



SWITZERLAND

Legislation on Public Transport

Background/context

Switzerland has a rather high number of regulations concerning public transport. This case describes Swiss public transport legislation at the national, regional and local levels using Chur, the capital of the Canton of the Grisons, as an example. Chur has approximately 35,000 inhabitants.

Switzerland comprises 26 cantons or regional authorities. Switzerland's three administrative levels, along with the canton, are the state and municipality. The state is directly responsible for the provision of long-distance trains but also co-finances regional public transport (road and rail), which is organised by the regions and provided by various operators via public services contracts. Municipalities are responsible for local public transport.

Description of the case

The constitution does not guarantee provision of public transport. However, various national laws regulate public transport-related issues (references are to weblinks, provided overleaf):

- The division of power and responsibilities between different administrative levels for different modes and levels (national, regional, local) of public transport (EBG).
- The process of awarding concessions (concessions and

licences are awarded by the state authority), and the obligations of concessionaires (PBG, VPK).

- The responsibilities of public authorities to provide (and finance) national and regional public transport (EBG).
- The minimum amount of regional public transport that has to be provided. This regulation is very detailed and states, for example, that "regional public transport between villages of more than 100 inhabitants should be provided at least four times a day when there are at least 32 passengers per day transported" (ADRV, Article 6).
- The administrative process of contracting regional public transport services via public service contracts; the compensation model for non-cost-covering services (ADRV).
- The compensation rules for fare reductions and tariffs imposed by authorities: "If public authorities demand fare reductions they must compensate operators accordingly" (TG, Article 11).
- The conditions for tendering regional public transport services (ADRV); the law only states conditions under which tendering is possible and mentions obligations with respect to the employees, rolling stock and infrastructure of the existing operator, but does not detail the procedures nor give any rules for tendering local public transport.
- Accounting principles for operators benefiting from subsidies (ADRV, REVO).

- Public contributions for infrastructure investments of operators (ADFV).
- The coordination of interregional, regional and local public transport, including measures to promote tariff unions: "Public transport operators are required to co-operate in order to offer the customer a common service/ticket" (TG Article 13); "State authorities, regional authorities and transport operators establish suitable organisations for regional coordination of public transport services" (ADFV, Article 13).
- The annual process of timetable coordination (FPV).

On the regional level, the public transport act of the Canton of Grisons implements and details the national laws.

- It details the criteria for the minimum and maximum amount of public transport provided.
- It delegates responsibility for local public transport to the municipalities.
- It stipulates the setting up of a commission to advise regional government on public transport issues.
- It demands cooperation on the part of operators.
- It grants financial support for supporting measures such as tariff unions, bus lanes, Park&Ride facilities and other measures promoting public transport. The region covers up to 50% of any additional costs that incur with the introduction of a tariff union.
- It gives the regional authority the right to force operators to participate in tariff unions.
- It regulates the procedures for timetable coordination.

On the local level, the "Environmentally Sound Human Transport Act" of the City of Chur states that:

- The city (itself or through a contractor) provides the necessary amount of local public transport.
- The city plans and promotes local public transport.
- Timetables should ensure services at regular intervals.
- Public transport should be given priority over individual transport (by the use of traffic lights and bus lanes).
- The city should offer cheap seasonal tickets (for regular users, families, children, elderly passengers).
- Timetables have to be coordinated with neighbouring operators.
- The city should seek cooperation with other bus and rail operators, neighbouring communities and other partners in order to establish a regional network including a tariff union with integrated timetables.

Results

The extensive legislation indicates the emphasis given to public transport in Swiss politics. In particular, the high degree of integration in Swiss public transport is (partly) a consequence of the importance that Swiss legislation attributes to these issues.

Problems

The fact that concessions for regional public transport operators are awarded by the state whereas regional public transport service contracts are awarded by the regions, can lead to conflicts between the two administrative entities.

Transferability and success factors

The design of the legal framework is strongly linked to the particular legislative history and the federal structure of Switzerland. Nevertheless, single elements can be transferred to other situations.

Lessons learnt

Appropriate legislation on public transport needs to be in place on all administrative levels. The principle of subsidiarity, according to which matters ought to be handled by the smallest, lowest or least centralised authority, has thereby proved successful.

Conclusions

Appropriate legal framework conditions are necessary for the public transport market to be organised in an efficient manner and to provide high-quality services. Appropriate legislation not only establishes the stable framework needed for operators to produce efficiently, but can – in a top-down approach – also support public transport and trigger cooperation between actors, resulting in an integrated public transport system attractive to customers. The strong public transport legislation is in large part responsible for the high standard of Swiss public transport.

References and contacts

NATIONAL LAWS (IN GERMAN ONLY)

- EBG: www.admin.ch/ch/d/sr/c742_101.html
- PBG: www.admin.ch/ch/d/sr/c744_10.html
- TG: www.admin.ch/ch/d/sr/c742_40.html
- VPK: www.admin.ch/ch/d/sr/c744_11.html
- ADFV: www.admin.ch/ch/d/sr/742_101_1/a6.html
- REVO: www.admin.ch/ch/d/sr/c742_221.html
- FPV: www.admin.ch/ch/d/sr/c742_151_4.html

REGIONAL LAWS: CANTON OF GRISONS (IN GERMAN ONLY)

- GöV: www.navigators.ch/gr/lpext.dll?f=templates&fn=main-h.htm&t=2.0
- RABzGöV: www.navigators.ch/gr/lpext.dll?f=templates&fn=main-h.htm&t=2.0

MUNICIPAL LAW: CITY OF CHUR (IN GERMAN ONLY)

- www.gesetzessammlung.ch/chur/lpext.dll?f=templates&fn=main-h.htm

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