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STATUTORY INSTRUMENTS

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**2004 No. 955**

**DISABLED PERSONS**

**TRANSPORT**

**The Rail Vehicle Accessibility (CrossCountry Trains  
Class 220 and Class 221) Exemption Order 2004**

<i>Made</i>	- - - -	<i>29th March 2004</i>
<i>Laid before Parliament</i>		<i>6th April 2004</i>
<i>Coming into force</i>	- -	<i>30th April 2004</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 47(1), (3) and (4) of the Disability Discrimination Act 1995(1), 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 (CrossCountry Trains Class 220 and Class 221) Exemption Order 2004 and shall come into force on 30th April 2004.

**Interpretation**

2. In this Order—

(a) any reference to—

(i) “Class 220 DEMUs” is a reference to the diesel electric multiple-units numbered 220001 to 220034; and

(ii) “Class 221 DEMUs” is a reference to the diesel electric multiple-units numbered 221101 to 221144,

as manufactured by Crossfleet Limited in Belgium and the United Kingdom for use by CrossCountry Trains Limited; and

(b) any reference to a numbered regulation is a reference to a regulation bearing that number in the Rail Vehicle Accessibility Regulations 1998(2).

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(1) 1995 c. 50.

(2) S.I. 1998/2456, to which amendments have been made which are not relevant to this Order.

### **Authorisation and exemption for Class 220 DEMUs**

3. Subject to articles 5 to 7—
- (a) the rail vehicles numbered 60201 to 60234, 60301 to 60334, 60401 to 60434 and 60701 to 60734, which form the Class 220 DEMUs, are authorised to be used for carriage even though they do not conform with regulation 7(b); and
  - (b) the rail vehicles numbered 60201 to 60234, 60301 to 60334 and 60401 to 60434, which form part of the Class 220 DEMUs, are authorised to be used for carriage even though they do not conform with regulation 20(1)(b).

### **Authorisation and exemption for Class 221 DEMUs**

4. Subject to articles 5 to 7—
- (a) the rail vehicles numbered 60351 to 60394, 60451 to 60494, 60751 to 60794, 60851 to 60890 and 60951 to 60994, which form the Class 221 DEMUs, are authorised to be used for carriage even though they do not conform with regulation 7(b); and
  - (b) the rail vehicles numbered 60351 to 60394, 60451 to 60494, 60851 to 60890 and 60951 to 60994, which form part of the Class 221 DEMUs, are authorised to be used for carriage even though they do not conform with regulation 20(1)(b).

### **Condition**

5. It is a condition of the exemptions granted by articles 3(b) and 4(b) that the width of the doorway of any toilet cubicle to which regulation 20(1)(b) applies, and which is situated in any of the numbered rail vehicles specified in those articles, shall measure not less than 800 millimetres at any point.

### **Expiry**

6.—(1) The exemptions granted by articles 3(b) and 4(b), in respect of regulation 20(1)(b), shall cease at the end of April 2005.

(2) The exemptions granted by articles 3(a) and 4(a), in respect of regulation 7(b), shall cease at the end of April 2014.

7. The authorisation given by articles 3 and 4 shall cease immediately in respect of any numbered rail vehicle if the diesel electric multiple-unit of which that vehicle forms a part is operated by a person other than CrossCountry Trains Limited unless the Secretary of State has been given written notice in advance specifying the name and address of that other person.

Signed by authority of the Secretary of State for Transport

29th March 2004

*Tony McNulty*  
Parliamentary Under Secretary of State,  
Department for Transport

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order authorises specified rail vehicles in the fleets of Class 220 and Class 221 diesel electric multiple-units to be used for carriage even though they do not conform with certain requirements of the Rail Vehicle Accessibility Regulations 1998 (S.I.1998/2456, amended by S.I. 2000/3215) because:

the colour of the carpet in the vestibules does not contrast with the adjacent carpet in the passenger saloons; and

the doorways of the wheelchair accessible toilet cubicles have a width less than the minimum required by the Regulations.

The Order imposes a condition on the authorisation and sets time limits.