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TRANSPORT FOR PEOPLE WITH MOBILITY HANDICAPS

Legislation to Improve Access

CEMT/CM(98)16/FINAL
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OVERVIEW

This report provides information on the legislation that countries have introduced to improve access to transport for people with mobility handicaps. The report shows that:

− there have been many new legislative developments in the 1990s in ECMT Member and Associated countries;

− there is wide variation between countries, from those with strong proactive policies to those where few measures have been taken.

More detailed analysis of the situation emphasises the following main points:

− Legislation by itself is not enough to improve accessibility; it must be well prepared (through discussions with key actors and, for example, through guidelines or codes of practice) and supported by a variety of measures (information, incentives).

− Legislation should not restrict or stifle innovation and should set clear access objectives without necessarily defining the technical solutions.

− Legislation needs to be enforced and regularly reviewed.

ECMT proposes to:

− Disseminate this information as widely as possible so that countries have the opportunity to assess their progress against that in other countries. In this regard, the information will be put on INTERNET, as well as distributed in the traditional ways.

− Regularly review this information so that it can be kept up-to-date and relevant.
EXECUTIVE SUMMARY

Background

It is a stated policy objective in all ECMT Member countries to improve access to transport for people with mobility handicaps. Until recently, and especially in Europe, progress has been made essentially through a combination of non-legislative means. Increasingly, though, this objective is being supported by the introduction of legislation, including general laws on civil rights and non-discrimination and specific regulations on access to transport means.

The purpose of this report is to review the present position and to suggest possible lessons from the wide variety of new experiences.

In order to understand and assess the broad range of current practices, Member countries supplied information and reviews of current practices on:

- the general legislation governing the rights of disabled people and/or people with a mobility handicap;
- the laws or regulations concerning the accessibility of transport modes and/or the pedestrian environment and the built environment as well as the relevant codes of good practice or guidelines;
- laws or regulations in preparation;
- any enforcement system and penalties laid down by law with regard to the application of these different provisions.

Countries were asked to describe any problems they had experienced in applying these provisions.

The report contains information on 26 countries:

Austria, Belgium, Canada, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Lithuania, the Netherlands, Norway, Poland, Portugal, Romania, Spain, Sweden, Switzerland, Turkey, the United Kingdom and the United States.

The replies were processed and structured in a standard format (see attached country profiles).
However, it is important to emphasise that the extent of information supplied varies from country to country. Some countries have included only matters under central government responsibility. Others have supplied little or no information on some of the detailed questions, e.g. the sources of funding, measures on fares, etc. Certain countries have supplied information on the people affected by policy measures, some in a fair amount of detail. The same applies to information on enforcement mechanisms or possible penalties. Because of these differences, care should be taken in making detailed comparisons between countries. The annex to this report contains the names and addresses of contact points for each country in the event that further information is required. Moreover, the effectiveness of existing regulations has not been comprehensively assessed partly as it is often too early to say how effective new measures have been.

A more detailed comparative analysis to identify areas of agreement and differences between countries would require a great deal of additional effort and is not the objective of this exercise.

**Main findings**

From the information received, the following general comments can be made:

- There are substantial differences between national policies, varying from where the legislation and various regulations are the result of a highly-proactive policy in favour of the mobility-handicapped, to countries where few measures have been introduced.

- In some countries transport accessibility policy is “regionalised” with the regions having wide responsibility for directives, regulations, application and enforcement.

- In some countries, the foundations of a policy for disabled people are enshrined in their constitutions. However, the precise implications of these provisions are not always clear, for a variety of reasons which are set out below.

- Quite a few countries formally set out the basic rights of disabled people, notably in respect of mobility and the use of different modes of transport, in accordance with the concept of non-discrimination or equality between all citizens. In most countries, this non-discriminatory legislative framework gives the persons concerned or the associations that represent them the right to take legal action for non-compliance with regulations.

- With a few exceptions, all the laws and regulations in force in Member countries date from the 1990s, or at least their provisions have been given greater legal force in the last few years.

- The binding nature of provisions introduced at national or regional level is strengthened in some countries by enforcement mechanisms and penalties. These include: withholding of an operating licence, legal action by the persons concerned, possible criminal penalties. In general, enforcement practices vary greatly between countries.

The attached table gives a brief overview of the situation in each country. It should be understood that the information is indicative and for further details the national experts should be contacted.
Some general points need to be kept in mind when attempting to analyse what impact legislative arrangements can have on accessibility. These issues emerged in the course of detailed discussion in the working group.

**Issues for consideration**

**First**, apart from real differences in laws, it should be mentioned that legislative “cultures” differ between countries -- including those in the European Union. There is room for different interpretations across countries of provisions that appear very similar. Moreover, legal texts often have “let out” or “escape” clauses that can be interpreted differently. Also, countries introduce new laws but do not always enforce them strictly. In some countries there is a far greater willingness to use the law to take legal proceedings.

**Second**, legislation by itself is not enough to guarantee improved accessibility. This is because, on the one hand, general laws need to be supported by detailed regulations. On the other, legislation needs to be backed with information campaigns and communication with key actors, by training programmes for those concerned (including architects and town planners as well as those directly involved in transport provision) and by carefully following projects to ensure that they are not ruined by some defective details.

**Third**, there is a careful balance to be struck between legislation being too general and too detailed. Where general laws exist, in most cases they contain clauses with terms like “reasonable” access or “acceptable” cost. These can result in controversy and can slow implementation. On the other hand, such an approach may be necessary to allow phased introduction. On the detail, legislation should not prescribe specific vehicles or equipment; technical specifications should allow a range of solutions and should not block innovation. Legislation that is too restrictive or too onerous can be counterproductive. Moreover, there is a risk of perverse effects from overrestrictive legislation.

**Fourth**, there is little point in introducing legislation which does not have the support of the industries and groups affected. Laws can be passed but the provisions can be blocked by technical or other obstacles if the will to implement is missing. It is therefore important to win in advance broad support, and to develop workable solutions with industry for the laws being introduced. The US experience in the 1970s and 1980s led to much litigation, often without tangible results. One lesson was that litigation is often the least cost-effective way of making progress. Many countries have used codes of practice or guidelines as a non-legislative way of winning broad support for measures to improve access.

**Fifth**, legislation needs to be enforced. This is clear enough where there are specific defined physical standards to be met. However, assessing infringements of general anti-discrimination or civil rights legislation can be time-consuming, adversarial and costly. Compliance can be ensured through a mix of “carrot” and “stick” measures -- incentives and penalties. There may be opportunities to link financial aid to meeting legal requirements. This applies particularly to subsidies to public transport companies.

**Sixth**, legislation needs to be regularly reviewed and evaluated. In this evaluation, countries will obviously assess the effectiveness of their legislation against national objectives but might also look at the experiences and results of other countries.
## Overview of Legislation, Regulations and Guidelines on Transport Accessibility in 23 countries

<table>
<thead>
<tr>
<th>Country</th>
<th>National Regulatory Texts</th>
<th>Standards, Guidelines, Recommendations</th>
<th>Enforcement mechanisms &amp; penalties</th>
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<tbody>
<tr>
<td><strong>General</strong></td>
<td><strong>Specific</strong></td>
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<tr>
<td>Austria</td>
<td>1 national</td>
<td>Specialised transport</td>
<td>Recommendations for architects and transport operators</td>
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<td>• Yes, law of 1994 regarding public buildings</td>
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<td>• Road Traffic Act 159:1960</td>
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<tr>
<td>Belgium</td>
<td>1 national</td>
<td>Air transport</td>
<td>Trains and metros</td>
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<td>1 regional</td>
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<td>Canada</td>
<td>1 outline law - modes of transport under the jurisdiction of the Federal Government</td>
<td>• Air and rail transport equipment</td>
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<td>• Air and rail transport conditions</td>
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<td>• Transport personnel training</td>
<td>Yes, when passengers complain</td>
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<td>• Communication barriers (air travel)</td>
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<td>Czech Republic</td>
<td>Yes</td>
<td>• TSCP, trains, metros, trams</td>
<td>National and local checks</td>
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<td>• Road transport</td>
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<td>• Waterways transport</td>
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<td>Denmark</td>
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<td>• Specialised transport</td>
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<td>• Taxis</td>
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<td>Estonia</td>
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<td>• Wheelchair users</td>
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<td>• People with prams</td>
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<td>Finland</td>
<td>Yes</td>
<td>• Transport terminals</td>
<td>Transport terminals</td>
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<td>• Road transport</td>
<td>Sanctions</td>
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<td>• Taxis</td>
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<td>• Specialised transport</td>
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<tr>
<td>France</td>
<td>Yes</td>
<td>• Transport terminals</td>
<td>• Infrastructures</td>
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<td>• Buses</td>
<td>• Bus networks</td>
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<td>• Taxis</td>
<td>• Rail networks</td>
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<td>• Specialised transport</td>
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<td>• Automatic vending machines</td>
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<td>Airports</td>
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<td>Sanctions which could go as far as preventing operations from starting up.</td>
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</tbody>
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<table>
<thead>
<tr>
<th>Country</th>
<th>National Regulatory Texts</th>
<th>Standards, Guidelines, Recommendations</th>
<th>Enforcement mechanisms &amp; penalties</th>
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<tr>
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<td>General</td>
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<td>Germany</td>
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<td>Train, metro Train</td>
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<td>Buses, Coaches, Ferries</td>
<td>Buses and coaches, Airports</td>
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<td>Checks prior to operations and once they have begun.</td>
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<tr>
<td>Hungary</td>
<td>Yes</td>
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<td>Tactile and Audible Signals</td>
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<tr>
<td>Ireland</td>
<td>Yes</td>
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<td>Accessibility checks for national buildings</td>
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<td>Italy</td>
<td>Yes</td>
<td>Taxis</td>
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<td>Japan</td>
<td>National and regional</td>
<td>Specialised transport</td>
<td>Terminals, Trains, Urban transport environment, Entries, walkways and information signs</td>
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<td>Netherlands</td>
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<td>Train, metro Road transport and specialised transport</td>
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<td>Norway</td>
<td>Yes</td>
<td>Trains, metros, trans Road transport and specialised services, Taxis, Air transport</td>
<td>All transport modes, Air transport, Trains</td>
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<td>National and regional</td>
<td>Reserved places, Specially-adapted vehicles</td>
<td>Transport guide</td>
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<td>Portugal</td>
<td>Yes</td>
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<td>Country</td>
<td>National Regulatory Texts</td>
<td>Standards, Guidelines, Recommendations</td>
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<tr>
<td>Romania</td>
<td>1 National</td>
<td>• Public places and buildings</td>
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<td>Spain</td>
<td>1 national</td>
<td>• Road transport</td>
<td>Economic sanctions which could go as far as closing down the service</td>
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<td>Several for the autonomous communities</td>
<td>• Air transport</td>
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<td>Sweden</td>
<td>Yes</td>
<td>• Public transport</td>
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<td>• Terminals</td>
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<td>• Bus stops and bus networks</td>
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<tr>
<td>Switzerland</td>
<td>Yes</td>
<td>• Trains</td>
<td>Construction</td>
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<td>• Cars and boats</td>
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<td>• Cable cars</td>
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<td>Turkey</td>
<td>National and Regional</td>
<td>• Rail transport (trains, metros and suburban trains)</td>
<td>• National and local checks</td>
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<td>• Air transport</td>
<td>• Monitoring of regulations, directives and instructions</td>
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<td>• Buses</td>
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<td>• Trains</td>
<td>Sanctions</td>
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<td>• Airport conditions</td>
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<td>• Buildings</td>
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<td>• Wheelchair users</td>
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<td>• Streets, pavements and roads</td>
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<tr>
<td>United Kingdom</td>
<td>National and regional</td>
<td>• Trains</td>
<td>Sanctions</td>
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<td>• Thoroughfares</td>
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<tr>
<td>United States</td>
<td>ADA, ACAA and Section 504 of the Rehabilitation Act</td>
<td>• Trains, metros and trams</td>
<td>Sanctions and fines.</td>
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<td>• Specialised transport</td>
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<td>• Taxis</td>
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<td>• Air and maritime transport</td>
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<td>• Transport accessibility</td>
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<td>• Specialised and air transport</td>
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</tr>
</tbody>
</table>
1. **General regulatory texts**

   *a) At national level*

   In July 1997 the Austrian Parliament amended the constitution by adding a non-discrimination paragraph concerning disabled people. That means that current legislation has to be analysed according to passages which could discriminate disabled people in everyday life. This process has to be finished by the end of 1998. Consequently, new legal provisions have to be passed in view of the new anti-discrimination act covering all areas and also including special transport matters.

2. **Specific regulatory texts**

   As a consequence of what has been mentioned under the general paragraph, all legal texts have to be verified on possible discriminatory passages in future. Concerning existing provisions on federal transport legislation the relevant provisions are laid down in article 29b (exemption from parking restrictions for the holder of a specific parking card) of the “Road Traffic Act N° 159/1960”.

3. **Norms -- regulations -- recommendations -- guidelines**

   There are several guidelines which have been worked out by disabled people and experts within the field of transport. These guidelines are only recommendations for architects, transport operators, e.g. and therefore not obligatory.

4. **Funding**

   In Austria there is no specific fund within the field of transport for disabled people yet. Projects concerning the accessibility of transport systems are so far financed by the public sector and/or by transport operators. With regard to the financial conditions each project has to be negotiated separately.

5. **The persons concerned**

   Simply defined as disabled people.
6. **Measures on fares**

**Austrian Federal Railways (ÖBB) and urban transport systems**

Special groups of disabled people (e.g. blind people or wheelchair users) are granted special rates depending on the degree of their disability.

**Public Transport, Tolls, Inland Waterways, Taxis and Aircraft**

Currently, there are no specific measures on fares for disabled people in these areas.

7. **Enforcement mechanisms and possible penalties**

In 1994 it was laid down at a federal level that it is obligatory to consider certain guidelines with respect to the accessibility of new public buildings for people with physical disabilities.

Concerning article 29b (exemption from parking restrictions for the holder of a specific parking card) of the “Road Traffic Act N° 159/1960)” drivers who use a car park which is reserved for disabled people must pay a fine.

8. **Overview of projects**

At present, there is a federal advisory board for disability matters located in the Ministry for Social Affairs. The Ministry for Transport plans to establish a special advisory board for transport matters for people with reduced mobility. This body should consist of government authorities, private and public transport operators; technicians, constructors of transport facilities and organisations dealing with disability matters.

