

2002 No. 285

**DISABLED PERSONS
TRANSPORT**

**The Rail Vehicle Accessibility (East Hayling Light Railway
Vehicles) Exemption Order 2002**

Made - - - - - *11th February 2002*
Laid before Parliament *13th February 2002*
Coming into force - - - *7th March 2002*

The Secretary of State in exercise of the powers conferred on him by section 47(1) 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 that Act, hereby makes the following Order:

Citation and Commencement

1. This Order may be cited as the Rail Vehicle Accessibility (East Hayling Light Railway Vehicles) Exemption Order 2002 and shall come into force on 7th March 2002.

Interpretation

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) and expressions used in those Regulations shall have the same meaning in this Order as they have in those Regulations.

Application

3.—(1) This Order applies to any rail vehicle of the types known as Coach Type A, B, C, D or E (“the exempted vehicles”) as built by East Hayling Light Railway Limited for its own use.

(2) In paragraph (1) above, any reference to a vehicle of a particular Coach Type is to a vehicle that complies with the specifications shown in the diagram relating to that type in the Schedule to this Order.

Exemption

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—
- (a) regulation 4(2);
 - (b) regulation 4(3);

(a) 1995 c. 50.
(b) S.I. 1998/2456, as amended by S.I. 2000/3215.

- (c) regulation 8(3);
- (d) regulation 13;
- (e) regulation 16(1)(a);
- (f) regulation 16(1)(c);
- (g) regulation 19(2); and
- (h) regulation 19(5).

- 5.—(1) The exemption given by article 4(2)(e) in respect of regulation 16(1)(a)—
- (a) only extends to Coach Types B, C and D; and
 - (b) only if any wheelchair space in Coach Types B, C or D is not less than 1,300 millimetres long measured in the transverse plane of that vehicle and not less than 750 millimetres wide measured in the longitudinal plane of that vehicle.
- (2) It is a condition of the exemptions given by article 4 that the exempted vehicles shall not be operated between sunset and sunrise.
6. The authorisation shall cease forthwith in respect of an exempted vehicle that is—
- (a) modified to use any form of electrical power supply; or
 - (b) operated by a person other than East Hayling Light Railway Limited unless the Secretary of State has been given written notice in advance specifying the name and address of that other person; or
 - (c) not operated on Hayling Island in the County of Hampshire.

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

11th February 2002

Sally Keeble
Parliamentary Under-Secretary of State,
Department for Transport,
Local Government and the Regions

