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S T A T U T O R Y I N S T R U M E N T S

2013 No. 3318

DISABLED PERSONS

TRANSPORT

**The Rail Vehicle Accessibility (Non-Interoperable Rail System)
(London Underground Victoria Line 09TS Vehicles) Exemption
Order 2013**

Made - - - - *3rd December 2013*

Laid before Parliament *16th May 2014*

Coming into force - - *1st January 2014*

The Secretary of State makes the following Order in exercise of the powers conferred by sections 183(1), (2), (4)(b) and (5) and 207(4) of the Equality Act 2010(a).

In accordance with section 183(4) of that Act the Secretary of State has consulted the Disabled Persons Transport Advisory Committee(b) and such other persons as the Secretary of State considers appropriate.

In accordance with section 184(1), (2) and (3) of that Act and regulation 5(2) of the Rail Vehicle Accessibility Exemption Orders (Parliamentary Procedures) Regulations 2008(c) and having had regard to representations by the Disabled Persons Transport Advisory Committee after consultation under section 184(2) of that Act the Secretary of State has decided that this Order is to be subject to annulment in pursuance of a resolution of either House of Parliament.

Citation and commencement

1. This Order may be cited as the Rail Vehicle Accessibility (Non-Interoperable Rail System) (London Underground Victoria Line 09TS Vehicles) Exemption Order 2013 and comes into force on 1st January 2014.

(a) 2010 c.15.

(b) The Disabled Persons Transport Advisory Committee was established under section 125 of the Transport Act 1985 (c.67) and has a statutory duty to provide the Government with advice on the transport needs of disabled people.

(c) S.I. 2008/2975. This Order was made under section 67 of the Disability Discrimination Act 1995 (c.50) which was repealed by the Equality Act 2010. This Order has effect as if made under the Equality Act 2010 section 184(4) and 207(4) by virtue of S.I. 2010/2317.

Interpretation

2.—(1) In this Order —

“exempt vehicle” means a rail vehicle known as Victoria Line 2009 Tube Stock (09TS) and with a number in the series 11001 to 11094, 12001 to 12094, 13001 to 13094 or 14001 to 14094;

“step-free access” means access from the station entrance to platform level without the use of stairs or escalators;

“Victoria Line” means the London Underground route between Walthamstow Central and Brixton stations.

(2) In this Order a reference to a numbered paragraph is a reference to that paragraph of Part 1 of Schedule 1 to the Rail Vehicle Accessibility (Non-Interoperable Rail System) Regulations 2010(a).

Exemptions

3. Subject to articles 4 and 5, an exempt vehicle is authorised to be used for carriage on the Victoria Line even if it does not conform to, or it is used in a manner that does not conform to, the requirements of—

- (a) paragraph 1(1) (boarding devices at wheelchair compatible doorways) at Pimlico station;
- (b) paragraph 3(5)(b) (audible warning before door closes), but only in respect of the period of time for which the distinct sound should be emitted before the door starts to close; or
- (c) paragraph 11(5) (passenger information when vehicle is stationary), but only in so far as it applies to the systems inside the passenger saloon.

Conditions

4.—(1) The exemption from paragraph 1(1) at Pimlico station only applies until step-free access is provided at that station.

(2) The exemption from paragraph 3(5)(b) only applies if the audible warning device emits a distinct sound which is different from that emitted when the doors are opening and which commences at least 1.75 seconds before the door starts to close.

(3) The exemption from paragraph 11(5) only applies if—

- (a) whilst the vehicle is stationary at a station, the systems inside the passenger saloon are used to announce the name of that station, that the vehicle is a Victoria Line train and at least one of the following items of information—
 - (i) the destination of the vehicle;
 - (ii) the next stop; and
- (b) where no announcement is made at a station as to either the destination of a vehicle or its next stop, that information is provided after leaving the station and before the vehicle stops at the next station.

Expiry

5. The exemption from paragraph 3(5)(b) expires at the end of 31st May 2015.

Consequential provision

6. The Rail Vehicle Accessibility (London Underground Victoria Line 09TS Vehicles) Exemption Order 2008(b) is revoked.

(a) S.I. 2010/432, to which there are no amendments relevant to this Order.

(b) S.I. 2008/2969.

Signed by authority of the Secretary of State for Transport

3rd December 2013

Baroness Kramer
Minister of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Order)

This Order (*article 3*) exempts certain rail vehicles of the type 09TS from the specified requirements of the Rail Vehicle Accessibility (Non-Interoperable Rail System) Regulations 2010 where used on the Victoria Line. The exemptions are subject to conditions (*article 4*).

The exemption from the requirement to fit boarding devices to the doorways of wheelchair compatible doorways and the platform where vehicles are used at Pimlico station is of limited duration; it will cease to apply when there is step free access between the street and the Victoria Line platforms at that station. The exemption relating to audible warnings before the door closes extends until 31st May 2015.

The exemption relating to passenger information when a vehicle is stationary is without limitation of time, but the Secretary of State may revoke it by Order.

The Order revokes the Rail Vehicle Accessibility (London Underground Victoria Line 09TS Vehicles) Exemption Order 2008.

An impact assessment has not been produced for this instrument as no cost to the business or voluntary sectors is foreseen. An Explanatory Memorandum is available alongside the instrument on the website www.legislation.gov.org.

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