9. **Texts being prepared**

Further guidelines concerning technical instructions of pavements, e.g. for blind people (audible and tactile signals) are underway. New legal provisions within the field of transport have to be passed in view of the anti-discrimination act.

10. **Other measures to assist mobility**

Certain legal measures have been introduced at a national level to facilitate the use of cars for disabled people. Other measures are being implemented in the field of parking facilities, car tax discount, reduced insurance premiums or exemptions from the toll on national highways.
1. General regulatory texts

a) At national level

The law of 17 July 1975 and the decree of 9 May 1977 (Ministry of Public Works) concerning access to public buildings by disabled people. It is indicated that this legislation applies to airport buildings, to stations permanently staffed by SNCB personnel and to urban public transport buildings. For all these buildings, a construction permit is not granted unless the standards for accessibility are respected. These standards are set out in the decree. The legislation concerns new installations but also applies to buildings which are undergoing substantial renovations.

b) At regional level

Walloon region

The decree of 6 April 1995 concerning the integration of disabled people applies. Article 4 specifies: “Adaptation measures must as a priority benefit access for disabled people to services for the whole population and responding to their particular needs.” In Chapter 4, Article 8, it is stated that the Government will introduce programmes to promote the development of a transport policy which takes account of the needs of disabled people and will make accessible to them all public infrastructure and installations.

Management contracts have been agreed between the Walloon region, the Walloon regional transport organisation and the TEC. The most recent (1997-2000) stipulates that, as far as service is concerned, “this implies that public transport services are offered, at a reasonable standard of quality, to the greatest possible number of people, paying special attention to people with reduced mobility”.

2. Specific regulatory texts

d) Air transport

A circular of September 1991 specifies security measures for the transport of disabled people on board aircraft. In addition, the application of international directives (ICAO, ECAC, IATA).
3. Norms -- Regulations -- Recommendations -- Guidelines

Rail - underground

The decree of 9 May 1977 of the Ministry of Public Works specifies the standards to be met in terms of accessibility (doors, stairs, lifts etc.). It prescribes moreover that the international disability symbol should be fitted to all accessible buildings.

For the Belgian railways: “Opinion 15 VGR” of 18 March 1996 of the SNCB deals with the way of transporting people with disabilities. The document aims to facilitate the transport of people with reduced mobility, sets out the present possibilities in relation to accessible stations and trains as well as the Measures on Fares concessions in force.

Air transport

Belgian participants in the ECAC and OICA work.

4. Funding

No available information

5. The persons concerned

Invalids, the handicapped, the blind and visually-impaired.

6. Measures on Fares

To use the railway special Measures on Fares are foreseen for holders of the “National Disability Card” with an indication “Accompanying person allowed”. This implies free travel in certain cases for the accompanying person, automatic upgrading, free travel for blind people.

7. Enforcement mechanisms and possible penalties

No available information

8. Overview of progress

Railway

Apart from unmanned stations and the Brussels Central and Antwerp-Bercheim stations, the Belgian network is accessible to all people with reduced mobility (albeit the need for an accompanying person in some cases).
**Buses**

Four lift-equipped buses operate on two routes in Liege. New buses in Belgium have low floors.

**Special transport**

On 23 March 1995, the Walloon Government agreed to set up a special service for disabled people. Over a period of years, 32-35 minibuses will be put into service. The departments concerned with Social Action and Funds for Disabled people will share equally the operating costs. The S.T.I.B. (Société des Transports intercommunaux bruxellois) has an accessible minibus service, which operates on demand and offers door-to-door transport.

The Walloon region organises at no charge to users the collection of pupils in special schools in normal buses, adapted buses and even taxis.

9. **Texts being prepared**

The SNCB intends to standardise the prices offered by different operators and to harmonise the conditions under which concessions are granted. This project is being examined.

The Flemish region is preparing a regulation on full access to buildings, infrastructure and publicly accessible areas.

10. **Other measures**

A national parking regulation exists for the handicapped allowing them to park their vehicle without limited duration restriction wherever a time limit is set. Moreover, concerning the obtaining of a driving licence, the C.A.R.A. (Centre d’Adaptation à la route pour les automobilistes handicapés) determines the aptitude of partially impaired drivers and the possible modifications to be made to the vehicle.
1. General regulatory texts

a) At national level

Framework Act: “Canadian Transportation Act”.

This Act sets up, in particular, the “Canadian Transportation Agency” (CTA), defining its tasks and resources.

b) At regional level

No available information

c) Consultative and/or advisory bodies

The CTA:

Definition: the CTA is a quasi-judicial federal government administrative and regulatory tribunal.

Task: to eliminate, from federal modes of transport, undue obstacles to the mobility of persons with disabilities.

Powers: (Sections 170, 171 and 172). The Agency may issue regulations concerning transport networks for which the federal government is responsible, dealing with design and construction of transportation facilities and modes of transportation, staff training, tariffs, information, etc. It prepares norms, codes of practice, recommendations to the industry, etc., consults organisations of and for persons with disabilities, and is competent to hear complaints from users and to pronounce on their admissibility.

The CTA works in liaison with “Transport Canada”.

The ACAT:

The Minister’s Advisory Committee on Accessible Transport (ACAT) is made up of industry and community of persons with disabilities representatives. It informs and advises the Minister of Transport on prospects in the transport industry and the needs of transport users, including the elderly and persons with disabilities.
The Agency’s Accessibility Advisory Committee:

The Agency’s Accessibility Advisory Committee is also made up of representatives of the industry and the community of persons with disabilities. It provides input towards the development of the Canadian Transportation Agency’s regulations and standards on the accessibility of transport.

2. Specific regulatory texts

*d) Air Transport*

**Airports:** in course of being transferred from “Transport Canada” to local authorities; various measures depending on the state of the facilities.

3. Norms -- regulations -- recommendations -- guidelines

− “Part VII of the Air Transportation Regulations: Terms and Conditions of Carriage of Persons with Disabilities” (CTA)

− “Personnel Training for the Assistance of Persons with Disabilities Regulations” (CTA)

− “Air Travel Accessibility Regulations” (CTA). Document for travellers.

− “Code of Practice on Aircraft Accessibility for Persons with Disabilities” (CTA)

− “Communication Barriers Report - A Look at Barriers to Communication Facing Persons with Disabilities Who Travel by Air” (CTA)

− “Code of Practice respecting Passenger Rail Car Accessibility and Terms and Conditions of Carriage by Rail of Persons with Disabilities” (CTA)


− The way to go: Transportation service and persons with disabilities. A generic training program for use by service providers in all modes of transportation: air, bus, taxi and marine” (Transport Canada). Training Manual.

4. Funding

*No available information*

5. The persons concerned

“Travellers with disabilities”.

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6. Measures on fares

*No available information*

7. Enforcement mechanisms and possible penalties

These are the responsibility of the CTA, in particular following on complaints submitted by users. A very simple guide for the general public has been prepared in order to facilitate the submission of complaints.

8. Overview of projects

*No available information*

9. Texts being prepared

- “Conditions of carriage of persons with disabilities on small aircraft” (less than 30 passenger seats).
- Code of Practice respecting Ferry Accessibility for Persons with Disabilities.
- Air travel guide: “Taking Charge of the Travel Experience - A guide for persons with disabilities”.
- “Generic Alternative Format Policy”, which carriers and airport operators could either adopt or use as a basis for developing their own policy.
- A study is being undertaken on boarding mechanisms at Canadian airports and for all types of passenger aircraft.

10. Other measures to assist mobility

Draft accessibility standards for coach inter-city transport (Transport Canada in conjunction with consumers and the bus industry).
1. General regulatory texts

   a) At national level

   − Act No. 50/1976 on land use and building. Pursuant to this Act, Decree No 174 (1994) of the Ministry of the Economy lays down technical regulations governing the use of and access to public facilities by disabled people. This includes new and upgraded public transport infrastructures.

   − “Track Act” No. 266/1994 concerning the TCSP. The extent of barrier-free access for disabled people is specified to operators when the licence is granted.

   b) At regional level

   No available information

   c) Consultative and/or advisory bodies

   The Government Committee for Disabled Citizens is a co-ordinating and advisory body of Government in issues to disabled citizens. The Board of Representatives of Organisations of Disabled Citizens comprises the senior representatives of handicapped citizens in relation to the State Administration. The Association for the Environment of Disabled people is one part of this Board. The territorial bodies of the Association are involved in the process of infrastructure design.

2. Specific regulatory texts

   a) Railways -- Underground -- Tramway


   − “Track building and technical rules”, Decree No. 177/1995. Regulations covering transport accessibility (wheelchairs, blind people, etc.).
b) Road transport including special transport


e) Inland waterway and maritime transport

Act No. 144/1995 on inland waterway transport enacts the provisions of international regulations, particularly UN/ECE Resolution No. 25/1986: “Guidelines for Passenger Vessels also suited for Carrying Disabled Persons”.

Decree No. 233/1995 issued by the Ministry of Transport: The duty to provide barrierless access.

3. Norms -- regulations -- recommendations -- guidelines

− Air transport: application of ICAO rules
− Buses: standard CSN 736075: Design of bus stations
  standard CSN 736425: Design of bus, trolley bus and tramway stops.

4. Funding

The cost aspects are one of the barriers to the development of accessibility. Subsidies from the State budget and the budgets of districts and municipalities are provided. Endowments are used too.

5. The persons concerned

The questions for facilitating higher mobility for the handicapped are being connected not only with disabled people but also with people of older age categories, pregnant women, babies etc.

6. Measures on fares

− Railways: 75 per cent discount. Accompanying helpers of severely disabled are transported free of charge.
− Decree No. 182/1991 issued by the Ministry of Labour and Social Affairs provides for a 62 per cent reduction on interurban buses and transport free of charge for the severely disabled on urban transport. In both cases, an accompanying person travels free of charge.
7. Enforcement mechanisms and possible penalties

− At national level: control by the Government Committee for disabled citizens, by the appropriate ministries and by the Board of Representatives of Organisations for Disabled Citizens.

− At local level: by the administrative authorities and the organisations that are members of the above.

8. Overview of projects

− Accessible railway carriages are going to be extended and a programme is underway to adapt 72 mainline stations so that they comply.

− Four bus lines are accessible in Prague and the programme is set to continue and be extended to other towns.

9. Texts being prepared

Since 1996, there has been greater co-operation between the Ministry of Transport, the Secretariat of the Government Committee for disabled citizens and the Board of Representatives of Organisations of Disabled Citizens. This will allow new regulations and technical specifications to be introduced.


10. Other measures to assist mobility

No available information
1. General regulatory texts

a) At national level

No particular legislation but a strong commitment to make all public facilities including transport accessible to people with disabilities.

2. Specific regulatory texts

b) Road transport including special transport

Road transport: An amendment to the 1990 Law on passenger transport by road: for every itinerary over 100 km at least one departure per day must use a vehicle adapted to take two passengers in wheelchairs (both access and space in the vehicle).

Special transport: In May 1991, the Parliament decided on a specific programme to facilitate the transport of people with severe handicaps: an amendment to legislation on public transport (1992) requires regional authorities responsible for transport to introduce individual services for the severely disabled, unable to use public transport to permit them to take 104 trips annually (for personal visits, leisure reasons, etc.) without extra costs. The individual transport service for the severely mobility handicapped is a supplement to the existing transport service to and from visits to health treatment and therapy. These services aimed at private trips must be drawn up in connection with organisations for disabled people.

c) Taxis

Since 1987, each taxi equipped to take at least one passenger in a wheelchair is exempt from the vehicle registration tax.

d) Air transport

Application of international directives, namely from ICAO and IATA.
3. **Norms -- Regulations -- Recommendations -- Guidelines**

- Administrative regulation laying down mandatory technical rules for all buses in service (in particular, as regards the height and location of steps).

- Most regional authorities responsible for the transport of the severely disabled require that drivers have completed a training programme for the assistance of people with disabilities.

4. **Funding**

In 1990, Parliament decided to set up a “Handicap Fund” and to allocate 50 million Danish Crowns for each year from 1991 to 1995. This fund was to improve the accessibility of public transport. It allowed the introduction of low-floor buses (now 20 per cent of the fleet) and the purchase of vehicles for specialised transport of the severely disabled.

5. **Persons concerned**

- People with a mobility handicap: disabled people, the elderly.

- Other categories, e.g. people with children in pushchairs, etc.

- The blind and visually impaired.

6. **Measures on Fares**

The legislation on public transport requires that the regional authorities responsible for bus transport introduce individual services for the severely disabled at a rate which is not in excess of the general fares for using public bus transport. The level of fares varies from region to region as is the case for public bus transport.

Holders of an identity card issued by the Danish Association of the Blind or the Institute for the Blind and Visually Impaired, or the “Travel Companion Scheme” card are offered special fares when travelling by train.

7. **Enforcement mechanisms and possible penalties**

The police and the vehicle registration authorities as regards the technical standards of buses.

8. **Overview of projects**

*Railway:* All trains have spaces for people in wheelchairs. Intercity trains have accessible toilets. All stations have special mobile lifts to access trains and 58 per cent are fully accessible.
The “S-trains” of the Copenhagen region: these all have ramps allowing wheelchair access. New equipment, introduced in 1996, will have lifts in the first class carriage. 86 per cent of the stations in the “S-train” network are accessible.

9. Texts being prepared

No legislation or regulation is being prepared for the time being but the existing rules are subject to regular scrutiny.

10. Other measures to assist mobility

No available information
1. **General regulatory texts**

   a) **At national level**


   This Regulation contains outline standards (valid 3 years) that impose a duty to have regard to the needs of people with a mobility handicap in the detailed planning and design of public buildings.

2. **Specific regulatory texts**

   *No available information*

3. **Norms -- regulations -- recommendations -- guidelines**

   *No available information*

4. **Funding**

   *No available information*

5. **The persons concerned**

   – disabled people in wheelchairs
   – people with pushchairs

6. **Measures on Fares**

   *No available information*
7. **Enforcement mechanisms and possible penalties**

*No available information*

8. **Overview of projects**

*No available information*

9. **Texts being prepared**

*No available information*

10. **Other measures to assist mobility**

   Regulation No. 37 chiefly concerns facilitating travel by people in wheelchairs:

   − adapting public areas and roads (guidelines and technical standards), including for the visually handicapped;

   − parking facilities for disabled people (roads, public and private car parks, access to public transport stations, etc.).
1. General regulatory texts

a) At national level

All relevant legislation is at national level (Acts, Decrees, decisions taken by Ministries).

