EXPLANATORY MEMORANDUM TO

THE RAIL VEHICLE ACCESSIBILITY (INTEROPERABLE RAIL SYSTEM) REGULATIONS 2008

2008 No. [XXXX]

1. This explanatory memorandum has been prepared by the Department for Transport and is laid before Parliament by Command of Her Majesty.

This memorandum contains information for the Joint Committee on Statutory Instruments.

2. Description

2.1 The Regulations pave the way for the introduction on 1 July 2008 of European accessibility standards for passenger rail vehicles on the major lines of the United Kingdom ("UK") main line rail system and make consequential and supplementary provision.

2.2 They remove such lines from the scope of national accessibility legislation to prevent their being parallel, but differing, regulatory regimes for vehicle accessibility on those lines.

2.3 They set a 1 January 2020 time limit by which time all passenger vehicles operating on those lines must comply with the new European standards, subject to dispensations for existing vehicles which comply with current UK standards or a mix of the two, and subject to any exemptions which may be granted under limited powers. The latter vehicles would trigger the European standards if and when upgraded or renewed.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 The reason for choosing the draft affirmative resolution procedure for the Regulations is that they impose a 2020 time limit for accessibility compliance (regulation 4(5) inserting new regulation 4B into the Interoperability Regulations) and particular Parliamentary interest was shown in relation to the 2020 time limit applied to rail vehicles by the Disability Discrimination Act 2005.

3.2 The affirmative procedure applies by virtue of the use of section 2(2) of European Communities Act 1972, as the other enabling powers cited would otherwise require the use of the negative resolution procedure.

3.3 Provision has already been made for a 2020 time limit for passenger rail vehicles to comply with national accessibility standards (i.e. section 46(4A) of the Disability Discrimination Act 1995). This subsection was inserted (from a date to be appointed) by section 6(1) of the Disability Discrimination Act 2005. This subsection was the subject of significant interest, particularly from Peers, during debates on the rail provisions of the Bill, (in particular Lords Hansard for 28 February 2005 columns 56 to 61).

3.4 The Regulations will take rail vehicles used on the interoperable rail system out of the scope of the 2020 time limit of section 46(4A). This rail system comprises the major lines of the main line rail system in the UK, representing about 70 per cent by track miles of the mainline network. But the Regulations substitute a new 2020 time limit for those vehicles by inserting one into the Interoperability Regulations.

3.5 The new time limit set in the UK for compliance with European standards contains a saving for vehicles compliant with national standards or a mix of the two. The European standards require vehicles to conform to the standards only when they are constructed, renewed or upgraded and do not set an overall time limit for conformity. The European decision introducing the new standards recognises that Member States may introduce additional measures to improve access as long as they do not impede interoperability or place undue cost on railway undertakings. The imposition of the 2020 deadline is an additional measure to improve access which is considered to meet these criteria.

3.6 Section 46(4A) is not suited to set a 2020 time limit for the new European accessibility standards because they apply in the UK through the Railways (Interoperability) Regulations 2006. Those Regulations provide a discrete system for securing compliance with European technical standards on the interoperable rail system which is different from that which applies to national standards through disability legislation. Regulation 3 will therefore "carve out" vehicles used on the interoperable rail system from the Disability Discrimination Act 1995 to prevent there being parallel and inconsistent regimes for those vehicles.

3.7 Regulation 2 may appear unnecessary as regulation 3 has the effect of changing the definition of rail vehicle in the parent Act to the Rail Vehicle Accessibility Regulations 1998 to exclude vehicles used on the interoperable rail system. However, section 6 of the Disability Discrimination Act 2005 (which amends the parent Act) is not yet in force and regulation 2 will need to be in place from the commencement of the Regulations.

3.8 The new European accessibility standards are intended to benefit a wider range of rail passengers than envisaged by the national standards. The national standards are designed to benefit "disabled persons" whereas the European standards are designed for "persons with reduced mobility". The latter expression encompasses all people who have difficulty when using trains and associated infrastructure. It includes not only disabled people but also others whose mobility may be compromised e.g. passengers with young children, with heavy luggage, the elderly, pregnant women and visitors who can't speak the relevant Member State language.

4. Legislative Background

4.1 The Regulations are made to pave the way for the introduction on 1 July 2008 (subject to transitional provisions[1]), of new European accessibility standards for passenger rail vehicles operating on the "interoperable rail system", (representing about 70 per cent by track miles of the UK main line rail network).

4.2 This rail system is subject to the Railways (Interoperability) Regulations 2006 (S.I. 2006/397), ("RIR"), which transpose the European Union Interoperability Directives. The new European accessibility standards are being introduced under these Directives and will be applied and enforceable in the UK through RIR.

4.3 The new standards are set out in a "technical specification for interoperability" ("TSI") for "persons with reduced mobility" which is annexed to Decision 2008/164/EC of the European Commission of 21 December 2007 (the "PRM TSI")[2]. The PRM TSI sets out accessibility standards for stations as well as for rolling stock. It is one of a series of TSIs being introduced under the Interoperability Directives to achieve technical harmonisation of rail standards across the European interoperable rail system to promote a single market in the rail sector. Other TSIs, for example, relate to other aspects of infrastructure, rolling stock subsystems, control-command and signalling, and noise.

4.4 Without the Regulations, the PRM TSI will be in force simultaneously with the existing standards within Great Britain ("GB"), set out in the Rail Vehicle Accessibility Regulations, ("S.I. 1998/2456), ("RVAR"), made and enforceable under section 46 of the Disability Discrimination Act 1995 ("DDA 1995"), or their Northern Ireland equivalent, creating parallel but differing regulatory regimes for the interoperable rail system.

4.5 The Regulations carve out the interoperable rail system from RVAR and from the powers of the Secretary of State to make accessibility regulations for that rail system under the DDA 1995 (regulations 2 and 3).

4.6 They take vehicles subject to RVAR (or their Northern Ireland equivalent), which have been operating on the interoperable rail system since before RIR became applicable to them from 1 August 2006 for renewals or upgrades, out of the enforcement regime of DDA 1995 and into the enforcement regime of RIR. These vehicles are deemed to have been authorised under RIR regulation 4 and to have been assessed against the technical standards described in RVAR (or their Northern Ireland equivalent), as notified national technical rules for that authorisation (regulation 4(5) and new RIR regulation 4A). The effect will be to make operators subject to the duty in RIR regulation 12 to operate and

[1] The PRM/TSI (see paragraph 4.3) contains provisions enabling Member States not to apply it for a transitional period until 1 January 2010 where contracts for vehicles are already signed or are under the final phase of a tendering procedure on 1 July 2008, or in respect of the exercise of options under such contracts for the purchase of additional vehicles, or in respect of contracts for purchasing new rolling stock of an existing design type signed during the transitional period. It also does not apply to contracts for the renewal or upgrade of existing vehicles already signed or under final phase of tendering at 1 July 2008.

