
STATUTORY INSTRUMENTS

2010 No. 427

The Rail Vehicle Accessibility (Applications for Exemption Orders) Regulations 2010

Citation, commencement and extent

1. These Regulations—
 - (a) may be cited as the Rail Vehicle Accessibility (Applications for Exemption Orders) Regulations 2010;
 - (b) come into force on 6th April 2010; and
 - (c) do not extend to Northern Ireland.

Interpretation

2. In these Regulations—
 - “the 1995 Act” means the Disability Discrimination Act 1995;
 - “exemption order” means an order made under section 47 of the 1995 Act;
 - “network” means any permanent way or other means of guiding or supporting rail vehicles or any section of it;
 - “network exemption order” means an exemption order which relates to a specified network;
 - “operator”, in relation to a rail vehicle, means the person having the management of that vehicle;
 - “prescribed system” has the same meaning as in section 46 of the 1995 Act;
 - “rail vehicle” has the same meaning as in section 46 of the 1995 Act(1);
 - “railway” has the same meaning as in section 67(1) of the Transport and Works Act 1992(2);
 - “regulated rail vehicle” has the same meaning as in section 46 of the 1995 Act(3);
 - “relevant lessee” means a person who is both—
 - (a) a lessee of a regulated rail vehicle, and
 - (b) a party to a contract that is designated as a “PPP agreement” under section 212 of the Greater London Authority Act 1999(4) for the purposes of section 210(6) of that Act, but does not include a “relevant body” listed in section 210(2) of that Act(5);
 - “1995 Act from time to time”>RVAR” means any rail vehicle accessibility regulations made under section 46 of the 1995 Act from time to time;

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- (1) The definition of “rail vehicle” in section 46(6) was substituted by section 6(2)(b) of the Disability Discrimination Act 2005 (c.13), as inserted by S.I. 2008/1746.
 - (2) 1992 c.42.
 - (3) The definition of “regulated rail vehicle” was amended by Schedule 1, Part 1 paragraphs 1 and 27(b), of the Disability Discrimination Act 2005.
 - (4) 1999 c.29. “PPP agreement” is the term used in sections 210 and 212 of the 1999 Act to refer to a “public-private partnership agreement” as defined in section 210 of that Act.
 - (5) The “relevant bodies” so listed are London Regional Transport, Transport for London and any subsidiary of London Regional Transport or Transport for London.

“tramway” has the same meaning as in section 67(1) of the Transport and Works Act 1992.

Applications for exemption orders for rail vehicles

3.—(1) Subject to paragraph (2), an application for an exemption order in respect of a rail vehicle—

- (a) may be made by—
 - (i) the operator of the vehicle,
 - (ii) the owner of the vehicle, or
 - (iii) the relevant lessee of the vehicle;
- (b) must be submitted to the Secretary of State in writing; and
- (c) must contain the particulars specified in Schedule 1.

(2) Before making an application under paragraph (1) the owner or relevant lessee of the rail vehicle must consult the operator of the vehicle, if a different person.

Applications for network exemption orders

4. An application for a network exemption order—

- (a) may be made in respect of a network by a person having ownership or control of that network;
- (b) must be submitted to the Secretary of State in writing; and
- (c) must contain the particulars specified in Schedule 2.

Revocation

5. The Rail Vehicle (Exemption Applications) Regulations 1998⁽⁶⁾ are revoked.

Signed by authority of the Secretary of State for Transport

23rd February 2010

C.D.Mole
Parliamentary Under Secretary of State
Department for Transport

⁽⁶⁾ [S.I. 1998/2457](#).