

The Rail Vehicle Accessibility (Non-Interoperable Rail System) (London Underground) Exemption Order 2019

The Secretary of State makes the following Order, in exercise of the powers conferred by sections 183(1), (2), (4)(b) and 207(1) and (4) of the Equality Act 2010(a).

In accordance with section 183(4) of the Equality Act 2010 the Secretary of State has consulted with the Disabled Persons Transport Advisory Committee(b) and such other persons as the Secretary of State considers appropriate.

Citation and Commencement

1. This Order may be cited as the Rail Vehicle Accessibility (Non-Interoperable Rail System) (London Underground) Exemption Order 2019 and comes into force on 24 July 2019.

Interpretation

(1) In this Order—

“exempt vehicle” means a rail vehicle of any type operated on the London Underground network, except the type known as the 09TS operated on the Victoria Line;

“09TS vehicle” means a rail vehicle known as the 09TS vehicle and operated on the Victoria Line;

“London Underground network” means:

the London Underground route between Walthamstow Central and Brixton stations known as Victoria Line,

the London Underground route between Stanmore and Stratford stations known as Jubilee Line,

the London Underground route between Hammersmith and Edgware Road stations via Liverpool Street station known as Circle Line,

the London Underground route between Ealing Broadway, Richmond, Wimbledon, Kensington (Olympia), Edgware Road and Upminster stations known as District Line,

the London Underground route between Aldgate and Amersham, Chesham, Watford and Uxbridge stations, including platforms 1 and 4 at Neasden and Willesden Green stations known as Metropolitan Line,

the London Underground route between Hammersmith and Barking stations via Paddington station known as Hammersmith & City Line,

the London Underground route between Edgware, High Barnett, Mill Hill East and Morden stations, via either Charing Cross or Bank stations known as Northern Line, and once operational, the extension of the Northern Line to Battersea Power station authorised by the London Underground (Northern Line Extension) Order 2014,

the London Underground route between Bank and Waterloo stations known as Waterloo & City Line,

(a) 2010 c. 15.

(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 public passenger transport needs of disabled people.

the London Underground route between Cockfosters and Heathrow Terminals 1, 2 and 3, Terminal 4, Terminal 5 and Uxbridge stations known as Piccadilly Line,

the London Underground route between West Ruislip, Ealing Broadway, Epping and via the Hainault loop between Leytonstone and Woodford stations known as Central Line, and

the London Underground route between Harrow & Wealdstone and Elephant & Castle stations known as Bakerloo Line;

“Victoria Line” means the London Underground network route between Walthamstow Central and Brixton stations;

(2) Unless otherwise stated, in this Order a reference to a numbered paragraph is a reference to that paragraph of Part 1 of Schedule 1 to the Rail Vehicle Accessibility (Non-Interoperable Rail System) Regulations 2010(a).

Exemptions relating to facilities for disabled persons

3. Subject to article 5, an exempt vehicle is authorised to be used for carriage on the London Underground network even if it does not conform with, or it is used in a manner that does not conform with, either or both of the requirements of—

- (a) paragraph 3(5)(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) paragraph 4(2) (control devices for doors), but only in respect of the period of time between the control device ceasing to be illuminated and the door starting to close.

4. Subject to article 5(1), a 09TS vehicle is authorised to be used for carriage on the Victoria Line even if it does not conform with, or it is used in a manner that does not conform with, the requirements of paragraph 3(5)(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.

Conditions

5.—(1) The exemption from paragraph 3(5)(b) only applies if the audible warning device emits a distinct sound which is different from that emitted when the doors are opening and which commences at least 1.50 seconds before the door starts to close.

(2) The exemption from paragraph 4(2) only applies if the illumination of each control device ceases not less than 1.50 seconds before the door starts to close.

Review

6.—(1) The Secretary of State must from time to time—

- (a) carry out a review of articles 3 to 5,
- (b) set out the conclusions of the review in a report, and
- (c) publish the report.

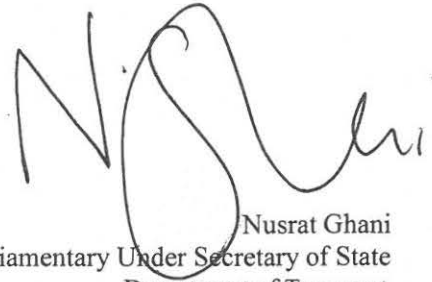
(2) The report must in particular—

- (a) set out the objectives intended to be achieved by the regulatory system established by this Order,
- (b) assess the extent to which those objectives are achieved, and
- (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system which imposes less regulation.

(a) S.I. 2010/432, to which there are no amendments relevant to this Order.

(3) The first report under this Order must be published before the end of the period of five years beginning with the day on which this Order comes into force, and subsequent reports must be published within five years from the date the preceding report was published.

Signed by authority of the Secretary of State for Transport

A handwritten signature in black ink, appearing to read 'N. Ghani', is written over the printed name and title.

Nusrat Ghani
Parliamentary Under Secretary of State
Department of Transport

Date 14.07.19