

**Federal Communications Commission  
Washington, D.C. 20554**

DA 96-1243

In the Matter of )

Access to Telecommunications )  
Equipment and Services by Persons )  
With Disabilities )

CC Docket No. 87-124

**ERRATUM**

**Released: August 8, 1996**

On June 27, 1996, the Commission adopted a Report and Order (Report and Order) in this proceeding, CC Docket No. 87-124, FCC 96-285, released July 3, 1996. The subparagraph numbering of Section 68.112 of the final rules stated in Appendix C of the Report and Order do not comport to the paragraph numbering requirements of the Director of the Federal Register. The correctly numbered version of Section 68.112 is attached herewith as Appendix A.

FEDERAL COMMUNICATIONS COMMISSION



Geraldine Matisse, Chief  
Network Services Division  
Common Carrier Bureau

## Appendix A

1. Section 68.112 is amended by revising paragraphs (b)(1), (b)(3), (b)(4), (b)(5) and (c), and adding paragraph (b)(6), as follows:

### § 68.112 Hearing aid compatibility.

\* \* \* \* \*

(b) \* \* \*

(1) Telephones, except headsets, in places where a person with a hearing disability might be isolated in an emergency, including, but not limited to, elevators, highways, and tunnels for automobile, railway or subway, and workplace common areas.

Note to paragraph (b)(1): Examples of workplace common areas include libraries, reception areas and-similar locations where employees are reasonably expected to congregate.

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(3) Telephones, except headsets, in workplace non-common areas. Note: Examples of workplace non-common areas include private enclosed offices, open area individual work stations and mail rooms. Such non-common area telephones are required to be hearing aid compatible, as defined in Section 68.316, by January 1, 2000, except for those telephones located in establishments with fewer than fifteen employees; and those telephones purchased between January 1, 1985 through December 31, 1989, which are not required to be hearing aid compatible, as defined in Section 68.316, until January 1, 2005.

(i) Telephones, including headsets, made available to an employee with a hearing disability for use by that employee in his or her employment duty, shall, however, be hearing aid compatible, as defined in Section 68.316.

(ii) As of January 1, 2000 or January 1, 2005, whichever date is applicable, there shall be a rebuttable presumption that all telephones located in the workplace are hearing aid compatible, as defined in Section 68.316. Any person who identifies a telephone as non-hearing aid-compatible, as defined in Section 68.316, may rebut this presumption. Such telephone must be replaced within fifteen working days with a hearing aid compatible telephone, as defined in Section 68.316, including, as of November 1, 1998, with volume control, as defined in Section 68.317.

(iii) Telephones, not including headsets, except those headsets furnished under paragraph (b)(3)(i) of this section, that are purchased, or replaced with newly acquired telephones, must be:

(A) Hearing aid compatible, as defined in Section 68.316, after the effective

date of paragraph (b)(3) of this section; and

(B) Including, as of November 1, 1998, with volume control, as defined in Section 68.317.

(iv) When a telephone under paragraph (b)(3)(iii) of this section is replaced with a telephone from inventory existing before the effective date of amended paragraph (b)(3) of this section, any person may make a bona fide request that such telephone be hearing aid compatible, as defined in Section 68.316. If the replacement occurs as of November 1, 1998, the telephone must have volume control, as defined in Section 68.317. The telephone shall be provided within fifteen working days.

(v) During the period from the effective date of amended paragraph (b)(3) of this section until the applicable date of January 1, 2000 or January 1, 2005, workplaces of fifteen or more employees also must provide and designate telephones for emergency use by employees with hearing disabilities through one or more of the following means:

(A) By having at least one coin-operated telephone, one common area telephone or one other designated hearing aid compatible telephone within a reasonable and accessible distance for an individual searching for a telephone from any point in the workplace; or

(B) By providing wireless telephones that meet the definition for hearing aid compatible for wireline telephones, as defined in Section 68.316, for use by employees in their employment duty outside common areas and outside the offices of employees with hearing disabilities.

