40		EUR 233,099.20

The chart in Figure 7 below shows the contested infringements by the types of rights subject to the proceedings.

Figure 7 – Rights subject to sanctioning proceedings initiated and concluded in rail transport in the period from 7 June 2023 to 31 March 2025



Source: ART

As shown in the table and in the chart in Figure 7, most of the issues raised related to infringements of the following passenger rights:

- a) choice between ticket reimbursement or continuation of the journey in case of cancellation or a delay exceeding 60 minutes
- b) failure to provide reimbursement within 30 days of the submission of the request to the undertaking
- c) failure to provide compensation for the delay within one month from the submission of the request
- d) failure to provide adequate information regarding scheduled departure time, replacement service, and assistance
- e) failure to provide a response or late response to the complaint.

Finally, the table below shows, with reference to the concluded proceedings, the number of infringements identified in relation to each of the aforementioned articles of the Regulation – differentiating between infringements of Regulation (EC) No 1371/2007 and those of Regulation (EU) 2021/782 – and the number of undertakings subject to the above-mentioned proceedings.

Infringed regulatory provision	Number of proceedings initiated and concluded*	Number of railway undertakings involved
Regulation (EC) No 1371/2007		
Article 8, para 2	1	1
Article 16	6	3
Article 17	1	1
Article 17, para 1	1	1
Article 17, para 2	4	2
Article 18, para 3	1	1
Article 27, para 2	4	2
Regulation (EU) 2021/782		
Article 18, para 1	1	1
Article 18, para 5	8	1
Article 19, para 7	8	1
Article 20, para 2	2	2
Article 20, para 3	1	1
Article 28, para 2	2	1

* Please note that a decision to initiate sanctioning proceedings may encompass multiple infringements.

6. Other initiatives

Information on passenger rights

The Authority's official website features a section dedicated to passengers and their rights, which includes EU and national regulations for users' protection in rail, bus and coach, and sea and inland waterway transport³⁰. This section, which has been continuously updated throughout the two-year period under review, is also available in English.

The passenger rights section can be reached from the homepage and includes a dedicated page focused on the protection of rail passengers. From this page, users can access, via a link to Your Europe portal, the European Commission's information pages on passenger rights under Regulation (EU) No 2018/1724 of 2 October 2018 that provides for a single digital gateway enabling access to information, procedures, assistance services, and dispute resolution, and amending Regulation (EU) No 1024/2012.

The page also includes:

- video tutorials on passenger rights prepared as part of the institutional communication campaign in collaboration with the Presidency of the Council of Ministers, with a focus on the enforcement of passenger rights, which was implemented in 2021
- relevant legislation
- a link to frequently asked questions (FAQ) on passenger rights and on the tools available to the Authority to protect these rights, including in relation to the Authority's ADR procedure
- a link to the digital assistant "smARTbot," also accessible from the website homepage — a chatbot tool that enables the Authority to provide real-time digital assistance via the web through an "intelligent conversation" conducted by exchanging text messages in a chat room, with the aim of delivering information on specific topics in an automated way and guiding users through topic-based navigation.

The official website includes a section dedicated to the Authority's data and statistics (<https://bdt.autorita-trasporti.it/>), where users can consult, among other things, data relating to the applications received by the Authority for the sectors under its remit, including in relation to the protection of rail passengers' rights.

The charts presented in the "Complaints and Alerts" section show:

- the trend of the passenger requests received by the Authority over time
- the percentage distribution by type of request (complaints and alerts) and by transport sector (rail, bus, and maritime)
- the main reasons for requests by year and by sector
- the percentage distribution of the type of service involved (open access services and public service obligation (PSO) services) for each transport mode and by year.

Awareness-raising activities addressed to carriers

Based on the complaints and alerts received—also in cases where the conditions for identifying infringements of the rights established by the European Union were not met—the competent offices have carried out the

³⁰ <https://www.autorita-trasporti.it/en/art-for-the-protection-of-passenger-and-user-rights/>

usual awareness-raising and reporting activities addressed to carriers, with the aim of encouraging and supporting the improvement of passenger care policies.

Targeted meetings were held to address the issue of missing or delayed responses to complaints or reimbursement requests.

