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(**1**).

In accordance with section 47(3) of that Act the Secretary of State has consulted the Disabled Persons Transport Advisory Committee(**2**) and such other persons as the Secretary of State considers appropriate.

In accordance with sections 67(5A) and 67A(**3**) 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;

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

(**2**) 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.

(**3**) 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.

[DfT 00109]

"regulation" means a regulation in the Rail Vehicle Accessibility Regulations 1998(**4**);

"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(**5**);

(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,

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