STATUTORY RULES OF NORTHERN IRELAND

2001 No. 264

DISABLED PERSONS
ROAD AND RAILWAY TRANSPORT

Rail Vehicle Accessibility Regulations (Northern Ireland) 2001

Made - - - -	*2nd July 2001*
Coming into operation	*19th October 2001*

The Department for Regional Development(**1**), in exercise of the powers conferred by section 46(1), (2) and (5) of the Disability Discrimination Act 1995(**2**) and now vested in it(**3**) and of every other power enabling it in that behalf and after consultation with such representative organisations as it thought fit in accordance with section 46(11) of the said Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Rail Vehicle Accessibility Regulations (Northern Ireland) 2001 and shall come into force on 19th October 2001.

Interpretation

2.—(1) In these Regulations—

"class of passenger accommodation" means a type or area of passenger accommodation in a rail vehicle designated for persons paying the fare appropriate to that accommodation;

"contrast" means a contrast in the amount of light, which is reflected by the surfaces of the parts of a regulated rail vehicle or its equipment, which are required by these Regulations to contrast;

"light maintenance services" means services of any of the following descriptions, that is to say—

(a) the refuelling, or the cleaning of the exterior, of locomotives or other rolling stock; and

(b) the carrying out to locomotives or other rolling stock of maintenance work of a kind which is normally carried out at regular intervals of twelve months or less to prepare the locomotives or other rolling stock for service;

(**1**) S.I.1999/283 (N.I.) Article 3(1)
(**2**) 1995 c. 50; section 46 is modified in its application to Northern Ireland by paragraph 30 of Schedule 8; section 67 is substituted by paragraph 46 of the said Schedule 8; *see* section 68(1) as substituted by paragraph 47(1) of the said Schedule 8 for the definition of "regulations"
(**3**) S.R. 1999 No. 481 Article 6(*d*) and Schedule 4 Part IV

"passenger saloon" means that part of the interior of a regulated rail vehicle provided for the accommodation of passengers but does not include a toilet cubicle or a vestibule adjoining an exterior doorway;

"photocell" means a sensing device which operates using a combination of a beam of light, a transmitter and a receiver;

"priority seat" means a seat designated in accordance with regulation 8;

"railway" means a system of transport employing parallel rails which—

(a) provide support and guidance for vehicles carried on flanged wheels; and

(b) form a track which is of a gauge of at least 350 millimetres;

(c) "reference wheelchair" means an occupied wheelchair having the dimensions shown in Diagram A in the Schedule;

"train" means two or more rail vehicles;

"wheelchair-compatible doorway" means a doorway provided in accordance with regulation 18;

"wheelchair-compatible sleeping compartment" means a compartment in a regulated rail vehicle with sleeping accommodation which is provided for a disabled person in a wheelchair in accordance with regulation 16;

"wheelchair space" means a space in a regulated rail vehicle for a disabled person in a wheelchair which is provided in accordance with regulation 15; and

"width" means, when applied to a doorway or passageway, the unobstructed width of that doorway or passageway up to a height of 1,400 millimetres above the door sill or floor, and "wide" shall be construed accordingly.

(2) The Interpretation Act (Northern Ireland 1954(**4**) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Application of the Regulations

3.—(1) These Regulations apply to rail vehicles used on railways.

(2) A regulated rail vehicle which ceases to comply with these Regulations as a result of equipment failure or damage shall not be required to comply with these Regulations in respect of such failure or damage until the sixth day following the occurrence of such failure or damage.

Facilities for disabled persons

Doors

4.—(1) Each passenger doorway in the side of a regulated rail vehicle shall be indicated by doors (excluding any window in or control device on the doors) rendered to contrast with the exterior of the vehicle to each side of that doorway.

(2) Each passenger doorway in the side of a regulated rail vehicle shall be fitted with an audible warning device which shall emit warning sounds in accordance with paragraph (3) inside and outside the vehicle in the proximity of each control device for that doorway or, if there is no such control device, adjacent to that doorway.

(3) The audible warning device shall—

(a) emit a distinct sound for a period of not less than 3 seconds commencing when the door becomes openable by a passenger;

(**4**) 1954 c. 33 (N.I.)

(b) if the door is operated by a member of the operator's staff, emit a different distinct sound commencing not less than 3 seconds before the door starts to close.

(4) In this regulation "sound" includes the spoken word.

Door controls

5.—(1) No control device to enable a passenger to open or close a power-operated door other than a device to which paragraph (3) applies, shall be fitted to a regulated rail vehicle unless—

(a) the centre of the control device is not less than 700 millimetres and not more than 1,200 millimetres vertically above an imaginary horizontal line extended from the door sill of the relevant doorway;

(b) the control device is operable by the palm of the hand exerting a force not exceeding 15 newtons;

(c) the control device or its immediate surround is illuminated continuously whenever it is operable;

(d) the control device contrasts with the surface on which it is mounted; and

(e) the control device is identifiable by touch.

(2) When the power-operated doors are closed by a member of the operator's staff the illumination of each such control device shall cease not less than 3 seconds before the doors start to close.

(3) Subject to paragraph (4) no control device which opens a door automatically as a passenger approaches that door shall be fitted to a regulated rail vehicle unless—

(a) the door starts to open before any part of a passenger reaches a distance of less than 500 millimetres, measured horizontally, from the vertical centre of the line of the door surface;

(b) the door once opened, remains open for a period of not less than 5 seconds before it closes; and

(c) if, after the door starts to close, the edge of the door comes into contact with any part of a passenger the door opens again.

(4) If a control device, to which paragraph (3) applies, incorporates a photocell positioned above the door, the requirement imposed by paragraph (3)(*a*) will be complied with if the distance from the vertical line of the door is measured horizontally from any single point on that line not more than 300 millimetres above the floor.