[2] O.J. No. L 64, 7.3.08, p. 72.

maintain those vehicles to those standards. This duty will be enforceable under RIR regulation 34 in place of the enforcement provisions of DDA 1995 (section 46(3)).

4.7 The Regulations also set a deadline of 1 January 2020 for all passenger rail vehicles operating on the interoperable rail system to comply with accessibility standards. This deadline is in lieu of the 2020 deadline for which provision is made in the DDA 1995, and its Northern Ireland equivalent[3], (neither yet commenced) (regulation 4(5) and new RIR regulation 4B). The effect will be that by 2020 all passenger rail vehicles operating on the interoperable rail system must comply with the PRM TSI, subject to dispensations for existing vehicles which comply with the existing UK standards or a mix of the two, and subject to any derogations or determinations granted under the limited powers in RIR to grant exemptions from European technical standards. The latter vehicles would trigger the European standards if and when upgraded or renewed.

4.8 Consequential adjustments are made to RIR. The Regulations also make some supplementary amendments as follows:

(a) Modifications are made to clarify that, for renewals and upgrades of rolling stock, although an authorisation under regulation 4 is for the vehicle, the "project subsystem" to be assessed against the required standards is that part of it to which works have been carried out (regulation 4(2) and (4)(a) and (b)). This reflects existing practice.

(b) Regulation 5(8) is adjusted to ensure that the limited discretion of a Competent Authority to grant a determination that a subsystem to be renewed or upgraded need not be made fully compliant with a technical standard applies to subsystems on the high speed part of the interoperable rail system, not just on the conventional part (regulation 4(6)).

4.9 Prior to the development of the PRM TSI, the Government had prepared a package of statutory instruments to implement its policy of improving and strengthening existing rail vehicle accessibility legislation following the enactment of the Disability Discrimination Act 2005, ("DDA 2005"). The programme for the introduction of those measures, and the commencement of the relevant provisions of the DDA 2005, was put on hold pending the development of the PRM TSI and assessment of its implications. Following the making of this instrument, the Government proposes to progress that programme, adjusted in consequence of the PRM TSI, and scaled down to apply to non-interoperable rail, e.g. light rail, Underground and metro systems, etc.

5. Territorial Extent and Application

5.1 This instrument applies to all of the UK except for regulations 2 and 3 which only apply to GB.

[3] S.I. 2006/312 (N.I. 1), article 8(2).

5.2 Regulation 2 only applies to GB because RVAR only applies to GB. Its Northern Ireland equivalent is the Rail Vehicle Accessibility Regulations (Northern Ireland) 2001[4], made by the Department for Regional Development Northern Ireland (DRDNI). They propose to make equivalent provision to regulation 2 of the Regulations.

5.3 Regulation 3 only applies to GB because, although the DDA 1995 applies to the UK, the prospective amendments made to it by the DDA 2005 only apply to GB (from a date to be appointed). Equivalent amendments were made to the DDA 1995 for Northern Ireland by an Order in Council[5]. It is proposed that DRDNI will promote a similar measure to make equivalent provision for Northern Ireland as is made by regulation 3 for GB.

5.4 RIR apply to the UK and so regulation 4 will apply to the whole of the UK.

6. European Convention on Human Rights

Tom Harris, Parliamentary Under Secretary of State for Transport, has made the following statement regarding Human Rights:

In my view the provisions of the Rail Vehicle Accessibility (Interoperable Rail System) Regulations 2008 are compatible with the Convention rights.

7. Policy background

7.1 As indicated, the PRM TSI is being introduced under the Interoperability Directives from 1 July 2008 and will be applied and enforceable through RIR.

7.2 The introduction of the PRM TSI on the interoperable rail system (referred to in this section as the "trans-European rail system" or "TEN") has necessitated a review of current domestic legislation in this area. In particular, existing domestic standards (RVAR) which have applied to the accessibility of rail vehicles to disabled people since 1998, needed to be amended to reflect the fact that the PRM TSI would take precedence on the TEN once it comes into force on 1 July 2008 and to avoid duplication of regulatory regimes.

7.3 RVAR has considerably improved the accessibility of rail vehicles by introducing and standardising such features as audio-visual passenger information systems, wheelchair spaces and colour contrast. Around 4,700 rail vehicles, including 42 per cent of the heavy rail fleet (vehicles operating on the main line railways of the UK), are already subject to RVAR. In addition, most older rail vehicles have had some access features improved to the standards within RVAR when they have undergone refurbishment or refresh work over the last few years.

7.4 Analysis of the standards contained in the PRM TSI indicates that the majority of the technical requirements it contains are either equivalent or superior to RVAR and it mandates much that was considered as best practice under RVAR. There are, however, a

[4] S.R. (N.I.) 2001 No. 264.

[5] The Disability Discrimination (Northern Ireland) Order 2006 - 2006/312 (N.I. 1).

small number of areas where the PRM TSI standards are less onerous than those of RVAR. This reflects the necessity of agreeing access standards for the future with European partners for whom the move to the PRM TSI will be a more significant challenge.

7.5 However, in light of the introduction of the PRM TSI, RVAR's continuing application to heavy rail vehicles has become problematic. It has therefore been necessary to consider what options are available for ensuring that heavy rail vehicles operating on the TEN are removed from the scope of RVAR while ensuring that any such vehicles which have been regulated under RVAR continue to be maintained to the technical standards of RVAR until the PRM TSI is triggered to apply to those vehicles. This would normally be when they undergo major upgrade or renewal.

Changes to RVAR

7.6 Three options for removing heavy rail vehicles operating on the TEN from the scope of RVAR have been considered:

- **Option A** - revising the scope of RVAR to exclude heavy rail vehicles used on the TEN;

- **Option B** - revising the scope of RVAR so that heavy rail vehicles used on the TEN remain in scope unless and until they trigger the requirements of the RIR (when PRM TSI standards would have to be applied); or

- **Option C** - as in Option A, but adjusting RIR to provide that all RVAR compliant vehicles operating on the TEN are brought within the scope of RIR (where not already) and its requirements for authorised vehicles to be maintained to the standards to which they were built or refurbished. Thus under RIR, vehicles compliant with the accessibility standards described in RVAR would have to been maintained to those standards unless and until undergoing major refurbishment (when the PRM TSI would be applied).