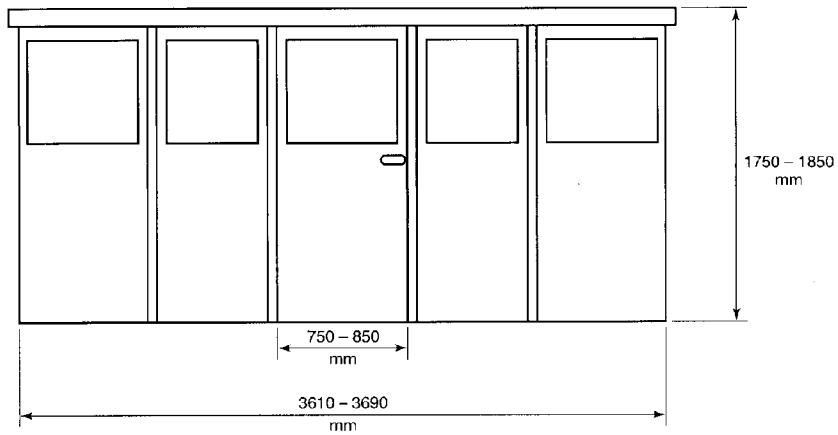
Schedule

Article 3

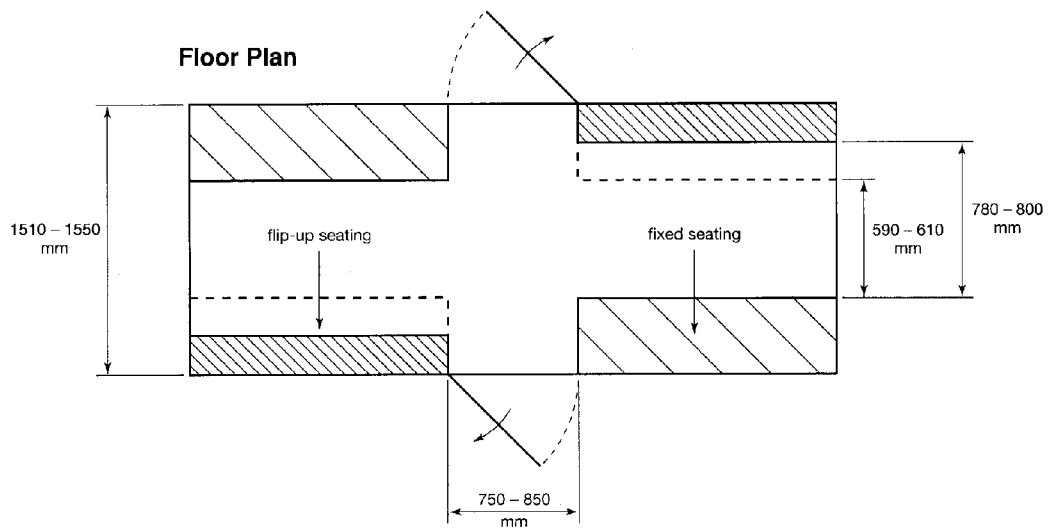
(Note: the diagrams are not to scale)

