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Our Ref: RFSPEC 16/23/2

25 March 2013

Dear Mr Edge

**The Railways (Interoperability) Regulations 2011 – Eversholt Class 320 - 2020 accessibility deadline**

I refer to the Department's letter of 30 April 2012. I understand that you no longer intend to undertake work that would amount to renewal or upgrade of the class 320 fleet for the purposes of the Railways (Interoperability) Regulations 2011 (RIR 2011). If that is the case the first two paragraphs of the letter of 30 April 2012 are redundant. For clarity I restate here the dispensation, which remains in force, made under regulation 45 of RIR 2011 and recorded in the subsequent paragraphs of that letter:

Regulation 45 of the Railways (Interoperability) Regulations 2011<sup>1</sup> (RIR 2011) makes it unlawful for a passenger rail vehicle to be used in service on the trans-European rail system in the UK after 31 December 2019 unless it complies with the current or future versions of the Technical Specification for Interoperability - Persons with Reduced Mobility (PRM TSI) (and/or defined domestic accessibility standards<sup>2</sup>) except to the extent that:

- a. a derogation from part of the PRM TSI has been granted under Regulation 14 of RIR 2011;
- b. a determination that part of the PRM TSI does not apply has been made under Regulation 13(8) of RIR 2011; or
- c. a dispensation that part of the PRM TSI does not apply has been granted under Regulation 46 of RIR 2011.

**This is a dispensation (effective from the date of this letter) made under Regulation 46(4) of the RIR 2011, granting that the vehicles listed in Annex A, collectively known as Class 320, need not comply after 31 December 2019 with those parts of the PRM TSI listed in Annex B. This follows consultation with DPTAC<sup>3</sup> and Transport Scotland.**

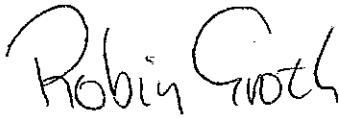
<sup>1</sup> SI 3066/2011

<sup>2</sup> The Rail Vehicle Accessibility (Northern Ireland) Regulations 2001 or Part 1 of Schedule 1 to the Rail Vehicle Accessibility (Non-Interoperable Rail System) Regulations 2010

<sup>3</sup> The Disabled Persons' Transport Advisory Committee

For the avoidance of doubt, a separate derogation or determination made under point a) or b) above would be required for any vehicle listed in Annex A that undergoes an upgrade or renewal that requires an authorisation under RIR 2011 after this dispensation. I have copied this dispensation to the ORR for their information.

Yours sincerely,



**Robin Groth**

signed by the authority of the Secretary of State

**Annex A**

Units	Vehicles		
320 301 to 320 322 inclusive	77899 to 77920 inclusive	63021 to 63042 inclusive	77921 to 77942 inclusive

**Annex B**

4.2.2.4.2.1 para 1	Door sensitive edges
4.2.2.4.3.1 para 6	Height of interior door control
4.2.2.4.3.2 para 2	Height of interior door control
4.2.2.7 para 2	Clearway width
4.2.2.8.2.1 para 1	Signage
4.2.2.8.3 paras 1 & 7	Lack of external bodyside PIS displays
4.2.2.10 paras 1	Clearance to handrails
4.2.2.10 paras 4	Height of handrails in doorway
4.2.2.12.1	Platform/train gap & step