

Railway Safety Regulations 1999: Regulation 4

Certificate of Exemption

1. The Office of Rail Regulation (ORR) exempts under regulation 6(1) of the Railway Safety Regulations 1999 (the Regulations) the Mark I rolling stock listed in the Schedule from the requirements of regulation 4(1) of the Regulations. In granting this exemption, ORR has carried out a review of the evidence provided by **North Yorkshire Moors Railway Enterprises Plc (Company Number 02490244)** (the company) in support of the exemption request, consulted as required by regulation 6(2) and had regard to the matters set out in regulation 6(3) of the Regulations.

2. In this exemption:

“Mark I rolling stock” means rolling stock which has a structural underframe which provides its own longitudinal strength and has a passenger compartment created on the underframe which relies mainly on the underframe for its longitudinal strength;

“operator” means the person having the management of the Mark I rolling stock for the time being;

“railway” has the same meaning as in the Regulations;

“safety management system” has the meaning it has in the Railways and Other Guided Transport Systems (Safety) Regulations 2006 (ROGS).

3. This exemption applies to the Mark I rolling stock listed in the Schedule (‘the rolling stock’) and is granted subject to the following conditions:

(a) The company must ensure that the rolling stock:

- (i) have buckeye couplers fitted with shelf brackets (except when coupled to a locomotive not fitted with buckeye couplers);
- (ii) have crash pillars of an equivalent or greater strength than the original British Rail design; and
- (iii) have unique identifying numbers.

(b) The rolling stock is not used for passenger services on a railway unless the operator of the rolling stock has and maintains a safety management system which covers the operation of the rolling stock;

(c) When formed as a rake, the rolling stock must have the same buffing height (within maintenance limits);

- (d) The rolling stock must not be operated at a speed exceeding 120 kph (75 mph) for steam operations or at a speed not exceeding the plated speed of the coach for electric or diesel operations.
4. This exemption is valid from 30 March 2012 until 31 March 2023.
5. Under regulation 6(1) of the Regulations, ORR may revoke the whole or any part of this exemption, at any time, in writing.

C. Wake

Signed by authority of ORR

30 March 2012



Schedule

The rolling stock vehicles to which this exemption applies are:

Vehicle Number	Type	Date Built
1823	Mk1 RMB	1960
1878	Mk1 RMB	1962
1880	Mk1 RMB	1962
1969	Mk1 RBR	1950 -1960
3116	Mk1 FO	1950 -1960
3798	Mk1 TSO	1953
3801	Mk1 TSO	1953
3805	Mk1 TSO	1953
3860	Mk1 TSO	1953
3872	Mk1 TSO	1954
3948	Mk1 TSO	1954
4198	Mk1 SO	1953
4252	Mk1 TSO	1956
4286	Mk1 TSO	1956
4290	Mk1 TSO	1956
4372	Mk1 SO	1950 -1960
4455	Mk1 TSO	1956
4597	Mk1 TSO	1956
4641	Mk1 TSO	1957

4786	Mk1 SO	1957
4817	Mk1 SO	1957
4839	Mk1 TSO	1959
4921	Mk1 TSO	1961
4990	Mk1 TSO	1961
5000	Mk1 TSO	1961
5001	Mk1 TSO	1962
5029	Mk1 TSO	1961
9225	Mk1 BSO	1955
9235	Mk1 BSO	1955
9267	Mk1 BSO	1956
9274	Mk1 BSO	1955
15745	Mk1 Corridor Composite	1956
16156	Mk1 Corridor Composite	1961
16191	Mk1 Corridor Composite	1961
17013	Mk1 BFK	1961
21100	Mk1 BCK	1958
21224	Mk1 BCK	1959
24804	Mk1 SK	1954
24984	Mk1 SK	1956
25488	Mk1 SK	1958
35089	Mk1 BSK	1967
51511	DMU MCL	1957-1959

53204	DMU MBS	1957
59539	DMU TCL	1957-1959
80509	BG (W)	1951
81033	Mk1 BG(K) - Full brake (kitchen)	1950 -1960
99970	Pullman First Buffet	1928
99971	Pullman First Parlour Metcam	1960
99972	Mk1 Pullman First Kitchen Metcam	1960
99973	Mk1 Pullman RF	1961
99974	Mk1 Pullman First Parlour Metcam	1960

Schedule last updated: 30 March 2020