- **The Constitution Act of Finland (1919, amended in 1995 by the Ministry of Justice):** prohibits all discrimination, including that based on disability. The purpose of this act is to prohibit discrimination by the authorities or private enterprises; to actively promote the creation of legislation and other actions towards real equality; to improve the possibilities of private persons to appeal directly in court and other authorities to defend their fundamental rights.

- **Act on Services and Assistance for Disabled people (1987) and Decree on Support and Assistance for Disabled people (1987) (Ministry of Social Affairs and Health):** Application of these texts is the responsibility of the municipalities. The provisions on transport entered into force in 1992. The Decree provides that the severely disabled are entitled to 18 recreational journeys a month plus all journeys related to work and study.

- **Act on Passenger Transport:** According to this Act, municipalities shall aim at combining their special transport operations. They shall also develop public transport so that it will better serve all, in particular disabled people, the elderly and children. The objective of Section 3, subsection 3 is the promotion of accessibility of public transport in municipalities but this section is not mandatory. However, results can be seen through various projects, e.g. the project on service routes.

  *Note:* These journeys are normally made in taxis, but given the need for savings, there is now an effort being made to limit the need for specialised transport by developing the accessibility of public transport. Experiments concerning the integration of municipal specialised transport have been carried out by the Ministries of Transport and of Social Affairs, the aim being to make savings without amending the 1987 Decree.

b) At regional level

No available information
c) Consultation and/or advisory bodies

- The Community Planning Serving for Disabled people is a consultation body involving the Ministry of the Environment (responsible in particular for measures relating to construction regulations), organisations for the handicapped, and the federation of municipalities. This Service issues instructions which are not legally binding.

- National Council on Disability (VANE). The activities of this council are based on a decision of the government. In addition to the National Council there are about 220 municipal councils.

2. Specific regulatory texts

Transport terminals (text prepared by the Ministry of the Environment)

Since 1973, building legislation, concerning new buildings and the renovation of existing buildings, has taken account of the needs of disabled people. In 1985, recommendations and practical rules dating from 1979 were amended. Under a 1994 amendment, the fact that buildings should take the needs of disabled people into consideration, is based on the principle of equality.

b) Road transport (text prepared by the Ministry of Transport and Communications)

- Amendment of the Acts and Decrees applicable as from August 1994. These texts emphasise the interdependence between infrastructure planning and the planning of public transport: the aim is to promote public transport and improve connection possibilities. Municipalities are required to take account of the needs of disabled persons at the planning stage.

- Decree on the manufacture and fitting out of buses and coaches (mandatory standards, size and visibility and, in particular, number and route name).

- Decisions concerning the manufacture and fitting out of buses and coaches, laying down mandatory technical rules for all vehicles in service (in particular, as regards the height and location of steps, lighting and seats).

c) Taxis

- The Act makes training for applicants for a taxi transport licence mandatory, in particular as concerns serving disabled people, the needs of whom are taken into account when taxi licences are granted (accessibility of vehicles).

- A Decree defines “taxis for invalids” and their required specifications. Such vehicles are exempt from tax. The Decree also provides for the introduction of low-floor taxis.
3. **Norms -- regulations -- recommendations -- guidelines**

There is a gentleman’s agreement between the Ministry and the former State Railways on the accessibility of all new rolling stock.

The Ministry of Transport and Communications thinks that promoting accessibility is an integrated part of the development of public transport and that norms regulating accessibility should be part of general legislation.

4. **Funding**

The railways have been privatised but complementary services may be financed by the public sector. There are just a few municipal transport companies in Finland. Most public bus and coach transport is run by small private enterprises.

Complementary services are paid for by the local authority concerned.

Under the Act on Passenger Transport, the Ministry of Transport and Communications has given subsidies for the purchase of low-floor buses. Now that these buses have become more or less the norm, emphasis has moved to research and development projects. A lot of such funding is spent on new kinds of demand-responsive transport and service route experiments (service buses) and research on how to improve transport for the handicapped. However, only a small amount of the State budget for public transport is directed to promoting public transport and accessibility.

5. **The persons concerned**

Defined simply as disabled persons.

6. **Measures on fares**

*No available information*

7. **Enforcement mechanisms and possible penalties**

- The Constitution Act of Finland sets out the procedures available to private individuals who wish to claim their rights. A disabled person may appeal to the parliamentary Ombudsman or the Chancellor of Justice. He can also appeal to the Constitution in court. In the case of direct discrimination, he has the right to compensation.

- The Penal Code was amended in 1995 to introduce the concept of discrimination based on state of health.

- Penalties for discrimination include a fine or imprisonment for up to six months.
Until now most appeals to the parliamentary ombudsman have however been made about special transport obligations laid down in the Act on Services and Assistance for the Disabled.

*Taxis:* training for drivers is supervised by a committee of the Ministry of Transport, on which the handicapped are represented (the composition being laid down by Decree).

8. **Overview of projects**

*No available information*

9. **Texts being prepared**

*No available information*

10. **Other measures to assist mobility**

Various Acts, decrees and decisions relate to the planning and management of pedestrian areas (audible signals at traffic lights, a warning to blind people of work being carried out, etc.). There is also legislation on tax refund for the purchase of a car for disabled people. According to the Act on car and motorcycle taxes, the tax included in the price of a car can be refunded totally or partly due to the degree of disability.

According to the Act on services and assistance for disabled people, the amendments necessary to the private car are paid for by the municipality (depending on their financial situation).
1. **General regulatory texts**

_a) At national level_

− The Handicapped Person’s Orientation Act (30 June 1975) specifies that regulations should be adopted progressively to adapt, plan and manage all public transport services (both infrastructure and vehicles).

− The Internal Transport Orientation Act (30 January 1982) provides that within the framework of the right to transport, special measures may be taken in favour of people with mobility handicaps. The right to transport includes the right to information on the services offered.

− Act No. 91-663 (13 July 1991) and Decree No. 94-84 (26 January 1994), together with the implementing Order and Circular, confirm and detail further the accessibility obligation for all facilities in which the public is received (in particular, public transport stations and stops); this applies both to new constructions and to modifications or extensions of existing ones. The different measures concerned have been set out in the “Code de l’Urbanisme” and the “Code de la Construction”.

c) **Consultation and/or advisory bodies**

− **At national level:** COLITRAH (Liaison Committee for the Transport of Handicapped Persons)
  
  • 48 members: ten or so representatives from handicapped persons’ associations, carriers, builders and manufacturers, and Ministries;
  • it makes legislative and regulatory recommendations;
  • and circulates information on transport and financial issues.

− **At department level:**

  The Departmental Advisory Committee on Safety and Accessibility (Decree No. 95-260 of March 1995), which includes representatives from a handicapped person’s associations, is consulted on all facilities falling under the Decree of 26 January 1994, and participates in visits to verify the work done.
At Ile-de-France level:

- COLITRAH, a special working group on the Paris region, allows representatives of associations to set out their needs to the operators and administrators.
- STP (Syndicat des Transports Parisiens - the public transport operators in the region) has a consultation structure bringing together representatives of COLITRAH and the relevant administrative and political bodies. This group has responsibility to draw up proposals for decision.

2. Specific regulatory texts

a) Stations -- stops -- airport terminals

The Order of 31 May 1994 and Circular of 7 July 1994 (application of the above Decree of 26 January 1994) contain the rules and regulations governing the duty to have regard to accessibility for people with a mobility handicap (new or upgraded facilities).

b) Buses

A Mandatory Note of 8 June 1993 and letter of 12 July 1996 issued by the DSCR (Direction de la Sécurité et de la Circulation Routières) sets out the number of wheelchairs to be allowed in urban buses (a maximum of 2) and the ways in which the spaces for these wheelchairs should be configured.

Specific articles in annex 5 of the decree of 2 July 1982 on public transport set out the rules governing the transport of disabled people in road vehicles and the required adaptation to these vehicles.

c) Taxis

The 1980 and 1993 Regulations for Paris and the surrounding departments state that taxis have a duty to carry disabled people and that wheelchairs and guide dogs must be carried free of charge.

3. Norms -- regulations -- recommendations -- guidelines

a) Railways -- underground

AFNOR and COLITRAH have issued guidelines on access to public transport systems (excluding the actual vehicles) and on their use (for instance, automatic ticket machines for people with a mobility handicap). “Prescriptions for improved accessibility for all to the rail transport network” (COLITRAH 3 October 1997).
b) **Buses and tramways**

COLITRAH has issued guidelines on the design of buses and stops so that they can be used by all people with a mobility handicap. “Prescriptions for accessibility for all to the urban bus networks” (COLITRAH, 3 October 1997).

c) **Special transportation services and private cars**

- In 1996, COLITRAH adopted a recommendation on the organisation of special transportation services.
- “Minimum conditions for the design of vehicles adapted to transport at least one person in a wheelchair”, (COLITRAH, 3 October 1997).
- A Ministry of Transport Circular (18 March 1981, amended in 1988) and an AFNOR document set out the design rules for vehicles accommodating up to 9 passengers used to carry disabled people.
- “Recommendations concerning the accessibility of saloon-type private cars for people with mobility handicaps”, (COLITRAH, 3 October 1997).

4. **Funding**

- The Government may give grants (up to 50 per cent) for studies on transport supply and demand.
- The Government may give subsidies for projects to improve public passenger transport systems (between 20 and 40 per cent depending on the case).

5. **The persons concerned**

People with a mobility handicap: disabled people, the elderly, people with children in pushchairs, etc.

6. **Measures on Fares**

**SNCF**

Certain categories of people (e.g. war veterans) and their accompanying persons have special Measures on Fares according to their degree of invalidity. Persons accompanying a disabled traveller with a degree of invalidity over 80 per cent obtain a reduction of 50 per cent and are even allowed to travel free if the invalidity card of Disabled people person has an indication “Accompanying Person”. Moreover, people in wheelchairs are systematically upgraded to first class.
Air France

War veterans and accompanying persons obtain special rates which depend on the degree of disability. For example, a person with an 80 per cent invalidity card obtains family Measures on Fares without age restrictions and those with cards indicating “Accompanying Person” benefit from fare reductions of between 25 per cent to 40 per cent.

Urban Transport

Certain local authorities sometimes give reductions on the urban systems, and even free travel to disabled people and/or persons with them.

7. Enforcement mechanisms and possible penalties

− Under the Decree of 26 January 1994 and its implementing regulations, a licence to operate may be withheld if accessibility rules are not complied with.

− The Code of Criminal Procedure provides that any association representing disabled people has the right to claim civil damages in criminal cases of non-compliance with accessibility rules.

8. Overview of projects

a) Buses

Low floor buses have been introduced on one line in Paris and in some provincial cities. Some are of a kneeling type, others are equipped with ramps; in some cases the stops have been redesigned; anchoring systems for wheelchairs are rarely used.

b) Tramways

Low floor trams, accessible to all travellers including wheelchair users are in use in a number of towns.

c) Underground

New systems are fully accessible.

d) SNCF

On the major lines, access is provided in a generally satisfactory manner (aid with boarding and alighting, specially equipped carriages for wheelchairs, etc.).
9. **Texts being prepared**

A decree on the accessibility of the infrastructure.

Recommendation from COLITRAH on:

- audible guidance systems for the blind;
- signing and information systems;
- bus and coach stations.

10. **Other measures to assist mobility**

- Act 91-663 of 13 July 1991 stipulates that roadways must be usable by disabled people.

- AFNOR has issued recommendations on pedestrian pathways in which account is taken of the needs of disabled people and on audible signalling of traffic lights.

- Information from people with reduced mobility on measures implemented to ensure transport accessibility. This is an essential element which is not always achieved as efficiently as possible due to the problem in knowing the people concerned and in contacting them directly. Guides for the general public should be noted which contain pages grouping together the main points of information for people with reduced mobility (for example the SNCF or ADP guides.

- Staff training in the transport and design sectors (for example the guide on airport design).

- Helping to make transporters more aware, particularly in helping them to understand that accessibility means more comfort for all their passengers and therefore is a commercial argument which should not be overlooked.

- Follow-up of projects to avoid minor detail impeding the intended accessibility. This means that an opinion given at the preparation stage of the project does not always suffice; it should be followed through to the final stage of the project.

- All kinds of handicaps should be taken into consideration and not only motor deficiencies, or more specifically only people using wheelchairs.

- Importance of sign and signals: Even if this aspect does not often appear in legislative or regulatory texts it is an integral part of accessibility and is even an important element.

- The whole transport chain should be taken into account including roads.
1. General regulatory texts

a) At national level

The Basic Act of 15 November 1994:

− Provides that “no one should be placed at a disadvantage because of his handicap”. This has consequences not only in terms of case law but in terms of duties for the legislative and executive powers. As far as transport is concerned, it means that no measures may be taken which place handicapped persons at a disadvantage, and that special measures need to be taken to ensure that the freedom of such persons is not restricted.

− Asserts the principle of the “Welfare State” with the right of handicapped persons to be integrated into society. Any special measures taken must serve human dignity, promote equal opportunity and the family, and allow handicapped persons a free choice as regards how to earn their living.

b) At regional level

The legislation of the Länder concerning the transport of passengers provides that offers of transport must take account of the needs and abilities of disabled users and those with mobility handicaps.

2. Special regulatory texts

a) Railways -- underground -- tramways

Construction and operating regulations specify that all facilities and carriages (suburban, main line, tramways, magnetic levitation trains) must be designed and built to be as easy as possible for all persons with mobility handicaps to use.

b) Air transport

Recommendations are made, within the framework of the European Civil Aviation Conference (ECAC).
3. Norms -- regulations -- recommendations -- guidelines

- Industrial standards DIN 18024 Barrierless Building, and DIN 18625 Barrierless Housing, lay down the accessibility rules and are used as the basis for all planning measures.

- Inland waterway and maritime transport: the interests of disabled people are taken into account in the rules of the United Nations Economic Commission for Europe (UN/ECE) in the case of inland waterways and the rules of the International Maritime Organisation (IMO) in the case of maritime transport.

4. Funding

- The Act on the funding of municipal infrastructures states that the provision of State aid is contingent on having regard for the “interests of disabled people, the elderly and other people with mobility handicaps”.

- The organisation and funding of special transport services for those unable to use public transport because of the severity of their disability are the responsibility of the municipal authorities and districts.

5. The persons concerned

- The severely disabled (level of disability > 50 per cent) make up 7.8 per cent of the population.

- People with a mobility handicap (level of disability < 50 per cent, the elderly, young children, pregnant women, people suffering the after-effects of accidents or operations, people with pushchairs or heavy baggage, etc.) make up between 20 per cent (old länder) and 35 per cent (new länder) of the population.