(4) All credit card operated telephones, whether located on public property or in a semipublic location (e.g. drugstore, gas station, private club), unless a hearing aid compatible (as defined in § 68.316) coin-operated telephone providing similar services is nearby and readily available. However, regardless of coin-operated telephone availability, all credit card operated telephones must be made hearing aid-compatible, as defined in § 68.316, when replaced, or by May 1, 1991, whichever comes sooner.

(5) Telephones needed to signal life threatening or emergency situations in confined settings, including but not limited to, rooms in hospitals, residential health care facilities for senior citizens, and convalescent homes:

(i) A telephone that is hearing aid compatible, as defined in Section 68.316, is not required until:

(A) November 1, 1997, for establishments with fifty or more beds, unless replaced before that time; and

(B) November 1, 1998, for all other establishments with fewer than fifty beds, unless replaced before that time.

(ii) Telephones that are purchased, or replaced with newly acquired telephones, must be:

(A) Hearing aid compatible, as defined in Section 68.116, after the effective date of amended paragraph (b)(5) of this section;

(B) Including, as of November 1, 1998, with volume control, as defined in Section 68.317.

(iii) Unless a telephone in a confined setting is replaced pursuant to paragraph (b)(5)(ii) of this section, a hearing aid compatible telephone shall not be required if:

(A) A telephone is both purchased and maintained by a resident for use in that resident's room in the establishment; or

(B) The confined setting has an alternative means of signalling life-threatening or emergency situations that is available, working and monitored.

(6) Telephones in hotel and motel guest rooms, and in any other establishment open to the general public for the purpose of overnight accommodation for a fee. Such telephones are required to be hearing aid compatible, as defined in Section 68.316, except that, for establishments with eighty or more guest rooms, the telephones are not required to be hearing aid compatible, as defined in Section 68.316, until November 1, 1998; and for establishments with fewer than eighty guest rooms, the telephones are not required to be hearing aid compatible, as defined in Section 68.316, until November 1, 1999.

(i) Anytime after the effective date of amended paragraph (b)(6) of this section, if a hotel or motel room is renovated or newly constructed, or the telephone in a hotel or motel room or is replaced or substantially, internally repaired, the telephone in that room must be:

(A) Hearing aid compatible, as defined in Section 68.316, after the effective date of amended paragraph (b)(6) of this section;

(B) Including, as of November 1, 1998, with volume control, as defined in Section 68.317.

(ii) The telephones in at least twenty percent of the guest rooms in a hotel or motel must be hearing aid compatible, as defined in Section 68.316, as of April 1, 1997.

(iii) Notwithstanding the requirements of paragraph (b)(6) of this section, hotels and motels which use telephones purchased during the period January 1, 1985 through December 31, 1989 may provide telephones that are hearing aid compatible, as defined in Section 68.316, in guest rooms according to the following schedule:

(A) The telephones in at least twenty percent of the guest rooms in a hotel or motel must be hearing aid compatible, as defined in Section 68.316, as of April 1, 1997;

(B) The telephones in at least twenty-five percent of the guest rooms in a hotel or motel must be hearing aid compatible, as defined in Section 68.316, by November 1, 1999; and

(C) The telephones in one-hundred percent of the guest rooms in a hotel or motel must be hearing aid compatible, as defined in Section 68.316, by January 1, 2001 for establishments with eighty or more guest rooms, and by January 1, 2004 for establishments with fewer than eighty guest rooms.

(c) Telephones frequently needed by the hearing impaired. Closed circuit telephones, i.e., telephones which cannot directly access the public switched network, such as telephones located in lobbies of hotels or apartment buildings; telephones in stores which are used by patrons to order merchandise; telephones in public transportation terminals which are used to call taxis or to reserve rental automobiles, need not be hearing aid compatible, as defined in § 68.316, until replaced.