7.7 The first two options were discounted. The first would leave currently regulated heavy rail vehicles outside the scope of any regulatory regime for accessibility until they underwent a major upgrade or renewal and thus triggered the application of the PRM TSI. The second would cause confusion as to which enforcement regime individual heavy rail vehicles were subject to and create significant additional bureaucracy by requiring central recording of accessibility provisions. These would be significant and undesirable consequences.

7.8 The Regulations are based on pursuit of the third option which has none of these drawbacks. In addition to reducing the scope of RVAR, it also rewords the RIR so that heavy rail vehicles used on the TEN, which have previously been subject to RVAR, are "deemed" to be authorised under RIR. In this way, relevant operators will be obliged to maintain their vehicles to the standards to which they have been built, i.e. to RVAR standards (or their Northern Ireland equivalent) due allowance being given for any exemptions from RVAR previously granted, (under RIR regulation 12 as amended by regulation 4(8) of the Regulations). It also ensures that a consistent enforcement regime

is applied across all heavy rail vehicles used on the TEN, administered by the Office for Rail Regulation (which enforces all TSIs) as soon as the Regulations come into force.

7.9 The Regulations are worded such that no other parts of the interoperability regime would be applied prematurely to vehicles deemed to be authorised under RIR (such as the requirement to compile a technical file for each vehicle).

Setting an End Date

7.10 It has also been necessary to consider how best to deliver the existing domestic commitment, set out in section 6(1) of the DDA 2005, for the setting of an end date, of no later than 1 January 2020, by which time all rail vehicles must be subject to accessibility standards (conversely the PRM TSI does not specify an end date).

7.11 The DDA 1995 did not set such an end date. Nor did it give the Secretary of State powers to set one. It was limited at setting 1 January 1999 as the date on, and from which, all new rail vehicles would have to comply with RVAR. So rail vehicles introduced into service before that date were not within scope of RVAR.

7.12 This was identified as a weakness in the RVAR regulatory regime by the Disability Rights Task Force, which was established in 1997 to consider how best to deliver the Government's Manifesto commitment to providing comprehensive and enforceable civil rights for disabled people, in it's "From Exclusion to Inclusion" report of 1999. The Government accepted this recommendation in its response, "Towards Inclusion". Following consultation, measures were included in the DDA 2005 that required the Secretary of State to set an end date, of no later than 1 January 2020, by which time all rail vehicles were to be subject to rail vehicle accessibility regulations made under the DDA 1995.

7.13 The Government considers that the introduction of the PRM TSI should not prevent it maintaining its commitment to the establishment of an end date of 2020 even though the new European standard does not itself require an end date. However, the powers within the DDA 1995 to specify an end date only apply to accessibility regulations made under that Act and not to the interoperability regulations through which the PRM TSI is made to apply. The Regulations therefore make additional amendments to the RIR to oblige heavy rail vehicles used on the TEN to comply with the PRM TSI by 1 January 2020 (unless and to the extent that they already comply with RVAR, or its Northern Ireland equivalent, in recognition of previous efforts to make vehicles accessible).

7.14 While there are grounds for derogations against the standards within the PRM TSI, for new rolling stock these are of a significantly more restricted nature than the exemption process under RVAR. During renewal or upgrading of existing vehicles, the Secretary of State may determine that a relevant TSI, in whole or in part, need not apply to a particular project. The Department intends to use this mechanism to focus effort on delivering real improvements whilst avoiding unproductive expenditure on minor issues which have no practical effect on accessibility.

7.15 Applications for derogations are dealt with administratively in GB by the Department for Transport (and, where applicable, the European Commission), as are determinations. DRDNI performs a similar role for Northern Ireland. During public consultation on the Regulations, the Department made a commitment to consult the Disabled Persons Transport Advisory Committee (DPTAC) - as the Government's statutory advisors on the public passenger transport needs of disabled people - where appropriate before taking any decisions regarding derogations or determinations involving the PRM TSI.

Consultation

7.16 An eight week consultation exercise on the Regulations was completed on 21 April 2008. A reduced consultation period was specified due to the necessity of meeting deadlines driven by our Treaty commitments with the European Union and to allow sufficient time for Parliamentary scrutiny under the draft affirmative resolution procedure. The PRM TSI, which was notified to the United Kingdom in December 2007, will come into force on 1 July 2008 and the Regulations should be in force by then to prevent dual regulatory regimes being in place.

7.17 The consultation paper[6] was distributed to over 220 stakeholders. 42 responses were received (of which 15 were from train operating companies, 7 from other organisations with a rail industry interest, 7 from disability organisations, 5 from rolling stock leasing companies and train manufacturers, 3 from organisations with light rail and heritage interests, 2 from trade unions, 2 from groups representing passengers and 1 from other organisations).

7.18 The consultation paper asked 7 specific questions. Four relate specifically to the Regulations (i.e. question nos. 2, 5, 6, and 7). They are reproduced in bold below together with a summary of the responses received. The three other questions took soundings on related matters beyond the scope of the Regulations themselves and are not therefore summarised in this memorandum. Those related matters were implementation of optional transitional provisions in the PRM / TSI, the implementation of PRM / TSI standards when carrying minor refurbishment works, and unifying the RVAR enforcement regime for light rail with the interoperability enforcement regime for heavy rail.)
Question 2: Do you agree that Option C provides the most clarity whilst safeguarding current levels of accessibility?

7.19 (Options A, B and C are described in paragraph 7.6 above and the Regulations implement Option C). Of those who expressed a preference, there was overall agreement to the principle that RVAR and Part 5 of the DDA 1995 should be disapplied from heavy rail vehicles to avoid dual regulation once the PRM TSI comes into force.

7.20 Option C received the most support from respondents, including all disability organisations and some train operating and rolling stock companies ("ROSCOs"), as it was felt to provide the most clarity, as only one regulatory regime would apply, whilst obliging train operators to maintain their vehicles to the accessibility standards to which they were built. However, a significant number of other train operators and ROSCOs

[6] Available from www.dft.gov.uk/consultations/closed/railvehicleaccessibility.

expressed a preference for Option A. Although Option A would leave existing heavy rail vehicles unregulated until they underwent refurbishment, it was argued that DfT could use the franchise management process or existing domestic safety requirements to ensure continued compliance. The franchise process is too individual rail service based and contractual to be able to set a consistent regulatory framework in the way the Regulations can. The existing domestic safety requirements are not designed to mandate compliance with specific technical requirements in the same targeted way the RIR do.

