

1999 No. 520

DISABLED PERSONS

TRANSPORT

**The Rail Vehicle Accessibility (Midland Metro T69
Vehicles) Exemption Order 1999**

Made - - - - - 2nd March 1999

Laid before Parliament 9th March 1999

Coming into force 1st April 1999

The Secretary of State in exercise of the powers conferred on him by section 47 of the Disability Discrimination Act 1995^(a) 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 the said Act, hereby makes the following Order:—

1. This Order may be cited as the Rail Vehicle Accessibility (Midland Metro T69 Vehicles) Exemption Order 1999 and shall come into force on 1st April 1999.

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

3. This order applies to the rail vehicles numbered 1 to 16 of the class known as “Light Rail Vehicle Type T69” (‘the exempted vehicles’) as manufactured by Ansaldo Transport S.p.A. for use on Line 1 of the Midland Metro System.

4.—(1) Subject to articles 5 and 6 below, the exempted vehicles are hereby authorised to be used for carriage even though they do not conform with those provisions of the Rail Vehicle Accessibility Regulations 1998 referred to in paragraph (2) below.

(2) The provisions with which the exempted vehicles are not required to conform are regulations—

- 4(3)(a);
- 11(1)(a) and (b), (2)(c) and (3);
- 13(7); and
- 16(1)(a), (c) and (e)(ii), (iii) and (iv).

5.—(1) The exemption given in respect of regulations 4(3)(a), 11(2)(c), and (3) and 16(1)(a), (c) and (e)(ii), (iii) and (iv) shall cease on 31st July 1999.

^(a) 1995 c. 50.
^(b) S.I. 1998/2456.

(2) The exemption given in respect of regulation 13(7) shall cease on 31st December 2010.

(3) The exemption given in respect of regulation 11(1)(a) and (b) shall cease on 31st December 2038.

6.—(1) The exemption given in respect of regulation 4(3)(a) shall have effect only if all the exempted vehicle's doors which may be used by passengers at a station or a tram stop are opened by a member of the operator's staff at that station or tram stop.

(2) If any alteration is made to an external doorway of an exempted vehicle or to the door-operating mechanism of such a doorway then the authorisation to use that vehicle even though that doorway does not have handrails which conform to regulation 11(1)(a) shall cease to have effect in relation to that vehicle.

(3) If any alteration is made to the layout of the seats or handrails inside an exempted vehicle then the authorisation to use that vehicle even though such handrails do not conform to regulation 11(1)(b) shall cease to have effect in relation to that vehicle.

(4) The exemption given in respect of the requirements of regulation 11(3) shall have effect only if a member of the operator's staff provides assistance on request to a disabled person who wants to travel in the upper passenger saloon of an exempted vehicle.

(5) The authorisation shall cease forthwith in respect of an exempted vehicle:

- (a) which is operated by a person other than West Midlands Travel Limited unless the Secretary of State has been given written notice in advance specifying the name and address of that other person; or
- (b) which is operated on a route other than that authorised to be constructed by the Midland Metro Act 1989(a) unless the Secretary of State has been given written notice in advance of that other route with a plan showing that route.

Signed by authority of the Secretary
of State for the Environment, Transport
and the Regions

Glenda Jackson
Parliamentary Under Secretary of State,
Department of the Environment,
Transport and the Regions

2nd March 1999

(a) 1989 c. xv.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order authorises the use of T69 Vehicles numbers 1 to 16 on Line 1 of the Midland Metro System although they do not conform with certain provisions of the Rail Vehicle Accessibility Regulations 1998. It sets time limits on the authorisations and imposes conditions.

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