



Equality Act 2010

2010 CHAPTER 15

PART 12

DISABLED PERSONS: TRANSPORT

CHAPTER 3

RAIL VEHICLES

182 Rail vehicle accessibility regulations

- (1) The Secretary of State may make regulations (in this Chapter referred to as “rail vehicle accessibility regulations”) for securing that it is possible for disabled persons—
 - (a) to get on to and off regulated rail vehicles in safety and without unreasonable difficulty;
 - (b) to do so while in wheelchairs;
 - (c) to travel in such vehicles in safety and reasonable comfort;
 - (d) to do so while in wheelchairs.
- (2) The regulations may, in particular, make provision as to the construction, use and maintenance of regulated rail vehicles including provision as to—
 - (a) the fitting of equipment to vehicles;
 - (b) equipment to be carried by vehicles;
 - (c) the design of equipment to be fitted to, or carried by, vehicles;
 - (d) the use of equipment fitted to, or carried by, vehicles;
 - (e) the toilet facilities to be provided in vehicles;
 - (f) the location and floor area of the wheelchair accommodation to be provided in vehicles;
 - (g) assistance to be given to disabled persons.
- (3) The regulations may contain different provision—

Status: Point in time view as at 22/08/2016.

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- (a) as respects different classes or descriptions of rail vehicle;
 - (b) as respects the same class or description of rail vehicle in different circumstances;
 - (c) as respects different networks.
- (4) In this section—
- “network” means any permanent way or other means of guiding or supporting rail vehicles, or any section of it;
 - “rail vehicle” means a vehicle constructed or adapted to carry passengers on a railway, tramway or prescribed system other than a vehicle used in the provision of a service for the carriage of passengers on the [^{F1}trans-European rail system located in Great Britain];
 - “regulated rail vehicle” means a rail vehicle to which provisions of rail vehicle accessibility regulations are expressed to apply.
- (5) In subsection (4)—
- ^{F2}
 - “prescribed system” means a system using a mode of guided transport (“guided transport” having the same meaning as in the Transport and Works Act 1992) that is specified in rail vehicle accessibility regulations;
 - “railway” and “tramway” have the same meaning as in the Transport and Works Act 1992.
 - [^{F3}“trans-European rail system” has the meaning given in regulation 2(1) of the Railways (Interoperability) Regulations 2011]
- (6) The Secretary of State must exercise the power to make rail vehicle accessibility regulations so as to secure that on and after 1 January 2020 every rail vehicle is a regulated rail vehicle.
- (7) Subsection (6) does not affect subsection (3), section 183(1) or section 207(4)(a).
- (8) Before making regulations under subsection (1) or section 183, the Secretary of State must consult—
- (a) the Disabled Persons Transport Advisory Committee, and
 - (b) such other representative organisations as the Secretary of State thinks fit.

Textual Amendments

- F1** Words in s. 182(4) substituted (16.1.2012) by [The Railways \(Interoperability\) Regulations 2011 \(S.I. 2011/3066\)](#), reg. 48, **Sch. para. 1(a)** (with reg. 3)
- F2** Definitions in s. 182(5) omitted (16.1.2012) by virtue of [The Railways \(Interoperability\) Regulations 2011 \(S.I. 2011/3066\)](#), reg. 48, **Sch. para. 1(b)(i)** (with reg. 3)
- F3** Definition in s. 182(5) inserted (16.1.2012) by [The Railways \(Interoperability\) Regulations 2011 \(S.I. 2011/3066\)](#), reg. 48, **Sch. para. 1(b)(ii)** (with reg. 3)

183 Exemptions from rail vehicle accessibility regulations

- (1) The Secretary of State may by order (an “exemption order”)—
- (a) authorise the use for carriage of a regulated rail vehicle even though the vehicle does not conform with the provisions of rail vehicle accessibility regulations with which it is required to conform;

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- (b) authorise a regulated rail vehicle to be used for carriage otherwise than in conformity with the provisions of rail vehicle accessibility regulations with which use of the vehicle is required to conform.
- (2) Authority under subsection (1)(a) or (b) may be for—
 - (a) a regulated rail vehicle that is specified or of a specified description,
 - (b) use in specified circumstances of a regulated rail vehicle, or
 - (c) use in specified circumstances of a regulated rail vehicle that is specified or of a specified description.
- ^{F4}(3)
- (4) After consulting the Disabled Persons Transport Advisory Committee and such other persons as the Secretary of State thinks appropriate, the Secretary of State may—
 - (a) make an exemption order in the terms of the application for the order;
 - (b) make an exemption order in such other terms as the Secretary of State thinks appropriate;
 - (c) refuse to make an exemption order.
- (5) The Secretary of State may make an exemption order subject to such conditions and restrictions as are specified.
- (6) “Specified” means specified in an exemption order.
- [^{F5}(7) Section 207(2) does not require an exemption order to be made by statutory instrument; but such an order is as capable of being amended or revoked as an order made by statutory instrument.]

Textual Amendments

- F4** S. 183(3) omitted (1.10.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(7), [Sch. 10 para. 29\(2\)](#); [S.I. 2015/994](#), art. 11(p)
- F5** S. 183(7) inserted (1.10.2015) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(7), [Sch. 10 para. 29\(3\)](#); [S.I. 2015/994](#), art. 11(p)

^{F6}184 Procedure for making exemption orders

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Textual Amendments

- F6** S. 184 omitted (1.10.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(7), [Sch. 10 para. 30\(a\)](#); [S.I. 2015/994](#), art. 11(p)

185 Annual report on exemption orders

- (1) After the end of each calendar year the Secretary of State must prepare a report on—
 - (a) the exercise in that year of the power to make orders under section 183(1);
 - ^{F7}(b)
- (2) A report under subsection (1) must (in particular) contain—

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- (a) details of each order made under section 183(1) in the year in question;
 - (b) details of consultation carried out under [^{F8}section 183(4)] in connection with orders made in that year under section 183(1).
- (3) The Secretary of State must lay before Parliament each report prepared under this section.

Textual Amendments

- F7** S. 185(1)(b) omitted (1.10.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(7), **Sch. 10 para. 30(b)(i)**; S.I. 2015/994, art. 11(p)
- F8** Words in s. 185(2)(b) substituted (1.10.2015) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(7), **Sch. 10 para. 30(b)(ii)**; S.I. 2015/994, art. 11(p)

186 Rail vehicle accessibility: compliance

^{F9}

Textual Amendments

- F9** S. 186 repealed (31.12.2010) by [Equality Act 2010 \(c. 15\)](#), **ss. 186(2)**, 216 (with ss. 6(4), 205)

187 Interpretation

- (1) In this Chapter—
- “rail vehicle” and “regulated rail vehicle” have the meaning given in section 182(4);
 - “rail vehicle accessibility regulations” has the meaning given in section 182(1).
- (2) For the purposes of this Chapter a vehicle is used “for carriage” if it is used for the carriage of passengers.

Status:

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Changes to legislation:

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