



REPUBLIC OF SLOVENIA
ADVOCATE OF THE PRINCIPLE OF EQUALITY

Special Report

Inaccessibility of Public Inter-Urban Bus Service for Persons with Sensory Disabilities



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Special Report

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SUMMARY OF THE SPECIAL REPORT

The purpose of this Special Report is to increase the degree of availability of public inter-urban bus transport for persons with sensory disabilities, draw attention to the importance of formulating, adopting and consistent implementation of regulations that prevent discriminatory treatment of persons with disabilities and to accelerate the implementation of measures enabling them to exercise their right to ensured accessibility of public road transport.

The Protection against Discrimination Act¹ (PADA) determines the protection of every individual against discrimination, regardless of their personal grounds. Hence, discrimination based on the personal ground of disability is also prohibited. In accordance with the PADA, protection against discrimination is provided in all areas of social life, including access to goods and services available to the public.

Persons with disabilities² must be given equal opportunities in access to road and railway transport services. Due to poor accessibility or inaccessibility of public transport, persons with disabilities are deprived of the opportunity to access education, employment, health services, and leisure activities; furthermore, their general inclusion in society is also impeded.

The Equalisation of Opportunities for Persons with Disabilities Act³ (ZIMI) obliges the state that when managing public utility service, the public regular road transport of passengers (public bus transport) should be organized in such a way that providers of transport within the framework of public services⁴ use buses that are accessible to the persons with reduced mobility and sensory disabilities. According to the aforementioned Act, the deadline for reasonable accommodation of buses to ensure accessibility to persons with disabilities expired on 11 December 2020.

In order to review the situation in the field of the accessibility of public bus transport, the Advocate of the Principle of Equality (the Advocate) prepared, in June 2023, a special report about why the public transport system is not accessible to persons with reduced mobility, as required by applicable legislation.⁵ This report, however, touches on the findings regarding the accessibility of inter-urban bus transport for persons with sensory disabilities. The collected information allowed for the conclusion that public inter-urban bus transport is mostly inaccessible for persons with sensory disabilities.

¹Protection against Discrimination Act (Official Gazette of the RS, No. 33/16 and 21/18 – Non-Governmental Organisations Act).

Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO7273>.

²The Advocate only uses the term "disabled person" when directly referring to sectoral legislation. Otherwise, the Advocate uses the term "person/people with disabilities", which is descriptive and follows the original terminology of the Convention on the Rights of Persons with Disabilities (UNCRPD).

³Equalisation of Opportunities for Persons with Disabilities Act (Official Gazette of the Republic of Slovenia, No. 94/10, 50/14 and 32/17).

Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4342>.

⁴Public regular road passenger service means transport that is performed along specified routes, according to the pre-determined timetable, price and general transport conditions (point 17 of paragraph one of Article 3 of the Road Transport Act).

⁵Available at: <https://zagovornik.si/en/what-we-do/>.

1. **NGOs report about inaccessible information on bus arrivals, departures, and prices, be it online or in mobile applications.**
2. **The bus stops are constructionally and technically not adapted, and the buses are insufficiently or inappropriately equipped with written, tactile, and sound markings.**
3. **Several organisations have reported that bus drivers refuse to accept guide dogs for persons with sensory disabilities, or want to charge them additional fares for transporting said guide dog.**
4. **After the amendment of the Road Transport Act, personal companions are no longer entitled to a free ride while accompanying persons with disabilities, which represents an additional financial burden for persons with disabilities.**

NGOs that participated in the Advocate's inquiry note that the availability of information on timetables, price lists and other relevant transport data on websites and applications should be improved. There is also a need for construction and technical adaptation of bus stations and buses with tactile markings, sound announcements, and legible contrasting inscriptions, as well as other technical equipment (e.g. induction loop). Personal companions play an important role in enabling accessible and safe transport for persons with sensory disabilities, which is why transport should also be financially accessible for them.

At the inquiry of the Advocate, the competent Ministry of the Environment, Climate and Energy (the MECE) explained that a special Public Passenger Transport Management Company was established in 2022, which was also tasked with the implementation of legal obligations regarding the accessibility of public passenger transport. The Ministry states that, among other things, they are also planning⁶ the revision of the "central information system to support integrated public passenger transport. The published inquiry also contains questions related to technical solutions for various types of disabilities, including for persons with sensory disabilities." The revised information system is expected to be implemented in early 2025.⁷

Based on the explanations of the MECE and the responses of NGOs regarding the accessibility of public inter-urban bus transport for persons with sensory disabilities, the Advocate issues the following recommendations to the competent ministry.

The Advocate recommends that the **Ministry of the Environment, Climate and Energy**:

1. adds the mandatory compliance of the digital platforms for finding information on bus transport with the requirements of the first paragraph of Article 5 of the Accessibility of Websites and Mobile Applications Act to public tenders as a condition for granting a concession to providers for the provision of regularly scheduled public passenger services, thus also making them available for persons with disabilities.
2. ensures the accessibility of bus stops and other infrastructure facilities to persons with disabilities, as provided for in Articles 112 and 112a of the Road Transport Act, in cooperation with the Infrastructure Directorate of the Republic of Slovenia and self-governing local communities.

⁶Available at: <https://www.gov.si/zbirke/javne-objave/povabilo-k-sodelovanju-pri-predhodnem-preverjanju-trga-prenova-osrednjega-informacijskega-sistema-za-podporo-integriranemu-javnemu-potniskemu-prometu-v-republiki-sloveniji/>.

⁷Response of the Ministry of the Environment, Climate and Energy, 23 October 2023, to the Advocate's enquiry regarding the accessibility of road transport for persons with sensory disabilities (0709-48/2023/34).

3. adds the mandatory education of drivers about the right of persons with disabilities to enter their buses with a guide dog, whereby said driver must also not charge any additional costs for the dog, as provided for in the fifth and sixth paragraph of Article 16 of the Equalisation of Opportunities for Persons with Disabilities Act and Article 13 of the Animal Protection Act, to public tenders as a condition for granting a concession to providers for the provision of regularly scheduled public passenger services.
4. prepares an amendment to Article 114b of the Road Transport Act so that, in addition to the users of the European Disability Benefits Card, their companions who accompany them during public passenger transport will also be entitled to free transport.

As part of the special report entitled "Inaccessibility of Public Inter-urban Bus Service for Persons with Reduced Mobility" (June 2023)⁸, the Advocate recommended that the **Ministry of the Environment, Climate and Energy**:

1. in the shortest possible time, formulates minimum standards or criteria that any concessionaire must meet in order to fulfil the conditions under Article 16 of the Equalisation of Opportunities for Persons with Disabilities Act. This Article stipulates that buses used for the provision of public regular road transport of passengers in the form of a public utility service must be accessible to passengers with reduced mobility and sensory disabilities.
2. In line with the provision of the paragraph one of Article 19 of the Decree on the manner of performing the public service obligation, of the passenger transport in domestic road transport, on the concession of this public service and on the regulation of the integrated ticket system⁹ (Decree), in the public procurement procedure for the selection of concessionaires the manner in which buses must be adapted shall be determined as well as the proportion of buses used by the concessionaire which must be adapted to people with reduced mobility and sensory disabilities in order to fulfil the legal obligation under the EOPDA.
3. Moreover, a clear and accessible transparency system must be established, showing whether the buses used by concessionaires to perform the public utility service are appropriately adapted to persons with reduced mobility and sensory disabilities and on the basis of this the supervision task referred to in Article 51 of the Decree should be performed.
4. ensures additional financial resources for the purpose of adapting buses to persons with reduced mobility and sensory disabilities.