7.21 There was no support for Option B as respondents indicated that it would be unwieldy and create potential uncertainty.

Question 5: Do you agree that there should be an obligation to remain compliant once heavy rail vehicles are removed from the scope of RVAR?

7.22 Of those who expressed a preference, there was overall agreement that there should be a requirement for those vehicles taken out of the scope of RVAR to be maintained to the accessibility standards described in RVAR. The Regulations so provide.

7.23 However, many responses from train operators queried the proposed mechanism for achieving this i.e. "deeming" existing vehicles to be authorised for the purposes of interoperability thereby triggering the duty to maintain vehicles to the standards to which they were built. They suggested that they were already obliged, through the safety regime under the Railways and Other Guided Transport Systems Regulations 2006 ("ROGS"), to maintain vehicles to the standards to which they were built. However ROGS would not be an adequate substitute for the Regulations as they focus on the maintenance of safety management systems and procedures rather than mandating specific technical standards.

Question 6: Do you agree that an end date of 1 January 2020 represents the best balance between the legitimate aspirations of persons with reduced mobility and the operating realities of the industry?

7.24 While disability groups and trade unions would have liked an earlier end date, there was a broad acceptance by them that 2020 was a reasonable compromise. It was noted that the rail industry had been aware of, and was already required to work towards, 2020 as an end date under RVAR for some time. The option of a 1 January 2017 end date therefore attracted little support from these groups. More emphasis was placed by them on the need to manage the refurbishment process to ensure that a large number of non-complaint vehicles did not remain at the end of 2019.

7.25 Many of the train operating companies expressed a view that an end date was artificial and should be abandoned in favour of addressing accessibility on a rolling basis via the franchising process and the introduction of new trains. Concern was raised that setting an end date could create a stock shortage if this caused older vehicles to be withdrawn from service. Operators also argued that setting an end date would limit potential for the use of European stock in the UK. Some expressed scepticism as to the validity of the legal mechanism proposed to achieve the deadline. Operators also queried

why vehicles were subject to an end date when no such date was proposed for station accessibility.

7.26 The DDA 2005 has already provided for a 2020 deadline to be set for achieving accessibility for passenger rail vehicles on the GB rail system including the whole interoperable rail system to which the Regulations apply, (and equivalent provision has been made for Northern Ireland). Not to provide one in the Regulations would be to abandon this for 70 per cent of the main line rail network. Whilst the franchise process will in practice substantially deliver the accessibility deadline for most vehicles it will not do so for all. Stated and well documented government policy, developed since at least 2001, has been to promote accessibility on the rail system and the 2020 deadline inserted into the DDA 1995 is still assessed to be a reasonable compromise between achieving accessibility standards and managing the practical and economic consequences.

7.27 Whilst the rail industry is generally opposed to the principal of an end date to achieve accessibility, some sections of it have accepted this approach. In any event the Department is already working closely with the rail industry to ensure delivery of accessibility in the most effective manner.

Question 7: Do you agree that this impact assessment presents a realistic representation of the costs and benefits of the Regulations?

7.28 Of those who expressed a view, there were some concerns from train operating companies that the PRM TSI encompassed a wider scope than RVAR and could therefore have greater cost implications. However, the standards on which the PRM TSI is based are broadly commensurate with those set out in RVAR, and we do not believe its introduction for heavy rail vehicles will impose any significant new costs.

7.29 Disability organisations in particular believed that the Impact Assessment did not reflect in monetary terms the benefits to the economy of an accessible railway network, particularly in terms of increased social inclusion. They also argued that there were wider benefits to operators from improved dwell times.

7.30 Others agreed that the impact assessment represented a realistic interpretation of the costs and benefits of the Regulations.

Guidance

7.31 We are intending to produce guidance on the application of the standards in the PRM TSI in a similar format to that already provided for RVAR which outlines the standards to be met, the design need and its application including examples of best practice. This format has been widely welcomed by industry and has been particularly successful in assisting train designers and manufacturers in understanding the requirements of RVAR. We intend to work with the industry and DPTAC on the production of the new guidance along with other groups representing the broader scope of the PRM TSI including women, parents and older people.

8. Impact

8.1 An impact assessment is attached to this Memorandum.

8.2 Impact on the public sector is expected to arise only from the setting of an end date, of 1 January 2020, by which time all rail vehicles used for passenger services on the interoperable rail system must be accessible. The maximum cost to arise out of the implementation of this end date is expected to be £169.7 million. However, the impact assessment notes reasons why the Government expects this figure to be significantly reduced in practice. We are intending to work closely with the industry to realise these savings.

8.3 The additional costs of specifying the end date will generally be met in the first instance by the train owners who will pass them on through increased leasing charges. When bidding for franchises, potential operators will take account of these increased leasing charges in their bid which will inform the amount of subsidy required from, or premium paid to, the Government.

9. Contact

John Bengough at the Department for Transport (tel: 020 7944 5035 or e-mail: john.bengough@dft.gsi.gov.uk) can answer any queries regarding the instrument.

Summary: Intervention & Options		
Department /Agency: Transport	**Title: Impact Assessment of Rail Vehicle Accessibility (Interoperable Rail System) Regulations**	
Stage: Final	**Version:** 1.1	**Date: 20 May 2008**
Related Material: A consultation on the stations aspects of the new European standard has also been undertaken (see www.dft.gov.uk/consultations).		

Available to view at: **http://www.dft.gov.uk/consultations**

Contact for enquiries: **John Bengough** **Telephone:**

What is the problem under consideration? Why is government intervention necessary?

The introduction of a new European standard for the accessibility of most heavy rail vehicles and the setting of an end date by which time all such vehicles must be accessible. Intervention is necessary to prevent the application of dual regulatory regimes in this area through integration with existing domestic standards already covering this area. The Disability Discrimination Act 2005 (DDA 2005) requires the setting of an end date, of no later than 1 January 2020, in line with provisions already in place for other forms of public transport.

What are the policy objectives and the intended effects?

