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From:	General Secretariat of the Council
To:	Working Party on Transport - Intermodal Questions and Networks
Subject:	Passenger Package questions from Italy– Intermodal WP 09.07.2026

Delegations will find attached the written questions from **Italy** on the above subject.

Italian questions on the Passenger Package proposals

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Please find below the questions submitted by the Italian authorities regarding the 3 Passenger Package proposals. Italy would like to thank the Presidency and the European Commission for the opportunity to submit these questions and receive clarifications during the Working Party meeting on 9 July 2026, and reserves the possibility of submitting additional questions should further issues arise during the ongoing examination of the proposals.

I. Multimodal Digital Mobility Services (MDMS)

Question 1 – Definition of commercially sensitive data
Article 5(2)(a) refers to commercially sensitive data shared by transport operators. Could the Commission clarify whether it intends to provide a more detailed and harmonised definition of this concept, including its relationship with existing data classifications used in EU transport legislation, such as the distinction between static and dynamic data under Regulation (EU) 2017/1926, in order to support a consistent application across Member States?

Question 2 – Passenger volume data
Article 10 provides for the sharing of passenger volume data with public transport authorities. Could the Commission clarify whether common methodologies, indicators or reporting standards are envisaged for the collection and measurement of such data, in order to ensure a harmonised implementation of this obligation across the Union?

Question 3 – Market dominance threshold
The proposed Regulation identifies dominant transport operators on the basis of a 50% market share threshold. Could the Commission explain the rationale for calculating this threshold by including both open-access services and services operated under public service obligations (PSO), despite the different economic and competitive conditions characterising these market segments?

II. Rail Ticketing Regulation (RTR)

Question 1 – Consistency with the EU cybersecurity framework
Article 6(2)(e) of the proposed Rail Ticket Regulation allows railway service providers to impose fair, reasonable and non-discriminatory cybersecurity-related conditions on online ticket distributors. Could the Commission clarify how this provision is intended to interact with existing EU cybersecurity legislation, in particular the NIS2 Directive and other relevant horizontal digital legislation? Further clarification would be appreciated to ensure a consistent interpretation and application of the respective obligations across the Union.

Question 2 – Reference to the NIS2 Directive
Given that cybersecurity is recognised as an essential element of the digital rail ticketing ecosystem, has the Commission considered including an explicit reference to the NIS2 Directive, for instance in a recital, as the relevant horizontal framework? Furthermore, has the Commission assessed whether the proposed provision could give rise to overlaps or divergent interpretations in relation to existing national and EU cybersecurity requirements, and how a coherent application of the rules can be ensured without creating additional burdens for railway sector operators?

Question 3 – Scope of the definition of "online ticket service provider"
Could the Commission clarify whether the definition of "online ticket service provider" covers travel agencies acting as intermediaries in the sale of rail tickets? In this regard, it would be helpful

to explain how this concept relates to the definitions of "retailer" and "distributor" set out in Article 3(6) and (7).

Question 4 – Obligation to enter into commercial negotiations
Where travel agencies fall within the scope of the definition of "online ticket service provider", could the Commission clarify whether the obligation on railway service providers to enter into negotiations for a commercial agreement implies any form of obligation to contract, or whether railway service providers remain free to decide whether to conclude such agreements? Furthermore, does this obligation apply equally to all intermediaries seeking access to rail ticket distribution services?

Question 5 – Commercial terms and connection costs under Article 6
Article 6(1)(g) refers to the conclusion of a commercial agreement, while Article 6(2) provides that reasonable costs of connecting to the railway service provider's operational systems shall be borne by the ticket service provider. Could the Commission clarify whether the proposed Regulation envisages that commercial agreements may include additional charges beyond such connection costs and, if so, what limits or safeguards would apply?

Question 6 – Online and offline sales channels
Could the Commission clarify whether the notion of "online ticket service provider" is limited to operators selling tickets through websites and e-commerce platforms, or whether it also covers travel agencies selling rail tickets through offline channels, intranet systems, or dedicated portals made available by railway service providers? In particular, clarification would be appreciated regarding the treatment of sales carried out through dedicated agency platforms and professional distribution systems.

Question 7 – Harmonised interpretation of data quality requirements
Article 6(5) empowers the Commission to adopt implementing acts laying down detailed provisions for the *harmonised interpretation of fair and non-discriminatory conditions in commercial agreements between railway service providers and online ticket service providers*. Does the Commission envisage addressing, within those implementing acts, common definitions and metrics relating to the accuracy, completeness and timeliness of the data referred to in Article 6(1)(d) and Article 6(3)(b), in order to ensure a uniform application of these requirements across Member States?

Question 8 – Relationship with existing rules on access to railway services
Has the Commission assessed how the provisions of the proposed Regulation, in particular those relating to access to distribution systems and the visibility of services, interact with the existing regulatory framework governing access to railway services and service facilities, including Commission Implementing Regulation (EU) 2017/2177? In particular, would the Commission consider referring to principles such as transparency, non-discrimination and equal visibility of services, in order to ensure consistency with existing sector-specific rules?

III. Revision of Regulation (EU) 2021/782 on Rail Passengers' Rights

Question 1 – Allocation of responsibilities for single tickets
The proposal would allow single tickets to be created by third-party distributors, even in the absence of commercial agreements between the railway undertakings concerned, provided that the minimum connection time is respected. Could the Commission explain the rationale for assigning

the obligations relating to assistance, rerouting and compensation to railway undertakings in relation to travel combinations created by third parties without the direct involvement of those undertakings?

Question 2 – Economic management of risks linked to single tickets

Has the Commission considered how railway undertakings are expected to manage the financial risks associated with the sale of single tickets, including the costs of rerouting, assistance and compensation? In particular, has the Commission assessed whether such risks may ultimately be reflected in ticket prices or otherwise affect the economic sustainability of rail services?

Question 3 – Impact on regional and low-revenue services

Has the Commission carried out a specific assessment of the economic impact of the proposed assistance and rerouting obligations on regional services and on services characterised by low ticket revenues? If so, could the Commission provide further information on the results of that assessment?

Question 4 – Impact on PSO compensation and service provision

Has the Commission assessed the risk that the additional costs resulting from the proposal could lead to higher levels of public compensation for PSO services or, alternatively, to a reduction in commercial service offerings, with potential socio-economic consequences for passengers and public authorities?

IV. Horizontal questions (all three proposals)

Question 1 – Phased implementation

Has the Commission considered introducing transitional periods or a phased implementation approach for the obligations and passenger rights provided for in the three proposals, in order to facilitate compliance by the operators concerned and ensure an effective and proportionate implementation of the new framework?

Question 2 – Consistency with operational and interoperability frameworks

How does the Commission envisage ensuring consistency between the proposed rules on ticketing, multimodal services and passenger rights, on the one hand, and the existing EU framework governing transport interoperability and operational management systems, on the other? In particular, how will the proposed framework take into account the need to ensure, within reasonable operational margins, the reliability of connections, timetables and planned service levels underlying integrated and multimodal travel offers?

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