

ACT 207

S.B. NO. 2633

A Bill for an Act Relating to the Hearing-Impaired.

*Be It Enacted by the Legislature of the State of Hawaii:*

**SECTION 1. Findings and purpose.** The legislature believes that everyone has a natural and basic need to communicate. For many deaf and hearing-impaired people, the fulfillment of this need depends on extra communication means such as a telecommunication device for the deaf. These extra tools of communication have not always been readily available nor uniformly accessible, yet without them, hearing-impaired people are deprived of the right to fully participate in society. The legislature finds that relay services for the deaf make the phone system usable by hearing-impaired persons who have a telecommunications device for the deaf.

The purpose of this Act is to ensure the availability of relay services for the deaf and hearing-impaired.

**SECTION 2.** Chapter 269, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§269- Relay services for the deaf and hearing-impaired.** (a) The public utilities commission shall implement a program to achieve relay services for the deaf and hearing-impaired not later than July 1, 1989.

(b) “Relay services for the deaf and hearing-impaired” means a twenty-four-hour operator-assisted telephone relay service staffed by persons who are able to receive and transmit phone calls between deaf and hearing-impaired and hearing persons using a telecommunication device for the deaf in conjunction with a telephone.

(c) The commission shall require every telephone public utility providing local telephone service to file a schedule of rates and charges providing for relay services for the deaf and hearing-impaired.

(d) Nothing in this section shall preclude the commission from changing any rate established pursuant to subsection (a) either specifically or pursuant to any general restructuring of all telephone rates, charges, and classifications.”

**SECTION 3.** Whenever a public utility providing local exchange telecommunications services applies for approval of rates, charges, or fees in tariffs for

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specialized services for the deaf or hearing-impaired, the commission shall expedite to the greatest extent possible any necessary rate making procedures. Further, the commission shall be authorized to approve interim surcharges imposed on all subscriber lines, in order to permit the recovery of those actual costs incurred from the time of commencement of the specialized services for the deaf and hearing-impaired to the time of the next general rate increase.

**SECTION 4.** New statutory material is underscored.<sup>1</sup>

**SECTION 5.** This Act shall take effect upon its approval.

(Approved June 7, 1988.)

### **Note**

1. Edited pursuant to HRS §23G-16.5.