STATUTORY INSTRUMENTS

2000 No. 2050

DISABLED PERSONS TRANSPORT

The Rail Vehicle Accessibility (Connex South Eastern Class 375 Vehicles) Exemption Order 2000

Made - - - -	*28th July 2000*
Laid before Parliament	*31st July 2000*
Coming into force	*22nd August 2000*

The Secretary of State in exercise of the powers conferred on him by section 47 of the Disability Discrimination Act 1995**(a)** and of all other powers enabling him in that behalf, having consulted the Disabled Persons Transport Advisory Committee and such other persons as he considered appropriate in accordance with section 47(3) of the said Act, hereby makes the following Order:—

1. This Order may be cited as the Rail Vehicle Accessibility (Connex South Eastern Class 375 Vehicles) Exemption Order 2000 and shall come into force on 22nd August 2000.

2. Any reference in this Order to a numbered regulation is a reference to a regulation bearing that number in the Rail Vehicle Accessibility Regulations 1998**(b)**.

3. This order applies to the rail vehicles which are numbered 67801 to 67845, 67851 to 67895, 67921 to 67940, 74201 to 74245, 74251 to 74295 and 74351 to 74360 and which form the electric multiple-units numbered 375301 to 375310 and 375601 to 375630 and 375701 to 375715 of the class known as "Class 375" ("the exempted vehicles") as manufactured by ABB Daimler Benz (UK) Limited for use by Connex South Eastern Limited.

4.—(1) Subject to articles 5 and 6 below, the exempted vehicles are hereby authorised to be used for carriage even though they do not conform with those provisions of the Rail Vehicle Accessibility Regulations 1998 referred to in paragraph (2) below.

(2) The provisions with which the exempted vehicles are not required to conform are—

(a) regulation 4(3)(b);

(b) regulation 5, in so far as it relates to door control devices which are not operated by the application of pressure and which do not control doors which are in the side of an exempted vehicle;

(c) regulation 5(1)(a), in so far as it relates to the doors in the side of an exempted vehicle;

(d) regulation 12, in so far as it relates to the sliding doors between the passenger saloon and a driver's cab in the end of an exempted vehicle, and subject to the condition in article 5(1) below;

(a) 1995 c. 50.
(b) S.I. 1998/2456.

(e) regulation 13, in so far as it relates to the visual passenger information systems inside the passenger saloon of an exempted vehicle, and subject to the condition in article 5(2) below;

(f) regulation 13(7), in so far as it relates to the requirement that the first letter of, and numbers used in, announcements on visual systems on the front of an exempted vehicle shall be not less than 70 millimetres high, and subject to the condition in article 5(4) below.

5.—(1) The exemption given in article 4(2)(d) above in respect of regulation 12 shall only apply—

(a) to the first 24 exempted vehicles brought in to passenger carriage service; and

(b) to the vehicles whilst they are in use as part of a train which consists of no more than 8 vehicles (whether or not those vehicles are exempted).

(2) The exemption given in article 4(2)(e) above in respect of regulation 13 shall apply only in relation to any exempted vehicle for any period during which the operator provides in that vehicle or, where an exempted vehicle forms part of a train, in that train, a person who complies with the requirements specified in paragraph (3) below.

(3) The requirements are that the person shall—

(a) have attended a training course, which has been approved by the Secretary of State, to be trained in awareness of the needs of disabled persons and persons with hearing disabilities;

(b) be equipped with writing paper, a pen and a printed timetable showing the services on the route on which the exempted vehicle is being used and the times of arrival at each station on that route; and

(c) be reasonably available to provide persons, with hearing disabilities, in the exempted vehicle with the information which is required by regulation 13(4) and (5) to be displayed on public address systems for visual announcements in a regulated rail vehicle which is not an exempted vehicle.

(4) The exemption given by article 4(2)(f) above in respect of regulation 13(7) shall only apply provided that the first letter of, and numbers used in, announcements on visual systems on the front of an exempted vehicle shall not be less than 49 millimetres high.

6.—(1) The exemption given in respect of regulation 4(3)(b) shall cease at the end of 31st December 2000.

(2) The exemption given in respect of regulation 5 shall cease at the end of 31st December 2011.

(3) The exemption given in respect of regulation 5(1)(a) shall cease at the end of 31st December 2010.

(4) The exemption given in respect of regulation 12 shall cease at the end of 31st March 2001.

(5) The exemption given in respect of regulation 13 shall cease at the end of 31st August 2001.

(6) The exemption given in respect of regulation 13(7) shall cease at the end of 31st March 2005.

7. The authorisation shall cease forthwith in respect of an exempted vehicle which is operated by a person other than Connex South Eastern Limited unless the Secretary of State has been given written notice in advance specifying the name and address of that other person.

Signed by authority of the Secretary of State for
the Environment, Transport and the Regions

Keith Hill
Parliamentary Under Secretary of State,
Department of the Environment, Transport
and the Regions

28th July 2000

EXPLANATORY NOTE

(This note is not part of the Order)

This Order authorises the use of specified rail vehicles forming Class 375 electric multiple-units, although they do not confirm with certain requirements of the Rail Vehicle Accessibility Regulations 1998 because:

warning sounds are emitted whenever the passenger doors in the sides of the vehicles are closed,

passenger operation of some doors is by means of beam operated door sensors,

some door control devices are not at the correct height,

some door control devices require more force to operate them than is permitted,

the visual public address systems do not display the required information,

some letters or numbers on visual display screens on the front of some vehicles cannot be displayed at the required size.

It sets some time limits on the authorisation and imposes conditions.

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E 1487 08/00 ON (MFK)