Steps

6.—(1) Steps for use by passengers at any external doorway of a regulated rail vehicle shall comply with the following requirements—

(a) the surface of each tread shall be covered in slip-resistant material;

(b) across the front edge of each tread there shall be a band of colour which shall be not less than 45 millimetres and not more than 50 millimetres deep and shall contrast with the remainder of the tread;

(c) the rear of each step shall be closed by a vertical riser fixed to the rear of the tread and the front edge of the tread above or of the floor of the vehicle;

(d) each step shall be illuminated by a light placed within or immediately adjacent to the step;

(e) each step shall be not more than 200 millimetres high measured vertically from the surface of the tread to an imaginary line extended horizontally from the surface of the next tread or floor of the vehicle and not less than 300 millimetres deep measured from the front of the tread to its rear; and

(f) the surface of each tread shall be not less than 455 millimetres wide.

(2) Paragraph (1)(*e*) and (*f*) do not apply if there is not more than one step outside an external doorway.

(3) Subject to paragraph (4), inside a regulated rail vehicle there shall be no step between an external passenger doorway and that part of the passenger saloon to one side of that doorway for as far as and including the vestibule of the next external passenger doorway on the same side of that vehicle or the end of that vehicle if there is no such other doorway.

(4) Paragraph (3) shall not apply to stairs leading to any upper passenger saloon of a regulated rail vehicle.

Floors

7. The floors of areas used by passengers in a regulated rail vehicle shall comply with the following requirements—

(a) all floors shall be slip-resistant;

(b) the floor of a vestibule adjoining a doorway in the side of a vehicle shall contrast with the adjacent floor in the passenger saloon of that vehicle;

(c) the floor across the width of the doorway between the jambs shall be marked by a strip which shall contrast with the adjoining floor surface, run parallel to the edge of the door sill, be not less than 50 millimetres broad measured from the edge nearer that door sill to the edge further from it and be not more than 100 millimetres from that door sill measured from the edge of that door sill to the edge of the strip further from that door sill.

Seats

8.—(1) Not less than 10 per cent of the seats in a regulated rail vehicle or 8 seats (whichever is the lesser number) shall be designated by signs complying with paragraph (6) as priority seats for the use of disabled persons.

(2) No priority seat may be capable of being tipped up or folded whilst the regulated rail vehicle is used for carriage.

(3) Each priority seat and the space available to its user shall comply with the specifications shown in Diagram B1 and in Diagram B2, B3 or B4 in the Schedule.

(4) Any armrest fitted to a priority seat shall be movable to the extent required to permit unrestricted access by a disabled person to that seat or any other priority seat to which access may be gained past that seat.

(5) If tables or trays (whether fixed or folding) are fitted for the use of passengers at not less than 10 per cent of the seats (other than priority seats) in a regulated rail vehicle a similar table or tray shall be fitted for the use of persons in each priority seat.

(6) There shall be a sign on or near to a priority seat indicating that disabled persons have priority for the use of that seat.

Interior transparent surfaces

9.—(1) Subject to paragraph (2) any transparent surface in the interior of a regulated rail vehicle shall—

(a) be separated from an area in which a disabled person can walk, or go in a wheelchair, by a seat, table or other fitting; or

(b) bear a coloured marking which shall not be less than 140 millimetres and not more than 160 millimetres high and extend horizontally across the whole width of the panel at a

height of 1,500 millimetres measured vertically from the floor to the bottom edge of that marking; or

(c) be bounded on any side which is not attached to the floor, wall or ceiling of the vehicle by a handrail which shall comply with regulation 10(2).

(2) Where such a surface is a door it shall comply with paragraph (1)(*b*).

Handrails and handholds

10.—(1) A handrail shall be fitted in every regulated rail vehicle as close as practicable on either side of the interior of an external doorway extending vertically from a point not more than 700 millimetres above the floor to a point not less than 1,200 millimetres above the floor.

(2) Any handrail in a regulated rail vehicle shall comply with the following requirements—

(a) a handrail shall have a circular cross section with a diameter of not less than 30 millimetres and not more than 40 millimetres;

(b) if a handrail is curved, the radius of the surface of the handrail inside the curve shall not be less than 50 millimetres;

(c) there shall be a clear space of not less than 45 millimetres between any part of the regulated rail vehicle and all parts of the handrail other than its mountings;

(d) a handrail shall have a slip-resistant surface; and

(e) a handrail shall contrast with the parts of the regulated rail vehicle adjacent to that handrail.

(3) Subject to paragraph (4) a handhold shall be fitted to the top of the back of each seat which faces towards an end of a regulated rail vehicle and which is next to a gangway in a passenger saloon and shall comply with the following requirements—

(a) the surface of a handhold (excluding the mountings to the seat) shall be rounded;

(b) a handhold shall contrast with the seat to which the handhold is attached;

(c) a handhold shall have a slip-resistant surface; and

(d) there shall be no gap less than 150 millimetres wide measured in any direction in a handhold or between a handhold and the seat to which it is attached.

(4) Paragraph (3) does not apply to a seat the back of which touches a partition, to a seat the back of which touches the back of another seat which faces in the opposite direction and is fitted with a handhold, or to a seat to which a handrail is attached.

Door handles

11. A door handle fitted for the use of passengers shall be operable by the exertion of a force not exceeding 15 newtons.

Passenger information

12.—(1) A regulated rail vehicle shall be fitted with public address systems for audible and visual announcements inside the passenger saloon and for visual announcements on the exterior of the vehicle.

(2) The system for visual announcements on the exterior of the vehicle shall be fitted, if the vehicle is not hauled by a locomotive—

(a) on the front of a single vehicle;

(b) where two or more vehicles are coupled together, on the front of the leading vehicle; or