4 February 2016: Passenger coach stations

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Following the opening up of the passenger coach transport market last summer,
the Autorité welcomes the government adoption of an ordinance overhauling the regulatory framework of coach stations and granting the sector regulator, the ARAFER, the range of instruments required to ensure that all operators can access these essential facilities and to standardize conditions of use.

This ordinance complies with all aspects of the recommendations issued by the Autorité on this subject.

> Version française

At the end of its extensive year-long sector enquiry into competition in the inter-regional coach transport market, the *Autorité de la concurrence*, in its opinion 14-A-05 of 27 February 2014 regarding competition in the interregional coach transport market, recommended opening up the long-distance coach transport market in France, implementing a multimodal transport regulation authority and overhauling the regulatory framework of coach stations.

An encouraging opening up to competition

Law no. 2015-990 of 6 August 2015 for growth, activity and equality of economic opportunities, known as the "Macron" law, opened this market up last summer and several companies have rapidly developed transport services, covering the entire country. To date, the government estimates that 1000 jobs have been created in the coach transport sector and at least 500,000 passengers have used the services. 146 towns/cities and airports now benefit from coach services

and over 600 coaches connect towns and cities in France on a daily basis[1].

Furthermore, the "railway watchdog", the ARAF, has now become the ARAFER through the addition of road jurisdiction, with its main task being to conciliate these new commercial offers with the pre-existing rail and road public transport services.

Coach stations, a key component for success of the reform

The Macron law provided the government with powers to complete the reform by overhauling the regulatory framework of passenger coach stations. Indeed, this framework is far from recent as it is mainly based on an ordinance dating from 1945.

In practice, these facilities are little developed in France, even though they are an essential component of the transport service in terms of comfort, safety and inter-connection with other modes of transport and networks.

In addition to the low number of coach stations in France, coach operators find it difficult to identify the entities responsible for their management and to benefit from reasonable and predictable conditions of access, in particular regarding costs, which is detrimental to the development of the activity and the transport offer.

At the end of December, the government requested an opinion from the Autorité de la concurrence on its draft Ordinance for coach passenger stations and coach stop locations.

An overhaul of the Ordinance that follows recommendations issued by the *Autorité*

The Autorité has issued an opinion, published today, in which it welcomes these draft reforms insofar as they promote the development of these facilities for the benefit of passengers and standardize conditions of access for coach operators, preserving the autonomy and investments of public and private operators.

In particular, the ARAFER is granted jurisdiction and a range of powers with respect to access to these facilities. It will notably:

- keep a register of coach stations and coach stop facilities;

- guarantee transparent, objective and non-discriminatory conditions of access, in particular as regards pricing;

- be able to settle any disputes between coach operators and station operators regarding access, citing the applicable sectorial regulations;

- if necessary and using targeted instruments, be able to prevent certain behaviour by transporters and integrated infrastructure operators, in particular on intermodal platforms.

This text complies with all aspects of the sectorial enquiry recommendations issued by the *Autorité* (recommendations 6 to 9). The *Autorité* warmly welcomes this key step forward in guaranteeing the success of the opening up of coach links to competition.

[1] Source: http://www.gouvernement.fr/action/le-projet-de-loi-pour-la-croissance-l-activite-et-l-egalite-des-chances-economiques

> Full text of the opinion n° 16-A-01 of 15 January 2016 concerning a draft Ordinance on coach stations and coach stop locations

> Full text of Ordinance n°2016-79 of 29 January 2016 concerning coach stations and recodification of transportation code provisions regarding the Authority for the regulation of rail and road activities

> Press contact: Aurore Giovannini - Tel.: 01 55 04 01 81 - Email