⁸Available at: <https://zagovornik.si/en/what-we-do/>

⁹Decree on the method of providing regularly scheduled public bus services as a service of general economic interest, on concessions for such service and on the integrated ticketing system (Official Gazette of the RS 109/21, 181/21, 54/22 – Management of Public Passenger Transport Act, 56/22 and 48/23). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED8123>.

1 LEGAL BASIS FOR THE ACCESSIBILITY OF PUBLIC PASSENGER TRANSPORT TO PERSONS WITH SENSORY DISABILITIES

1.1 National law

The Constitution of the Republic of Slovenia¹⁰ defines disability as one of the personal grounds due to which an individual may not be discriminated against. This provides a legal basis for additional protection of the rights of persons with disabilities.

Article 14 of the Constitution of the Republic of Slovenia
(equality before the law)

In Slovenia, everyone shall be guaranteed equal human rights and fundamental freedoms irrespective of national origin, race, sex, language, religion, political, or other conviction, material standing, birth, education, social status, disability, or any other personal ground. All are equal before the law.

The prohibition of discrimination is also an independent right protected by the Constitution of the Republic of Slovenia, even in the part which the Constitution itself is not regulating in more detail.

Article 15(5) of the Constitution of the Republic of Slovenia
(exercise and limitation of rights)

No human right or fundamental freedom regulated by legal acts in force in Slovenia may be restricted on the grounds that this Constitution does not recognise that right or freedom or recognises it to a lesser extent.

The prohibition of discrimination or the right to equal treatment is also binding for third parties (private citizens): protection against discrimination also applies in the event of any violation of consumer rights in relation to access to all goods and services available to the public.

The Protection against Discrimination Act¹¹ (the PADA) states in Article 1 that protection against discrimination is provided to individuals regardless of their personal grounds, including disability. Article 2 of the PADA initially lists all stakeholders required to provide protection against discrimination or equal treatment in the public and private sectors, including state authorities, holders of public authority and legal entities. They must also provide protection against discrimination in relation to access to goods and services available to the public.

Article 21 of the PADA grants the Advocate of the Principle of Equality (the Advocate) the authority and responsibility to, among other things:

1. "publish independent reports and make recommendations to state authorities, local communities, holders of public authorisations, employers, business entities and other bodies regarding the established situation of people in certain personal grounds, i.e. relating to preventing or eliminating discrimination and adopting special and other measures to eliminate discrimination."

¹⁰Constitution of the Republic of Slovenia, Article 14. Available at: <http://pisrs.si/Pis.web/pregledPredpisa?id=USTA1>.

¹¹Protection against Discrimination Act (Official Gazette of the RS, No. 33/16 and 21/18 – Non-Governmental Organisations Act). Available at: <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO7273>.

In accordance with Article 22 of the PADA, the Advocate shall report to the National Assembly of the Republic of Slovenia about his work and findings on the existence of discrimination involving individual groups of people with certain personal grounds in the framework of special reports.

The first paragraph of Article 16 the Equalization of Opportunities for Persons with Disabilities Act¹² (the EOPDA) stipulates that persons with disabilities must be provided with equal access to road and rail transport, as well as maritime and inland navigation.

Pursuant to the paragraph two of Article 16, "the state and municipalities shall ensure that operators of public regular road transport and regular urban transport services provide transportation with buses accessible to persons with physical and sensory disabilities, and provide information on the possibilities of using the aforementioned public services in ways accessible to persons with disabilities".

Paragraph three of Article 16 of the EOPDA further states that "if a public utility service provider is not able to ensure that regular inter-urban road transport service is accessible to persons with physical and sensory disabilities, it shall be required to provide another appropriate means of transportation, unless it proves that the provision of other appropriate means of transportation would impose a disproportionate burden. In that case, the provider shall be required to ensure other appropriate means of transportation in a scope that does not impose such a burden."

The deadline for the appropriate adaptation of buses for the road transport of passengers in such a way as to ensure accessibility for persons with disabilities referred to in Article 16 of the EOPDA shall be a maximum of ten years from the entry into force of this Act (paragraph four of Article 38 of the EOPDA). Since the EOPDA entered into force on 11 December 2010, the deadline for appropriate accommodation of road passenger transport expired on 11 December 2020.

Pursuant to Article 50 of the Road Transport Act (the RTA)¹³, the State shall provide for public regular transport of passengers, except for urban public regular services and special regular services, as a public good by means of a commercial public service, granting concessions through a public tender to the most favourable tenderers.

Public regular road passenger service means transport that is performed along specified routes, according to the pre-determined timetable, price, and general transport conditions. It is operated as inter-urban and urban regular passenger service.¹⁴ Regular inter-urban transport represents public transport of passengers between two or more places and can be organized as a passenger or high-speed regular transport of passengers, while urban regular transport is a public transport of passengers organized by the municipality as a public service within the settlement.¹⁵ Public regular road transport of passengers can only be carried out by buses and must be accessible to all passengers, regardless of the fact that it may be the subject of a special reservation.¹⁶

¹²Equalisation of Opportunities for Persons with Disabilities Act (Official Gazette of the Republic of Slovenia, No. [94/10](#), [50/14](#) and [32/17](#)).

Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4342>.

¹³Road Transport Act (Official Gazette of the Republic of Slovenia, No. 6/16 – official consolidated text, 67/19, 94/21, 54/22 – Management of Public Passenger Transport Act, 105/22 – Inequality and Harmful Policy Reduction Interventions and Ensuring Respect for the Rule of Law Act and 18/23 – State Administration Act).

Available at: <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4236>.

¹⁴Point 17 of the paragraph one of Article 3 of the Road Transport Act.

¹⁵Point 23, 26 of the paragraph one of Article 3 of the Road Transport Act.

¹⁶Paragraph Two of Article 45 of the Road Transport Act.

The manner of performing the public utility service of public regular transport of passengers, the content and obligations of this public service, the rights of passengers, financing, the manner of granting the concession and control over its implementation are regulated by the Decree on the method of providing regularly scheduled public bus services as a service of general economic interest, on concessions for such service and on the integrated ticketing system (the Decree).¹⁷

In accordance with the provisions of the Decree, the tasks of the concession grantor, i.e. the Republic of Slovenia (RS), in the concession award procedure and in the concession relationship, is carried out by the Ministry responsible for transport. This Ministry also carries out the tasks of the public passenger transport (PPT) body.¹⁸ Pursuant to the State Administration Act (the SAA)¹⁹, the tasks of the concession grantor are performed by the Ministry of the Environment, Climate and Energy (the MECE).

Paragraph one of Article 4 of the Road Transport Act (the RTA) stipulates that professional technical, organizational, development and certain administrative tasks in the field of transport of goods in domestic and international road transport and passengers in international road transport, as well as development tasks in the field of transport of passengers in domestic road transport, shall be carried out by the Ministry responsible for transport and the Ministry responsible for public passenger transport in domestic and cross-border transport (hereinafter: the Ministry of PPT).