Coach Type A

Exterior Side Elevation

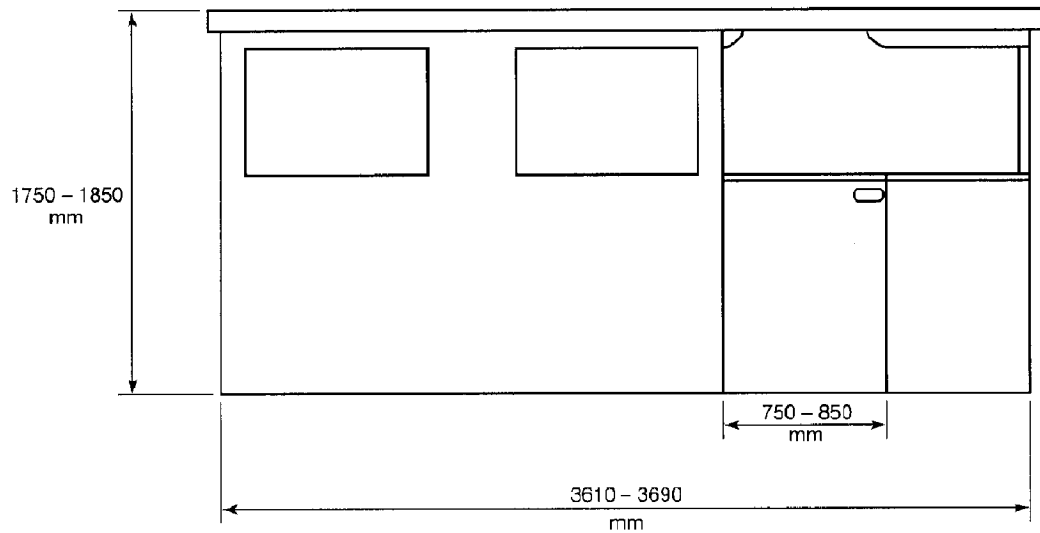


Floor Plan

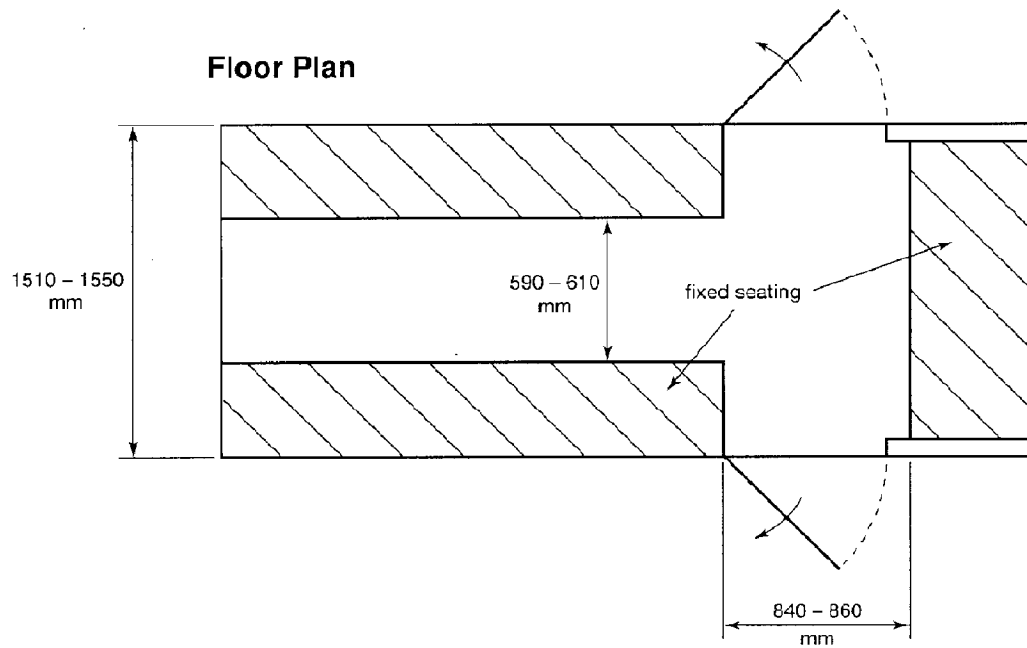


Coach Type B

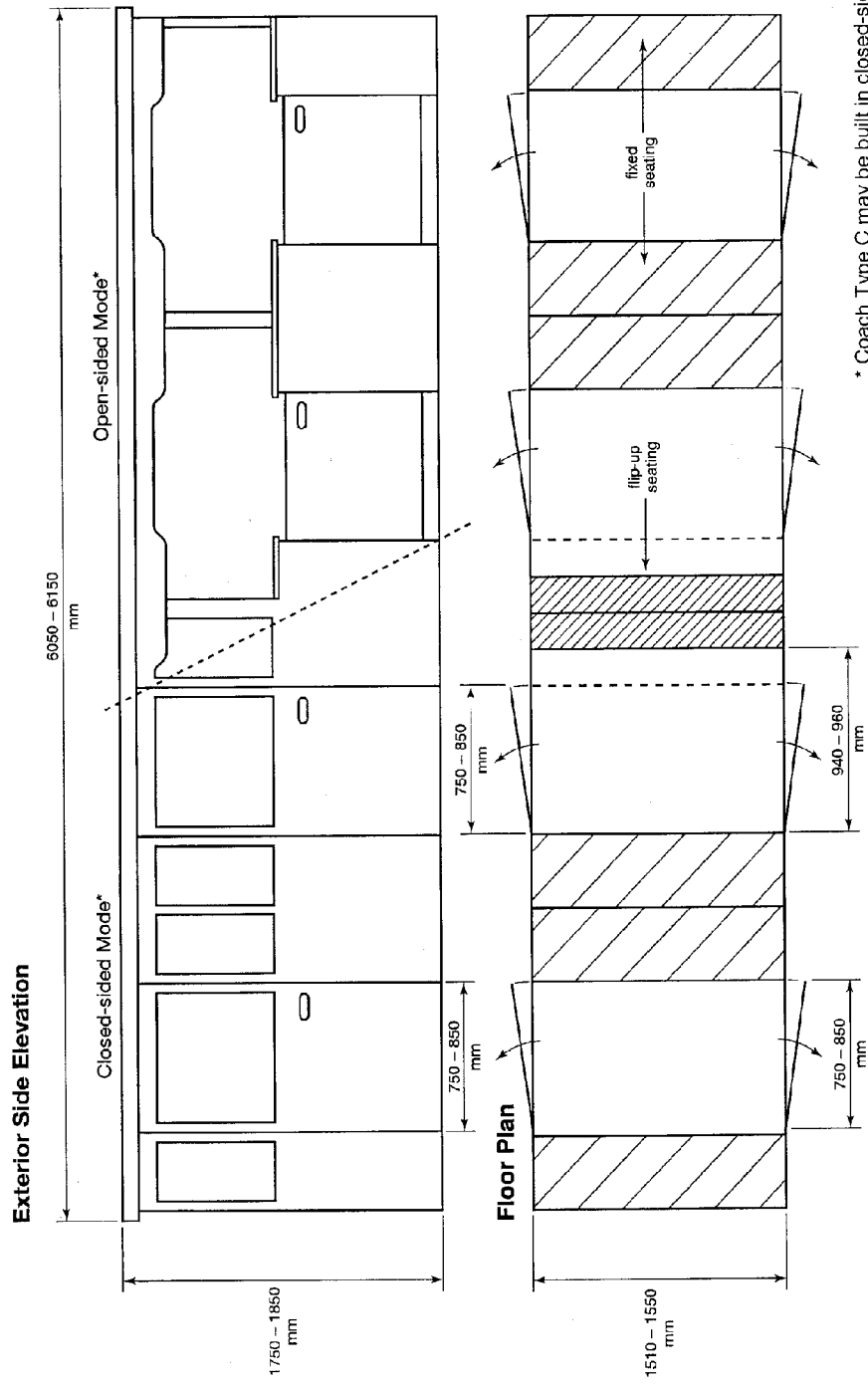
Exterior Side Elevation



Floor Plan