6. Measures on Fares

These concern people in possession of a disability card and the discount varies according to the type and severity of the disability (5 categories mentioned on the cards). Either a 50 per cent or 100 per cent discount is given. Free travel is only available on urban transport systems or within a 50 km radius of home. Accompanying helpers, when necessary, travel free of charge whatever the distance.

The war-disabled and assimilated categories are entitled to a 30 per cent discount on domestic air travel.

All these measures are contained in federal Acts.
7. Enforcement mechanisms and possible penalties

No available information

8. Overview of projects

No available information

9. Texts being prepared

No available information

10. Other measures to assist mobility

A whole range of legal measures has been introduced nationally to facilitate the use of cars by the severely disabled: car tax discount or exemption, reduced insurance premiums, measures concerning parking facilities, etc.
1. General regulatory texts

   a) At national level
      - The General Building Regulation Act 1577/85 includes the obligation to install lifts to ensure accessibility for the handicapped, and provide ramps for the access to pavements. The Act concerns both the public and private sectors.

2. Specific regulatory texts

   b) Road transport including special transport

      Under Regulation No. 2465/26 of February 1997, the Association of Paraplegics is granted seven distinct Public Transport licence plates for the region of Athens, three for the region of Thessaloniki, two to each country with a population of more than 100 000 people and one to those counties with less than 100 000 people.

      The above-mentioned public-use cars must meet all the specifications of public-use vehicles and especially those specifications for the transport of people with reduced mobility. These vehicles are not authorised to transport passengers other than those with mobility handicaps. They should be painted white and be appropriately marked in order to make them easily recognisable by the general public.

      Buses: Regulation No. 19174/1242/94 of the Ministry of Transport, completed in September 1996, lays down the norms for access to buses for the handicapped. Particular attention has been paid to the Greater Athens network (low-floor buses with electric ramps).


   c) Inland waterway and maritime transport

      Ferries: Regulation No. PD101/95 of the Ministry of Transport refers to the accessibility of all ferries (existing and new ones).
3. **Norms -- regulations -- recommendations -- guidelines**

*Buses and coaches:* see above.

*Airports:* since 1983-84, application of the IATA and ICAO Regulations.

4. **Funding**

*Airports:* Modifications to meet the Schengen Requirements will be paid for from revenues created from the Airport Tax.

*Buses:* new buses with ramps for the Athens Area have been paid for from funds appropriated in the State Budget.

*Passenger ferries:* modifications are paid for by the owners operating under the rules of competition and a free market (i.e. attracting more passengers).

5. **The persons concerned**

Defined simply as handicapped persons

6. **Measures on Fares**

Reductions for the handicapped on public transport (without further details).

7. **Enforcement mechanisms and possible penalties**

- **General Building Regulation:** control by the technical departments of prefectures and/or local authorities before and after construction.

  *Note:* There are many examples of non-compliance with the Regulation.

- Fines are imposed for violations of the Building Code provisions for Accessibility as described in the Law covering illegal building structures.

8. **Overview of projects**

*No available information*

9. **Texts being prepared**

- At the end of 1996, the General Building Regulation Act was completed and extended to existing buildings (lifts, ramps, “clarks”).

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− End 1996: technical instructions on pavements (zones for blind persons, audible signals at traffic lights).

10. Other measures to assist mobility

− Cars: road tax exemptions, price reductions, depending on the type of handicap.

− **Ministry of Environment and Public Works**, Ministerial Decision published in Government Gazette No. 823/15.9.97/2nd Issue:

According to the above decision an **Office for Road Safety** has been established

This office will be supported by all appropriate departments of the Ministry (i.e. Department of Traffic Signs and Signals, etc.) and it will be staffed eventually, among others, with personnel from the Office of Studies for People with Mobility Handicaps.

Mission of this Office is (a) to make all necessary decisions concerning road safety (b) supervise the execution of programs relating to road safety using accelerated procedures and to collect all necessary information with the goal of defining specifications for road safety.

− **The National Tourism Organization** issued a **new map** for Pedestrians and People Using Public transport. This map indicates Pedestrian Circulation Paths and Bus Stops in the City of Athens and will be further enhanced by indicating sidewalks with dropped curbs and bus stops with easy access platforms within the Old City Center.

− **The Civil Aviation Authority**, in the framework of preparing the infrastructure for the implementation of the Schengen Agreement in mid 1998, is creating **new gates at Athens airport**. These gates will be accessible to all, including INCAP, passengers through pedestrian bridges, elevators, escalators and ramps from the Terminal Entrance to Airside and Planes (Circular of Ministry of Transport dictating facilities for people with mobility handicaps).
1. General regulatory texts

a) At national level

- Constitution Act No. XX/1949, Chapter XII provides that handicapped persons have the same rights as other citizens. The Court of Justice for the Constitution is responsible for ensuring that such rights are enforced.

- Government Law No. 253/1997 (XII.20) concerning “National Requirements on Resettlement and Building Activity” (OTEK) specifies that all places frequented by handicapped persons, including workplace and highways, must be accessible to persons in wheelchairs.

- The Hungarian Parliament adopted Law No. LXXVIII on 15/07/97 concerning the building and protection of the built environment. The new “National Requirements on Resettlement and Building Activity” (OTEK), which is undergoing editing to become a government regulation, will reflect the resettlement on a wide scale with strict rules and measures from 1 January 1998. The spirit and prescriptions of this law must have a positive influence on the practice of Hungarian architecture. The local building authorities are obliged to review their building activities in this context. The principles of the European Concept for Accessibility (ECA) which were drawn up in 1996 in Doorn by national experts provided the basis for these governmental regulations.

2. Specific regulatory texts

On 16 March 1998 the Parliament of Hungary adopted the “Act on Equal Rights and Opportunities for Disabled People”.

3. Norms -- regulations -- recommendations -- guidelines

- Application of the Guidelines for Tactile and Audible Signals [CEMT/CS/TPH(94)2/REV1].

4. **Funding**

Government subsidies are available, via local authorities, for disabled car owners.

5. **The persons concerned**

- To qualify for financial help: category of the “seriously disabled person” as attested by the doctor.
- For access to buildings: people in wheelchairs and those with mobility impairment.

6. **Measures on Fares**

*No available information*

7. **Enforcement mechanisms and possible penalties**

Accessibility to national buildings must be controlled by the authorities responsible for granting building permits.

8. **Overview of projects**

No governmental project exists on behalf of disabled people.
A project for an Accessible Environment is being run by the National Federation of Disabled People.

9. **Texts being prepared**

- Recommendations for tactile and audible signals: completion of the Hungarian standards is being delayed for financial reasons.

10. **Other measures to assist mobility**

- Limited subsidies for the purchase, adaptation and maintenance of private vehicles are available.
- Special measures concerning the driving and parking of private vehicles of disabled people. If an employee is unable to use public transport, he receives compensation (amount fixed by the State) from his employer for using his own vehicle.
IRELAND

1. General regulatory texts

   a) At national level

   – The Building Regulations of 1991 include an obligation to provide access for all people with disabilities, amongst other things to terminal facilities (concerns both new projects and important renovation work).

2. Specific regulatory texts

   Taxis: UNDER the 1995 Public Service Vehicles Regulations, regard is had to accessibility for wheelchairs, when issuing taxi licences.

3. Norms -- regulations -- recommendations -- guidelines


4. Funding

   No available information

5. The persons concerned

   People with disabilities, without any further detail except as regards the accessibility of taxis.

6. Measures on Fares

   No available information
7. **Enforcement mechanisms and possible penalties**

Construction: not specified.

Taxis: traffic police.

8. **Overview of projects**

− 50 new accessible taxis in Dublin.

− In June 1997: 5 low-floor buses in Dublin.

9. **Texts being prepared**

− Preparatory work is being carried out for the proposed Disability Discrimination Act: report of the Commission for the Status for People with Disability (published 18 November 1996).

− Taxis: the 1992 standards do not seem adequate, and new ones are planned for the end of 1996. First application: 200 new licences in Dublin, together with all new licences at national level.

− The Dublin Transportation Initiative Final Report advises on short- medium- and long-term measures which might assist in the integration of people with disabilities into mainstream transport provision.

10. **Other measures to assist mobility**

*No available information*
1. General regulatory texts

a) At national level

− Act No. 115 (30 March 1971), Section 27: to enable disabled people to participate in the life of the community, public transport must be accessible to people with mobility handicaps. An implementing Decree was to have been taken within one year, specifying the procedures for application, but this Decree does not seem to have been adopted.

− Framework Act for the integration of Disabled people No. 104 (5 February 1996). Section 26 restates and strengthens Act No. 151 (10 April 1981), Section 2. Regional authorities are responsible for regulating action by the communes as regards accessibility.

− Within six months, regional transport plans to improve accessibility and adapt the urban infrastructure to the needs of the handicapped, are to be drawn up.

− Act No. 160 (24 October 1996) on the access of disabled people to public buildings, services, etc. provides, in Section 24, that means of transport and infrastructures must be accessible to disabled people.

b) At regional level

Nearly all regional administrations have passed legislation in the field of the accessibility of transport, usually delegating responsibility for implementation to local authorities.

2. Specific regulatory texts

Under Act 104 (15 February 1992), Section 26, the communes are responsible for funding and organising specialised transport.
3. **Norms -- regulations -- recommendations -- guidelines**

The Milan Public Transport Company (ATM) published a document in September 1997: “Interventi attivati, in corso e previsti per facilitare l’accesso al servizio ai clienti portatori di handicap” (“A description of completed provisions, those in progress and those planned, to facilitate handicapped clients’ access to the transport service”) on bus and underground accessibility.

4. **Funding**

*No available information*

5. **The persons concerned**

The 1971 text refers to persons with reduced mobility.

6. **Measures on Fares**

The fares of F.S. S.p.A. are periodically fixed by a decree issued by the Ministry of Transport. The Italian Railways do not envisage special fares in favour of disabled people. Nevertheless, when these people are unable to travel alone and they need to be accompanied this accompanying person is entitled to a free ticket.

As the public road transport fares are decided by the local governments, there is no rule that can be considered a general one. Nevertheless, on the whole, we can say that a considerable reduction is provided for those who have been officially declared disabled with a disability percentage of over 67% and for those entitled to a minimum non-contributory pension. Disabled ex-servicemen have free access on public road transports.

As for taxis, especially in big cities, the local government, according to local laws, can decide to arrange special agreements with taxi companies resulting in free transport for people with mobility handicaps. These benefits can only be granted for transport to/from work or for health treatment needs. As for air transport, the national airline company Alitalia grants a 30% discount, reimbursed by the government to visually impaired passengers and those accompanying them on domestic flights.

7. **Enforcement mechanisms and possible penalties**

Notwithstanding the existence of specific and effective laws, their enforcement is quite unsatisfactory due to a lack of penalties laid down by the laws themselves. Whoever needs to enforce them is not given the possibility to do so. For example, local governments may be requested to invest on accessibility to transport modes for disabled people but they are not given the possibility to collect the necessary funds.
As for the enforcement system, the Decree of the President of the Republic no. 503 (24 July 1996), issuing rules on the elimination of architectonic barriers in public offices and services, states that no contribution or aid can be granted by the Government or by any other public body to build public works that do not comply with the rules in question.

With regard to public buses, the contributions provided for by the law (Ministry Decree of 18 July 1986) are to be granted only if the said vehicles comply with the legal and technical specifications in force.

8. Overview of projects

In spite of existing legislation, the problems encountered by disabled persons in using public transport have not been resolved due to the lack of policy initiatives.

9. Texts being prepared

*No available information*

10. Other measures to assist mobility

Various provisions make it easier for disabled people to drive private vehicles (special provisions regarding driving licences, parking, road crossing, adaptation of private vehicles, etc.).
1. General regulatory texts

No specific legislation.

2. Specific regulatory texts

No specific legislation.

3. Norms -- regulations -- recommendations -- guidelines

   a) Railways

   – Guidelines on installation of station elevators (Ministry of Transport, August 1993);

   – Guidelines on installation of station escalators (Ministry of Transport, revised August 1993);

   – Railways operators are requested to install elevators and/or escalators in all new stations, stations which undergo large-scale improvements and existing stations which have a difference of elevation of 5 meters or more and 5000 or more passengers per day.

   b) Others

   – Passenger terminal facility guidelines for handicapped users (Ministry of Transport, revised March 1994). These guidelines lay down technical standards of entrances/exits, slopes, lifts, escalators, toilets, tactile surfaces at railway, bus, ship and air transport terminals, for elderly people, the handicapped and foreigners.

   – Model vehicle design for handicapped users (Ministry of Transport, March 1990). Model design of entrance, aisles, information panels in the cars of railways, buses and taxis. Manufacturers are expected to respect this model design.

   – Model transportation plan for elderly and the handicapped (Ministry of Transport, 1996). This is a model plan to establish an urban transport environment suitable for handicapped and elderly people.
4. **Funding**

At present the following subsidy programmes are available to operators:

- Since 1994, 20% of the cost for elevator or escalator installation at high priority railway stations has been subsidised by the Foundation for Transportation Ecology and Mobility (10% from the government and 10% from the private sector);

- The government has subsidised 20% of the acquisition cost of buses with lifts (since 1995), low floor buses with slopes (since 1996), and 25% of that of super low floor buses (since 1997).

5. **The persons concerned**

Persons with reduced mobility: handicapped persons (including those in wheelchairs), senior citizens, persons carrying heavy baggage, etc.

6. **Measures on Fares**

Fare discounts are offered by operators to disabled and mentally deficient persons (disabled notebook or medical treatment notebook holders) of 50% (railways, buses, boats), 25% (aeroplanes) and 10% (taxis).

7. **Enforcement mechanisms and possible penalties**

No legally binding system/no enforcement mechanism.

8. **Overview of projects**

*No available information*

9. **Texts being prepared**

No legislation or regulations are being prepared.

10. **Other measures to assist mobility**

*No available information*
LITHUANIA

1. General regulatory texts

\textit{a) At national level}

\begin{itemize}
  \item Act No. I-2044 on the Social Integration of Disabled people
  \begin{itemize}
    \item When planning, constructing or reconstructing streets, squares, parks, parking lots, lines of communication, public buildings, public facilities and dwelling houses, account has to be taken of the needs of disabled people. Such requirements are established by the Government of Lithuania, responsibility for implementation lying with both central and local government.
    \item Acts and Directives of the central government, and decisions by local authorities will establish the privileges to be granted to disabled persons and their families, for instance as regards transport.
  \end{itemize}
  \item Decision No. 203 of the Ministry of Construction and Urban Development (30 October 1995) confirms the technical rules to be observed in constructing buildings in order to take account of the specific needs of disabled persons.
\end{itemize}

2. Specific regulatory texts

\textit{No available information}

3. Norms -- regulations -- recommendations -- guidelines

Buildings: Decision 203, above.