The competence in the field of public passenger transport in domestic and cross-border transport (which also includes the implementation of tasks under paragraph three of Article 4 of the RTA) is implemented by the MECE.²⁰

In accordance with paragraph three of Article 4 of the RTA, the MECE (the Ministry of PPT), inter alia, performs the following tasks:

- preparation of draft laws and adoption of secondary regulations in the field of public passenger transport in domestic and cross-border traffic;
- management of transport policy in the field of road transport;
- monitoring the situation and condition at the transportation services market and development tasks in the field of road transport;
- development of public regular inter-urban bus transport of passengers and promotion of public utility services;
- development of the public passenger transport information system;
- development of other forms of public passenger transport.

The responsibility for providing accessible infrastructure in the field of PPT is also borne by self-governing local communities and the manager of State roads, i.e. the Infrastructure Directorate of the Republic of Slovenia.

¹⁷Decree on the method of providing regularly scheduled public bus services as a service of general economic interest, on concessions for such service and on the integrated ticketing system (Official Gazette of the RS, No. 109/21, 181/21, 54/22 – Management of Public Passenger Transport Act, 56/22 and 48/23). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED8123>.

¹⁸Article 3 of the Decree.

¹⁹Act Amending the State Administration Act, Official Gazette of the Republic of Slovenia, No. 18/23. Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO8642>.

²⁰Article 38.b of the State Administration Act (Official Gazette of the Republic of Slovenia, No. 113/05 – official consolidated text, 89/07 – decision of the Constitutional Court, 126/07 – ZUP-E, 48/09, 8/10 – ZUP-G, 8/12 – ZVRS-F, 21/12, 47/13, 12/14, 90/14, 51/16, 36/21, 82/21, 189/21, 153/22 and 18/23). Available at: <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO3225>.

The second and third paragraphs of Article 112 of the Road Transport Act²¹ (the RTA) state that: "infrastructure facilities and premises and their maintenance intended for the performance of bus station activities are provided by self-governing local communities. Infrastructure facilities for bus stops and their maintenance on State roads are provided by the State road manager, while local roads are managed by self-governing local communities. Infrastructure facilities and premises are managed by entities that carry out the activity of bus stations. Self-governing local communities and bus station operators regulate mutual relations with the contract."

The importance of ensuring accessibility for people with disabilities in all areas of life is highlighted by both the 2022–2030 Action Programme for Persons with Disabilities (the APPD 2022–2030)²² and the previously applicable Action Programme for the period 2014–2021.

The APPD 2022–2030 states that "accessibility is a broad concept strongly related to the mobility of people with disabilities, which includes not only access to the built environment and the elimination of architectural barriers, but also access to information or communications, thus enabling person with disabilities to be included in the wider social environment and all spheres of human life. Accessibility gives persons with disabilities the opportunity to participate in social, economic and political life."²³

Among the measures listed in APPD 2022–2030, under the goal of "Accessibility", the following measure is also mentioned: "...ensuring accessibility of transport (in Slovenia this applies to transport to places, where public passenger transport is available, every day of the week and to taxi services) – entry, exit, auditory and visual notification and, if necessary, escort".²⁴

1.2 International law

Article 26 of the Charter of Fundamental Rights of the European Union expressly recognises the right of persons with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community.²⁵

²¹Road Transport Act (Official Gazette of the Republic of Slovenia, No. 6/16 – official consolidated text, 67/19, 94/21, 54/22 – ZUJPP, 105/22 – ZZNSPP and 18/23 – ZDU-10). Available at: <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4236>.

²²Action Programme for Persons with Disabilities 2022–2030, No. 14100-5/2021/3 of 14 October 2021. page 7.

Available at: <https://www.gov.si/zbirke/projekti-in-programi/akcijski-program-za-invalidne/>

²³Ibid., page 7.

²⁴Ibid.

²⁵Charter of Fundamental Rights of the European Union OJ C 326, 26. October 2012, p. 391–407.

Available at: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:083:0389:0403:sl:PDF>.

At the same time, Article 9 of the Convention on the Rights of Persons with Disabilities²⁶ (the UNCRPD), ratified by Slovenia in 2008, obliges State Parties to enable that persons with disabilities live independently and participate fully in all aspects of life, and take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, among other things to transportation and services open or provided to the public, both in urban and in rural areas.²⁷ Measures to identify and remove barriers to accessibility also apply, inter alia, to transportation.

States Parties shall, in accordance with the UNCRPD, take measures to develop, disseminate and monitor the enforcement of minimum standards and guidelines for the accessibility of facilities and services intended for the public. These measures ensure that private entities providing services to the public take into account all aspects of accessibility to persons with disabilities.²⁸

The measures to be taken by the competent institutions and private entities also relate to the appropriate qualifications of the staff involved in bus transport. Article 12 of the Decree on the rights of passengers with reduced mobility in the main modes of transport²⁹ states: "In order to meet the needs of persons with disabilities and persons with reduced mobility, staff should be adequately trained."

²⁶Convention on the Rights of Persons with Disabilities and Optional Protocol to the Convention on the Rights of Persons with Disabilities. See Official Gazette of the Republic of Slovenia - International Treaties, No. 10/08. Available at: <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5314>.

²⁷Act ratifying the Convention on the Rights of persons with Disabilities and Optional Protocol to the Convention on the Rights of Persons with Disabilities, Official Gazette of the Republic of Slovenia No. 37/08 – International Treaties, No. 10. Available at: <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5314>.

²⁸The second paragraph of Article 9 of the UNCRPD.

²⁹Decree on the rights of passengers with reduced mobility in the main modes of transport. Available at: <https://eur-lex.europa.eu/legal-content/SL/TXT/?uri=CELEX:32011R0181>.

2 ADVOCATE'S ENQUIRIES

2.1 Enquiries with the competent Ministry

As part of the preparation of the report, the Advocate sent enquiries to the Ministry of Infrastructure (the MoI) and the Ministry of the Environment, Climate and Energy (the MECE)³⁰ on the activities carried out or measures taken to ensure the accessibility of public bus transport for persons with disabilities.

As it is clear from the explanations provided to the Advocate³¹, the MoI³² and the MECE have not yet adopted any standards or rules regarding the specific characteristics of buses in order to meet the accessibility requirement for persons with reduced mobility and sensory impairments as required by Article 16 of the EOPDA. Moreover, the Ministry failed to adopt any standards or rules regarding the number of buses that the contractor should adapt in order to meet the requirement of accessibility of bus transport to persons with disabilities. As a result, the Ministry also does not keep any records or monitor whether the buses used in implementing the concession are appropriately adapted to passengers with disabilities.

In response to the Advocate's enquiry, the MECE also added that, in cooperation with the National Council of Disability Organizations of Slovenia (the NCDOS) and the Geodetic Institute, the Ministry was implementing the project "Spatial Data Support for Public Passenger Transport Management – Persons with Disabilities in Public Passenger Transport". As part of the project, an online survey was conducted among NGOs for persons with disabilities in order to obtain data intended for the introduction of a dial-a-ride service for persons with disabilities. In accordance with point 37a of Article 3 of the RTA, the so-called dial-a-ride service "... is an advanced form of public transport up to a maximum of eight passengers which is carried out in areas where there is no organised public transport of passengers, or in areas with lower demand for public transport services of passengers".³³

On its website, NCDOS³⁴ reports that, in 2024, based on the data obtained from the online survey and an overview of the actual situation on the ground, a pilot project of "...dial-a-ride for persons with disabilities in two Slovenian municipalities" will be launched in the framework of the project. The website of the NCDOS further reports that "an expansion of this network is also planned at a later date. Dial-a-ride transport will be provided by disability organisations."

