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**THE MIDLAND METRO
SYSTEM BYELAWS**

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West Midlands Passenger Transport Executive, pursuant to the powers conferred upon it by the Midland Metro Act 1989 (hereinafter referred to as "the Act") does hereby, as owner of Metro (as hereinafter defined), make the following Byelaws in respect of Metro, and the conduct and carriage of persons on vehicles and otherwise in relation to safety and conduct upon and in respect of Metro.

DEFINITIONS

1. (1) In these Byelaws, the following expressions shall have the meanings set out below:

(a) "Authorised Officer" means:

(i) In relation to Metro:

(a) any police officer acting in the execution of his duty; and

(b) any persons from time to time designated by the Operator or Centro to be an Authorised Officer: and

(ii) in relation to those parts of Metro which are used jointly with Railtrack:

(a) any of those persons mentioned in subparagraph (i) above: and

(b) any nominated officer, employee or agent of Railtrack

(b) "Centro" means West Midlands Passenger Transport Executive.

(c) "Conditions of Carriage" means the conditions of contract in relation to the carriage of persons upon Metro as approved by Centro and as issued and amended from time to time by the Operator or by any franchisee concessionaire or other agent properly appointed by the Operator to undertake the carriage of persons upon Metro.

(d) "Franchise Operator" means the operator of heavy rail services in accordance with any franchise agreement entered into in response to the specification of services by Centro in accordance with section 34 of the Railways Act 1993.

- (e) "Metro" means the Midland Metro Light Rapid Transit System as defined in the Act or any statutory amendment thereto including but not limited to all Vehicles, Stops and other premises, signalling and telecommunications equipment, ticket vending equipment, rails, overhead line equipment and other equipment or items whatsoever which may from time to time be part of or be used upon or in connection with the said Light Rapid Transit System.
- (f) "Railtrack" means Railtrack PLC or its successor.
- (g) "Stop" means any structure or area from time to time designated by Centro for the collection by, or setting down of, passengers from vehicles, both on the street and the off-street sections of Metro.
- (h) "The Operator" means the operator for the time being of Metro as appointed by Centro
- (i) "Ticket" means any ticket, travel pass or official authority to travel on Metro.
- (j) "Vehicle" means any locomotive or other vehicle fitted with flanged wheels or adapted to travel upon Metro (whether in operational use or not).

(2) in addition:

- (a) references in these Byelaws to any "Person" shall be taken to include reference to individuals, firms, companies and other bodies as the context requires:
- (b) references to the singular number shall include the plural and vice versa and references to any gender shall include the other gender.
- (c) the headings in these Byelaws are for ease of reference only and shall not affect the interpretation of these Byelaws.

AUTHORITY AND PENALTIES

- 2. (1) These Byelaws are made by Centro pursuant to the powers conferred upon it by Section 49 of the Midland Metro Act 1989.
- (2) Any Person contravening any of these Byelaws shall be liable upon summary conviction to a fine not exceeding level 3 on the standard scale (as defined in Section 37 of the Criminal Justice Act 1982).
- (3) Any Person who is reasonably suspected of contravening, or attempting to contravene, any of these Byelaws:
 - (a) shall upon being requested to do so, give his name and address to any Authorised Officer,

(b) may be removed from any Vehicle or from Metro by force if necessary by any Authorised Officer.

(4) Without prejudice to Byelaws 2(2) and 2(3) above, the Operator may, where a Person has either been convicted of an offence on Metro other than under these Byelaws, or been convicted of any breach of these Byelaws, by written notice to the Person concerned prohibit that Person from entering Metro and any breach of such a prohibition shall constitute a breach of these Byelaws.

CONDITIONS OF CARRIAGE

3. Persons who are passengers on Metro shall comply with the Conditions of Carriage, these Byelaws and, additionally in relation to those parts of Metro which are used jointly with Railtrack or a Franchise Operator, with any Byelaws issued by Railtrack or that Franchise Operator.

TICKETS AND CONCESSIONS

4. (1) Except with the permission of an Authorised Officer, no Person shall enter any Vehicle or any Stop unless that Person:

(a) has a valid Ticket enabling him to do so: or

(b) (i) has every intention of procuring a valid Ticket enabling him to do so, and

(ii) has proof of the ability to purchase a Ticket enabling him to do so: or

(2) No Person shall enter any Stop, other than a Stop on a street, without the intention of entering any Vehicle unless they have every intention of meeting another Person at that Stop.

