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Our Ref: RFSPEC 16/23/2

14 November 2019

Dear [Redacted]

The Railways (Interoperability) Regulations 2011 – Class 323 West Midlands Trains - 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 the trains known as Class 323 need not comply after 31 December 2019 with those parts of the PRM TSI 2008 listed in Annex B. This follows consultation with DPTAC³

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 is granted.

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

I have copied this dispensation to the ORR for their information.

Yours sincerely,

Jeremy Hotchkiss

signed by the authority of the Secretary of State

Annex A

Units	Vehicles		
323201	64001	72201	65001
323202	64002	72202	65002
323203	64003	72203	65003
323204	65004	72204	64004
323209	64009	72209	65009
323214	64014	72214	65014
323216	65016	72216	64016
323217	64017	72217	65017
323218	65018	72218	64018
323219	64019	72219	65019
323221	64021	72221	65021
323222	64022	72222	65022
323240	64040	72340	65040
323243	64043	72343	65043

Annex B

4.2.2.4.2.1 para 9	Audible warnings timings on door controls
4.2.2.4.2.1 last para	Height of door button controls
4.2.2.4.2.2 1st para	Door button force required
4.2.2.2.2.1 para 6 & 7	Priority seat dimensions
4.2.2.7 para 1	Throughway to priority seat
4.2.2.2.1 para 2	Height of seatback handholds
4.2.2.8.3 para 1	Bodyside visual passenger information
4.2.2.3 para 5	Location of left-hand wheelchair tipping screen fixings
4.2.2.5	Vehicle threshold illumination
4.2.2.8.3 para 16	Audio sound quality compliance to RASTI
4.2.2.10 para 1	Clearance to handrails
4.2.2.12.1 (as amended by GB specific case in 7.4.1.3.2)	Platform step/gap