³⁰Enquiries of the Advocate of the Principle of Equality regarding the accessibility of buses and bus stations for persons with disabilities (0702-205/2022/22; 0702-205/2022/24; 0702-205/2022/28).

³¹These are presented in more detail in the special report entitled "Inaccessibility of Public Inter-urban Bus Transport for People with Reduced Mobility". Available at: <https://zagovornik.si/en/what-we-do/>.

³²With the reorganization of ministries at the beginning of 2023, the competence in the field of public passenger transport in domestic and cross-border transport passed from the Ministry of Infrastructure to the newly established Ministry of Environment, Climate and Energy. In accordance with the above, the Advocate initially (at the end of 2022) addressed the requests to the then competent Ministry of Infrastructure, and after the reorganization to the Ministry of the Environment, Climate and Energy.

³³Road Transport Act (Official Gazette of the Republic of Slovenia, No. [6/16](#) – official consolidated text, [67/19](#), [94/21](#), 54/22 – Management of Public Passenger Transport Act, 105/22 – Inequality and Harmful Policy Reduction Interventions and [Ensuring](#) Respect for the Rule of Law Act and [18/23](#) – State Administration Act).

Available at: <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4236>.

³⁴Available at: <https://www.nsios.si/aktualno/3091/>.

At the 11th session of the National Council at the Commission for Social Welfare, Labour, Health and the Disabled, held on 28 August 2023, a representative of the MECE explained that a special Public Passenger Transport Management Company was established in 2022, which was also tasked with the implementation of legal obligations regarding the accessibility of public passenger transport.³⁵

On 19 October 2023, the Advocate sent a new enquiry to the MECE asking for additional explanations.³⁶ Questions and answers to this enquiry are listed below.

1. We kindly ask for the results of the online survey obtained as part of the project "Spatial Data Support for Public Passenger Transport Management – Persons with Disabilities in Public Passenger Transport – 2023".

The Advocate asked the MECE for data on the results of the survey, as the survey included, among other things, the assessment of members of NGOs for persons with disabilities on the accessibility of bus stops.

The MECE provided a response on 23 October 2023.³⁷ The Ministry explained that it could not provide the results of the survey because the project within which the survey was conducted was still in progress. The Ministry further ensured that they would provide the data as soon as the project was completed.

2. What activities will the PPT Management Company carry out in the framework of ensuring the implementation of legal obligations regarding the accessibility of public passenger transport?

Regarding the activities to be carried out by the Public Passenger Transport Management Company (the PPTMC), the MECE explained that it will carry out "... supervision of public passenger transport operators to verify if they are acting in accordance with the applicable legislation on the rights of passengers and passengers with reduced mobility". The rest of the built environment, which is also important for the accessibility of public passenger transport, will remain within the responsibility of the currently competent institutions.

In accordance with the second and third paragraphs of Article 112 of the Road Transport Act³⁸ (the RTA), the provision of infrastructure in the field of PPT is the responsibility of self-governing local communities and the manager of State roads, i.e. the Infrastructure Directorate of the Republic of Slovenia.

3. What changes are you planning in the context of the renovation of the IPPT system in adapting support systems for persons with sensory disabilities? When will the adjustments be made and become available to bus users?

³⁵Available at: <https://imss.dz-rs.si/IMiS/ImisAdmin.nsf/ImisnetAgent?OpenAgent&2&DZ-MSS-01/f0e2a80b0382523650393013e6f91ebc12393faf85f35fa066b42e1071d1bf47>.

³⁶Enquiry of the Advocate of the Principle of Equality regarding the accessibility of road transport for persons with sensory disabilities (0709-48/2023/33).

³⁷Response of the MECE to the Advocate's enquiry regarding the accessibility of road transport for persons with sensory disabilities (0709-48/2023/34).

³⁸Road Transport Act (Official Gazette of the Republic of Slovenia, No. 6/16 – official consolidated text, 67/19, 94/21, 54/22 – ZUJPP, 105/22 – ZZNŠPP and 18/23 – ZDU-1O). Available at: <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4236>.

MECE explained that they are currently in the stage of obtaining information on the existing system solutions offered by various providers at the time of the enquiry in the field of the ticketing system, planning, and other solutions. On 18 October 2023, the MECE conducted an ex ante market review in the area of the renovation of the central information system to support the integrated PPT in the framework of its own enquiry. Together with the contractor, they forwarded the information about existing system solutions offered by providers on the market to the National Council of Disability Organisations of Slovenia (the NCDOS). The new integrated public passenger transport (IPPT) system is expected to support the use of the PPT for persons with sensory disabilities. The tender for the revision of the IPPT system is expected to be published in early 2024, while a new IPPT system could be established in early 2025.

2.2 Enquiries with NGOs

On 26 July 2023, the Advocate sent enquiries to 29 NGOs in order to obtain information on possible problems regarding the inaccessibility of public inter-urban bus transport.

The Advocate was interested to know the answers to the following questions:

1. **Do you consider that public inter-urban bus passenger transport is appropriately adapted to persons with sensory disabilities? How is rail transport adapted?**
2. **Do providers of regular inter-urban transport adequately comply with the provisions regarding the adaptation of transport to passengers with sensory disabilities or do you believe that they ensure accessibility to passengers in another appropriate way?³⁹**
3. **Are you aware of any specific problems of your members regarding the accessibility of buses or trains? If this is the case, we kindly ask you to explain specific experiences of individual passengers. How are they resolving their issues?**
4. **Have you ever contacted transport providers or State authorities with initiatives or requests to make public transport more accessible? What was the response, were you successful?**
5. **Do you know of any examples of good practices (solutions) that would allow persons with sensory disabilities to access inter-urban road or rail transport? If this is the case, we kindly ask you to provide more details.**
6. **Would you like to highlight any other aspects of the inaccessibility of buildings, services, information, etc. for persons with sensory disabilities, which the Advocate should address in our reports or recommendations?**

Even though the Advocate included the questions regarding the accessibility of rail transport into his enquiry, the Advocate will deal with both topics separately due to the differences in the legislative field of road and rail transport.⁴⁰

³⁹As for example stipulated by the third paragraph of Article 16 of the Equalisation of Opportunities for Persons with Disabilities Act.

⁴⁰ In January 2023, the Advocate recommended to the Ministry of Infrastructure and to Slovenian Railways to carry out, in a timely manner, all necessary activities to adapt the accessibility of trains and other railway infrastructure to persons with disabilities. Available at: <https://zagovornik.si/wp->

Ten NGOs and the consultative body of the Mayor of the Municipality of Maribor have responded to the Advocate's enquiry.⁴¹

The following subchapters present key barriers to the accessibility of public inter-urban bus transport for persons with sensory disabilities, as described by NGOs in their responses to the enquiry.

