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Our Ref: RFSPEC 16/23/2

28 September 2012

Dear Mr Walmsley

The Railways (Interoperability) Regulations 2011 – Class 458 - 2020 accessibility deadline

Regulation 45 of the Railways (Interoperability) Regulations 2011¹ (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 standards²) 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, which form trains known as Class 458, need not comply after 31 December 2019 with that part of the PRM TSI listed in Annex B. This follows consultation with DPTAC³.

¹ SI 3066/2011

² 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

³ 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,



Chris Carr
signed by the authority of the Secretary of State

Annex A

| Units | Vehicles |
|---------------------------------|---|
| 458 001 to 458 030 inclusive | 67601 to 67630, 74001 to 74030, 74101 to 74130 and 67701 to 67730 inclusive |

Annex B

| |
|---|
| 4.2.2.4.2.1 final para (height of door open control) |
| 4.2.2.10 para 1 (clearance for doorway handrail) |
| 4.2.2.10 para 4 (height of doorway handrail) |