

2003 No. 2408

**DISABLED PERSONS
TRANSPORT**

**The Rail Vehicle Accessibility (Bristol Harbour Railway
Vehicle Number DB978121) Exemption Order 2003**

Made - - - - - 17th September 2003

Laid before Parliament 24th September 2003

Coming into force - - 21st October 2003

The Secretary of State, in exercise of the powers conferred upon him by section 47(1), (3) and (4) of the Disability Discrimination Act 1995(a), having consulted the Disabled Persons Transport Advisory Committee and such other persons as he considered appropriate in accordance with section 47(3) of that Act, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Rail Vehicle Accessibility (Bristol Harbour Railway Vehicle Number DB978121) Exemption Order 2003 and shall come into force on 21st October 2003.

Interpretation

2.—(1) In this Order “the exempted vehicle” means the rail vehicle known as the Bristol Harbour Railway’s former ballast wagon number DB978121 as owned, converted and operated by Bristol City Council on the Bristol Harbour Railway at the Bristol Industrial Museum.

(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(b).

Authorisation and exemptions

3.—(1) Subject to article 4, the exempted vehicle is authorised to be used for carriage even though it does not conform with those provisions of the Rail Vehicle Accessibility Regulations 1998 referred to in paragraph (2).

(2) The provisions with which the exempted vehicle is not required to conform are—

- (a) regulation 4(1);
- (b) regulation 4(2);
- (c) regulation 4(3);
- (d) regulation 11(1)(a);
- (e) regulation 11(2)(e);

(a) 1995 c. 50.

(b) S.I. 1998/2456, amended by S.I. 2000/3215.

- (f) regulation 11(3)(a);
- (g) regulation 11(3)(c);
- (h) regulation 11(3)(d);
- (i) regulation 13; and
- (j) regulation 16(1)(e).

Revocation

4. The authorisation given by article 3(1) is revoked with immediate effect if the exempted vehicle is—

- (a) operated by a person other than Bristol City Council; or
- (b) operated in a place other than the Bristol Harbour Railway at the Bristol Industrial Museum,

unless the Secretary of State has been given written notice in advance specifying the name and address of that other person or place.

Signed by authority of the
Secretary of State for Transport

17th September 2003

Tony McNulty
Parliamentary Under Secretary of State,
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Order)

This Order authorises the use of the vehicle known as the Bristol Harbour Railway's former ballast wagon number DB978121, as owned, converted, and operated by Bristol City Council for use on the Bristol Harbour Railway at the Bristol Industrial Museum even though it does not comply with certain requirements of the Rail Vehicle Accessibility Regulations 1998 (S.I. 1998/2456, amended by S.I. 2000/3215) because:

- the colour of the exterior doors does not contrast with that of the vehicle body;
- no audible warning device is fitted to passenger doorways;
- handrails are not fitted on the interior of the external doorways;
- the handrails do not contrast with those parts of the vehicle to which they are adjacent;
- the handholds fitted to the backs of the seats do not meet all of the necessary requirements;
- there is no passenger information system; and
- the wheelchair space is not fitted with a communication device.

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