(3) No Person shall remain upon a Vehicle after the point at which his Ticket ceases to be valid.

(4) No Person shall alter, deface, mutilate or destroy any Ticket or use or attempt to use any Ticket which shall in any material respect have been altered, defaced or mutilated.

(5) Any Person shall if so requested by any Authorised Officer deliver up his Ticket for inspection to such Authorised Officer and such Authorised Officer shall be entitled to retain such Ticket if it shall be found to have expired or to have been altered, defaced, mutilated or be invalid.

- (6) Any Person found to be in contravention of paragraphs (1), (2), (3), (4) or (5) of this Byelaw shall be liable to pay a Penalty Fare payable to the Operator, as defined in Section 5 (1) of the Midland Metro (Penalty Fares) Act 1991.
- (7) No Person (save for an Authorised Officer acting within the scope of his duties) shall sell or purchase or attempt to sell or purchase any Ticket or transfer or receive or attempt to transfer or receive any partly-used Ticket nor shall any Person knowingly use or attempt to use any Ticket which has been sold, purchased, transferred or received in contravention of the foregoing provisions of this paragraph.
- (8) In connection with any scheme for the provision of concessionary travel on Metro, no Person shall make use of, or attempt to make use of any concession provided for by such scheme except to the extent and for such as he may be entitled so to do, in accordance with the conditions of the scheme.
- (9) Where fares for journeys on Metro vary depending upon the time at which the journey on Metro is commenced by entering a Vehicle, no Person shall make use of any Ticket outside any time constraints applicable thereto except to the extent authorised by the Conditions of Carriage.
- (10) Except with the permission of an Authorised Officer, no Person shall enter or remain upon any Stop for the purposes of skateboarding, roller skating, bicycle riding or any other recreational activity.

OBSTRUCTION OF METRO

5. (1) No unauthorised Person (whether a passenger on Metro or not) shall:
 - (a) obstruct any Vehicle: or
 - (b) construct, leave or operate any machinery, vehicle, material, structure or other matter or move or leave any animal on or in proximity to any Vehicle or any other part of Metro: or
 - (c) throw at or drop upon or leave on any part of Metro any item or substance of any description such as would obstruct or endanger the safe and efficient operation and working of Metro.
- (2) Without prejudice to Byelaw 5 (1) above, no Person shall, whether intentionally or recklessly do or permit to be done anything whereby the safety or security of Metro or of any Person on or upon Metro (whether a passenger on Metro or not) is or may be endangered.

- (3) (i) No Person shall without lawful authority or reasonable excuse bring upon Metro any loaded shotgun or loaded air weapon, or any other firearm (whether loaded or not) together with ammunition suitable for use in that firearm.
- (ii) No Person shall bring or permit to remain upon Metro any inflammable, explosive (as defined in the Explosives Act 1875) or corrosive gas, petrol or other spirit, liquid substance or matter which is or may become dangerous or harmful to any other Person or property.
- (4) Without prejudice to any penalty incurred by the contravention of this Byelaw 5, any vehicle, machinery, material, structure or other matter or any animal left on Metro or in such a position as to obstruct or interfere with the safe and efficient operation of Metro may be removed by or under the direction of any Authorised Officer in such a manner as such Authorised Officer reasonably believes necessary or desirable without Centro, the Operator, or the police being under any liability in respect of any loss or damage caused thereby, and may recover from the Person responsible the expenses reasonably incurred by him in doing so.

NO SMOKING, FIRE OR LIGHTS

6. (1) No Person shall smoke or carry any lighted smokeables (including but not limited to pipes, cigars or cigarettes) on any Vehicle or on any part of Metro.
- (2) No Person shall without the prior written consent of the Operator, create or bring upon any part of Metro any fire or other naked light whatsoever.

ALCOHOL AND OTHER SUBSTANCES

7. (1) No Person shall consume:
- (a) any alcoholic beverage on any Vehicle or any Stop.
- (b) any food which will soil, disfigure or destroy the property of any other Person on Metro or any Vehicle or any Stop.
- (2) No Person who is in a state of intoxication or under the influence of the effects of any illegal substance shall enter or attempt to enter any part of Metro, and (without prejudice to Byelaw 7(1) above) any Authorised Officer who reasonably believes any Person to be intoxicated or under the influence of the effects of any illegal substance shall be authorised and entitled to require such Person to leave Metro forthwith (or if on a Vehicle when it is next safe to do so) and further to leave (or not to enter) any other Vehicle or any Stop.

