

# The Rail Vehicle Accessibility (Non-Interoperable Rail System) (Tyne and Wear Metro Specialist Metrocar) Exemption Order 2019

The Secretary of State makes the following Order, in exercise of the powers conferred by sections 183(1), (2) (4)(b), (5) and (7) and 207(1) and (4) of the Equality Act 2010(a).

In accordance with section 183(4) of the Equality Act 2010 the Secretary of State has consulted with the Disabled Persons Transport Advisory Committee(b) and such other persons as the Secretary of State considers appropriate.

## Citation and Commencement

1. This Order may be cited as the Rail Vehicle Accessibility (Non-Interoperable Rail System) (Tyne and Wear Metro Specialist Metrocar) Exemption Order 2019 and comes into force on 1 January 2020.

## Interpretation

2.—(1) In this Order—

“the 2010 Regulations” means the Rail Vehicle Accessibility (Non-Interoperable Rail System) Regulations 2010(c);

“exempt vehicle” means a rail vehicle of the type known as Class 599 Metrocar and with a number in the series 4001, 4002, 4040 or 4083;

“platform gap” means the gap between the edge of the door sill of a wheelchair-compatible doorway of an exempt vehicle and the platform;

“Tyne and Wear Metro” means the Tyne and Wear Metro network, including the line from Pelaw Station to South Hylton Station which is managed by Network Rail Infrastructure Limited;

“wheelchair-compatible doorway” has the same meaning as in the 2010 Regulations.

(2) Unless otherwise stated, in this Order a reference to a numbered paragraph is a reference to that paragraph of Part 1 of Schedule 1 to the 2010 Regulations.

## Exemptions relating to facilities for disabled persons

3. An exempt vehicle is authorised to be used for carriage on the Tyne and Wear Metro even if it does not conform to, or is used in a manner that does not conform to, one or more of the following requirements—

(a) paragraph 1(1) (boarding devices at wheelchair-compatible doorways) provided that—

(i) in relation to a rail vehicle that is at a platform at a station named in Table 1 of the Schedule, the platform gap is not more than 121 millimetres measured horizontally, and not more than 50 millimetres measured vertically;

(ii) in relation to a rail vehicle that is at a platform at a station named in Table 2 of the Schedule, the platform gap is not more than 110 millimetres measured horizontally, and not more than 63 millimetres measured vertically;

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(a) 2010 c. 15.

(b) The Disabled Persons Transport Advisory Committee was established under section 125 of the Transport Act 1985 (c. 67) and has a statutory duty to provide the Government with advice on the public passenger transport needs of disabled people.

(c) S.I. 2010/432, to which there are amendments not relevant to this Order.

- (iii) in relation to a rail vehicle that is at a platform at Stadium of Light station, the platform gap is not more than 240 millimetres measured horizontally, and not more than 88 millimetres when measured vertically;
- (iv) in relation to a rail vehicle that is at a platform at Tynemouth station, the platform gap is not more than 205 millimetres measured horizontally, and not more than 88 millimetres measured vertically;
- (b) paragraph 3(3) (audible warning devices at passenger doorways), in relation to the requirement for the audible warning device to emit warning sounds in the prescribed manner outside the vehicle;
- (c) paragraphs 3(5)(a) (audible sound when doors become openable by passengers);
- (d) paragraphs 3(5)(b) (audible warning before door closes), in relation to the type and sequence of the distinct audible warning sound given before the door begins to close, and the period of time for which the distinct sound should be emitted before the door starts to close, provided that a single tone warning, immediately followed by a spoken word warning, are given before the door starts to close;
- (e) paragraph 4(2) (control devices for doors), in relation to the period of time between the control device ceasing to be illuminated and the door starting to close, provided that the illumination of each control device ceases before the door starts to close;
- (f) paragraph 10(1)(a) (positions of handrails close to passenger doorways on the inside of rail vehicles), provided that the handrails extend vertically from a point not more than 910 millimetres above the floor to a point not less than 1520 millimetres above floor level;
- (g) paragraph 20(1) (wheelchair space specifications), provided that the wheelchair space is not less than 800 millimetres long when measured parallel to the length of the vehicle, and not less than 700 millimetres wide when measured parallel to the width of the vehicle;
- (h) paragraph 3 of Part 2 of Schedule 1 to the 2010 Regulations (illumination on floor of passenger doorway).

4. An exempt vehicle with a number in the series 4001 or 4002 is authorised to be used for carriage on the Tyne and Wear Metro even if it does not conform to, or it is used in a manner that does not conform to, one or more of the following requirements—

- (a) paragraph 4(1)(b) (force from palm to operate control device of power operated door), provided that the control device is operable by the press of a finger exerting a force not exceeding 26 newtons;
- (b) paragraph 4(1)(c) (illumination of control device of power operated door), provided that a light panel that illuminates continuously whenever the control device is operable is fitted immediately above the control device;
- (c) paragraph 4(1)(e) (control device identifiable by touch).

### **Expiry**

5. The exemptions in articles 3 and 4 expire at 2am on 1 July 2026.

Signed by authority of the Secretary of State for Transport

Date

*Peter Wilkinson*  
Managing Director, Passenger Services  
Department for Transport

# SCHEDULE

Article 3(a)

**Table 1**

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<i>Station</i>
Brockley Whins
East Boldon
Fellgate
Millfield
Pallion
Park Lane
Seaburn
Sunderland
South Hylton
St Peter's
University

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**Table 2**

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<i>Station</i>
Airport
Bank Foot
Byker
Callerton Parkway
Central Station
Chichester
Chillingham Road
Fawdon
Four Lane Ends
Gateshead
Gateshead Stadium
Hadrian Road
Haymarket
Heworth
Iford Road
Jesmond
Kingston Park
Manors
Meadow Well
Monument
Northumberland Park
Palmersville
Pelaw
Regent Centre
Simonside
St James
Shiremoor
South Shields
Tyne Dock

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Wansbeck Road  
Benton  
Cullercoats  
Felling  
Hebburn  
Howdon  
Jarrow  
Longbenton  
Monkseaton  
North Shields  
Percy Main  
South Gosforth  
Walkergate  
Wallsend  
West Jesmond  
West Monkseaton  
Whitley Bay

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