The policy objectives are to effectively integrate the new European standard with existing domestic legislation (the Rail Vehicle Accessibility Regulations 1998 - RVAR) whilst ensuring continuity, transparency and enforceabilty between regulatory regimes. The intended effect is to enable the rail industry to be clear about which technical standard is applicable in given circumstances. It will also ensure that all rail vehicles are accessible no later than 1 January 2020 facilitating an accessible transport chain thereby reducing social exclusion.

What policy options have been considered? Justify any preferred option.

We do not believe that the move to the new European standard will impose any significant new costs. Indeed, we expect costs to fall as the benefits of standardisation are realised. The principal impacts are therefore associated with the setting of the end date. The DDA 2005 ensures that, for RVAR, this can be no later than 1 January 2020 which is also the Government's preferred option for the new European standard. 1 January 2017 has also been considered but estimates indicate that this would double the associated costs of compliance and would present problems in programming overhaul work without impacting on the availability of rolling stock in service.

When will the policy be reviewed to establish the actual costs and benefits and the achievement of the desired effects?

It will only be possible to establish actual costs and benefits of setting an end date once it is reached. However, the Department will continue to ensure future franchise specifications address accessibility, and implementation of the policy will be monitored and evaluated to ensure gradual progression to achieve accessibility by the end date.

Ministerial sign-off For final stage Impact Assessment:

I have read the Impact Assessment and I am satisfied that it represents a reasonable view of the likely costs, benefits and impact of the leading options

Signed by the responsible Minister: Tom Harris Date: 20 May 2008

Summary: Analysis & Evidence	
Policy Option:1	**Description: End date of 1 January 2020**

Annual Costs		Description and scale of **key monetised costs** by 'main affected groups' Costs will mainly fall on vehicle owners who will recover them through increased leasing charges. Ultimately, costs will affect the amount of subsidy required from, or premium paid to, the Government for each franchise.	
One-off	**Y**		
£ 169.7 million	1		
Ave Annual Cost (excluding one-off)			
£		**Total Cost** (PV)	**£ 169.7 million**
Other **key non-monetised costs** by 'main affected groups'			

Annual Benefits		Description and scale of **key monetised benefits** by 'main affected groups' Benefits will largely be realised through broader social inclusion for society but we anticipate an expected increase in fare revenue for train operating companies. However, it is not possible to quantify these benefits accurately in monetary terms.	
One-off	**Y**		
£			
Ave Annual Benefit (excluding one-off)			
£		**Total Benefit** (PV)	**£**
Other **key non-monetised benefits** by 'main affected groups'			

Key Assumptions/Sensitivities/Risks

Price Base Year 2003	Time Period Years 12	**Net Benefit Range** (NPV) **£**	**Net Benefit** (NPV Best estimate) **£**

What is the geographic coverage of the policy/option?			UK	
On what date will the policy be implemented?			Summer 2008	
Which organisation(s) will enforce the policy?			ORR	
What is the total annual cost of enforcement for these			£ Negligible	
Does enforcement comply with Hampton principles?			Yes	
Will implementation go beyond minimum EU requirements?			Yes	
What is the value of the proposed offsetting measure per			£ N/A	
What is the value of changes in greenhouse gas emissions?			£ N/A	
Will the proposal have a significant impact on competition?			No	
Annual cost (£-£) per organisation (excluding one-off)	Micro	Small	Medium	Large
Are any of these organisations exempt?	No	No	N/A	N/A

Impact on Admin Burdens Baseline (2005 Prices)				(Increase -
Increase	£ None	Decrease	£ None	**Net** **£** Negligible

Key	**Annual costs and**	**(Net)**

Summary: Analysis & Evidence	
Policy Option: 2	**Description: End date of 1 January 2017**

Annual Costs		Description and scale of **key monetised costs** by 'main affected groups' Costs will mainly fall on vehicle owners who will recover them through increased leasing charges. Ultimately, costs will affect the amount of subsidy required from, or premium paid to, the Government for each franchise.	
One-off	**Y**		
£ 353 million	9		
Ave Annual Cost (excluding one-off)			
£		**Total Cost** (PV)	**£ 353 million**
Other **key non-monetised costs** by 'main affected groups'			

Annual Benefits		Description and scale of **key monetised benefits** by 'main affected groups' Benefits will largely be realised through broader social inclusion for society but we anticipate an expected increase in fare revenue for train operating companies. However, it is not possible to quantify these benefits accurately in monetary terms.	
One-off	**Y**		
£			
Ave Annual Benefit (excluding one-off)			
£		**Total Benefit** (PV)	**£**
Other **key non-monetised benefits** by 'main affected groups'			

Key Assumptions/Sensitivities/Risks			
Price Base Year 2003	Time Period Years 9	**Net Benefit Range** (NPV) **£**	**Net Benefit** (NPV Best estimate) **£**

What is the geographic coverage of the policy/option?				UK
On what date will the policy be implemented?				Summer 2008
Which organisation(s) will enforce the policy?				ORR
What is the total annual cost of enforcement for these				£ Negligible
Does enforcement comply with Hampton principles?				Yes
Will implementation go beyond minimum EU requirements?				Yes
What is the value of the proposed offsetting measure per				£ N/A
What is the value of changes in greenhouse gas emissions?				£ N/A
Will the proposal have a significant impact on competition?				No
Annual cost (£-£) per organisation (excluding one-off)	Micro	Small	Medium	Large
Are any of these organisations exempt?	No	No	N/A	N/A

Impact on Admin Burdens Baseline (2005 Prices)				(Increase -
Increase	£ None	Decrease	£ None	**Net** **£** Negligible

Key	**Annual costs and**	**(Net)**

Evidence Base (for summary sheets)

This impact assessment is set out as follows:

		Page
1	Introduction	6
2	Issues and objectives	7
3	Risk assessment	8
4	Options	8
5	Benefits	9
6	Costs	10
7	Business sectors affected	12
8	Issues of equality and fairness	12
9	Enforcement and sanctions	13
10	Monitoring and review	13
11	Consultation	14
12	Specific Impact Test Checklist and results	15

1 Introduction

1.1 The impact assessment process is a key tool in delivering better regulation that assists departments to deliver policy objectives. Impact assessments serve as both:

- a continuous process to assist policy-makers in fully thinking through and understanding the consequences of possible and actual Government interventions (whether domestic or internationally based) in the public, private and third sectors; and

- a tool to enable the Government to weigh and present the relevant evidence on the positive and negative effects of such interventions, including reviewing the impact of policies after they have been implemented.

