STATUTORY INSTRUMENTS

2002 No. 1762

DISABLED PERSONS TRANSPORT

The Rail Vehicle Accessibility (South West Trains Class 458 Vehicles) Exemption (Amendment) Order 2002

Made - - - -	*10th July 2002*
Laid before Parliament	*10th July 2002*
Coming into force - -	*31st July 2002*

The Secretary of State, in exercise of the powers conferred on him by section 47 of the Disability Discrimination Act 1995(**1**) and of all other powers enabling him in that behalf, having consulted the Disabled Persons Transport Advisory Committee and such other persons as he considered appropriate in accordance with section 47(3) of that Act, hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Rail Vehicle Accessibility (South West Trains Class 458 Vehicles) Exemption (Amendment) Order 2002 and shall come into force on 31st July 2002.

Amendment

2.—(1) The Rail Vehicle Accessibility (South West Trains Class 458 Vehicles) Exemption Order 2002(**2**) shall be amended as follows.

(2) For article 2 there shall be substituted—

"**2.** In this Order—

any reference to a numbered regulation is a reference to a regulation bearing that number in the Rail Vehicle Accessibility Regulations 1998(**3**) and "class of passenger accommodation" shall have the same meaning in this Order as it has in those Regulations;

"carriage door control device" means a door control device which operates a power operated door and is situated within a carriage either—

(**1**) 1995 c. 50.
(**2**) S.I. 2002/656.
(**3**) S.I. 1998/2456, amended by S.I. 2000/3215.

(a)　so as to provide passenger access between different classes of passenger accommodation in an exempted vehicle; or

(b)　in the end of an exempted vehicle so as to provide passenger access into a corridor connecting one exempted vehicle with another; and

"corridor door control device" means a door control device situated inside a corridor connecting one exempted vehicle with another and which operates a power operated door so to provide passenger access out of that corridor.".

(3)　For article 5 there shall be substituted—

"**5.**—(1)　It is a condition of the exemption given by article 4(2) above in relation to regulation 5(1)(b), in so far as it applies to any carriage door control device, that the control device is operable by the palm of the hand exerting a force not exceeding 40 newtons.

(2)　It is a condition of the exemption given by article 4(2) above in relation to regulation 5(1)(b), in so far as it applies to any corridor door control device, that—

(a)　the control device is operable by the palm of the hand exerting a force not exceeding 40 newtons; and

(b)　any door in the end of an exempted vehicle shall remain open for a period of not less than 20 seconds before it starts to close .".

(4)　For article 6(3) there shall be substituted—

"(3)　The exemption given in respect of regulation 5(1)(b) shall cease—

(a)　in so far as it applies to any carriage door control device—

(i)　at the end of 31st July 2003; or

(ii)　in respect of an exempted vehicle in which all carriage door control devices are replaced before that date, when such replacement is completed; and

(b)　at the end of 31st July 2012 in so far as it applies to any corridor door control device.".

Signed by authority of the Secretary of State for Transport

David Jamieson
Parliamentary Under Secretary of State,
10th July 2002　　　　　　　　　　　　　　　　　　　　Department for Transport

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Rail Vehicle Accessibility (South West Trains Class 458 Vehicles) Exemption Order 2002 (S.I.2002/656), which authorises the use of specified rail vehicles even though they do not conform with the Rail Vehicle Accessibility Regulations 1998 (S.I. 1998/2456, amended by S.I. 2000/3215). This Order extends the expiry date for the exemption given in respect of the amount of force required to operate door control devices inside an exempted vehicle.

The Order sets different time limits and conditions on the authorisation depending on the location of the door control device concerned.