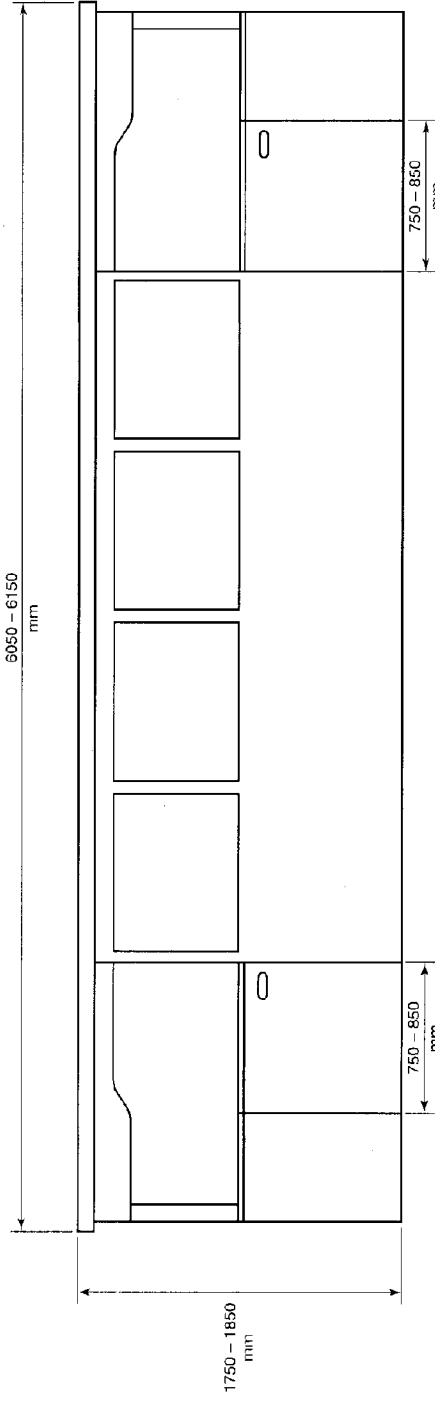
Coach Type C



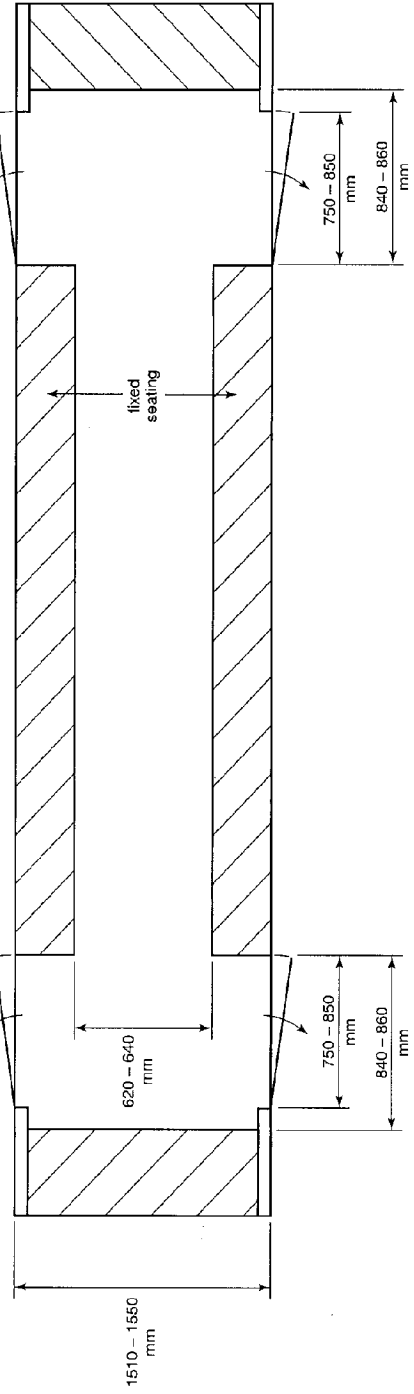
* Coach Type C may be built in closed-sided or open-sided mode. The Exterior Side Elevation view is divided in two by a dashed line to demonstrate the alternatives.