ANIMALS

8. (1) No Person shall cause or permit to be brought into or upon or cause or permit to remain in any Vehicle or any Stop any animal unless authorised by the Conditions of Carriage or any Authorised Officer and then only subject to such conditions and stipulations and to the payment of any such fare as may be specified by the Conditions of Carriage or any Authorised Officer.
- (2) Nothing in these Byelaws nor in the Conditions of Carriage shall prohibit the bringing upon or the use upon Metro of Guide or Hearing Dogs.
- (3) Subject to paragraph 8 (1) above, it shall be the responsibility of any Person who has brought any animal upon any Vehicle or any Stop to ensure that such animal does not cause nuisance or constitute any obstruction to Metro or a nuisance or danger to any Person upon Metro, or otherwise cause or constitute an infringement of any of these Byelaws.
- (4) Subject to the foregoing provisions of this Byelaw:
 - (a) no Person shall cause or permit any animal to occupy a seat on any Vehicle:
 - (b) no Person shall leave or place any animal unattended in any Vehicle or on any Stop unless authorised by the Conditions of Carriage or any Authorised Officer.
 - (c) Without prejudice to any penalty incurred by the contravention of this Byelaw, any animal brought on to any Vehicle or Stop or left or placed unattended in contravention of this Byelaw may be removed by or under the direction of any Authorised Officer in such manner as such Authorised Officer reasonably believes to be necessary or desirable without Centro or the Operator or the police being under any liability in respect of any loss or damage caused thereby.

BICYCLES AND LUGGAGE

9. (1) No Person shall cause or permit to be brought onto, or permit to remain upon the Vehicle or any Stop which is not within a street:
 - (a) any cycle (within the meaning of s.192 of the Road Traffic Act 1988) (save that any cycle can be brought onto a Stop for the purposes of gaining access to a cycle stand at a Stop or a cycle-track (as defined by s.329 of the Highways Act 1980) adjacent to a Stop) or other wheeled vehicle (save for wheelchairs pushchairs and prams) unless authorised by the Conditions of Carriage.
 - (b) Any luggage or other article which by reason of its nature could be reasonably expected to cause or does cause obstruction, inconvenience or danger to any Person (whether a passenger on

Metro or not) or damage to any property (including but not limited to Metro).

- (2) Without prejudice to paragraph (1) above, any item which is brought upon any Vehicle or any other part of Metro shall be so controlled or placed as to avoid obstruction, unnecessary inconvenience or danger to any Person (whether a passenger on Metro or not), and so as to avoid damage to property (including but not limited to Metro), and shall otherwise be carried, placed and controlled in accordance in all respects with these Byelaws, the Conditions of Carriage and any directions given by any Authorised Officer and in particular any permission to bring any such item upon any Vehicle or upon any Stop may at any time be withdrawn by any Authorised Officer where in such Authorised Officer's opinion it is necessary so to do for the prevention of obstruction or in the interests of safety or otherwise in order to ensure compliance with the terms of these Byelaws.
- (3) Without prejudice to any penalty incurred by contravention of this Byelaw, if the Person in charge of any item when requested so to do by an Authorised Officer fails immediately to remove that item from any Vehicle or as the case may be from any Stop, that item may be removed therefrom by or under the direction of such Authorised Officer in such manner as such Authorised Officer reasonably believes to be necessary or desirable without Centro, the Operator or the police being under any liability in respect of any loss or damage caused thereby.

CONDUCT, OFFENSIVE LANGUAGE AND NOISE

10. No Person whilst on Metro shall:

- (a) use any obscene, threatening, abusive or insulting language or behaviour.
- (b) make, create or permit any noise which may cause a nuisance or give reasonable grounds for annoyance to any Person on Metro.
- (c) use any radio, audio or video equipment in a manner which may cause nuisance or give reasonable grounds for annoyance to any other Person on Metro.
- (d) otherwise conduct himself in a disorderly manner or in a manner likely to offend or obstruct or cause a nuisance or give reasonable grounds for annoyance to any other Person on Metro.