2.2.1 Inaccessibility of public inter-urban bus service

All organisations that responded to the Advocate's enquiry assessed that public inter-urban bus transport is not (yet) adapted for persons with sensory disabilities. Their main warnings are summarised below.

"Public inter-urban bus transport is not adequately adapted for the blind and visually impaired." (Intermunicipal Association of the Blind and Visually Impaired of Ljubljana)

"We believe that public inter-urban bus transport and rail transport are not adequately adapted to the blind and visually impaired."
(Association of the Blind and Visually Impaired of Slovenia)

"We estimate that the current regulation of inter-urban bus transport in the Republic of Slovenia is not adequately adapted to the needs and requirements of persons with sensory disabilities."
(Deafblind association of Slovenia DLAN)

One of the members of the Intermunicipal Association of the Deaf and Hard-of-Hearing of the Gorenjska Region pointed out that, while transport is becoming more accessible, many improvements are still needed: "I can generally say that the situation in terms of the accessibility of public transport is improving, but a more detailed review quickly shows that there is still much to be done in this area."

2.2.2 Unavailable websites and apps

Persons with sensory disabilities already encounter issues as they try to plan and organise their route, since information on timetables and price lists and other online content is not available as provided for by the international and national law.

"Digital platforms for finding timetables do not provide immediate access to the desired information, which is why they are much more suitable for many blind and visually impaired persons for browsing at home than for use on the road and in traffic, since they do not comply with the WCAG 2 standards or the Accessibility of Websites and Mobile Apps Act."
(Association of the Blind and Visually Impaired of Slovenia)

[content/uploads/2023/01/Priporocilo-Zagovornika-nacela-enakosti-glede-enake-dostopnosti-do-prevoz-v-zelezniskem-prometu-za-invalidide.pdf](https://www.maribor.si/mestni-servis/invalidi/svet-invalidov/content/uploads/2023/01/Priporocilo-Zagovornika-nacela-enakosti-glede-enake-dostopnosti-do-prevoz-v-zelezniskem-prometu-za-invalidide.pdf).

⁴¹Council of the Disabled Persons of the Municipality of Maribor. Available at: <https://maribor.si/mestni-servis/invalidi/svet-invalidov/>.

"... the legislation on the accessibility of websites and mobile applications, which in certain cases also applies to websites and mobile applications of bus and rail operators, is not respected, which further hinders accessibility for deaf and hard-of-hearing individuals."

(Slovenian Association of the Deaf 14 11)

This is extremely important, since a member of the Association of the Blind and Visually Impaired of Slovenia pointed out that, in the event of unpredictable conditions and delays in transport, he helps himself with the information available online:

"I help myself by tracking delays through the app on my phone."

The Association of the Deaf of Slovenia 14 11 conducted a survey to gain insight and feedback from persons with sensory disabilities. The survey was distributed via e-mail, through personal contacts, and through social networks. 36 respondents were between 31 and 50 years of age, which, according to the association, indicates that the majority of the respondents are active participants in the labour market. 18 respondents were older than 51, and nine were younger than 30.

When asked "Do you understand timetable and station-related information?", over one half (33 respondents) answered with "partially". Six respondents answered in the negative.

When asked "Do you think it would be helpful to obtain visual information about the route which would help you to better understand your journey?", 44 respondents answered with "yes, this would be very useful". 13 of them answered with "yes, this would be useful". Six of them answered with "no, this is not necessary" or "I'm not sure".

When asked "How would you assess the current availability of bus and rail transport information for persons with hearing impairments?", 13 of the respondents answered with "great". 19 of them answered with "good, but could be improved", while 18 answered with "average". 13 respondents opted for the answer "poor" or "very poor".

The question "Do you understand timetable and station-related information?" was answered by persons with hearing impairments, as well as persons with cochlear implants. Out of 50 deaf persons, 16 answered with "yes", 28 answered with "partially" and six answered with "no". All five hard-of-hearing persons answered with "yes". Of the eight people with cochlear implants, three answered with "yes", while five answered with "partially".

2.2.3 Inaccessible infrastructure

Regarding barriers to access to transport, NGOs that responded to the inquiry also highlight the built environment, which often presents a challenge to persons with sensory disabilities. They point out that the infrastructure (bus stops and ticket offices) is not adequately adapted or accessible. This is mainly reflected in the lack or absence of tactile guiding systems, in insufficient and illegible markings, in inappropriate illumination of stops (and excessive illumination of billboards), in the lack of sound information (announcements of time arrivals and departures of transport) and not adapted built environment.

"Bus stops are not marked in such a way that a blind person could independently find the right platform or stop (floor markings, informative tactile boards, voice support or sound signals, etc.). This is even more important at multi-platform stops. The numbers of stops are often also inaccessible to the visually impaired, as they are located too high, while the inscriptions are too small and not contrasting enough. Therefore, the blind and visually impaired often depend on the information they receive at the information counter."

(Association of the Blind and Visually Impaired of Slovenia)

"I have yet to find a bus stop that would be marked in a way as to enable a blind person to independently find the right platform or stop."

(a member of the Association of the Blind and Visually Impaired of Slovenia)

"To know that I am on the right platform, I look for the platform number on the floor, which I am not comfortable with. When I ride on the routes that are familiar to me, I find the right platform from memory."

(a member of the Association of the Blind and Visually Impaired of Slovenia)

2.2.4 Inaccessibility of buses

In addition to obstacles at stations and platforms, persons with sensory disabilities also encounter obstacles when entering a bus and driving in one. NGOs stressed that buses must be properly marked, so that the visually impaired and the blind can identify them successfully and quickly enough. Road markings are also often inappropriate.

"It is especially difficult for the visually impaired to see bus lines. Modern lines are visibly/contrastingly equipped (black background, orange text), but they are marked too high on buses for the visually impaired to be able to read them."

(Intermunicipal Association of the Blind and Visually Impaired of Ljubljana)

"For persons with disabilities who have problems with movement, vision, or hearing, it is hard to keep track of which buses have arrived at the station at larger stops, and rush to each bus to check whether it's going their way or not. Therefore, a written and audio announcement of incoming buses would be required. Until such a system is introduced, it is necessary that each of the buses stops as the first in line, since such a blind person or wheelchair user can wait in one place."

(Council of the Disabled Persons of the Municipality of Maribor)

"Some markings are made using faint, fuzzy colours that the visually impaired cannot discern. On inter-urban lines, buses are not equipped with appropriate directional markings, but rather only bear a small inscription that is not accessible to the visually impaired."

(Association of the Blind and Visually Impaired of Slovenia)

When riding a bus, the sensory impaired are usually oriented through audio announcements. Several organisations have pointed out that, despite the possibility of audio announcements, they are sometimes not turned on or are not broadcast loudly enough:

"I have some issues because I can hear through my hearing aid that something is being communicated through the speaker about changes, but I cannot understand the content very well."

(a member of the Slovenian Association of the Deaf 14 11)

"Unfortunately, it often happens that the recording announcing the stations is either not turned on because the driver is annoyed by it, or it is broken, so I still have to rely on the friendliness of other people on the bus who are kind enough to tell me when to get off. The problem is also that in some buses, the recording is too silent, which is why the chatter of passengers overrides the voice on the recording."