4. Funding

\textit{No available information}

5. The persons concerned

Disabled persons.

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6. **Measures on Fares**

   - Section 24 of Act No. I-204 provides that:
     
     - Disabled persons unfit for work whose family members are unable to work are entitled to subsidies for the use of public services, the detailed arrangements to be established by the Government of the Republic.
   
   - Section 3 and 5 of Act No. I-1047 provide that:
     
     - Disabled persons (Group I), disabled children and persons accompanying them, as well as persons who became disabled as a result of the violence of 11-13 January 1991 and the events which followed, are entitled to use urban and regional public transport free of charge, and intercity transport at half price.
     
     - Disabled persons (Group II) are entitled to use urban transport free of charge and regional transport at half price.

7. **Enforcement mechanisms and possible penalties**

   Facilities coming under Act I-2044 are open to the public only if the conditions of accessibility are ensured.

8. **Overview of projects**

   *No available information*

9. **Texts being prepared**

   - Draft Act on Transport Activities is prepared and contains accessibility provisions. This draft should be adopted by parliament at the beginning of 1998.
   
   - Programme on transport adaptation for disabled persons. Programme should be adopted in 1998.

10. **Other measures to assist mobility**

    *No available information*
1. General regulatory texts

   a) At national level

   Transport legislation does not mention disabled people in general terms.

2. Specific regulatory texts

   a) Railways - Underground

   No specific regulatory texts are announced for 1998.

   b) Road transport including special transportation services

   − A Ministerial Regulation on subsidising public transport by road and tramways, stipulates that a proportion of the grants should be earmarked for improving accessibility of vehicles and infrastructure. This provision will be withdrawn in 1998 due to extensive changes in legislation and shift of competencies (see under point 9.)

   − Disabled Transport Provision Act. The responsibility for special transportation services for disabled people or other people with a medical condition is devolved to the municipalities.

   − Legislation is currently being drafted to make it compulsory for all operators/car owners carrying passengers in wheelchairs to equip their vehicles with restraints complying with the Dutch norm.

3. Norms -- regulations -- recommendations -- guidelines

   a) Railways

   The Ministry of Transport and the Netherlands Railways have agreed guidelines on station accessibility. Because of the change of economic ownership of part of the railway stations from the railway company to the State, discussions are progressing on transferring a norm on accessibility of railway stations developed mutually by the Netherlands Railways and the Council for Disabled people, into a regulatory text.
b) Special transportation services

A draft regulation to be used by municipalities has been prepared by the Association of Netherlands Municipalities.

4. Funding

Under Disabled people Transport Provision Act, the funding of special transportation services is the responsibility of the municipalities.

5. The persons concerned

Disabled people.

6. Measures on Fares

− No special fares for disabled people. Dogs assisting blind persons, however, can travel for free on board trains and in the so-called Treintaxi (taxi from station to destination and v.v. against special rates). Disabled people in need of someone accompanying them during the journey can obtain - for free - a card with which their friend or relative can travel with them without charge.

− Special fares are granted to people over 60 years for travelling by train and over 65 years of age when travelling by urban transport or when using inland waterways ferries.

7. Enforcement mechanisms and possible penalties

No available information

8. Overview of projects

It is envisaged to start working on the drafting of norms for accessibility for trains, trams, light rail, buses, coaches, taxis, information and the like. Working groups of experts, passengers and transport operators will be formed to undertake this task. When ready, the norms will be widely distributed and, when necessary, they could be implemented in legal instruments (addition of 23.02.98 - to be translated into French).

9. Texts being prepared

− Work is being undertaken on non-discriminatory legislation, amongst others, in the field of public buildings, including railway stations, airports, harbour terminals and post offices.

− It is envisaged that legislation on the construction of buildings will contain norms on accessibility, such as width of doors, thresholds etc.
− Responsibility for urban and interurban transport by bus and rail will shift from central government to regional authorities. With this shift in responsibility the subsidising systems will also be changed. It will be the responsibility of regional authorities to specify in what way they wish public transport to be done. However, it will be laid down in the Act on passenger transport 2000 that the regional authorities, when writing tenders for multi-year concessions, will be obliged to incorporate accessibility into their conditions.

10. Other measures to assist mobility

− Disabled motorists when possessing a card with the international disabled logo can make use of parking spaces exclusively reserved for disabled motorists.

− Together with owners/operators of gas stations, motels etc., work is being undertaken to improve accessibility of facilities along the Netherlands motorways.
1. General regulatory texts

a) At national level

The Norwegian Building Regulations of 1987 (revision entered into force on 1 July 1997) issued by the Ministry of Local Governments and Labour under the Planning and Building Act. They regulate all buildings, including terminal buildings. All provisions concerning accessibility by disabled people in wheelchairs are mandatory. There is also a duty to provide easy-to-use passageways in buildings that are open to the public.

2. Specific regulatory texts

a) Railways -- underground -- tramways

- The provisions of the Railways Act states that these means of transport should be adapted as far as possible for use by Disabled people and people with prams, but there are no mandatory standards.

b) Road transport including special transportation services

- The Transport Act (Ministry of Transport and Communications) regulates transport by bus, coach, taxi and boat. The Act is based on the principle that transport operators require a licence issued by the counties. For routes crossing county borders the Ministry of Transport is the issuing authority.

- Licence for specialised vehicles: specific vehicles complying with the technical requirements of the Road Traffic Act.

c) Taxis

- The Transport Act states that licences for taxis (accommodating up to 15 people) may include a condition that the vehicle must be accessible for disabled passengers.
d) Air transport

- The Norwegian Civil Aviation Administration (CAA) has drawn up guidelines for transport of persons with reduced mobility based on ECAC recommendations.

- The CAA chairs a working group on air transport for travellers with disabilities which has issued a series of measures and produced information documents.

3. Norms -- regulations -- recommendations -- guidelines

a) All modes of transport

“Transport for All” for use by developers, produced at the request of the Norwegian Parliament, is one of a number of guides to providing transport for people with mobility handicaps.

b) Air transport

The CAA (working group) has published guides and produced a video for airline personnel training and a leaflet “Fly without hassle” for passengers.

c) Railways

The Norwegian State Railways (NSB BA) has established norms in the development programme for stations which includes certain measures to take care of the needs of people with disabilities.

d) Special transportation services

An overview document about measures and policies towards disabled people in the transport and communications sector (Ministry of Transport and Communications, April 1997) includes guidelines on the country organised door-to-door transport (special transport services). The guidelines include matters such as eligibility criteria for users, general guidance on fares, ticketing systems and on differentiating the services offered between different user groups, administrative procedures for the special transport services, etc.

The guidelines have a non-binding character, and are meant to serve as “tools” in the shaping of services. The special transport services, as such, is not regulated by law.
4. Funding

Generally speaking, the funding of measures aimed at improving transport accessibility for people with mobility handicaps as well as planning and implementation of these measures, are all integrated into the general activities. This applies to all modes of transport, and to each administrative level. This means that the county level which is responsible for local transport by bus, taxis and boats (and the specialised transportation services), is responsible also for the planning, funding and implementation of accessibility measures. The counties receive block grants from central government as a contribution to finance local tasks (more precisely from the General Purpose Grants Scheme, under the Ministry of Local Governments and Labour). The block grants are not earmarked for particular tasks, and hence might be used to fund different tasks at local/regional level (such as education, transport, health, culture).

As for the road infrastructure, funding of different measures is part of (integrated into) the general investment programmes (long term plans). The road infrastructure also includes the national highway ferries.

Also for the railways sector and the aviation sector, funding of different measures is part of (integrated into) long term plans (capital programmes) where investment and political priorities are drawn up.

Long term programmes for the time span 1998-2007 for all three sectors (aviation, railways and road transport) where drawn up and submitted to the Norwegian Parliament (Stortinget) in Spring 1997. The actual public spending for each sector is decided upon a yearly basis by the Parliament after the Government has submitted the budget.

Some national funding earmarked to local/regional public transport has been available over the last few years through the Transport Ministry’s Trial Scheme for Public Transport. The scheme has contributed to the funding (usually half of the total costs) of local projects for the development of public transport in general. The funding has for the most part been channelled through the county administrations. The Trial Scheme continues in 1997 and 1998, and with an increased focus on accessibility projects.

5. The persons concerned

People with mobility handicaps (Disabled people, the elderly, people with prams, luggage, bicycles, etc.).

6. Measures on Fares

A 50% discount on the fare is granted to people on disability benefits (a benefit through the National Insurance that may be granted to people who are unable to work due to disability/illness of a permanent nature) and to blind people as well as to senior citizens (defined as people aged 67 and over). This general rule applies to all public transport modes where the operator receives public funds (i.e. buses and - most - ferries in local traffic, railways, trams, metros). The rule also applies to most air routes, according to conditions laid down in the operating licences. Most coach operators also apply this discount, even if their services are run on a completely
commercial basis. The discount scheme also entitles a person who is deaf and blind to bring a travelling companion free of charge (except on aeroplanes). The scheme even gives 50% discount to spouses when travelling together with the person who is entitled to the discount.

7. Enforcement mechanisms and possible penalties

− The municipal authorities issuing the building permit are responsible for enforcing the legally-binding accessibility requirement for buildings, terminals, etc.

− The public authorities can require that a building be made to comply and if necessary hand over the case to the police as a criminal matter. As from 1 July 1997 they will have the option of imposing penalties until such time as the building is compliant.

− An organisation of disabled people or an individual can bring a complaint case before the County Governor.

8. Overview of projects

No available information

9. Texts being prepared

Elaborations concerning what it means to put into effect to ensure better accessibility to transport modes are under way in the Ministry of Transport and Communications. A part of this work is to reconsider existing regulations regarding accessibility. Other options, such as financial instruments, or possibly a combination of different measures, will also be considered. This is direct follow-up work to the overview document published in April 1997 on measures and policies towards disabled people in the transport and communications sector.

10. Other measures to assist mobility

− The Road Act (Ministry of Transport and Communications) imposes road construction standards. The Public Roads Administration has issued a number of technical guide books on the application of these standards having regard to the needs of disabled people.

− Disabled motorists are exempted from fees at toll rings. Currently there are toll rings around three Norwegian cities: Oslo, Bergen and Trondheim.

− The National Insurance Act has a system of grants for car purchase/adaptation and for driving lessons.
1. General regulatory texts

a) At national level

− Constitution Act of Republic of Poland prohibits all discrimination, including that based on disability. (New Constitution passed by National Assembly in April 1997 and in force after acceptance in popular referendum, May 1997).

− Act on Employment and Vocational Rehabilitation of Disabled (1991) refers to the “disabled persons with significant degree of physical or mental impairment limiting their capacity to work.” The act confirms the necessity to implement the principle of equal opportunity for disabled people and the employment policy aiming at vocational and social rehabilitation of such persons.

− Land Use Act (1994) recommends to take into account, among others, the needs of disabled in planning and designing of land use.

− Building Regulation Act (1994) states the necessity to ensure the minimum conditions to use public and high-rise apartment buildings by disabled persons, particularly those in wheelchairs.

− Act on Standardisation (1993) with later amendments, mandates that “invalid drivers and drivers carrying persons with mobility handicaps may not comply with certain traffic signs, e.g.: ‘No Parking’, ‘No Entry’.”

− Transportation Act (1984) as amended in 1988 and 1994, states that carriers should designate seats for disabled persons and undertake all measures to make use of transportation vehicles, terminals, stops and platforms easier to use by disabled persons, including those in wheelchairs.

b) At regional level

− Some local authorities have passed resolutions requiring the removal of barriers in buildings, pedestrian areas, and transport infrastructures.

− Act on Employment (1991) emissions establishing of local (voivodship) centres for employment and rehabilitation for disabled people. Their task, among others, is: “elaboration of the programme of elimination of architectural barriers”.

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c) Consultative and/or advisory bodies

− Act on Employment (1991) creates the post of Plenipotentiary for disabled people at the Ministry of Labour and Social Policy. The plenipotentiary is responsible for co-ordination of tasks in the field of conditions of social and professional life of disabled and for evaluation of the draft regulations concerning employment, rehabilitation and living conditions for disabled people.

− National Council of Disabled people as an advisory body to the Plenipotentiary for disabled people.

2. Specific regulatory texts

a) Railways


The principles for adapting transport to the needs of disabled persons apply to investment and modernisation work, at check-in points in stations, and generally to improving accessibility.

3. Norms -- regulations -- recommendations -- guidelines

− Railways: technical rules concerning the manufacture and approval of carriages adapted for use by passengers in wheelchairs.

− Application of the UIC regulations concerning invalids (technical standards and organisation of services).

− In accordance with the Standardisation Act of 1993, the Polish Committee of Standardisation appointed the Standardisation Commission for Disabled Persons. The Commission’s responsibility is for drafting the Polish Standards in the matter of facilities and technical aids for people with mobility handicaps including those in wheelchairs, impaired vision and impaired hearing. (In the means of terminology, buildings, pedestrian areas, transport modes and their infrastructure, visual, tactile and audible information and rehabilitation equipment). For economic reasons the Polish Standards regulate wheelchairs and crutches only.

− The Regulation of 1994 issued by the Ministry of Land Use and Construction applies to buildings and their location in the matter of technical specifications to which all buildings should comply with. The specifications required by the Regulations also include the principles for designing and technical parameters to ensure disabled people access to buildings and related facilities.
− The Guidelines for Street Design (1992) determine several technical matters including some essential rules for sidewalk designs, pedestrian crossings, public transportation stops and parking areas, considering the needs of people with mobility handicaps, but excluding the vision impaired.

− The Guidelines for Highway Construction (1995) provides several main conditions for designing pedestrian crossings and coach stops considering the needs of disabled people. These regulations indicate combining visual and audio traffic signals.

− “The Designer’s Handbook - Environment and Transportation” (1991) contains detailed specifications with examples for planning, drafting and the realisation of projects of:
  • accessible urban environment (master and land use plans, accessibility maps and plans);
  • sidewalks, pedestrian crossings, over and under passes, visual and audio traffic signals, visual and tactile information, automobile parking areas;
  • stops, station platforms, equipment and markings of transportation means;
  • long-range transport: trains, coaches, aeroplane (vehicles, terminals, and information for disabled).

