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STATUTORY INSTRUMENTS

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**2000 No. 2398**

**DISABLED PERSONS  
TRANSPORT**

**The Rail Vehicle Accessibility (South West Trains Class  
458 Vehicles) Exemption (Amendment) Order 2000**

*Made* - - - - *6th September 2000*  
*Laid before Parliament* *8th September 2000*  
*Coming into force* - - *29th September 2000*

The Secretary of State in exercise of the powers conferred on him by section 47 of the Disability Discrimination Act 1995(1) 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 (South West Trains Class 458 Vehicles) Exemption (Amendment) Order 2000 and shall come into force on 29th September 2000.

2. The Rail Vehicle Accessibility (South West Trains Class 458 Vehicles) Exemption Order 1999(2) (“the 1999 Order”) shall be amended in accordance with the following provisions.

3. In article 4(2) of the 1999 Order—

- (a) for the words “regulation 5(1)(a) and (c)” there shall be substituted “regulation 5(1)(a), (b) and (c), and subject to the condition in article 4A(1) below”;
- (b) “regulation 12;” shall be inserted at the appropriate place in numerical order; and
- (c) for the words “regulation 20(1)(d) and (e)” there shall be substituted “regulation 20(1)(d), (e) and (f), and subject to the condition in article 4A(2) below”.

4. After article 4 of the 1999 Order there shall be inserted—

“**4A.**—(1) The exemption given by article 4(2) above in relation to regulation 5(1)(b) shall only apply while—

- (a) the maximum amount of pressure required to operate a door control does not exceed 40 newtons; and

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(1) 1995 c. 50.  
(2) S.I. 1999/2404.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(b) the operator provides in that vehicle or, where an exempted vehicle forms part of a train, in that train a person, other than the driver of that vehicle or train, who is reasonably available to assist a disabled person.

(2) The exemption given in article 4(2) above in relation to regulation 20(1)(f) is given on the condition that, until a handrail compliant with regulation 20(1)(f) is installed, no other hinged handrail is installed to the side of the toilet in the nearest toilet cubicle to a wheelchair space.”

5. After article 5(3) of the 1999 Order there shall be inserted—

“(3A) The exemption given in respect of regulations 5(1)(b), 12 and 20(1)(f) shall cease at the end of 31st March 2001.”

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

*Keith Hill*  
Parliamentary Under Secretary of State,  
Department of the Environment, Transport and  
the Regions

6th September 2000

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Rail Vehicle Accessibility (South West Trains Class 458 Vehicles) Exemption Order 1999 (“the 1999 Order”) by providing additional exemptions for the vehicles which are the subject of the 1999 Order from the Rail Vehicle Accessibility Regulations 1998. The additional exemptions are granted because—

more force than is permitted is required to operate some door control devices;

more force than is permitted is required to operate some door handles; and

no hinged handrail is fitted in the nearest toilet to the wheelchair space.

It also sets time limits in respect of these exemptions and imposes conditions.