Draft Order laid before Parliament under section 67(5A) of the Disability Discrimination Act 1995, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2008 No. 000

DISABLED PERSONS

TRANSPORT

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

Made - - - -	*2008*
Coming into force - -	*2008*

The Secretary of State makes the following order in exercise of the powers conferred by sections 47(1), (1A), (3)(a) and (4) and 67(2) of the Disability Discrimination Act 1995(**a**).

In accordance with section 47(3) 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 sections 67(5A) and 67A(**c**) of that Act, a draft of the Order has been laid before Parliament and approved by a resolution of each House of Parliament.

Citation and commencement

1. This Order may be cited as the Rail Vehicle Accessibility (London Underground Victoria Line 09TS Vehicles) Exemption Order 2008 and shall come into force on the day after the day on which it is made.

Interpretation

2. In this Order—

"exempt vehicle" means a rail vehicle of the type 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;

"regulation" means a regulation in the Rail Vehicle Accessibility Regulations 1998(**a**);

(**a**) 1995 c. 50. Section 47(1) and (1A) was inserted by section 6(3) of the Disability Discrimination Act 2005 (c. 13).

(**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**) Section 67(5A) was inserted by section 19(1) and Schedule 1, Part 1, paragraph 33(5) of the Disability Discrimination Act 2005; section 67A was inserted by section 6(4) of that Act. The Secretary of State has no discretion as to the type of parliamentary procedure to be used if no regulations made under section 67A(3) are in force. No such regulations are in force.

"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.

Exemption

3. Subject to article 4, 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) regulation 4(3)(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;

(b) regulation 13(4) (passenger information when vehicle is stationary), but only in so far as it applies to the systems inside the passenger saloon;

(c) regulation 13(7) (height of lettering on visual public address systems), but only in so far as it applies to the visual system inside the passenger saloon;

(d) regulation 23(1) (boarding devices at wheelchair compatible doorways), but only in relation to a station named in the table in Schedule 2 or at Pimlico station.

Conditions

4.—(1) The exemption from regulation 4(3)(b) only applies if the audible warning device emits a different distinct sound commencing at least 1.75 seconds before the door starts to close.

(2) The exemption from regulation 13(4) only applies if—

(a) whilst the vehicle is stationary at a station, the systems inside the passenger saloon are used to announce 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;

(b) where under paragraph (2)(a) no announcement is made at a station as to the destination of the vehicle, that information is provided after leaving the station and before the vehicle stops at the next station;

(c) where under paragraph (2)(a) no announcement is made at a station as to the next stop, that information is provided after leaving the station and before the vehicle stops at the next station.

(3) The exemption from regulation 13(7) only applies if—

(a) the system for visual announcements displays characters in a font which is used, as at the date this Order is made, in the digital font technology known as TrueType(**b**);

(b) all letters and numbers contrast with their background;

(c) all letters and numbers are consistent with the table in Schedule 1, so that—

(i) the height of upper case letters and numbers is at least the minimum height indicated in the relevant row of the second column of that table, and

(ii) the height of lower case letters is at least the minimum height indicated in the relevant row of the third column of that table,

where the relevant row is determined by the type of information displayed as indicated in the first column of that table; and

(d) the maximum viewing distance in a passenger saloon to the nearest visual announcement in the saloon is no greater than 3 metres.

(**a**) S.I. 1998/2456 as amended by S.I. 2000/3215; there is another amending instrument which is not relevant.
(**b**) TrueType is a trademark of Apple Inc., registered in the United States of America and other countries.

(4) The exemption from regulation 23(1) only applies—

(a) in relation to a station named in the table in Schedule 2, until the end of the day indicated against its name in that table; and

(b) in relation to Pimlico station, until step-free access is provided at that station.

Expiry

5. The exemptions from regulations 4(3)(b), 13(4) and 13(7) expire at the end of 31st December 2013.

Signed by authority of the Secretary of State for Transport

Name
Minister of State
Date Department for Transport

SCHEDULE 1

Article 4(3)(c)

Letter and number heights on visual announcement systems inside the passenger saloon

Type of information displayed	***Minimum upper case letter and number height***	***Minimum lower case letter height***
Station names where given as the destination of the vehicle or the next station:		
Brixton	35mm	25.4mm
Euston	35mm	25.4mm
Pimlico	35mm	25.4mm
Stockwell	35mm	25.4mm
Vauxhall	35mm	25.4mm
Victoria	35mm	25.4mm
Blackhorse Road	25mm	18.1mm
Finsbury Park	25mm	18.1mm
Green Park	25mm	18.1mm
Highbury & Islington	25mm	18.1mm
King's Cross St. Pancras	25mm	18.1mm
Oxford Circus	25mm	18.1mm
Seven Sisters	25mm	18.1mm
Tottenham Hale	25mm	18.1mm
Walthamstow Central	25mm	18.1mm
Warren Street	25mm	18.1mm
Emergency information	13.5mm	9.8mm
All other information	11mm	8.1mm

SCHEDULE 2

Articles 3(d) and 4(4)(a)

Station	*Exemption applies until the end of*
King's Cross St. Pancras	31st December 2009
Stockwell	31st December 2011
Vauxhall	31st December 2011
Finsbury Park	31st December 2012
Green Park	31st December 2012
Highbury & Islington	31st December 2012
Blackhorse Road	31st August 2013
Euston	31st August 2013
Oxford Circus	31st August 2013
Seven Sisters	31st August 2013
Victoria	31st August 2013
Walthamstow Central	31st August 2013
Warren Street	31st August 2013

EXPLANATORY NOTE

(This note is not part of the Order)

This Order exempts certain rail vehicles of the type 09TS from specified requirements of the Rail Vehicle Accessibility Regulations 1998 (S.I. 1998/2456, amended by S.I. 2000/3215) where used on the Victoria Line.

The Order exempts the vehicles (*article 3*), subject to conditions (*article 4*) and to expiry of the exemptions (*article 5*), from requirements as to the period of time for audible warning of doors closing; as to passenger information inside passenger saloons whilst stationary at a station; the height of lettering on visual announcements in passenger saloons; and the provision of boarding devices on station platforms where there is a gap between the edge of the platform and the door sill of the rail vehicle.

An impact assessment has not been produced for this instrument because no additional costs on business, charities or the voluntary sector are foreseen and the impact on the public sector is negligible.

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£4.00

E3117 10/2008 183117T 19585