The above principles result from special needs of people mobility handicaps, including those in wheelchairs, the elderly, pregnant women, people with prams, the visually and hearing impaired, people with heavy luggage and others whose mobility is temporarily limited.


− The Regulation of the Council of Ministers in the matter of parking fees sets the rules for parking of specially marked vehicles used by disabled people and allows for special discounts.

4. Funding

− The 1984 Act provides that funding is provided by the carriers, the Polish Government and, where appropriate, by local authorities.

− The 1994 Building Act requires investors to make the necessary funds available.

− As far as railways are concerned, funding is to be provided by the Polish Railways (PKP) which has not yet made the necessary funds available.
− State Rehabilitation Fund for Disabled people has been founded on the grant of the Act on Employment (1991). The Act provides that activities of the Fund are financed, among others, from these 3 sources:

- contributions from companies which do not employ disabled people;
- subvention from the State Treasury;
- from own business activities of the Fund.

The Fund’s financial resources are distributed on “construction and modernisation of rehabilitation facilities.”

As an example, the Fund financed the purchase of the mini-vans adapted for the transportation of disabled people.

5. The persons concerned

Polish legislative acts refer primarily to people receiving disability compensation, and in particular, to those in wheelchairs. For this reason only 5 to 8 per cent of the population are usually mentioned as handicapped. In reality, this percentage is much higher and goes as high as over 25% (the visually and hearing impaired, the elderly, small children, people with prams etc.). This statistical error causes relatively small interest in this large social group. Consequently, multiple difficulties and limitations result.

6. Measures on Fares

− Act on reduced Measures on Fares on public transportation vehicles (1992) amended in 1994, regulates special Measures on Fares on trains and coaches, except urban transportation. The Act contains detailed provisions as to who, when and how is entitled to pay the reduced Measures on Fares (or free of charge).

7. Enforcement mechanisms and possible penalties

As of this time, there are no means of control, nor penalties for non-compliance with the law, guidelines or handbooks.

8. Overview of projects

− Thesis for the draft of Polish Standard on sound traffic signals
− Thesis for the draft of Polish Standard on tactile information for visually impaired people
− Draft amendments to legislative acts issued by the Ministry of Transport and Maritime Economy:
• Regulations on traffic organisation and traffic signs
• Instruction on horizontal and vertical traffic signs
• Instruction on traffic light signals, etc.

according to the needs of the handicapped.

9. Texts being prepared

− New Traffic Regulations Act (currently being discussed in the Parliament) more precise than the Previous Act, regulates the rights of disabled pedestrians and motorists, as well as markings of cars adapted for use by disabled people.

− New Act on Professional and Social Rehabilitation and Employment of Disabled people (currently being discussed in the Parliament) concerns people whose physical and mental condition prevents them, or makes difficult, their normal functioning in society.

New feature of this law is admission that social rehabilitation should be realised through gradual elimination of architectural, transportation, urban and communication barriers.

The duties of the Plenipotentiary for disabled people include, among others, origination and supervision of the activities aimed at reduction of negative effects of the barriers. The means of the State Rehabilitation Fund for Disabled people are expanded, among others, on full, or partial, funding of research, analyses, formulation of Polish Standards and on editorial activity, in this also, on elimination of the architectural, transport and other barriers.

− Bill or Rights for the Disabled will provide the basis for disabled people to exercise their rights to live a normal life and to this end will specify obligations of the government of all levels, architects, investors, etc.

10. Other measures to assist mobility

− The National Health Programme for the years 1996 to 2005 (adopted by the Council of Ministers as the Government Document). One of the programme’s objectives is to provide disabled people with the possibility to be integrated into society. This objective will be achieved, among others, through the removal of barriers in public transport vehicles and related infrastructure.


− Long-term programme (adopted by the Ministry of Transportation and Maritime Economy) for adaptation of public transport facilities to the needs of disabled people.
In addition to the above-mentioned it appears necessary to implement legal measures for provision to disabled tax benefits, favourable credit terms and the designation of special funds in the State Budget to assist the handicapped.

**Note:** There is unfortunately a wide gap between the law and reality. Amongst the reasons, apart from the situations mentioned in point 5, other factors such as lack of awareness and knowledge on the part of those responsible, lack of penalties and administrative means for executing measures. There is also a shortage of advisory bodies, lack of proper organisation and collaboration, insufficiently clear legislation from the accessibility angle and lack of financial resources.
1. General regulatory texts

a) At national level

A joint Order of the Ministry of Planning and Territorial Development, the Ministry of Public Works, Transport and Communications, and the Ministry of Labour and Social Security (1 July 1986) contains technical recommendations to help handicapped persons access public service areas such as stations (for rail, waterway, sea or urban transport) and airports.

2. Specific regulatory texts

− Portaria No. 83/82 of the Ministry of Housing, Public Works and Transport lays down conditions for designating and carrying into effect places reserved for disabled persons and those with mobility handicaps.

− Regulatory Decrees of the Ministry of Finance Nos. 25/92 and 40/93 establish specifications for vehicles adapted for the access and transport of handicapped persons, and provides for reduced taxes on the import of such vehicles.

3. Norms -- regulations -- recommendations -- guidelines

A “Transport Guide”, prepared by the “Secretariaro nacional de reabilit açào”, is designed to help persons with mobility handicaps understand the practical aspects of the relevant legislation.

4. Funding

No available information

5. The persons concerned

Portaria No. 83/82 and Decree No. 18/82 of the Ministry of Housing, Public Works and Transport, establish the conditions of travel on all modes of public transport for visually handicapped persons with guide-dogs.
6. Measures on Fares

Decree-Law No. 43/76 of the Ministry of Transport and Communications specifies that handicapped persons from the armed forces are entitled to reduced Measures on Fares on trains and domestic air routes.

7. Enforcement mechanisms and possible penalties

No available information

8. Overview of projects

No available information

9. Texts being prepared

No available information

10. Other measures to assist mobility

A whole series of Portaria, Decree-Laws, Regulations and Orders govern and facilitate the use of private vehicles by handicapped persons, including tax-free purchase in certain cases, vehicle marking and special parking rights.
1. General regulatory texts

a) At national level


b) At regional level

No available information

c) Consultative and/or advisory bodies

At national level: the State Secretariat for Disabled People.

At regional level: the State Inspectorate for Disabled People with a total of 40 Inspectorates.

These were set up in the Governmental n° 939 published in the Official Journal of 9 January 1998. This decision also defines which are the tasks of the State Secretariat for Disabled People and the State Inspectorates for Disabled People, as well as the units which work under the methodological co-ordination of the State Secretariat for Disabled People, for example: the Association of Blind People in Romania, the Association of Deaf People in Romania, the Elderly People Association etc.).

2. Specific regulatory texts

The Law n° 53/1992 requires that access to the public places and buildings, as well as those of units for social protection and assistance will be properly designed or adapted in order to avoid creating architectural barriers or other obstacles for disabled people.

3. Norms -- regulations -- recommendations -- guidelines

No available information
4. **Funding**

As concerns the railways sector, according to the Romanian Railways Law, SNCFR (the Romanian National Railways) may provide facilities for travelling on Romanian Railways, at the proposal of the Administration Council of SNCFR and with the approval of the Government. The same law stipulates that, for social services carried out following an order of the public competent authorities, SNCFR will receive proper compensation.

5. **The persons concerned**

Disabled people.

6. **Measures on fares**

Disabled people (of the first degree, i.e. those with severe disabilities) benefit from free urban transport, free interurban transport within the limit of 12 return trips per year by train (second class) or by bus, or by ship (maritime or river transport) belonging to state-owned companies. Accompanying persons have the same rights as disabled people, on the basis of a special identification card.

Disabled people (second degree) benefit from free urban transport and six interurban return trips.

Disabled people benefit from priority in purchasing adapted motor vehicles or vehicles which can be adapted in order to be used for the transport of disabled people.

They also benefit from the allocation of motorcycles and motorbikes specially adapted for the use of disabled people, according to the criteria established by the Ministry of Health and the State Secretariat for Disabled People.

7. **Enforcement mechanisms and possible penalties**

*No available information*

8. **Overview of projects**

*No available information*

9. **Texts being prepared**

*No available information*

10. **Other measures to assist mobility**

Staff training in the transport sector.
1. General regulatory texts

Although general laws exist (relating to the Constitution, the Civil Rights and anti-discriminatory laws) a specific Central Administration law on accessibility is necessary to harmonise and to standardise legal proceedings.

a) At national level

Act 13/1982 on the social integration of handicapped persons (“Minusválidos”), a chapter of which deals with the accessibility of transport.

b) At regional level

The Spanish State has adopted a decentralised structure. Regulatory powers as regards urbanism, housing and transport are gradually being delegated to the 17 autonomous communities.

All except two of these communities have, within this context, issued Decrees laying down technical norms as to accessibility and the elimination of physical barriers, especially in transport systems.

In certain regions such as the Basque Country, such regulations were issued some time ago (1981), while in others, they are very recent (e.g. Asturia, 1995).

2. Specific regulatory texts

It is essential to develop the respective Regulation on the above law to govern and to fix the legal proceedings, parameters, characteristics, qualities, time limits etc.

Architects, engineers, manufacturers, schedulers and designers in general, as well as the law’s supervisors, must act unequivocally and understand perfectly their legal obligations in this respect. It is necessary to avoid possible legal proceedings based on subjective criteria.
b) **Road transport**

Three national “Real decreto” (3273/81, 2574/83, 736/88) deal with the approval and technical inspection procedures for road vehicles. More specifically, a Circular and a Resolution (1986) of the Ministry of Industry deal with specially designed vehicles.


d) **Air transport**

Circular operativa No. 18182 of the General Air Transport Directorate deals with the transport of handicapped passengers.

3. **Norms -- regulations -- recommendations -- guidelines**

*No available information*

4. **Funding**

The “licence-holder” is responsible for funding the adaptation or replacement of infrastructures and means of transport, but with the help of public subsidies.

Implementation depends largely on the budgetary resources of firms and public authorities.

5. **The persons concerned**

*No available information*

6. **Measures on Fares**

*No available information*

7. **Enforcement mechanisms and possible penalties**

An unambiguous penalty system must be developed for non-fulfilment of the law. The law must control the legal proceedings in all the transport forms and in their corresponding infrastructures. Mandatory legal time limits must be fixed for different achievements and legal proceedings.

- Generally speaking, the public authorities are responsible for enforcing and monitoring application of the relevant legislation, but they work in collaboration with advisory bodies (associations of handicapped persons, businessmen, manufacturers, etc.).

- The various regional regulations include clear economic penalties for non-compliance with the legislation. Depending on the seriousness of the infringement, personal responsibility may be involved, facilities closed, and services terminated.
8. **Overview of projects**

*No available information*

9. **Texts being prepared**

- National provisions regulating the accessibility of naval transports have been drafted;
- A Bill on general accessibility is to be issued in 1997 at the latest by the Autonomous Community of Castile and Leon.

10. **Other measures to assist mobility**

In Spain there has been a law at State level on The Social Integration of the Handicapped (LISMI) with two specific articles on transport accessibility. This law has not been successful for the following reasons:

- The respective Regulation has not been created to develop the above law which could control the legal proceedings in detail.
- A penalty system has not been established.
- Time limits have not been established to carry out the legal proceedings.

In Spain there are 17 independent communities and 15 of these have their own laws on the removal of urban, architectural and transport barriers. It can be noted that in these communities where the regulations on the respective laws have been developed, which means having detailed legal proceedings, time limits, penalty systems etc. the achieved results are remarkable.
1. General regulatory texts

a) At national level

- **Facilities for Disabled people on Public Transport Act (1979):** This law requires that vehicles used in public transport shall be adapted to the needs of disabled people. In 1992, responsibility for implementing this law was transferred from the Board of Transport to the Swedish Road Administration. Before making regulations on both new and older vehicles, consultation must take place with associations for disabled people.

- **Planning and Building Act (1987)** and “Technical Requirements for Building Act”. These laws indicate that new constructions and their surroundings must be designed to take account of the needs of all people with reduced mobility. Existing public transport installations must be adapted when the building undergoes repair. Municipalities are mainly responsible for implementation of these rules (with the exception of ports and airports), with the Minister of the Interior having the overall supervisory responsibility.

- **Responsibility for Public Transport Act (1998):** The law regulates local and regional public transport within communities and counties. Among other things, it stipulates that the public transport authority (PTA) has to improve the adaptation of the public transport system to the needs of disabled people. In the compulsory yearly public transport plan, the PTA shall describe measures taken to improve transport for disabled people. If the PTA is given the responsibility for the Special Transport Services (STS) or National Special Transport Services (NSTS) from the municipalities, these services shall also be included in the plan. This law replaces the old law from 1978.

b) At regional level

No laws at regional level.

c) Consultative and/or advisory bodies

At national level

**Office of the Disability Ombudsman (HO):** This body is a national authority responsible to the Government. Its powers and duties are defined by an Act and Ordinance. The main tasks are monitoring the rights and interests of people with disabilities according to the Swedish policy of
full participation and equalisation of opportunities. The HO ensures that deficiencies in laws and regulations, from the viewpoint of disability, are rectified. The HO is served by a special Council of 15 people selected by the Government, two of whom are from organisations for disabled people. The HO can co-operate with and obtain information from all organisations dealing with people with disabilities.

Disability Advisory Committee: The Swedish Road Administration has to have a committee that gives the General Director advice on different aspects and actions to improve the situation for disabled people within the road transport sector, including public transport. The advisory committee includes representatives from national organisations for disabled people, municipalities, public transport authorities and the national administrations for Civil Aviation, Maritime and Rail.

Disability Co-ordinating Group (The HandSam Group): The HandSam Group is an informal, voluntary group that works collectively in an effort to co-ordinate the work on adapting public transport to the needs of disabled persons. The group is comprised of representatives from the National Rail Administration, the National Board of Housing, Building and Planning, the Civil Aviation Administration, the Swedish State Railways, the National Maritime Administration and the Swedish National Road Administration. The aim of the group is to discuss handicap issues relating to public transport, and to confer and compare experiences in order to promote the development of an accessible public transport system, and that attention will be paid to strengthening the entire chain of travel.

At regional level

- Regional Disability Committees: The Road Administration has organised regional committees which plan and organise measures to improve the transport for disabled people in each of the seven regions. Municipalities, the public transport authority and regional disability organisations co-operate in the committees. The improvement of public transport is in focus.

