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STATUTORY INSTRUMENTS

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**2001 No. 499**

**DISABLED PERSONS  
TRANSPORT**

**The Rail Vehicle Accessibility (Midland Mainline  
Class 170/1 Vehicles) Exemption Order 2001**

*Made* - - - - *21st February 2001*  
*Laid before Parliament* *22nd February 2001*  
*Coming into force* - - *15th March 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 (Midland Mainline Class 170/1 Vehicles) Exemption Order 2001 and shall come into force on 15th March 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. In this Order—

“train” means two or more vehicles constructed or adapted to carry passengers on any railway, coupled together;

“reference wheelchair” has the same meaning as in regulation 2;

“wheelchair space” means a space provided in a train for reference wheelchairs whether or not it complies with the requirements of regulation 16.

4. This order applies to the rail vehicles which are numbered 55101 to 55110 as manufactured by DaimlerChrysler Rail Systems Limited (“the exempted vehicles”) and which form part of the diesel multiple-units numbered 170101 to 170117 of the class known as “Class 170/1”.

5.—(1) Subject to articles 6 to 12 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.

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

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- (2) The provisions with which the exempted vehicles are not required to conform are—
- (a) regulation 13(2); and
  - (b) regulation 15(3).

6. The exemptions given in respect of regulations 13(2) and 15(3) shall only apply to an exempted vehicle if that exempted vehicle forms part of a train which complies with the requirements in articles 7 to 12 below.

7.—(1) The exterior of the train shall be fitted, on the front of the leading vehicle of the train, with a public address system for visual announcements which complies with the requirements in paragraph (2).

- (2) The requirements are—
- (a) the first letter of, and numbers used in, announcements made on the system shall be not less than 70 millimetres high, and all letters and numbers shall contrast with their background; and
  - (b) a word on the system shall not be written in capital letters only.

(3) Whilst the train is stationary at a station the system shall be used to announce the destination of the train, or, if the train is following a circular route, the name or number of the route.

8. Where the train consists of the number of vehicles (whether regulated rail vehicles or not) shown in column A there shall be in that train not less than the number of wheelchair spaces shown in column B opposite that number of vehicles;

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A	B
2 to 7	2 wheelchair spaces
8 to 11 vehicles	3 wheelchair spaces
12 or more vehicles	4 wheelchair spaces.

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9. In any vehicles in the train which are not the exempted vehicles there shall be no obstruction to prevent, or cause unreasonable difficulty to, a reference wheelchair being manoeuvred to, from, into or out of any wheelchair space for disabled persons in wheelchairs.

10.—(1) Where pursuant to article 8 above a wheelchair space is provided in the train but not in the exempted vehicles, paragraphs (2) to (5) below shall apply in relation to the vehicle in which that space is provided.

(2) There shall be no obstruction that prevents or renders unreasonably difficult the passage of a reference wheelchair between the wheelchair space in question and the nearest doorway on each side of the vehicle.

(3) Any such doorway shall be wide enough to permit a disabled person in a reference wheelchair to board and alight from that vehicle without unreasonable difficulty.

(4) While any such doorway is open at a platform at a station, a ramp must be fitted between that platform and the vehicle if a disabled person in a wheelchair wishes to use that doorway, unless the gap between the edge of the door sill of that doorway and the edge of the platform is not more than 75 millimetres measured horizontally and not more than 50 millimetres measured vertically.

- (5) Any ramp provided pursuant to paragraph (4) above—
- (a) shall allow a disabled person in a reference wheelchair to board and alight from that vehicle in safety and without unreasonable difficulty; and

(b) when not in use, shall be fixed securely to the train in question so that it does not endanger the safety of persons in that train.

**11.** There shall be no obstruction which prevents or renders unreasonably difficult the passage of a reference wheelchair between a wheelchair space in the train which is not situated in a regulated vehicle and the nearest toilet on the train that is suitable for use by a disabled person in a reference wheelchair.

**12.** The exemptions given in respect of regulations 13(2) and 15(3) shall cease at the end of 31st December 2008.

**13.** The authorisation given by article 5(1) above shall cease immediately in respect of an exempted vehicle which is operated by a person other than Midland Main Line 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

*Larry Whitty*  
Parliamentary Under Secretary of State,  
Department of the Environment, Transport and  
the Regions

21st February 2001

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## **EXPLANATORY NOTE**

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

This Order authorises the use of specified rail vehicles which form part of Class 170/1 diesel multiple-units trains, although they do not conform with certain requirements of the Rail Vehicle Accessibility Regulations 1998 because:

- there is not the required exterior visual passenger information system, and
- there are not enough wheelchair spaces.

It sets time limits on the authorisation and imposes conditions.