

SCHEDULES

SCHEDULE 20

RAIL VEHICLE ACCESSIBILITY: COMPLIANCE

Inspection of rail vehicles

- 7 (1) If the condition in sub-paragraph (2) is satisfied, a person authorised by the Secretary of State (an “inspector”) may inspect a regulated rail vehicle for conformity with provisions of the accessibility regulations with which it is required to conform.
- (2) The condition is that the Secretary of State—
- (a) has reasonable grounds for suspecting that the vehicle does not conform with such provisions, or
 - (b) has given a notice under paragraph 5(1) or (4) relating to the vehicle.
- (3) For the purpose of exercising the power under sub-paragraph (1) an inspector may—
- (a) enter premises if the inspector has reasonable grounds for suspecting that the vehicle is at the premises;
 - (b) enter the vehicle;
 - (c) require any person to afford such facilities and assistance with respect to matters under the person’s control as are necessary to enable the inspector to exercise the power.
- (4) An inspector must, if required to do so, produce evidence of the Secretary of State’s authorisation.
- (5) For the purposes of paragraph 5(1) the Secretary of State may draw such inferences as appear proper from any obstruction of the exercise of the power under sub-paragraph (1).
- (6) Sub-paragraphs (7) and (8) apply if the power under sub-paragraph (1) is exercisable by virtue of sub-paragraph (2)(b).
- (7) The Secretary of State may treat paragraph 5(3)(c) as satisfied in relation to a vehicle if—
- (a) the inspector takes steps to exercise the power after a notice is given under paragraph 5(1) but before a notice is given under paragraph 5(4), and
 - (b) a person obstructs the exercise of the power.
- (8) The Secretary of State may require the operator of a vehicle to pay a penalty if—
- (a) the operator, or a person acting on the operator’s behalf, intentionally obstructs the exercise of the power, and
 - (b) the obstruction occurs after a notice has been given under paragraph 5(4) in respect of the vehicle.
- (9) In this paragraph “inspect” includes test.