1.2 As the Government aims to intervene only when necessary, and since most policy objectives can be achieved through a range of options, the impact assessment process is designed to identify proposals that best achieve their objectives while minimising costs and burdens.

1.3 The imminent introduction of a new European technical specification for interoperability covering the accessibility of heavy rail vehicles (and stations) to persons with reduced mobility[7] (the PRM TSI) on parts of the United Kingdom's railway network has necessitated a review of current domestic legislation in this area. This assessment only considers impacts on heavy rail vehicles; amendments to the standards covering station design are the subject of a separate consultation exercise[8].

1.4 Great Britain already has legislation covering the accessibility of trains to disabled people, the Rail Vehicle Accessibility Regulations 1998 (RVAR)[9], so these must be amended to reflect the fact that the PRM TSI takes precedence and to avoid duplication of regulatory regimes.

1.5 The Rail Vehicle Accessibility (Interoperable Rail System) Regulations 2008 (the Regulations) are designed to facilitate the introduction of the PRM TSI by:

- disapplying Part 5 of the Disability Discrimination Act (DDA) 1995 and RVAR from heavy rail vehicles that are used on the Trans-European Network (TEN) in Great Britain;
- deem currently regulated heavy rail vehicles as "authorised" for the purposes of the interoperability regime; and

[7] "Persons with reduced mobility" is a technical term which includes people with sensory impairments and non-disabled people who experience barriers when travelling such as pregnant women and parents travelling with small children.

[8] The consultation can be viewed at www.dft.gov.uk/consultations.

9 SI 1998/2456. Northern Ireland has its own regulations, the Rail Vehicle Accessibility Regulations (Northern Ireland) 2001 (Statutory Rule 2001/264). Available from www.opsi.gov.uk/Sr/sr2001/20010264.htm.

- amend the Railways (Interoperability) Regulations 2006 (RIR) to set an end date, of 1 January 2020, for heavy rail vehicles to comply with accessibility standards.

1.6 A detailed explanation of the effect of the Regulations can be found in the associated Explanatory Memorandum which accompanies them.

1.7 Since the standards on which the PRM TSI is based are broadly commensurate with those set out in RVAR, we do not believe its introduction for heavy rail vehicles will impose any significant new costs. Indeed, in due course, we would expect costs to fall as the benefits of standardisation work through. The PRM TSI standards themselves are set by the European Union and the United Kingdom is required to implement them in full.

1.8 The principal costs of the Regulations therefore stem from the Government's intention to specify an end date by which time all heavy rail vehicles must be accessible and the following impact assessment is based largely on the possible options for implementation of this aspect of the proposals. The DDA 2005 had provided that an end date of 1 January 2020 must be set for vehicles to achieve accessiblity standards, and the proposals seek to apply this end date to the new European standards.

1.9 We aim to have the Regulations in place by 1 July 2008, when the new European standard will come into force. They will be subject to explicit Parliamentary approval under the draft affirmative resolution procedure.

2 Issues and objectives

2.1 The Government is committed to ensuring that disabled and other people have the same opportunities to access work, leisure, education and health services as other members of society. Achieving an accessible railway network is an important element in that policy.

2.2 The new European standard is designed to meet not only the needs of the estimated 11 million[10] disabled people in the UK, but also those of the broader group of "persons with reduced mobility" (PRM). In addition to disabled people, this definition also includes older people; there are 9.7 million people over the age of 65[11], a group which is expected to more than double over the next thirty years (the number of people over 80 is expected to treble over the same period)[12]. Given that everybody at some point in their lives is likely to meet the definition of PRM, the introduction of the PRM TSI will benefit all passengers.

2.3 The introduction of the PRM TSI has come at a time when the Government was already reviewing the domestic provisions which have been in place under the Disability Discrimination Act (DDA) 1995. Indeed, the DDA 2005 included a

10 See www.dwp.gov.uk/mediacentre/pressreleases/2006/feb/drc-015-090206.asp.
11 See www.statistics.gov.uk/cci/nugget.asp?ID=949.
12 Whilst age is not synonymous with disability, we acknowledge that a degree of double counting will occur when considering these two figures.

number of measures on rail accessibility amending the extant rail vehicle accessibility regime. The introduction of the PRM TSI has necessitated a review of these and a further consultation package regarding the on-going regulation of rail vehicles not subject to the PRM TSI, such as light rail and underground systems, will be issued later this year.

2.4 These measures apply to England, Scotland, Wales and, except in relation to the measures to disapply RVAR from heavy rail, Northern Ireland, (where equivalent measures would disapply the Northern Ireland equivalent of RVAR).

3 Risk assessment

3.1 It would be unlawful for the UK not to bring the PRM TSI into force. By not doing so, the UK would be open to possible infraction proceedings by the European Union. The UK rail industry would also not receive the cost benefits which are likely to be available, for example through standardisation of components, and leave the industry at a competitive disadvantage. In addition, the improvements in accessibility and scope that the PRM TSI generally provides over the RVAR, would not otherwise be realised.

3.2 Equally, were the PRM TSI to come into force without disapplying RVAR to the interoperable rail system in Great Britain, it would leave any vehicle on the TEN subject to two similar accessibility regimes. This would be contrary to better regulation principles, overly bureaucratic, and result in a confusing and burdensome regime both in terms of administration and compliance.

4 Options

4.1 As noted above, it would be unlawful not to introduce the PRM TSI into the UK. Therefore this is not considered to be a viable option. The retention of RVAR alongside the PRM TSI once it is introduced is also not considered an option due to the indisputable disbenefits of dual regulation.

4.2 The principle of setting an end date by which time all rail vehicles must be accessible was debated and agreed during the passage of the DDA 2005 through Parliament. It has already been a legislative requirement that an end date of 1 January 2020 be set so this impact assessment does not consider any dates later than this but does include the specification of an earlier date. A Regulatory Impact Assessment was completed in 2003 for the initial proposal to provide powers in the draft Disability Discrimination Bill to allow an end date to be set.

4.3 The Regulations will only apply to the interoperable rail system. An end date for light rail, metros, trams and Underground, etc, will be consulted upon later in 2008.

4.4 Most rail vehicles are assumed to have an economic life of 30 or 35 years but, in practice, many continue to be used beyond that time. Therefore, with RVAR only applying to new rail vehicles introduced into service after 31

December 1998, without an end date for the rest of the national rail fleet pre-RVAR vehicles may not otherwise be fully subject to accessibility requirements until around 2033.