(a person with deafblindness, member of the Intermunicipal Association of the Deaf and Hard-of-Hearing for the Gorenjska Region)

2.2.5 Difficulty when communicating with staff members and other passengers

Persons with sensory disabilities often need to rely on the help of others due to inaccessible infrastructure and transportation. The Deafblind Association of Slovenia DLAN presented the key role of the personal assistant and the negative experience of persons with sensory disabilities in the absence of such assistant:

"For persons with deafblindness, it turns out that the presence of a personal assistant is key to ensuring the accessibility of public transport. In the absence of a personal assistant, they have huge difficulties when it comes to accessing information. These individuals have a hearing and vision impairment at the same time, which means that these two senses cannot replace one another. The free movement of persons with deafblindness outside their living spaces is also restricted, which is why the presence of a personal assistant is crucial for allowing them to safely navigate to the station."

Staff members (drivers, conductors, vendors at ticket offices) can make it easier or more difficult for persons with sensory disabilities to travel. Organisations state that some bus drivers are unaware of the legislation that allows persons with sensory disabilities to enter their buses with a guide dog. Several NGOs namely reported on negative experiences of their members. In addition, drivers occasionally forget to inform a visually impaired or blind person that they have arrived at the desired station in due time, if the bus does not have recorded announcements of the stations or if those recordings are switched off.

The Slovenian Association of the Deaf 14 11 warned about issues in communication with staff members. The survey performed among its members found that more than half (35 respondents) highlighted communication issues in ticket offices. In addition, 12 respondents reported challenges in communicating with other employees, such as bus drivers and conductors.

To the question "Would you like transport companies to offer the possibility of communication in sign language or with the help of an interpreter for the deaf?", almost half (28 respondents) responded with "yes, very – I would always use sign language communication".

A similar number of respondents (27) replied with "yes, somewhat – occasionally I would like to communicate in sign language". Seven of them answered with "no, I don't care", while one person chose the answer "no, I'm not sure".

Members of the Association of the Blind and Visually Impaired of Slovenia assessed the attitude of drivers, conductors and security guards as good, and said that they had positive experiences with them. One of the members of the Association positively evaluated the organised assistance, but nevertheless highlighted the issue of its absence in emergency cases.

"There are still problems with both modes of transport when it comes to transporting guide dogs that are denied entry or are charged for an extra seat, for example."
(Association of the Blind and Visually Impaired of Slovenia)

"Sometimes, it still happens that drivers refuse entry to users with guide dogs when entering the bus (Animal Protection Act (the APA), Article 13). In cases like this, members were sometimes already forced to call the police."

(Intermunicipal Association of the Blind and Visually Impaired of Nova Gorica)

"On inter-urban buses, I occasionally hear people saying that I cannot take the bus with my dog. I have been using my guide dog for many years, and he has also been accompanying me during my travels in Slovenia and abroad. It sometimes happens that a driver asks me why I have a dog with me, and tells me that I cannot take the bus with my dog. Despite my guide dog's service card, which is issued to each user by the Association of the Blind and Visually Impaired of Slovenia, it has already happened to me that I was not able to get on the bus. I went back to the ticket office in Ljubljana. On the way there, I met other drivers that I knew, and told them what was going on; then, they were the ones who spoke with this specific driver and told him that he has to let me on the bus, or the company would pay a fine. So this incident had a happy ending. Other drivers who also ask me to provide proof are usually satisfied if I present the service card, or inform their superiors who are familiar with the legislation in this field." (a person with deafblindness, member of the Intermunicipal Association of the Deaf and Hard-of-Hearing for the Gorenjska Region – Kranj)

"As a blind person, you most often depend on the driver to tell you where your station is. I had a bad experience with this myself once, when the driver forgot to tell me that we were at the station where I wanted to get off.

(Association of the Blind and Visually Impaired of Slovenia)

"The conductor spoke too quickly, and I didn't understand him. I asked him if he could speak slowly, because I was deaf, and he started complaining, saying "Oh, deaf people and their problems..." (that was the only thing I understood because he made a face), and that made me sad."

(Slovenian Association of the Deaf 14 11)

"As for the awareness of drivers, security guards, conductors and other staff in the companies of transport providers, the blind and visually impaired generally rate it as good, mostly citing positive experiences. Considering that many improvements will be needed to achieve the accessibility of the built environment and information, the human factor is one of the most important aspects of enabling the greatest possible independence of blind and visually impaired passengers (in the sense that they can travel without escorts). There are still cases in which individual employees react incorrectly and inadequately when it comes to communicating with a visually impaired person."

(Association of the Blind and Visually Impaired of Slovenia)

"When I was still traveling a lot by train, I used organised assistance services at major train stations. As a rule, a security guard met me at the entrance and escorted me to the train. During the journey, major problems occurred if the line was closed and we had to take a bus for a part of the route. At the time, I really missed being escorted to the bus and then back to the train. In these cases, which happen rather often, other passengers helped me."

(Association of the Blind and Visually Impaired of Slovenia)

2.2.6 Rise in the price of transport due to a change in legislation

According to the Association of the Blind and Visually Impaired of Slovenia, one of the major obstacles in providing accessible transport for persons with sensory disabilities are the changes that came into force with the adoption of the Act Amending the Road Transport Act⁴² (the AARTA) and affect the termination of financing of drives for personal assistants. The Deafblind association of Slovenia DLAN also estimates that changes in this area "...affect the financial availability of transport".

"Since 2021, personal assistants of the blind and visually impaired are no longer entitled to a free ticket, which is an extremely big problem given their employment and social structure. Considering that persons with visual impairments mostly travel with personal assistants, this means that the cost of a ticket for said assistant must often be paid by the blind and visually impaired."

(Association of the Blind and Visually Impaired of Slovenia)

2.2.7 Violation of legal obligations regarding the accessibility of buses

In addition to warnings about the worsened financial accessibility due to changes in legislation, NGOs also draw attention to the responsibility of inter-urban regular transport operators to provide adjustments for the accessibility of buses. In accordance with Article 38 of the EOPDA, the deadline for appropriate adaptation or ensuring the accessibility of buses for the transport of passengers with disabilities expired on 11 December 2020. In their replies sent to the Advocate, NGOs point out that the providers of inter-urban regular transport have largely failed to provide said adjustments.

"Despite the relatively extensive and sufficient legislation governing the field of accessibility (the EOPDA, the Protection against Discrimination Act, the Road Transport Act, the Convention on the Rights of Persons with Disabilities, the EU Regulation and the EU Directive), blind and visually impaired persons are discriminated against in the field of accessibility of public transport. In the transitional provisions of the aforementioned legislation, the providers of public passenger transport services had a sufficiently long period of time to adapt their offer, but failed to do so, for reasons which are unknown to us. To add insult to injury, all public transport providers in road and rail transport receive public funds (subsidies from the budget or EU funds) for the provision of their services, from which it clearly follows that public funds must not discriminate against citizens when they are used."

(Association of the Blind and Visually Impaired of Slovenia)

"We believe that inter-urban regular transport providers do not comply with legal provisions and standards regarding the adaptation of transport to persons with sensory disabilities or do not provide accessibility in another appropriate way."

(Slovenian Association of the Deaf 14 11)

⁴²Act Amending the Road Transport Act (the AARTA) (Official Gazette of the RS, No. 6/16 – official consolidated text, 67/19).

