



# PUBLIC NOTICE

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## MEDIA BUREAU ACTION

### MEDIA BUREAU SEEKS COMMENT ON PETITION FOR WAIVER OF ACCESSIBLE USER INTERFACES REQUIREMENTS OF HONDA MOTOR CO., LTD.

MB Docket No. 12-108

Comment Date: January 11, 2017

Reply Comment Date: January 23, 2017

Honda Motor Co., Ltd. (Honda) has filed a petition<sup>1</sup> on behalf of its affiliates and subsidiaries requesting that the Commission grant a limited extension of the Commission's rules requiring the accessibility of user interfaces on covered digital apparatus.<sup>2</sup> Section 79.107 of the Commission's rules requires that digital apparatus be designed, developed, and fabricated so that control of appropriate built-in functions (*i.e.*, those functions used for the reception, play back, or display of video programming) included in the apparatus are accessible to and usable by individuals who are blind or visually impaired, if achievable.<sup>3</sup> In addition, Section 79.109(a) of the Commission's rules requires that digital apparatus with built-in closed captioning and/or video description capability must include a mechanism that is reasonably comparable to a button, key, or icon for activating the closed captioning and video description.<sup>4</sup> The rules further require covered entities to ensure that individuals with disabilities are aware of the availability of accessible digital apparatus and have ready access to information and support that will allow them to

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<sup>1</sup> Petition for Limited Waiver of Honda Motor Co., Ltd. Filed on behalf of all its Affiliates and Subsidiaries (filed Dec. 20, 2016) ("Petition").

<sup>2</sup> Covered digital apparatus are those that are designed to receive or play back video programming transmitted in digital format simultaneously with sound, excluding navigation devices. *See* 47 U.S.C. § 303(aa)(1); 47 CFR § 79.107(a)(1).

<sup>3</sup> 47 CFR § 79.107(a)(1). *See also* *Accessibility of User Interfaces, and Video Programming Guides and Menus; Accessible Emergency Information, and Apparatus Requirements for Emergency Information and Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010*, MB Docket Nos. 12-108, 12-107, Report and Order and Further Notice of Proposed Rulemaking, 28 FCC Rcd 17330, 17363-71, paras. 53-63 (2013) ("*Accessible User Interfaces Order*").

<sup>4</sup> 47 CFR § 79.109(a)(1)-(2). *See also* *Accessible User Interfaces Order*, 28 FCC Rcd at 17380-84, paras. 79-84.

operate such devices.<sup>5</sup> Manufacturers of digital apparatus are responsible for compliance with the rules, which set a compliance deadline of December 20, 2016, subject to certain exceptions.<sup>6</sup>

Honda requests a 20-month waiver of the accessible user interfaces requirements applicable to “rear entertainment systems” (RES) on certain Honda vehicles.<sup>7</sup> Honda contends that it was not aware of the impact of the Commission’s requirements on automobile manufacturers until recently, and while it has begun steps to integrate accessibility features since learning of the requirements, the operating system electronics for the RES must be redesigned to accommodate the necessary technology.<sup>8</sup> Honda sets forth a detailed plan for implementing the required accessibility, which it estimates will take 20 months.<sup>9</sup> According to Honda, upon expiration of the requested waiver, all subject vehicles will be manufactured in compliance with the Commission’s user interfaces requirements, with each rear entertainment system providing the required accessibility technology.<sup>10</sup> We seek comment on Honda’s request.

Pursuant to Sections 1.415 and 1.419 of the Commission’s rules, 47 CFR §§ 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS). *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission’s Secretary must be delivered to FCC Headquarters at 445 12<sup>th</sup> Street, SW, Room TW-A325,

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<sup>5</sup> 47 CFR § 79.107(d)-(e). *See also Accessibility of User Interfaces, and Video Programming Guides and Menus*, MB Docket No. 12-108, Second Report and Order, Order on Reconsideration, and Second Further Notice of Proposed Rulemaking, 30 FCC Rcd 13914 (2015).

<sup>6</sup> 47 CFR §§ 79.107(b), 79.109(c). Certain categories of digital apparatus such as display-only monitors and video projectors and devices primarily designed for purposes other than displaying video programming are subject to a five-year deferred compliance deadline. *Id.* § 79.107(b)(1)-(3).

<sup>7</sup> *See* Petition at 2-3. In particular, Honda requests that the waiver apply to the following vehicles manufactured during the requested waiver period: Honda Odyssey Model Years 2017, 2018, and 2019; Honda Pilot Model Years 2017, 2018, and 2019; and Acura MDX Model Years 2017, 2018, and 2019. *Id.* Honda also requests that there be no retroactive compliance requirement to retrofit subject vehicles manufactured during the waiver period. *Id.* at 3.

<sup>8</sup> *See id.* at 2, 6-7.

<sup>9</sup> *Id.* at 10-11.

<sup>10</sup> *Id.* at 3.

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Filings are also available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC 20554, telephone (202) 418-0270.

For further information, contact Maria Mullarkey, [Maria.Mullarkey@fcc.gov](mailto:Maria.Mullarkey@fcc.gov) or (202) 418-2120. Press inquiries should be directed to Janice Wise, [Janice.Wise@fcc.gov](mailto:Janice.Wise@fcc.gov) or (202) 418-8165.

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