

2000 No. 1441

DISABLED PERSONS

TRANSPORT

**The Rail Vehicle Accessibility
(Central Trains Class 170/5 and Class 170/6 Vehicles)
Exemption Order 2000**

<i>Made - - - -</i>	<i>31st May 2000</i>
<i>Laid before Parliament</i>	<i>1st June 2000</i>
<i>Coming into force</i>	<i>22nd June 2000</i>

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 (Central Trains Class 170/5 and Class 170/6 Vehicles) Exemption Order 2000 and shall come into force on 22nd June 2000.

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 which—

- (a) are numbered 50501 to 50523 and 79501 to 79523 and which form the diesel multiple-units numbered 170501 to 170523 of the class known as “Class 170/5”, and
- (b) are numbered 50630 to 50639 and 56630 to 56639 and 79630 to 79639 and which form the diesel multiple-units numbered 170630 to 170639 of the class known as “Class 170/6”,

(“the exempted vehicles”) as manufactured by ABB Daimler-Benz Transportation (UK) Limited for use by Central Trains Limited.

4.—(1) Subject to articles 5, 6, 7 and 8 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.

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

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

- (a) regulation 4(3)(b);
- (b) regulation 5, but only in so far as it relates to control devices which are not operated by the application of pressure and which do not control doors which are in the side of an exempted vehicle, and subject to the condition specified in article 5 below;
- (c) regulation 5(1)(a), but only in so far as it relates to door control devices in the side of an exempted vehicle; and
- (d) regulation 13, but only in so far as it relates to the public address system for visual announcements inside the passenger saloon of an exempted vehicle, and subject to the conditions specified in article 6 below.

5. In relation to a control device fitted to a door between a passenger saloon and a vestibule adjoining a doorway in the side of a vehicle, the exemption given by article 4(2)(b) above shall only apply while instructions for the operation of the door in question are displayed on a sign—

- (a) placed on or near that door and on the same side of the door as the control device in question; and
- (b) on which the letters, numbers or diagrams which constitute the instructions contrast with their background and are identifiable by touch.

6.—(1) The exemption given in respect of regulation 13 shall apply only in relation to any exempted vehicle for a period during which the operator provides in that vehicle or, where an exempted vehicle forms part of a train, in that train a person who complies with the requirements specified in paragraph (2) below.

(2) The requirements are that the person shall—

- (a) have attended a training course, which has been approved by the Secretary of State, to be trained in awareness of the needs of persons with hearing disabilities;
- (b) be equipped with writing paper, a pen and a printed timetable showing the services on the route on which the exempted vehicle is being used and the times of arrival at each station on that route; and
- (c) be reasonably available to provide persons with hearing disabilities in the exempted vehicle with the information which is required by regulation 13(4) and (5) to be displayed on public address systems for visual announcements in a regulated rail vehicle which is not an exempted vehicle.

7.—(1) The exemption given in respect of regulation 4(3)(b) shall cease at the end of 31st December 2000.

(2) The exemption given in respect of regulation 5 shall cease—

- (a) at the end of 31st December 2001 in relation to control devices fitted to doors between the vestibule adjoining a doorway in the side of a vehicle and the passenger saloon; and
- (b) at the end of 31st December 2011 in relation to control devices fitted to doors in the ends of the exempted vehicles.

(3) The exemption given in respect of regulation 5(1)(a) shall cease at the end of 31st December 2010.

(4) The exemption given in respect of regulation 13 shall cease at the end of 7th January 2001.

8. The authorisation shall cease forthwith in respect of an exempted vehicle which is operated by a person other than Central Trains Limited unless the Secretary of State has been given written notice in advance specifying the name and address of that other person.

9. The Rail Vehicle Accessibility (Central Trains Class 170/5 Vehicles) Exemption Order 1999^(a) is hereby revoked.

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

31st May 2000

Gus Macdonald
Minister of State,
Department of the Environment,
Transport and the Regions

^(a) S.I. 1999/1932.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order authorises the use of specified rail vehicles forming Class 170/5 and Class 170/6 diesel multiple-units, although they do not conform with certain requirements of the Rail Vehicle Accessibility Regulations 1998 because:

- warning sounds are emitted whenever the passenger doors in the sides of the vehicles are closed;
- passenger operation of some doors is by means of beam operated door sensors;
- some of the door controls are not at the required height; and
- the interior visual public address systems does not display the required information

It sets time limits on the authorisation and imposes conditions.

Central Trains previously had certain exemptions for some of the vehicles covered by this Order by virtue of the Rail Vehicle Accessibility (Central Trains Class 170/5 Vehicles) Exemption Order, which is revoked by this order.

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