2.2.8 Poor connection outside town centres

Two of the NGOs pointed out that persons with sensory disabilities face even more accessibility-related issues in inter-urban transport due to poor connections. Provided that connections exist between certain locations, buses run less frequently.

"There is also a growing fear among our members of reducing the frequency of transport on an individual line or even abolishing lines that can be of vital importance for persons with visual impairments who come from rural areas, as this is often their only option for visiting doctors, shops, and other public institutions."

(Intermunicipal Association of the Deaf and Hard of Hearing Nova Gorica)

"When it comes to inter-urban passenger transport, the situation is even more dire /.../ Poor connections between certain places exist, with buses only running a few times a day. Remote villages and towns do not even have any bus connections to town centres."

(Council of the Disabled Persons of the Municipality of Maribor)

3 SUGGESTIONS FOR IMPROVEMENT AND EXAMPLES OF GOOD PRACTICES

As part of the Advocate's enquiry, some NGOs reported examples of good practice across the country and beyond.

The Council of the Disabled Persons of the Municipality of Maribor highlighted the "DANOVA" project organized by the Municipality of Maribor, which took care of some necessary adjustments (purchase of freestanding monitors at timetable display stations, installation of platform timetables in a larger print, contrasting marking of stairs).⁴³

The project also included training for bus drivers and employees of the passenger office in order to improve competencies for the use of new services and improve the experience of the blind and visually impaired in the use of public passenger transport services. A brochure with recommendations for drivers was also prepared.

NGOs mentioned the role of a personal assistant as an important factor in making public transport accessible for persons with sensory disabilities. They estimate that they should also be provided with free transportation, as is the case in some other countries.

"For persons with deafblindness, it turns out that the presence of a personal assistant is key to ensuring the accessibility of public transport. In the absence of a personal assistant, they have huge difficulties when it comes to accessing information. These individuals have a hearing and vision impairment at the same time, which means that these two senses cannot replace one another. The free movement of persons with deafblindness outside their living spaces is also restricted, which is why the presence of a personal assistant is crucial for allowing them to safely navigate to the station."
(Deafblind association of Slovenia DLAN)

"In Germany, persons with disabilities can benefit from certain inter-urban connections free of charge (the fastest train connections are not included), and their personal assistants are also included in the ticket."
(Deafblind association of Slovenia DLAN)

"Given that the accessibility of long-distance passenger transport requires long-term solutions, it would make sense to provide a free ride for the personal assistant of a blind or visually impaired person. This is also an example of good practice from other countries. In some countries, blind and visually impaired people also benefit from discounts for transportation. This information can be obtained from the website of the European Blind Union."
(Intermunicipal Association of the Blind and Visually Impaired of Ljubljana)

NGOs also cited other types of adjustments that would facilitate access to public transport for persons with sensory disabilities. As stated by the Association of the Blind and Visually Impaired of Slovenia, this includes, among other things, audio announcements, "... which announce the upcoming station and also state on which side the door will open. This would provide blind people with unambiguous information about the side on which they should leave the bus, so that they wouldn't have to rely on their other senses (hearing, touch) in order to find out where the exit is." Audio announcement in some buses in other countries inform the sensory impaired about breakdowns of means of transport in real time and other special features to which persons with disabilities must pay attention.

⁴³ Available at: <https://maribor.si/projekti/danova-innovative-transportation-services-for-blind-and-partially-sighted-passengers-in-danube-region-2/>.

Some buses also allow for audio announcements of numbers and directions of travel. The Association also drew attention to the necessity of contrastingly marked edges of the stairs at the stations, bells to help the blind and visually impaired at the main entrance to the station, and tactile maps at bus stations.

The Slovenian Association of the Deaf 14 11 drew attention to the need to educate staff (drivers, conductors, ticket sellers) in sign language. As an example of good practice, they cited a seat reservation system that allows deaf and hard-of-hearing people to be near visual or vibrational communication devices while driving.

"With the aim of improving the situation, we propose the introduction of multilaterally adapted information points at stations where information would be accessible through speakers, induction loops, and Braille."
(Deafblind association of Slovenia DLAN)

4 KEY FINDINGS AND RECOMMENDATIONS

4.1 Key findings

According to the information received by the MECE and from NGOs, the current situation in the field of accessibility of public bus transport for persons with disabilities constitutes a violation of legal obligations.

Pursuant to Article 16 of the EOPDA, the State is obliged to organize a public utility service of public regular transport of passengers in such a way that the buses used by operators are accessible to individuals with sensory disabilities (and reduced mobility). When the public utility service provider cannot provide inter-urban regular transport adapted for persons with reduced mobility and sensory disabilities using regular bus lines, it must provide them with another appropriate mode of transport, if this does not represent a disproportionate burden for them.

For the provision of the public utility service of public regular passenger transport, the State grants a concession to a natural or legal person who meets the conditions for performing the public utility service in accordance with the Decree on the manner of performing the public service obligation, of the passenger transport in domestic road transport, on the concession of this public service and on the regulation of the integrated ticket system. The Regulation lays down in more detail the manner of performing the public utility service, the content and obligations of this public service, the rights of passengers, financing, the manner of granting the concession and the control over its implementation.

In accordance with Article 19 of the Decree, the tender for the award of the concession should also determine the requirements on the number and characteristics of vehicles. It follows from the replies by the MECE, which perform the tasks of the grantor in the concession award procedure and the concession relationship, that in the tender for the concession award, the characteristics of vehicles in terms of adaptability for passengers with disabilities were not prescribed.

In addition, the MECE has not yet adopted any standards or rules regarding the specific characteristics of buses in order to meet the accessibility requirement for persons with reduced mobility and sensory disabilities as required by Article 16 of the EOPDA. The Ministry also failed to adopt any standards or rules regarding the number of buses that the contractor should adapt in order to meet the requirement of accessibility of bus transport to persons with disabilities. As a result, the Ministry also does not keep any records or monitor whether the buses used in implementing the concession are appropriately adapted to passengers with disabilities.

At the 11th session of the National Council at the Commission for Social Welfare, Labour, Health and the Disabled, held on 28 August 2023, a representative of the MECE explained that a special Public Passenger Transport Management Company was established in 2022. This company was also tasked with the implementation of legal obligations regarding the accessibility of public passenger transport. The Ministry states that, among other things, they are also planning the revision⁴⁴ of the "central information system to support integrated public passenger transport. The published inquiry also contains questions related to technical solutions for various types of disabilities, including for persons with sensory disabilities." The revised information system is expected to be implemented in early 2025.⁴⁵

The deadline for the appropriate accommodation of buses for the transport of passengers with disabilities in road transport in terms of ensuring accessibility expired on 11 December 2020. Hence, the current situation in the field of accessibility of public bus transport is unacceptable, especially from the perspective of protection against discrimination under the PADA. Persons with disabilities are still not guaranteed access to public transport in road transport at the level required by the UNCRPD and the EOPDA.

