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STATUTORY INSTRUMENTS

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**2002 No. 1694**

**DISABLED PERSONS**

**TRANSPORT**

**The Rail Vehicle Accessibility (Isle of Wight Railway  
LCDR No. 2515 Vehicle) Exemption Order 2002**

<i>Made</i>	- - - -	<i>28th June 2002</i>
<i>Laid before Parliament</i>		<i>3rd July 2002</i>
<i>Coming into force</i>	- -	<i>31st July 2002</i>

The Secretary of State, in exercise of the powers conferred upon him by section 47(1), (3) and (4) of the Disability Discrimination Act 1995(1), having consulted the Disabled Persons Transport Advisory Committee and such other persons as he considered appropriate in accordance with section 47(3) of that Act, hereby makes the following Order:—

**Citation and commencement**

1. This Order may be cited as the Rail Vehicle Accessibility (Isle of Wight Railway Lcdr No. 2515 Vehicle) Exemption Order 2002 and shall come into force on 31st July 2002.

**Interpretation**

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(2).

**Application**

3. This Order applies to the vehicle known as the London, Chatham and Dover Railway, 4 wheel, 5 compartment, 3rd Class Carriage, Southern Railway No. 2515 (“the exempted vehicle”) as owned, rebuilt and operated by the Isle of Wight Railway Company Limited.

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(1) 1995 c. 50.  
(2) S.I. 1998/2456, amended by S.I. 2000/3215.

## **Exemption**

**4.—**(1) The exempted vehicle is hereby authorised to be used for carriage even though it does not conform with those provisions of the Rail Vehicle Accessibility Regulations 1998 referred to in paragraph (2).

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

- (a) regulation 4(1);
- (b) regulation 4(2);
- (c) regulation 4(3);
- (d) regulation 6(1)(a);
- (e) regulation 6(1)(b);
- (f) regulation 6(1)(c);
- (g) regulation 6(1)(d);
- (h) regulation 7(c);
- (i) regulation 8;
- (j) regulation 11(1)(a);
- (k) regulation 11(2)(a);
- (l) regulation 11(2)(b);
- (m) regulation 12;
- (n) regulation 13;
- (o) regulation 16(1)(e);
- (p) regulation 16(1)(f); and
- (q) regulation 19(3).

**5.** The authorisation granted by article 4(1) shall cease forthwith if the exempted vehicle is—

- (a) operated by a person other than the Isle of Wight Railway Company Limited unless the Secretary of State has been given written notice in advance specifying the name and address of that other person; or
- (b) not operated on the Isle of Wight Railway which runs between Smallbrook Junction and Wootton on the Isle of Wight.

Signed by authority of the Secretary of State for Transport

28th June 2002

*David Jamieson*  
Parliamentary Under Secretary of State  
Department for Transport

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order authorises the use of the vehicle known as the London, Chatham and Dover Railway, 4 wheel, 5 compartment, 3rd Class Carriage, Southern Railway No. 2515 on the Isle of Wight Railway between Smallbrook Junction and Wootton even though it does not comply with certain requirements of the Rail Vehicle Accessibility Regulations 1998 (S.I.1998/2456, amended by S.I.2000/3215) because:

- the colour of the exterior doors does not contrast with that of the vehicle body;
- no audible warning device is fitted to passenger doorways;
- the treads of the steps for use by passengers at the external doorways are not covered in slip-resistant material and do not have a band of colour on the front edge;
- the rear of the steps used by passengers at the external doorways is not closed by a vertical riser;
- the steps used by passengers at external doorways are not illuminated;
- the floor across the width of the doorways is not appropriately marked;
- the requirements for the provision of priority seats have not been fully satisfied;
- there is no handrail on the interior side of the external passenger doorways;
- the external handrails are not of the required diameter;
- the radius of the surface of the external handrails inside the curves is less than is permitted;
- more force than is permitted is required to operate the door handles;
- there is no passenger information system;
- the wheelchair space is not fitted with a communication device of the required specification;
- and
- the wheelchair symbol is not displayed as required next to the wheelchair space or beside the wheelchair compatible doorway.