CONDUCT ON METRO

11. No Person whilst on Metro shall:

- (a) without reasonable excuse distract the driver on any Vehicle or otherwise obstruct any Authorised Officer in the performance of his duties whether on any Vehicle or elsewhere on Metro;

- (b) utilise (save in a proper manner) or tamper with or damage any part of Metro
- (c) leave or enter any Vehicle or attempt to leave or enter any Vehicle, except:
 - (i) when that Vehicle has come to a halt at a Stop;
 - (ii) in compliance with any directions which may be given by notices on any Vehicle or upon any other part of Metro; and
 - (iii) in compliance with any directions which may be given by any Authorised Officer;
- (d) cross any part of the line comprised in Metro other than in a safe and orderly manner paying due care and attention to any signs and to the position and motion of Vehicles and other vehicles or Persons and save by using the shortest possible route at designated crossing points and otherwise in such a manner as to cause the minimum of nuisance and interference to Metro and to other Persons:
- (e) post any bills or other matter upon any part of Metro without the prior written consent of the Operator or Centro
- (f) distribute documents, beg for money or busk or collect monies or sell any item of whatsoever nature for reward on Metro without prior written consent of the Operator and Centro.
- (g) throw or drop litter or any other item or matter on or from or leave litter on any Vehicle or on any other part of Metro save in receptacles provided for that purpose.
- (h) spit on or otherwise soil any part of Metro
- (i) knowingly give any false fire, ambulance, bomb or other emergency alarm by whatsoever means calculated or intended to affect or interfere with the operation of Metro.
- (j) climb on any part of Metro save for entering and leaving Vehicles in the manner permitted by these Byelaws.
- (k) without the authority of the Operator enter any part of any Vehicle or Stop which is from time to time:
 - (i) marked by a notice in a conspicuous position as being for the exclusive use of Persons of the other sex: or
 - (ii) marked by a notice in a conspicuous position as being not open to the public.

- (l) enter any Vehicle or any Stop (i) wearing clothing bearing obscene or abusive words, or (ii) with equipment or material which may cause nuisance or inconvenience to other passengers.
- (m) set up temporary or permanent residence on any part of Metro.

LOST PROPERTY

- 12. Any Person finding any item of lost property on Metro shall as soon as practicable deliver such item up to an Authorised Officer or the Operator.

WAITING FOR VEHICLES

- 13. Persons waiting for Vehicles shall conduct themselves in an orderly and reasonable manner and with due regard to the safety of other Persons (whether other passengers on Metro or not).

PARKING OF VEHICLES

- 14. Without prejudice to the other provisions of these Byelaws, no Person shall park or drive or cause to be parked or driven any vehicle on any part of Metro not being a level crossing or otherwise in such a position or manner as is likely to cause or does cause obstruction to any Vehicle or to Metro or to Persons using or intending to use, Metro.

SPEED LIMITS

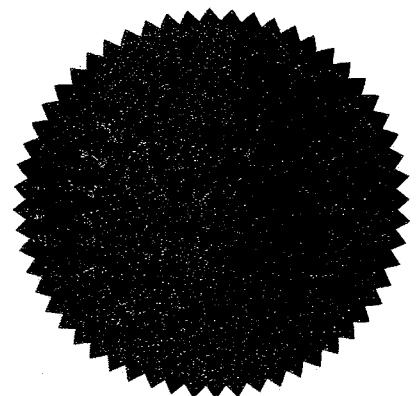
- 15. No driver of a Vehicle shall cause or permit that Vehicle to exceed the speed indicated on a speed limit sign erected by the Operator and applying to the part of the Metro through which that Vehicle is travelling.

OPERATIVE DATE

- 16. These Byelaws shall come into operation on the date they are confirmed by the Secretary of State for the Environment, Transport and the Regions.

THE COMMON SEAL OF THE WEST
MIDLANDS PASSENGER TRANSPORT
EXECUTIVE was hereunto affixed
This 15th day of April 1999 in the presence of

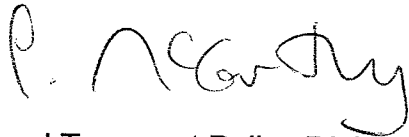

Secretary & Solicitor



THE SECRETARY OF STATE FOR THE ENVIRONMENT, TRANSPORT
AND THE REGIONS hereby confirms the foregoing Byelaws.

SIGNED by the authority of the SECRETARY OF STATE FOR THE
ENVIRONMENT, TRANSPORT AND THE REGIONS

the 14th day of May 1999.

A handwritten signature in cursive script, appearing to read 'P. Nearty'.

Head of Local Transport Policy Division
Department of the Environment, Transport and
the Regions.