Coach Type D

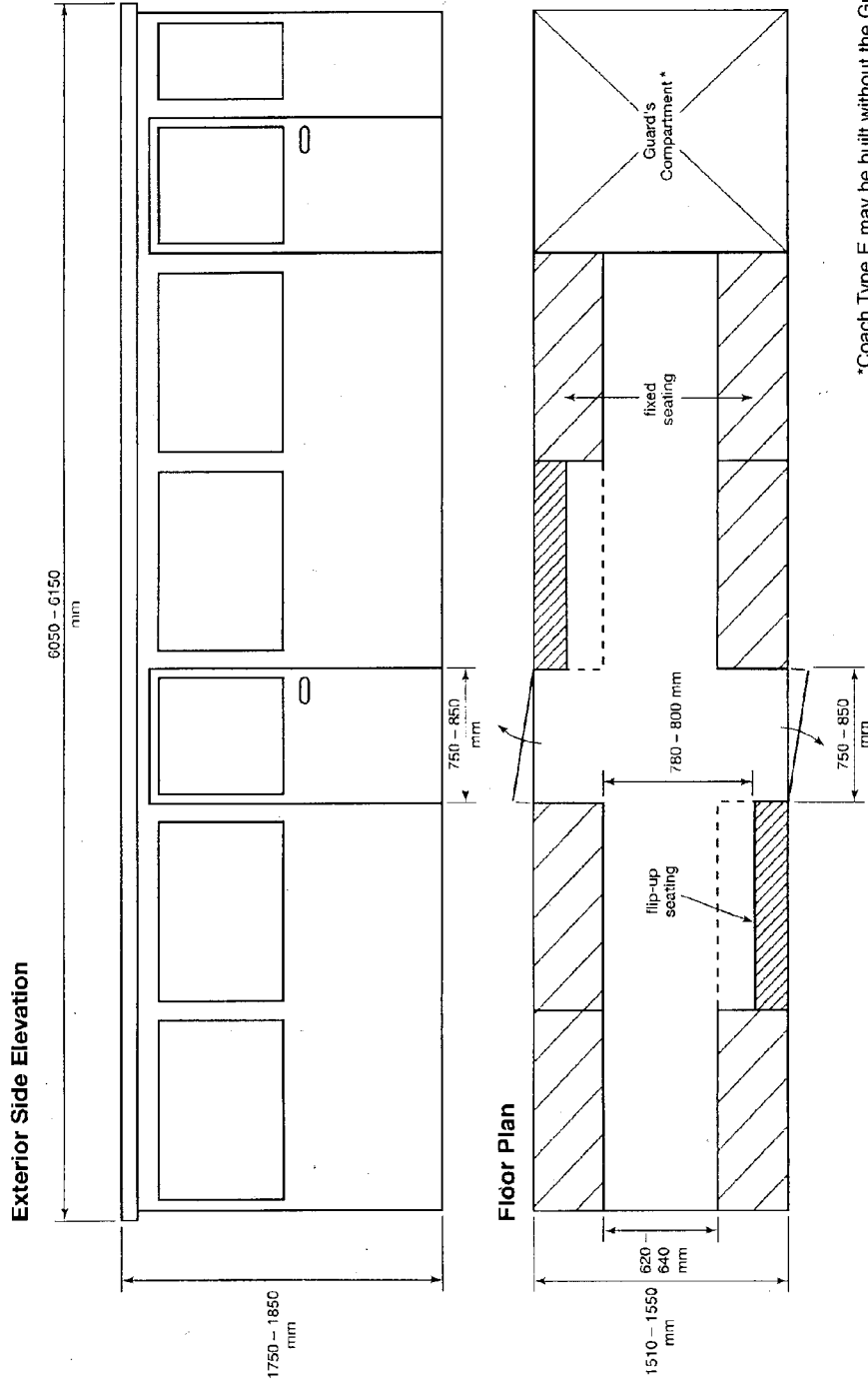
Exterior Side Elevation



Floor Plan



Coach Type E



*Coach Type E may be built without the Guard's Compartment - but the overall dimensions must be the same.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order authorises the use of any rail vehicle known as Coach Type A, B, C, D or E which complies with a specified design, on the East Hayling Light Railway, although the vehicles do not comply with certain requirements of the Rail Vehicle Accessibility Regulations 1998 because:

- no audible warning device is fitted to passenger doorways;
- priority seats and the space they occupy are not of the required size;
- there is no passenger information system;
- some vehicles do not meet the wheelchair space specifications;
- some doorways are not of the required width; and
- some passageways are not of the required width.

This Order also imposes conditions on the authorisation.

£2.00

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