4.5 We have identified two possible options for setting the end date:

Option 1 – End date of 1 January 2020

4.6 This is the Government's preferred option as outlined in a written Ministerial statement to Parliament[13] and in Delivering a Sustainable Railway[14].

4.7 Based on a 30 year life, it was estimated that, if the end date was set at 1 January 2020, just under 2,200 rail vehicles will be in service that were not built to the standards in either RVAR or PRM TSI. In 2003, the cost of making these vehicles compliant was estimated to be £169.7 million, a figure that the Government accepted when choosing 2020 as its preferred option. However, we expect this figure to be significantly less in practice for the reasons outlined in **paragraph 6.2**.

Option 2 – End date of 1 January 2017

4.8 Setting an earlier end date of 1 January 2017 would affect an estimated 2,162 additional rail vehicles giving a total of around 4,400. Whilst the cost of making all these rail vehicles compliant was estimated to be £353 million in 2003, as outlined in **Section 6**, we expect this figure to fall.

4.9 However, significant difficulties in programming the overhaul work to rectify all these vehicles in time for the end date of 2017 would remain. Further, passenger services might also need to be reduced due to the requirement to remove rail vehicles from service in order to carry out this work. For all these reasons, we believe that 2017, or any earlier date, would not be practicable.

5 Benefits

5.1 The Government recognises the important role that rail services have in facilitating access to employment, education, healthcare and leisure services. These proposals will continue the process of removing those barriers to rail travel that some members of society experience. For example, in 2002, disabled people were estimated to travel a third less often than society as a whole. The proposals will help realise the social inclusion benefits of enabling persons with reduced mobility to travel independently. These include enabling a rapidly aging population to remain economically active for longer and focussing bespoke transport options, such as dial-a-ride, on those for whom public transport may never be an option.

13 See www.publications.parliament.uk/pa/cm200405/cmhansrd/vo041129/wmstext/41129m01.htm#41129m01.html_sbhd4.

14 Delivering a Sustainable Railway, TSO, July 2007, Cm 7176, £25, ISBN 978-0-10-171762-5. Available from www.dft.gov.uk/about/strategy/whitepapers/whitepaercm7176.

5.2 The number of adults in the UK with a long-standing health problem or disability is estimated to be around 11 million and this group of people is estimated to have a spending power of £80 billion. It should be remembered that the definition of "person with reduced mobility" is much broader in scope than disabled people. The commercial incentive to make rail vehicles accessible is clear, especially when one considers that this group will commonly travel with a companion or family members. The PRM TSI's introduction will also complement the improvements to station accessibility that are being delivered through the Government's £370 million "Access for All" programme.

5.3 So, in addition to the social inclusion benefits, increases in fare revenue that improved accessibility will deliver, are expected.

5.4 The specification of an end date also brings rail vehicles into line with buses and coaches (which, depending on the type of vehicle, have end dates between 2015 and 2020). In particular, coaches which could be considered the most analogous form of long-distance travel to trains, have an end date of 1 January 2020.

6 Costs

6.1 For franchised operators, any additional costs of setting the end date will generally be met in the first instance by the train owners who will recover them through increased leasing charges. When bidding for franchises, potential operators will take account of these in their bids which will inform the amount of subsidy required from, or premium paid to, the Government.

6.2 As explained in **Section 4** above, the costs of making the national rail fleet accessible by 2020 and 2017 were estimated in 2003 to be £169.7 and £353 million respectively. Whilst these figures have not been recalculated, we expect them to fall for the reasons outlined below (although we recognise that individual unit costs are likely to have risen in the intervening period):

- **Standardisation through the PRM TSI**

  Costs are expected to fall through economies of scale as components become standard across Europe.

- **Recent access improvements**

  Since 2003, most of the vehicles concerned have already undergone work that improves their accessibility and which can therefore be removed from the total future costs.

- **Betterment of passenger environment**

The vehicles concerned will include better accessibility as their interiors are refurbished in order to meet rising passenger expectations and to correct normal wear and tear. This includes provision of passenger information systems which are popular with all passengers and may assist in reducing dwell times, replacement of seating that is life expired and the application of contrast when colour schemes are changed. As this work would take place during the normal course of business, we do not believe that the associated costs should be attributed to the setting of an end date.

- **Redeployment**

  As vehicle fleets are moved around the country, their role may change and passenger facilities may be altered to reflect this. A good example is the removal of toilets on some inner-suburban services in order to increase capacity. Whilst this must not be used as a pretext for avoiding the provision of appropriate facilities, significant savings can be accrued as a result.

- **Timetable for rectification work**

  Some of the costs in the original 2003 figures were based on vehicles being taken out of service for corrective work on a stand alone basis. With twelve years' notice prior to the preferred end date of 2020, we would expect rectification work to take place during planned refurbishment regimes, significantly lowering costs and reducing the impact on fleet availability.

- **Targeted compliance**

  Whilst new trains must be fully compliant, we accept that older vehicles may have some non-compliances that make little or no difference to their accessibility but which can, in many circumstances, cost a significant amount to rectify. Whilst ensuring that major non-compliances are rectified as soon as possible, and definitely in time for the end date, we shall also be deciding, on a case by case basis and following consultation, which of these minor non-compliances may remain.

6.3 As a result, we believe that the original 2003 figures will be reduced significantly (although those for 2017 are likely to remain at a proportion of approximately double those of 2020). Recalculating the original costings for three older fleets, using the above approach, resulted in estimated cost reductions of 76, 46 and 29 per cent respectively without compromising the purpose of the end date.

Other costs

6.4 Where, in future, the PRM TSI requires new build and refurbishment work to be verified as compliant by a notified body (NoBo), this is similar to existing proposals for a certification regime for RVAR (for which provision was provided in

DDA 2005 with the support of industry). This may result in some additional costs for industry, however, these are impossible to quantify since they are dependent on the scope of the works being assessed and it is likely that NoBos will be assessing a variety of works broader in scope than those concerned with accessibility alone.

6.5 The changes in enforcement and overall administration that the introduction of the PRM TSI will engender will also have costs and resource implications for the Department for Transport and, particularly, the Office of Rail Regulation and the Health and Safety Executive Northern Ireland (in relation to enforcement).

7 Business sectors affected

7.1 The Regulations will mainly affect the 18 franchised operators of scheduled services on the GB national rail network, London Overground and open access operators. Within Northern Ireland they will impact only on Northern Ireland Railways, which is the sole provider of rail services. Many of these companies are subsidiaries of larger companies which operate a number of train operating franchises.

