
STATUTORY INSTRUMENTS

2001 No. 277

**DISABLED PERSONS
TRANSPORT**

**The Rail Vehicle Accessibility (ScotRail
Class 334 Vehicles) Exemption Order 2001**

Made - - - - *2nd February 2001*
Laid before Parliament *5th February 2001*
Coming into force - - *26th February 2001*

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 (ScotRail Class 334 Vehicles) Exemption Order 2001 and shall come into force on 26th February 2001.

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⁽²⁾.

3. This order applies to the rail vehicles which are numbered 64101 to 64140, 65101 to 65140 and 74301 to 74340 and which form the electric multiple-units numbered 334001 to 334040 of the class known as “Class 334” (“the exempted vehicles”) as manufactured by ALSTOM Transport Limited for use by ScotRail Railways Limited.

4.—(1) Subject to articles 5, 6 and 7 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 which which the exempted vehicles are not required to conform are—

- (a) regulation 4(2), but only in so far as it relates to audible warning devices which emit warning sounds outside the vehicle;
- (b) regulation 5(1)(c), but only in so far as it relates to door control devices which operate doors which are in the ends of the vehicle;

(1) 1995 c. 50.
(2) S.I.1998/2456, as amended by S.I. 2000/3215.

- (c) regulation 6(1)(d); and
 - (d) regulation 11(1)(a), but only in so far as it relates to the requirement that a handrail is fitted from a point not more than 700 millimetres above the floor.
5. The exemption given by article 4(2)(c) in respect of regulation (6)(1)(d) shall only apply in relation to any exempted vehicle if in that vehicle—
- (a) any band of colour of the type referred to in regulation 6(1)(b) is yellow; and
 - (b) any strip of the type referred to in regulation 7(c) is yellow.
- 6.—(1) The exemption given by article 4(2)(a) in respect of regulation 4(2) shall cease at the end of 31st December 2001.
- (2) The exemption given by article 4(2)(b) in respect of regulation 5(1)(c) shall cease—
 - (a) at the end of 31st December 2010; or
 - (b) in respect of an exempted vehicle in which all the door control devices for the doors in the ends of that vehicle and the control systems for those doorways are replaced before that date, when such replacement occurs.
 - (3) The exemption given by articles 4(2)(c) and 4(2)(d) in respect of regulations 6(1)(d) and 11(1)(a) shall cease at the end of 31st December 2010.
7. The authorisation given by article 4(1) above shall cease immediately in respect of an exempted vehicle which is operated by a person other than ScotRail Railways Limited, unless the Secretary of State has been given written notice in advance specifying the name and address of that other person.

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

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

2nd February 2001

EXPLANATORY NOTE

(This note is not part of the Order)

This Order authorises the use of specified rail vehicles forming Class 334 electric multiple-units, although they do not conform with certain requirements of the Rail Vehicle Accessibility Regulations 1998 because:

- audible warning sounds are not made on the outside of the vehicle;
- some door control devices are not illuminated;
- steps in the vehicles are not illuminated; and
- some handrails are not fitted at the required height.

It imposes some conditions and sets time limits on the authorisation.