
STATUTORY INSTRUMENTS

2010 No. 432

The Rail Vehicle Accessibility (Non-Interoperable Rail System) Regulations 2010

Interpretation

2.—(1) In these Regulations—

“the 1974 Act” means the Health and Safety at Work etc. Act 1974⁽¹⁾;

“the 1995 Act” means the Disability Discrimination Act 1995;

“cableway installation” means an installation made up of several components that—

- (a) is used or intended to be used for the purpose of providing an operational system for carrying persons in vehicles, on chairs or by towing devices,
- (b) uses cables positioned along the line of travel to provide suspension or traction or both, and
- (c) is one of the following—
 - (i) a cable car (including a gondola and chair lift) where the cabins or chairs are lifted or displaced by one or more carrier cables;
 - (ii) a drag lift, where users with appropriate equipment are dragged by means of a cable; or
 - (iii) a funicular railway or other installation with vehicles mounted on wheels or on other suspension devices where traction is provided by one or more cables;

but does not include cable operated tramways, rack railways or lifts;

“class of passenger accommodation” means a category of passenger accommodation in a rail vehicle charged out at a different fare or fares from another category of passenger accommodation in the same rail vehicle or train;

“contrast” means contrast in the amount of light reflected;

“conventional TEN rail system” has the meaning given in regulation 2(3) of the Railways (Interoperability) Regulations 2006⁽²⁾;

“display” means a screen fitted to the exterior or interior of a rail vehicle which is used to indicate the destination or route number of a rail vehicle, or make other visual announcements, which forms part of a public address system for visual announcements;

“EU specifications” means the functional and technical specifications in—

- (a) section 4.2.2 of the technical specification for interoperability relating to “persons with reduced mobility” set out in the Annex to Decision [2008/164/EC](#) of the European Commission of 21st December 2007⁽³⁾, known as the “PRM TSI”, (as modified in section 7.4.1.3.2 for GB rolling stock); or

⁽¹⁾ 1974 c. 37.

⁽²⁾ S.I. 2006/397, amended by S.I. 2007/3386 and S.I. 2008/1746.

⁽³⁾ O.J. No. L64, 7.3.08, p. 72.

(b) any amended or replacement version of those specifications adopted by an EU institution from time to time;

“exemption order” means an order made under section 47 of the 1995 Act;

“guided bus” means a motor vehicle, used wholly or mainly for the carriage of passengers, which is designed or adapted to travel along roads and to carry more than eight passengers, but which is not a tramcar, and which for some or all of the time when in operation—

(a) travels along roads, and

(b) is guided (whether while on the road or at other times) by means of—

(i) apparatus, a structure or other device which is fixed and not part of the bus; or

(ii) a guidance system which is automatic;

“guided transport” has the same meaning as in section 67(1) of the Transport and Works Act 1992(4);

“high-speed rail system” has the meaning given in regulation 2(3) of the Railways (Interoperability) Regulations 2006;

“lift”, in paragraph (3) of this regulation, means an appliance, other than a cableway installation, serving specific levels and having a car moving—

(a) along guides which are rigid; or

(b) along a fixed course even where it does not move along guides which are rigid;

and inclined at an angle of more than 15 degrees to the horizontal and intended wholly or mainly for the transport of persons;

“miniature railway” means a system of transport employing parallel rails which—

(a) provide support and guidance for vehicles carried on flanged wheels, and

(b) form a track of a gauge of less than 350 millimetres;

“narrow width vehicle” means a vehicle which, measured on the exterior, has a car body width of 2.8 metres or less at its widest point and a height above rail of 3.1 metres or less unloaded in normal operating condition;

“network” means any permanent way or other means of guiding or supporting rail vehicles or any section of it;

“operator”, in relation to a rail vehicle, means the person having the management of that vehicle;

“passenger saloon” means that part of the interior of a rail vehicle provided for the accommodation of passengers, but does not include a toilet cubicle or a vestibule adjoining an exterior doorway;

“photocell device” means a device which operates using a combination of a beam of light, a transmitter and a receiver;

“podcar” means an automated driverless vehicle constructed to carry seated passengers, up to a maximum of 6, on a dedicated network of fixed guideways to a passenger selected destination without intermediate stops (whether or not the vehicle is also capable of being operated in some other way);

“prescribed system” means a system of transport using a mode of guided transport prescribed in paragraph (2);

“priority seat” means a seat designated in accordance with paragraph 13 of Schedule 1;

(4) 1992 c. 42.

“rail vehicle” means a vehicle constructed or adapted to carry passengers on any railway, tramway or prescribed system other than a vehicle used in the provision of a service for the carriage of passengers on the high-speed rail system or the conventional TEN rail system;

“railway” has the same meaning as in section 67(1) of the Transport and Works Act 1992;

“reference wheelchair” means an occupied wheelchair the dimensions of the chair and occupant being as shown in diagram A in Schedule 2;

“road”—

(a) in England and Wales, means any length of highway or of any other road to which the public has access, and includes bridges over which a road passes; and

(b) in Scotland, has the same meaning as in section 151 of the Roads (Scotland) Act 1984(5);

“train” means two or more rail vehicles, other than tramcars, coupled together;

“tramcar” means a rail vehicle (whether or not articulated in one or more places) constructed or adapted to carry passengers on a railway or tramway and to be accessible by persons at a tram stop;

“tram stop” means a stopping place for tramcars in a road provided for persons to board or leave a tramcar;

“tramway” has the same meaning as in section 67(1) of the Transport and Works Act 1992;

“wheelchair-compatible doorway” means a passenger doorway in the side of a rail vehicle provided in accordance with paragraph 6 of Schedule 1;

“wheelchair-compatible toilet” means a passenger toilet provided in accordance with paragraph 16(1) of Schedule 1, with or without compliance with paragraph 16(1) (h);

“wheelchair space” means a space for a disabled person in a wheelchair which is provided in accordance with paragraph 18 of Schedule 1;

“width” means, when applied to a doorway or passageway, the unobstructed width of that doorway or passageway up to a height of 1400 millimetres above the door sill or floor, and “wide” is to be construed accordingly.

(2) Subject to paragraph (3), in these Regulations prescribed modes of guided transport are vehicles, constructed or adapted to carry passengers, which for some or all of the time when they are in operation are guided by means of—

(a) rails, beams, slots, guides or other apparatus, structures or devices which are fixed and not part of the vehicle; or

(b) a guidance system which is automatic but which works by using means of guidance external to the vehicle.

(3) The modes of transport prescribed in paragraph (2) do not include—

(a) a vehicle which operates on a railway;

(b) a vehicle which operates on a tramway;

(c) a vehicle which operates on a miniature railway;

(d) a cableway installation;

(e) a lift;

(f) a guided bus; or

(g) any other mode of guided transport comprising a vehicle which for some or all of the time when it is in operation travels along roads.

(4) In these Regulations a reference to the requirements of Part 1 of Schedule 1 means that Part as read with the diagrams referred to in it and shown in Schedule 2.