7.2 The PRM TSI includes an up-front exclusion for heritage services which ensures that the technical standards it contains will not be applied to vehicles of this nature.

8 Issues of equality and fairness

8.1 Although the primary purpose of both the existing RVAR and the PRM TSI standards is to improve the accessibility of rail vehicles to persons with reduced mobility, designs that meet their needs also benefit all other passengers. The overall objective is to provide inclusive design and, through that, reduce social exclusion.

8.2 Disabled people are likely to form the largest single group of persons with reduced mobility who are the primary benefactors of standards aimed at improving the accessibility of rail vehicles. There are currently an estimated 11 million[15] disabled people in the UK. Other large groups include older people, parents travelling with small children and pregnant women.

8.3 In the context of this impact assessment, this means enabling persons with reduced mobility to access rail services with the same level of safety, comfort, and ease-of-use that other members of society have. It is also Government policy to encourage more use of rail services; ensuring that persons with reduced mobility can do so is an important aspect of this.

15 www.dwp.gov.uk/mediacentre/pressreleases/2006/feb/drc-015-090206.asp.

8.4 The Department is particularly mindful of its obligations under the Disability Equality Duty[16] and the importance of transport in maintaining independent mobility including the contribution that rail services can make to this. The Action Plan, which was produced as part of the Department's Disability Equality Scheme 2006-2009[17], identifies the steps we intend to take to improve the accessibility of rail services, including implementation of the PRM TSI for heavy rail vehicles.

8.5 Equally, however, we are also mindful of the importance of not placing excessive financial burdens on the rail industry. Improving access to rail vehicles is not cost free and it is necessary to seek a balance between the additional costs which may be placed on the industry and/or taxpayers and the reasonable expectations of persons with reduced mobility that they should be able to use rail services in the same manner as other members of society. We believe that the Department's policy of targeted compliance will deliver this.

8.6 We have considered whether the potential changes are likely to have any impact (adverse or differential) on race, disability and gender equality. It is not anticipated that any such impacts will occur (see also specific impact test results at **Page 15**).

9 Enforcement and sanctions

9.1 The Office of Rail Regulation (ORR), or in Northern Ireland the Health and Safety Executive Northern Ireland (HSENI), is responsible for enforcement of all aspects of interoperability including the PRM TSI.

9.2 Essentially the RIR, through which TSIs are applied, have effect in domestic legislation as though they were made under the Health and Safety at Work, etc. Act 1974, with the same penalties and powers for inspectors, and penalties for breach, as under that Act. ORR, or HSENI, will deal with breaches of the RIR on receipt of a complaint[18].

9.3 The ORR has published an enforcement statement[19] outlining the general principles and approach it will follow in exercising its enforcement duties. HSE(NI) has also published guidance on its inspection and enforcement procedures[20].

10 Monitoring & review

10.1 We will keep the effectiveness of the interoperability regime under review and intend to work with the European Union and other Member States to raise the minimum standards the PRM TSI contains over time.

16 The Disability Equality Duty was introduced in 2006 to place a duty on public authorities, including all central government departments, to promote equality for disabled people. The aim of the duty is to ensure that public authorities have due regard to the needs of disabled people when carrying out their functions.
17 Disability Equality Scheme 2006-2009, DfT, December 2006. Available from www.dft.gov.uk/about/sr/disabilityequalityduty/disabilityequalityscheme.
18 See www.rail-reg.gov.uk/server/show/nav.258.
19 At www.rail-reg.gov.uk/upload/pdf/281.pdf.
20 See www.hseni.gov.uk.

10.2 It is envisaged that the Equality and Human Rights Commission[21], as part of its overall duty to monitor provisions in place to improve accessibility, will also keep the legislative framework under review as will the Disabled Persons Transport Advisory Committee (DPTAC).

11 Consultation

11.1 Consultation on these proposals has taken place with other government departments with a policy interest, with the ORR and with the devolved administrations.

11.2 The Government highlighted the issue of setting an end date in its consultation on policy proposals held in 2003[22]. These were subsequently included in the DDA 2005.

11.3 Further consultation on the draft Regulations setting the end date for heavy rail vehicles was completed in 2008[23].

21 The Commission, which was established on 1 October 2007, merges the functions of the Disability Rights Commission, the Race Equality Commission and the Equal Opportunities Commission into a single body. For more information, please see www.equalityhumanrights.com.

22 Consultation on the Government's proposals to amend the rail provisions in Part 5 of the Disability Discrimination Act 1995, DfT, November 2003. Available from www.dft.gov.uk/consultations/archive/2004/arpv.

23 www.dft.gov.uk/consultations/closed/railvehicleaccessibility.

Specific Impact Tests: Checklist

Type of testing undertaken	*Results in Evidence Base?*	*Results annexed?*
Competition Assessment	No	Yes
Small Firms Impact Test	No	Yes
Legal Aid	No	No
Sustainable Development	No	No
Carbon Assessment	No	No
Other Environment	No	No
Health Impact Assessment	No	No
Race Equality	No	Yes
Disability Equality	No	Yes
Gender Equality	No	Yes
Human Rights	No	No
Rural Proofing	No	No

Competition assessment
The proposals will only affect the operators of most heavy rail vehicles and will not have any substantial differential effect on different operators whether they be franchised or open access.

Small Firms Impact Test
There is no single definition of a "small business" but the European Union follows the categorisation that they are typically those with fewer than 50 full-time equivalent employees[24].

We have considered the impacts of the Regulations and do not believe that they will affect any small businesses. Indeed, the smallest companies to which the proposals will apply are independent open access operators and we understand that none of these currently has less than 50 employees.

Race, Disability & Gender Equality
Issues of equality and fairness are dealt with in **Section 8**. We have considered whether the potential changes are likely to have any impact on race, disability or gender equality and do not expect any differential impacts to occur.

Specifically in terms of disability equality, the proposals implement recommendations made by the Disability Rights Task Force in 2001 to set an end

24 OJ L 124, 20 May 2003, p36-41 accessible via http://europa.eu.int/eur-lex/lex/JOIndex.do?ihmlang=en.

date, by which time all rail vehicles must be accessible and to regulate the refurbishment of older vehicles. It is anticipated that the introduction of the PRM TSI will further increase the accessibility of trains to disabled people including those with temporary disabilities not currently covered by the Disability Discrimination Act 1995.