In this regard, it is noteworthy that a railway company has developed a system for the mass management of reimbursement and compensation requests related to the same event or disruption. In particular, this system increases the digitalisation of back-office processes by automatically integrating passenger-entered data (PNR, travel date, reason for the request, and preferred reimbursement or compensation method) with information regarding the certified disruption. Upon submission, the passenger receives a feedback notification containing a link to the blockchain. If further information is required, the request is marked as 'Pending,' and an operator engages with the passenger in real time via chat. Additionally, the system allows customers to review the history of their processed reimbursement and compensation requests.

It is also noted that the Authority collaborates on the protection of passenger rights in rail transport with the Railway Police (Polfer), based on a memorandum of understanding signed on 13 September 2019 and renewed for an additional three years on 26 January 2023. Under this agreement, the exchange of information, data, and relevant elements—either upon request or ex officio—supports the exercise of their respective duties, as well as cooperation in conducting inspections of facilities, railway infrastructure, stations, and rolling stock.

Protection of passengers with disabilities and reduced mobility

Regarding the protection of passengers with disabilities and reduced mobility (hereinafter: PRM users), particular attention has been paid—within the scope of Article 14 (1) of Legislative Decree No. 112/2015³¹—when issuing guidelines and requirements related to the Network Statement (NS), especially to improving assistance for PRM users and ensuring compliance with the information and assistance obligations owed to them³².

Cooperation between NEBs and with the Commission

Among the activities carried out by the Authority in the sector under review, it is also worth mentioning its cooperation with the NEBs of other Member States. During the period of reference, when complaints received concerned regular services departing from locations situated in other Member States, the Authority, in accordance with EU law provisions regarding rail passengers rights, forwarded them to the competent NEB (in particular, 26 alerts were forwarded to the NEBs of other Member States, of which 2 due to lack of

³¹ This provision stipulates as follows: “1. The infrastructure manager shall, after consulting with the regions, autonomous provinces, and other interested parties, develop and publish a network statement, ensure its periodic update, and introduce appropriate amendments and additions based on any indications and requirements submitted by the regulatory body, which may also include specific arrangements for the above-mentioned consultation”.

³² In particular, through the decisions approving the guidelines and requirements for the 2025 and 2026 NS, adopted in 2023 and 2024 respectively, the Authority focused on the following issues: (i) procedures for requesting and obtaining compensation in cases where infrastructure or station facilities for PRM were not restored within the required timeframe; (ii) provisions under Article 24 (“Conditions under which assistance is provided”) of the Regulation regarding the 24-hour advance notice required to request assistance for PRM; and (iii) the obligation under Article 10 (1) of the Regulation concerning the real-time, non-discriminatory, and timely dissemination of train arrival and departure information by infrastructure managers and railway undertakings to ticket vendors, tour operators, and station managers.

grounds, as the licence was not Italian, and 24 for lack of jurisdiction), while 2 requests were received from other NEBs.

Further, in compliance with Article 34 (*“Exchange of information and cross-border cooperation between national enforcement bodies”*) of the Regulation, the Authority’s competent offices took part in meetings between the NEBs and the European Commission, convened by the Directorate-General for Mobility and Transport of the European Commission (DG MOVE), held on 24 January 2024 and 26 November 2024.

In this context, as requested by DG MOVE, information was provided concerning, *inter alia*, (i) clarifications on the adopted legislation regarding exemptions; (ii) rules and functions carried out in the field of ADR; (iii) information concerning complaint-handling; (iv) references to the Authority’s website regarding the European Single Digital Gateway³³. Furthermore, the Commission was informed of the most significant measures adopted, with the relevant documentation uploaded to the exchange platform for NEBs provided by the Commission.

During the regular meeting of the bodies responsible for enforcing Regulation (EU) 2021/782, the Authority presented, *inter alia*, some notable Italian best practices, including (i) automatic refunds in cases of delayed responses to first-instance complaints, as established by ART’s Decision No. 28/2021, and (ii) the existence of joint bodies directly managed by Italian railway operators.

³³ The European Single Digital Gateway initiative was launched with Regulation (EU) 2018/1724, published in the Official Journal of the European Union, L 295, on 21 November 2018.