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STATUTORY RULES OF NORTHERN IRELAND

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**2007 No. 47**

**The Railway Safety Regulations (Northern Ireland) 2007**

**Data recorders**

5.—(1) Subject to paragraph (2), a person shall not operate a train which is being used for the carriage of fare paying passengers on a railway unless there is in service on that train a suitable data recorder for the purpose of capturing in respect of that train the following information—

- (a) the speed of the train;
- (b) the application of the brakes and the application of power (whether such applications are manual or otherwise);
- (c) the indications displayed to the driver by any train protection system, automatic warning system and driver reminder appliance
- (d) the actions of the driver to acknowledge and display any train protection system and any automatic warning system;
- (e) the actions of the driver to activate, deactivate and disable any driver reminder appliance;
- (f) the time at which any of the data referred to in sub-paragraphs (a) to (e) above is recorded.

(2) Paragraph (1) shall not apply until 31<sup>st</sup> December 2007 provided that a programme for the installation and bringing into use of suitable data recorders has been approved by the Department and is being implemented.

(3) In any proceedings against a person for an offence for contravening paragraph (1) it shall be a defence for that person to prove that—

- (a) at the relevant time the data recorder had become defective; and
- (b) the train had commenced its journey before the discovery of the fault or is being driven without passengers to a place for the purpose of repair.

(4) In this regulation—

“automatic warning system” has the same meaning as in regulation 4(1); and

“driver reminder appliance” means equipment fitted to train which, when activated by the driver, prevents the application of power to that train.