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Our Ref: RGEN 39/23/2

21 June 2010

Dear [REDACTED]

As you are aware, the Rail Vehicle Accessibility (Non-Interoperable Rail System) Regulations 2010 ("RVAR 10") came into force on 6 April. While the domestic RVAR regime only applies to very few vehicles owned by ROSCOs (such as Porterbrook's Class 139s, for example), the 5100 or so heavy rail vehicles that were built to RVAR 98 are still required to comply with the standards to which they were built. Further, they must also fully comply with RVAR or the PRM TSI by 1 January 2020, unless a formal determination under regulation 5(8) of the Railways (Interoperability) Regulations 2006 (RIR – which will shortly be updated) of which non-compliances need not be rectified has been provided.

As RVAR 10 includes some changes to the technical requirements that mean that some non-compliances under RVAR 98 are now compliant, I thought it would be helpful to update my letter of 1 October 2007 (to Steve Allen), in which I listed the non-compliances on Angel's fleets at that time.

Current non-compliances which fell on 6 April 2010 or through the application of standards in the PRM TSI instead

ATW 175	8(3)	Headroom clearance above priority seats
Class 180	8(3)	Headroom clearance above priority seats
AXC/VWC 220 & 221	7(b)	Contrast between vestibule & saloon if door present
NXEA 360/1	14(b)	Force to deploy nappy-change table
VWC 390	7(b)	Contrast between vestibule & saloon if door present
	12	Fridge door handle
	18(4)	Adjustable table height in wheelchair space
SWT 444	14(b)	Force to deploy nappy-change table
	19(5)	Clearway between wheelchair space and accessible toilet is 800 (TSI) rather than 850mm (RVAR) wide (allows more inclusive positioning of wheelchair spaces)
	20(2)	Clearway between wheelchair space and accessible toilet is 800 (TSI) rather than 850mm (RVAR) wide (allows more inclusive positioning

		of wheelchair spaces)
SWT 450	14(b)	Force to deploy nappy-change table

Regulations where compliance must be achieved by 1 January 2020:

None

Regulations which need only be rectified if the opportunity arises:

Class 180	20(2)	Inter-vehicle gangway is 730 not 850mm wide
SWT 444	8(3)	Headroom clearance above priority seats in 1 <sup>st</sup> class

Once RIR has been updated, and we know the equivalent for regulation 5(8) of the 2006 edition, we shall be providing a sample letter for Angel to make its application for determinations for these two remaining non-compliances on Classes 180 and 444, in addition to pre-RVAR fleets on the basis of the targeted compliance assessments that we have shared with you.

I am copying this to the Office of Rail Regulation, as the body which will be enforcing the end date.

I hope this is useful.

Yours sincerely,

**John Bengough**  
Head of Domestic Policy  
Rail Standards & Safety