2. Specific regulatory texts

- Special Transport Services (STS) Act (1998): The law stipulates that the municipalities have to provide STS to citizens with a permanent disability to enable them to use public or individual means of travel. The municipality is given the jurisdiction to transfer the responsibility for the STS to the PTA. This introduces an economic incentive that will stimulate the adaptation of the public transport system and the co-ordination of the different services and also lead to decreased costs for STS. STS is removed from the Social Welfare Act.

- National Special Transport Services (NTS) Act (1998): The law stipulates that the municipalities have to subsidise travel to another municipality in the country for citizens with disabilities which make it impossible for them to use public transport at normal costs or if they cannot travel without a companion. Home to work trips are excluded. The government sets the fares, corresponding to the cost of a budget ticket on a train. The new law replaces a law from 1993.
− **Parking for disabled people.** Through special provision, within the framework of the Road Traffic Ordinance, disabled people might be exempted from local parking regulation and get access to special parking lots for disabled people.

− **Provision of private cars for disabled people Act and Ordinance (1988):** Since 1988, there have been grants available for subsidising the purchase and adaptation of private cars for severely and permanently disabled people and for parents of children with severe disabilities.

3. **Norms -- regulations -- recommendations -- guidelines**

− **Public transport regulations:** Between 1982 and 1989, the Board of Transport drew up regulations on the adaptation of public transport vehicles (surface transport, sea and air). Since 1992, the Road Administration is responsible for the general co-ordination of these regulations.

− General recommendations for the planning of urban traffic networks (1982). These were drawn up by the National Board of Housing, Building and Planning and concern essentially maximum distances to be covered on foot to bus stops, for example, short distances in zones where there is a significant proportion of elderly or disabled people.

− “Handicap -- Build it away” (1989) recommendation drawn up by Byggtjänst concerns public transport terminals and bus stops.

− “General Guidelines for Planning Urban Traffic Networks” (1982) by the National Board of Housing, Building and Planning.

“Streets for Everybody” (1991) issued by the Swedish Association of Local Authorities.

4. **Funding**

**Regional and local trains and buses:** Regional Transport authorities

On 22 May, 1997, the Government decided on governmental grants of SK 1 500 million for adapting new vehicles, terminals, information centres etc. Between 50 and 75 per cent of extra costs will be given to Regional Transport Authorities.

**National trains (intercity) and stations:** Swedish State Railways

**Boats, aircraft:** operators

**Infrastructure:** national subsidy organised by the Road Administration

STS and NTS: municipalities; the government finances a part of this indirectly via the “general allowance” given to municipalities.
5. **The persons concerned**

Disabled people in general.

6. **Measures on Fares**

In general, the Public Transport Authority (PTA) in each county sets the fares for city and regional public transport services. Some PTA give disabled people who are entitled to use STS the right to travel free of charge on public transport. The STS is normally up to 75 per cent of the actual cost, subsidised by the municipality. The fares for the NTS are also subsidised by the municipalities but the distance-based fare is set by the government. Fares for long distance public transport services are normally not subsidised and are thus set by the commercial operators. They do not subsidise fares for disabled people.

7. **Enforcement mechanisms and possible penalties**

*Special Transport Services:* If a person is refused access to the STS and NTS he can take legal steps through an administrative court.

*Public Transport Vehicles:* These vehicles must pass a test. Currently, they all conform to the requirements for people with reduced mobility.

8. **Overview of Projects**

*a) Buses*

Low floor buses are being introduced as the main mode of transport in urban areas. Several bus transport projects are carried out in various types of traffic:

- Long distance coaches that are fully accessible to disabled persons operate on a 550 kilometre-long route covering cities in sparsely-populated areas.

- Public transport for all categories of passenger in a rural area. The traffic is co-ordinated with the transport of school children and special transport service for disabled people. Small accessible buses are used and the passengers travel free of charge.

- Demand responsive Service Route, called FlexRoute, with flexible operation between two end terminals in an urban area. Low floor minibuses depart from these terminals according to a schedule and stop at “meeting points” so close to the passengers’ homes that walking distance is less than 150m. New telematics provide the possibility to book a trip automatically with a telephone or magnetic card and an automated trip notification to the passenger 15 minutes before pickup.
b) Railways

Intercity and regional trains with fully accessible cars are being introduced in all regions.

9. Texts being prepared

*National transport policy:* The government is preparing a new National Transport Policy. A bill will be presented to parliament during 1998. Disability issues will be included to some extent.

*Revision of Public Transport Vehicle Regulations:* The road administration is examining existing regulations. The revision will be completed during 1998.

10. Other measures to assist mobility

*Public Transport and Disability R&D programme:* During Autumn 1997, the Transport and Communications Research Board (KFB) and The Road Administration presented a comprehensive R&D programme to improve the Public Transport System STS, etc. to meet the needs of disabled people. The two sponsors will come up with SK 45 million which is expected to be co-funded with money from PTA’s, municipalities, operators and producers in different projects.
1. General regulatory texts

   a) At national level

   - Federal Public Transport Act. The Act applies to the carriage of passengers, luggage and goods by public transport undertakings. It imposes a duty of carriage provided that carriage is possible with the staff and means of transport used for normal traffic.

   - The same Act states that the Confederation, cantons and communes may request the provision of services, in terms of timetabling and calling at stations, that would be uneconomic for a transport undertaking to offer. The public authorities must compensate the undertakings in full.

2. Specific regulatory texts

   Railways

   - Federal Railways Act. It applies to railway construction and operation. The Confederation lays down the requirements that have to be taken into account in the provision of services. These requirements also include the needs of disabled people. In general, it is the cantons that define what the basic supply should be in the cantonal public transport laws.

   - The same Act provides that if an enterprise wishes to introduce measures for disabled people, the Confederation may issue or guarantee loans with or without interest, or provide a grant.

   - Railway Construction and Operation Order. This states that due regard must be given to the needs of disabled people.

   Buses, boats, cable car

   - Federal Railways Act. Articles concerning the funding of regional transport apply also to the other modes.
3. **Norms -- regulations -- recommendations -- guidelines**
   - Swiss norm SN 521 500: construction adapted for disabled people.
   - Directives of the Federal Council concerning assistance to people with disabilities.
   - Directives of the Federal Transport Office on technical and other specifications for the physically disabled in public transport (R 200.7).
   - The plan of CCF (the Swiss railway company) to help people with disabilities.

4. **Funding**

   *No available information*

5. **The persons concerned**

   *No available information*

6. **Measures on Fares**

   The Federal Public Transport Act lays down that the Confederation, cantons and communes can require special fare systems to be introduced, in which case they must fully compensate the operator.

7. **Enforcement mechanisms and possible penalties**

   *No available information*

8. **Overview of projects**

   *No available information*

9. **Texts being prepared**

   - Reform of the Federal Constitution; Art. 7: Principle of equality, 2nd indent “No one should be subject to discrimination due to (...) or to physical or mental disability”.
   - Being revised: Federal law on insurance and invalidity (LAI).
   - Being revised: Directives on technical specifications to help people in public transport (R 200.7).
10. Other measures to assist mobility

Federal Disability Insurance Act. This Act gives individual allowances to disabled persons for adaptation purposes. The Act and the Federal Orders are based on the assumption that disabled people need special transportation services, taxis or their own means of transport.
1. General regulatory texts

a) At national level

There is no specific legislation. The subject is dealt with under different laws; for example, in 1997, under law no. 3194, together with Decree 572 with the force of law, it was decided to make some changes to ensure the physical living and transport standards of people with mobility handicaps. In this context, studies were begun by the Ministry of Public Works, the City Traffic Commissions, the Department for the Affairs of Disabled People (under the Prime Minister’s responsibility) and some metropolitan municipalities.

b) At regional level

No specific legislation but various laws and regulations, particularly of the municipalities, are relevant.

The City Traffic Commissions take decisions on transport and parking for people with mobility handicaps and are responsible for organising the parking areas, driving licences (Class II) and penalties.

c) Consultative and/or advisory bodies

The Department for the Affairs of Disabled People co-ordinates, supports and works as an advisory body at the legislative level, under the Prime Minister’s responsibility.

The Traffic Department, under the General Directorate of Public Security, monitors applications and acts as an advisory body.

2. Specific regulatory texts

Air transport

Some airports are adapted for use by disabled people through the installation of:

– lift systems for boarding/alighting from aeroplanes
– special toilets
– special lifts
– special telephone cabins

**Railways**

Design work on trains has not yet been completed but includes the Technical High Speed Electrified Train Project: features for disabled people include seating, toilets, doors, lifts for wheelchairs, etc.

Special seating has been installed on suburban trains.

There is a 50% reduction in train fares for disabled people. At railway stations, there are ramps on all passageways and there are reserved parking areas.

Staff are trained in how to help disabled people, children and the elderly.

**Buses**

Some big cities have a number of buses which are specially designed for disabled people.

3. **Norms -- regulations -- recommendations -- guidelines**

– The Turkish Institute of Standards has issued Standard TS 9111 on access to public and official buildings and on the environment.

– Standard TS 6462 covers wheelchairs and their users.

– Some municipalities have issued guidelines.

– The Department for the Affairs of Disabled People is continuing its work on the provision of guidelines.

4. **Funding**

The organisation and funding of special transport services come under the responsibility of the municipalities, ministries and administrative departments which offer these services.

5. **The persons concerned**

All disabled people.
6. **Measures on Fares**

- Disabled people can use transport services at lower tariffs.
- They have a reduction on train travel of up to 50%.
- They have a reduction on air travel of up to 40%.
- They can travel on municipal buses free of charge.

7. **Enforcement mechanisms and possible penalties**

There is no defined enforcement mechanism but the Department for the Affairs of Disabled People and the City Traffic Commissions monitor the application of existing regulations, guidelines, etc. and recommend changes.

8. **Overview of projects**

The Department for the Affairs of Disabled People is concerned with disability prevention, health, education, employment, medical rehabilitation, professional rehabilitation and social adaptation. The Department defines the existing situation, collects current data and ensures co-ordination between the public and private sectors. Moreover, it monitors the organisation and application of required standards and supports their establishment.

9. **Texts being prepared**

- Draft Standard TS 19963312 on Design Rules on Railway System Establishments and Buildings for Disabled People.
- Draft Standard TS 19971977 on Design of Structural Measures for Disabled and Elderly People.

10. **Other measures to assist mobility**

- In Turkey, disabled people can get a driving licence of the Class II type. This type of licence can only be used by disabled people with a specially-equipped car bearing the international disabled symbol. These special cars are imported and are tax free to disabled people.
- The General Directory of Public Security issues a special card to disabled drivers which gives them priority in traffic-dense regions.
1. General regulatory texts

a) At national level

- **Disabled Persons Act 1981, S1(1):** Imposes a duty on local authorities to have regard to the needs of disabled people in executing works in the pedestrian environment. There is no requirement for positive action, but local authorities must demonstrate that these needs have been considered.

- **Transport Act 1985, S63(8), S93(7), S106, S125:**
  
  - **S63(8):** Imposes a duty on local authorities to have regard to the needs of disabled people in the provision of transport services throughout the country. S93(7) provides local authorities with powers to offer concessionary fares to certain groups of disabled people. Local authorities can make grants available under S106 for the provision of transport services which meet the needs of disabled people. S125 established Disabled People Persons Transport Advisory Committee (DPTAC) and determines its working procedures.

- **Disability Discrimination Act 1995:** This Act introduced into UK legislation a civil rights approach for disability issues. In addition to transport vehicles, the Act covers employment, education, goods, services and facilities. It also established a National Disability Council. The provisions dealing with transport vehicles do not provide disabled people with specific “rights”. Instead, it was decided to have a separate part of the legislation which could deal with transport vehicles in a more appropriate way.

In terms of transport infrastructure, provisions are not specific. They place a duty on the provider, where reasonable, to remove physical barriers to access or provide the service by an alternative means, and to amend policies, procedures and practices which discriminate against disabled people. Implementation dates for those provisions have not yet been announced.

The new Government (since May 1997) intends to review the existing provisions of the DDA and to consider what further measures may be necessary to meet its commitment to civil rights for disabled people. A Task Force is being set up to consider these issues and to report to Ministers. As yet, there have been no indications about whether the Task Force will want to look at transport provisions.

Part V covers all land transport, including taxis. It provides the Secretary of State for Transport with powers to make accessibility regulations for each type of vehicle.
Part III which provides a right of access to goods, facilities and services, covers all public transport infrastructure (land, sea and air), e.g. bus and railway stations, airports and sea ports.

The provisions of the Act are binding, but the date of application varies according to transport mode.

b) At regional level

London Regional Transport Act 1984, S2(7)

Requires London Regional Transport to have regard to the needs of disabled people in operating or securing public transport services.

c) Consultative and/or advisory bodies

  - At national level: the DPTAC
    Established under the 1985 Transport Act, it is the government’s statutory advisory committee on transport policy as it affects the mobility of disabled people. By law, 50% of its members must be disabled people. The Department of Environment, Transport and the Regions (DETR) provides the secretariat to the Committee and meets members’ expenses. In addition to advising the UK DETR, the Committee draws up recommendations for transport operators. The aim is not to specify one design solution for each mode but to provide performance specifications for new vehicles. The consultation exercises will also focus on the implementation dates for the regulations. the one exception is on trains where the date of 31 December 1998 is set in the legislation.

  - At regional level: London Transport (LT) has set up a Unit for Disabled Passengers which is responsible for co-ordinating LT’s activities in this area. Provision in other regions varies, but many authorities have specified staff who are responsible for disability policy in the transport field.

2. Specific regulatory texts

a) Railways

Railways Act 1993, the legal basis for privatisation of British Railways. The Act also contains certain provisions for disabled people, including providing protection for a discount fare scheme for disabled people.

All operators are required to have regard to the needs of disabled people as a condition of being granted a licence to operate. There is a Rail Regulator responsible for policing this requirement and for publishing a Code of Practice in consultation with DPTAC. The Franchising Director must require participation in a discount fare schemes for disabled people.
**Channel Tunnel Act 1987**, licensing of cross channel services. The Act provides the Intergovernmental Commission with powers to withhold an operating licence where they are not satisfied with the provision of facilities for disabled people.

**b) Roads**

**New Roads and Street Works Act 1991**, exempts from tolls on new roads certain vehicles used by, or on behalf of, disabled people who are exempt from UK road tax. Other provisions relate to street works carried out by utilities - gas, electricity, etc. and require those companies to guard those works and to provide a high standard of reinstatement, including the reinstallation of facilities for disabled people, e.g. tactile surfaces.

**Road Traffic Act 1991**, concerning London traffic. Places a duty on the Traffic Director to consult the DPTAC before issuing traffic management guidance. Disability organisations must be consulted in the preparation of local and trunk road plans.