According to the NGOs that responded to the Advocate's inquiry, the following also contributes to the poor situation regarding the accessibility of public inter-urban bus transport for persons with sensory disabilities:

1. According to some NGOs, information on bus arrivals and departures and prices available online or in mobile applications do not comply with the guidelines for the accessibility of websites and mobile applications.
2. The stops are not adapted from the technical point of view, and there is also a lack of technical and other adjustments (e.g. tactile markings, sound information). Information on bus arrivals and departures, as well as other indications, are often too small, unreadable, and poorly lit.
3. Buses are physically inaccessible and insufficiently equipped with written and tactile markings and audio announcements. If devices for audible announcements are present in buses, they are often turned off or too silent.
4. Several NGOs have reported that bus drivers have refused to accept guide dogs for their members, or want to charge them additional fares for transporting said guide dog.
5. With the amendment of the legislation in 2020 and 2021, personal assistants of persons with disabilities are no longer entitled to a free ride using means of regular public transport.
6. The frequency of transport on individual lines is decreasing; in some cases lines in the suburban and rural environment are being discontinued, which poses a major problem for persons with sensory disabilities, as this is often their only option for visiting a doctor, a store, and other public institutions.

⁴⁴Available at: <https://www.gov.si/zbirke/javne-objave/povabilo-k-sodelovanju-pri-predhodnem-preverjanju-trga-prenova-osrednjega-informacijskega-sistema-za-podporo-integriranemu-javnemu-potniskemu-prometu-v-republiki-sloveniji/>.

⁴⁵Response of the Ministry of the Environment, Climate and Energy, 23 October 2023, to the Advocate's enquiry regarding the accessibility of road transport for persons with sensory disabilities (0709-48/2023/34).

According to NGOs, the availability of information on timetables, price lists, and other relevant information on transport on websites and in applications should be improved. They are warning of the need for construction and technical adaptation of stations and buses with tactile markings, sound announcements, and legible contrasting inscriptions, as well as other technical equipment (e.g. induction loop). Personal assistants play an important role in enabling accessible and safe transport for persons with sensory disabilities. They should also be eligible for free rides.

4.2 Recommendations by the Advocate

The Advocate recommends that **the Ministry of the Environment, Climate and Energy**:

1. adds the mandatory compliance of the digital platforms for finding information on bus transport with the requirements of the first paragraph of Article 5 of the Accessibility of Websites and Mobile Applications Act to public tenders as a condition for granting a concession to providers for the provision of regularly scheduled public passenger services, thus also making them available for persons with disabilities.
2. ensures the accessibility of bus stops and other infrastructure facilities to persons with disabilities, as provided for in Articles 112 and 112a of the Road Transport Act, in cooperation with the Infrastructure Directorate of the Republic of Slovenia and self-governing local communities.
3. adds the mandatory education of drivers about the right of persons with disabilities to enter their buses with a guide dog, whereby said driver must also not charge any additional costs for the dog, as provided for in the fifth and sixth paragraph of Article 16 of the Equalisation of Opportunities for Persons with Disabilities Act and Article 13 of the Animal Protection Act, to public tenders as a condition for granting a concession to providers for the provision of regularly scheduled public passenger services.
4. prepares an amendment to Article 114b of the Road Transport Act so that, in addition to the users of the European Disability Benefits Card, their companions who accompany them during public passenger transport will also be entitled to free transport.

As part of the special report entitled "Inaccessibility of Public Inter-urban Bus Service for Persons with Reduced Mobility" (June 2023)⁴⁶, the Advocate recommended that the **Ministry of the Environment, Climate and Energy**:

1. in the shortest possible time, formulates minimum standards or criteria that any concessionaire must meet in order to fulfil the conditions under Article 16 of the Equalisation of Opportunities for Persons with Disabilities Act. This Article stipulates that buses used for the provision of public regular road transport of passengers in the form of a public utility service must be accessible to passengers with reduced mobility and sensory disabilities.
2. in line with the provision of the paragraph one of Article 19 of the Decree on the manner of performing the public service obligation, of the passenger transport in domestic road transport, on the concession of this public service and on the regulation of the integrated ticket system⁴⁷ (Decree), in the public procurement procedure for the selection of concessionaires the manner in which buses must be adapted shall be determined as well as the proportion of buses used by the concessionaire which must be adapted to persons with reduced mobility and sensory disabilities in order to fulfil the legal obligation under the EOPDA.

⁴⁶Available at: <https://zagovornik.si/en/what-we-do/>

⁴⁷Decree on the method of providing regularly scheduled public bus services as a service of general economic interest, on concessions for such service and on the integrated ticketing system (Official Gazette of the RS 109/21, 181/21, 54/22 – Management of Public Passenger Transport Act, 56/22 and 48/23). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED8123>.

3. a clear and accessible transparency system must be established, showing whether the buses used by concessionaires to perform the public utility service are appropriately adapted to persons with reduced mobility and sensory disabilities and on the basis of this the supervision task referred to in Article 51 of the Decree should be performed.
4. ensures additional financial resources for the purpose of adapting buses to persons with reduced mobility and sensory disabilities.

ACRONYMS AND ABBREVIATIONS

APPD	Action Programme for Persons with Disabilities 2022–2030
NA	National Assembly of the Republic of Slovenia
EU	European Union
IPPT	Integrated public passenger transport
PPT	Public passenger transport
UNCRPD	Convention on the Rights of Persons with Disabilities
MECE	Ministry of Environment, Climate and Energy
MoI	Ministry of Infrastructure
NSIOS	National Council of Disabled People's Organisations of Slovenia
RS	Republic of Slovenia
Decree	Decree on the method of providing regularly scheduled public bus services as a service of general economic interest, on concessions for such service and on the integrated ticketing system
Advocate	The Advocate of the Principle of Equality
SAA	State Administration Act
EOPDA	Equalisation of Opportunities for Persons with Disabilities Act
RTA	Road Transport Act
AARTA	Act Amending the Road Transport Act
PADA	Protection against Discrimination Act
Association	Association of the Blind and Visually Impaired of Slovenia
APA	Animal Protection Act

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- the Intermunicipal Association of the Blind and Visually Impaired of Novo Mesto
- the Council of the Disabled Persons of the Municipality of Maribor
- the Slovenian Association of the Deaf 14 11
- the Deafblind Association of Slovenia DLAN
- the Association of the Blind and Visually Impaired of Slovenia

Inaccessibility of Public Inter-urban Bus Service for Persons with Sensory Disabilities – Special Report

Issued by

The Advocate of the Principle of Equality

On behalf of the Advocate

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The purpose of the Advocate's Special Report is to increase the accessibility of public inter-urban bus transport for persons with sensory disabilities. According to the Equalisation of Opportunities for Persons with Disabilities Act, equal opportunities in access to transport in public road and rail transport must be ensured.

The Special Report finds that public inter-urban bus transport is not accessible for persons with sensory disabilities. There are several reasons for this, including inaccessible websites and applications regarding bus transport, lack of technical and other adjustments on buses, inaccessible bus infrastructure, and lack of knowledge of the duties of drivers regarding the provision of access to buses for persons with sensory disabilities with a guide dog.

The Special Report also summarizes international documents and national regulations to which the Republic of Slovenia has committed itself, and further contains recommendations to the competent ministry to improve the accessibility of public inter-urban bus transport for persons with sensory disabilities.

The Advocate of the Principle of Equality is an independent state authority established to ensure the protection against discrimination, promotion of equality, equal treatment, and equal opportunities. It was established in 2016 on the basis of a newly adopted Protection Against Discrimination Act with which Slovenia transposed and implemented the five European Equality Directives. The institution is a member of the European Network of Equality Bodies – Equinet.

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