3. **Norms -- regulations -- recommendations -- guidelines**

The Department of Transport and the DPTAC have published various documents: research findings, guides, recommendations for transport operators and passengers. The main subjects have been buses (specifications in 1995, low-floor buses in 1996, etc.), information, special transport (Door to door. A guide to transport for people with disabilities, 5th ed., 1996), etc.

Specific regulations have also been introduced to provide severely disabled motorists with parking concessions, and to allow disabled people to use, on the highway, powered "invalid carriages" to provide local outdoor mobility.

4. **Funding**

No funds are made available under these Acts, but the Transport Act 1985 does provide local authorities with powers to make grants available for the provision of transport services for disabled people.

5. **The persons concerned**

Disabled people.

6. **Measures on Fares**

The Transport Act 1985 provides local authorities with powers to make concessionary Measures on Fares available to certain groups of disabled people. In practice the level of concession varies from region to region, for example, in some areas like London disabled people are given free travel, while in others they are offered discounted Measures on Fares.
A discount fare scheme is also available on rail services. The Railways Act 1993 provides that discount fare scheme is a requirement on the industry.

7. **Enforcement mechanisms and possible penalties**

- The 1995 Disability Discrimination Act provides for criminal penalties for failure to comply with the regulations. Part III of the Act also provides for disabled people ultimately to have the power to take legal action, against operators of transport infrastructure.

- Railways: The Regulator is responsible for ensuring that the privatised companies have regard to the needs of disabled people. The Intergovernmental Commission has powers to withhold licences for operators of cross channel rail services if they are not satisfied with the provision made for disabled people.

8. **Overview of projects**

The 1981 Act has had an effect despite the lack of funding. Many local authorities have installed dropped kerbs and tactile paving for blind people. The Transport Act 1985 - many local authorities have supported new developments under the grant making powers and most now have regard to the needs of disabled people as part of their planning process.

The creation of DPTAC under S125 of the 1985 Act has led to greater representation of disabled people and the issue of balanced, well-informed advice to industries and local authorities.

The London Regional Transport Act 1984 led to the establishment of the Unit for Disabled Passengers which provides a focus within the London Transport on the needs of disabled people.

Under the Railways Act 1993 rail operators have a duty to meet the needs of disabled people. Each operator has to produce a clear statement of their policies in relation to disabled people.

The Channel Tunnel Act 1985 has ensured cross channel rail services are fully accessible to disabled people.

The Road Traffic Act 1991 had created new impetus in London to address the needs of disabled people in relation to highway infrastructure. Provision for disabled people is now a key requirement.

Guidelines and recommendations issued by the Government and by the DPTAC have led to significant improvements in the provision of accessible vehicles and of user friendly pedestrian infrastructure.

9. **Texts being prepared**

Regulations to implement the Disability Discrimination Act are being prepared by the Department of Transport in conjunction with the DPTAC and manufacturers and operators. Consultation on the technical specifications for buses, trains and taxis, which will form the basis of the regulations, will begin in early 1997.
10. **Other measures to assist mobility**

Various provisions make it easier for disabled people to drive private vehicles (special provisions regarding tolls, driving, driving licences, parking, etc.).
1. **General regulatory texts**

   a) **At national level**

   – The Americans with Disabilities Act of 1990 (ADA) contains specific requirements for the accessibility of public bus and rail mass transportation, intercity rail, and private motor vehicle transportation services.


   – Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability in programs and activities receiving Federal government financial assistance, including transportation programs.

   c) **Consultation and/or advisory bodies**

   – The Architectural and Transportation Barriers Compliance Board (Access Board) devices technical guidelines for the accessibility of transportation vehicles and facilities.

   – The National Council on Disability (NCD) provides oversight and advice concerning Federal government activities in a number of areas, including transportation.

2. **Special regulatory texts**

   a) **Railways - underground - tramway**

   – The Department of Transportation’s ADA regulations (49 CFR Parts 37 and 38) have specific accessibility provisions for intercity rail (i.e., Amtrak), commuter rail systems, subways, and other fixed guideway systems (e.g., "people mover" systems).
b) Road transport including special transport

− The Department of Transportation’s ADA regulations include interim provisions for boarding assistance and wheelchair stowage on coaches. Permanent regulations for coach accessibility are currently being drafted.

− The Department of Transportation’s ADA regulations establish accessibility and/or service equivalence requirements for private road transport by vehicles other than coaches and taxis.

− The Department of Transportation’s ADA regulations establish regulations for special transportation (paratransit) provided by public mass transit authorities.

c) Taxis

− The ADA and the Department of Transportation’s ADA regulations prohibit discrimination by taxi operators (e.g., refusal to pick up a disabled passenger).

− Taxicabs are not required by Federal law to be accessible vehicles. Some local governments require taxi operators to provide a number of accessible vehicles.

d) Air transport

− The Department of Transportation’s ACAA regulations require non-discrimination and a variety of specific accommodations for disabled air travellers.

e) Inland waterway and maritime transport

− These forms of transportation are subject to regulation under the Americans with Disabilities Act. However, specific regulations have not yet been issued.

3. Norms -- regulations -- recommendations -- guidelines

− The Access Board issues guidelines for the accessibility of transportation vehicles and facilities. The Department of Transportation has adopted these guidelines as part of its ADA rules.

− The Department of Transportation has issued guidance documents on such subjects as special transportation services and air travel rights of disabled passengers. The Department is preparing to issue a technical guidance manual on accessibility of public rights of way (e.g., sidewalks, curbs, and intersections).
4. Funding

a) National

− Vehicles and services for persons with disabilities are eligible for funding under the Department of Transportation's mass transit programs.

− There is a specific Department of Transportation funding program to assist non-profit organisations serving persons with disabilities in obtaining new vehicles.

− Accessibility improvements to airports are eligible for funding under the Department of Transportation’s airport improvement program.

− Accessibility improvements to intercity railroad stations and rail cars are funded through public moneys made available to Amtrak.

c) Local

− Because most funding for mass transit comes from local governments and authorities, vehicles and services for people with disabilities are largely funded locally.

5. The persons concerned

Under all the statutes and regulations involved, persons with disabilities are defined as those persons with a physical or mental impairment that substantially limits one or more major life functions.

6. Measures on fares

− For special transportation, the Department of Transportation’s ADA rules limit local authorities to charging no more than twice the fare that would apply for a comparable trip on fixed route service.

− In air travel, the Department of Transportation’s ACAA rules require airlines to provide free travel for an attendant to a disabled passenger if the airline requires the attendant to travel for safety reasons, over disabled people passenger's objection.

− Many private or local transportation providers make discounts available to persons with disabilities.

7. Enforcement mechanisms and possible penalties

− For violations of section 504 and the ADA, transportation providers who receive Federal funds can have those funds withdrawn.

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For violations of the ADA, violators are subject to civil litigation by affected parties and/or the Department of Justice.

For violations of the ACAA, airlines are subject to civil penalties imposed by the Department of Transportation and may be subject to suits for damages by affected parties.

8. Overview of projects

No available information

9. Texts being prepared

– Currently or in the near future, the Department of Transportation is preparing new regulations concerning accessibility of coaches, seat assignment accommodations for disabled airline passengers, and boarding lifts for use on aircraft that are not served by level-entry loading bridges.

– Projects in earlier stages of development include rules to facilitate air travel by persons using medical oxygen and accessibility rules for passenger vessels.

10. Other measures to assist mobility

No available information
## ANNEX 1. LIST OF CONTACTS

<table>
<thead>
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<th>COUNTRY</th>
<th>CONTACT</th>
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ANNEX 2. RELEVANT INTERNATIONAL TEXTS

**European Parliament Resolutions**

14 December 1995  
On human rights: the handicapped

22 April 1994  
On the social aspects of transport

**Council Resolutions**

16 December 1991  
Requesting the Commission to draw up a Community Action Programme on the accessibility of transport to persons with reduced mobility (C 18 of 24.1.1992);

- Action Programme (COM(93) 433 final of 26.11.1993);

- the follow-up Commission Staff Working Paper (SEC(94) 1590 of 10.10.1994), also written at the request of the Council, gives a list of priorities for accessible transport.

20 December 1996  
On equal opportunities for the handicapped

**Council Directives**


97/26/EC of 2.6.1997 (OJ L 150 of 7.6.1997): amends Directive 91/439/EEC on driving licences: the objective is to harmonise the information given in the form of codes on driving licences, e.g. the requirement to wear glasses, the adaptations made to vehicles for use by disabled drivers.

**ECMT Resolutions**

No. 38, December 1978: on transport for the handicapped

No. 45, May 1981: on transport for the handicapped in wheelchairs

No. 55, November 1985: on transport for the handicapped

No. 63, May 1987: on transport for people with mobility handicaps
No. 68, May 1989: on transport for people with mobility handicaps

No. 91/8, November 1991: on information and communication

No. 97/3, April 1997: on transport for people with mobility handicaps

No. 97/4, April 1997: on reciprocal recognition of parking badges

Relevant Reports, Studies, etc.


- INCA project (Inventory of European legislation and regulation for Car-Adaptations) in order to achieve the same level of safety and mobility for disabled people as for other car users. It will also develop a code of practice for the assessment of the adapted vehicle and this code can play an important role in the training and education of new experts in the field of car-adaptations.

- RICA research study on transport information for people with reduced mobility (December 1992). This led to financing four pilot projects to set up transport information services for disabled people (in Barcelona, Lyon, Newcastle and Wuppertal). These four centres are now involved in the “design-for-all” activities. The findings of the RICA project provide the basis for the Information part of the COST 335 action.

- 5th Framework Programme for Research and Technological Development for 1998-2002 (adopted 5.11.1997): sets out priorities which include the accessibility, security and comfort of transport and also “design-for-all” products, systems and service.

- Citizens’ Network Information Service sponsored by DG VII and run by the POLIS network of local and regional authorities and UITP (International Union of Public Transport) to provide a computerised database of good practice in local transport. This service should go on line before Summer 1998 and will include information on accessible transport for people with reduced mobility.

- “Moving to Independence, Mobility and Accessibility for Disabled People” ed. ERICA / Commission of the European Communities, 1989. Study on eventual initiatives in the field of mobility, creation of a European mobility card ad access to buildings and public services.

Proposals for Council Directives

- COM (90) 588 final - SYN 327, 28.2.1991: on minimum requirements to improve the mobility and safe transport to work of workers with reduced mobility. Plus:
  - CES 697/91, Opinion of the Economic and Social Committee regarding the proposal.

Project of Council Recommendation

- COM (95) 696 final, 15.12.1995: concerning the parking card for disabled people. Plus:
  - CES 411/96 - 95/0353 SYN, 27.3.1996, Opinion of the Economic and Social Committee on the project.
  - C4-0033/98 - 95/0353(SYN), draft recommendation for second reading on the common position established by the Council with a view to the adoption of the recommendation.

Private Vehicles

European Union


ECMT

- Recommendation, December 1977: on parking of vehicles transporting the handicapped
- Declaration, April 1997: on “vulnerable” road users

Taxis

EC-funded

- Accessible Taxi Research Study: This is a new project aimed at raising awareness in Europe of the need for accessible taxis and monitoring their use in service.
**ECMT**

- Conclusions from Seville seminar (April 1992) on access to taxis
- Resolution no. 94/2, May 1994: on access to taxis for people with mobility handicaps

**Coaches and Minibuses**

**European Union**

- EC Commission Directives 96/36/CE, 96/37/CE and 96/38/CE, 17 June 1996: making it obligatory to install seat belts in coaches and minibuses

**ECMT**

- Resolution No. 90/4, November 1990: access to buses, trains and coaches for people with mobility handicaps

**Buses**

**European Union**

- Recommendations arising from COST 322 research on low-floor buses (1995)
- European Draft Directive on Bus and Coach Construction (COMMA (97)276)

**ECMT**

- Resolution, November 1989: on access to public bus transport by people with mobility handicaps
- Resolution No. 90/4, November 1990: on access to buses, trains and coaches for people with mobility handicaps

**Trains**

**European Union**

- Commission White Paper, “A strategy for revitalising the Community’s railways” (COM(96) 421 final of 30.7.1996): specifically refers to establishing EC standards for accessible railways and also to redeploying staff to help disabled and elderly passengers.
- COST 335 action, “Passengers’ accessibility to heavy rail systems”. This builds on COST 322 but is more ambitious. It will lead to EC standards for accessible trains and stations and guidelines for providing information to disabled and elderly passengers.

**International Union of Railways (UIC)**

- Fiche 567-3 OR, 1 January 1987 (1st edition): “Information on equipping vehicles for the transport of the handicapped in wheelchairs.”

- Fiche 560 OR, 1 January 1990 (11th edition): “Doors, footboards, windows, steps, handles and handrails of carriages and vans.”

**ECMT**

- Resolution No.90/4, November 1990: on access to buses, trains and coaches for people with mobility handicaps

**Air Transport**

**International Air Transport Association (IATA)**


**European Civil Aviation Conference (ECAC)**

- Manual of recommendations and resolutions regarding aid and safety measures

**Chicago Convention (1944) on international civil aviation**

- Annex 9 recommended international norms and practices
  Facilitation (9th edition) July 1990

**Wheelchairs and wheelchair tie downs**

- ISO 10542: Wheelchair Tie Downs and Occupant Restraint Systems. This is at a final draft stage and could be complete by the end of 1998.

- ISO 7176 part 19: Wheeled Mobility Devices for Use in Motor Vehicles. This covers wheelchair design requirements and test methods together with marking and identification. It could become a standard in about two years.
− **CEN/TC 293**: A European group dealing with wheelchair standards. The intention is to adopt wholly or in parts the ISO standards described above.

− **ISO TC22/WG4**: This group is dealing with standards for buses and hand controls and is working on two bus standards: passenger vehicles for the transport of over 8 passengers, including those with reduced mobility, and vehicles with fewer than 8 passengers. A draft on driving controls for people with disabilities is also being produced.

− **TEST**: Testing of Special Transport Equipment for Wheelchair Users. This support works within the CEN and is exploring issues on carriage of wheelchairs in vehicles and the development of European standards.

− **TRANSWHEEL**: This project has been set up to produce a multi-use wheelchair capable of being used by a car driver as well as in daily use. This is an EC-funded project.

**Maritime Transport**

**European Union**

HANDIAMI project (Investigation into the employment of disabled people in the maritime industry; new shore-based jobs; emergency situations). This 4th Framework Programme project will concentrate on how to evacuate disabled and elderly passengers from ferries and cruise ships during emergencies.