

ACT 295

S.B. NO. 1433

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 finds that existing law concerning the establishment of a relay service for the deaf and hearing-impaired may be too restrictive and will prevent the public utilities commission from investigating alternative and experienced providers of such services.

The purpose of this Act is to ensure that alternative and experienced providers are considered when providing a cost-effective relay system which allows deaf and hearing-impaired people to fully utilize telephone service.

SECTION 2. Section 269-16.6, Hawaii Revised Statutes, is amended to read as follows:

“[§269-16.6] 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 investigate the availability of experienced providers of quality relay services for the deaf and hearing-impaired. Contracts for the provision of these relay services to be rendered on or after July 1, 1992, shall be awarded by the commission to the provider or providers which the commission determines to be best qualified to provide these services. In reviewing the qualifications of the provider or providers, the commission shall consider the factors of cost, quality of services, and experience, and such other factors as the commission deems appropriate.

(d) If the commission determines that the relay service can be provided in a cost-effective manner by a service provider, the commission may require every telephone public utility to contract with that provider for the provision of the relay service under the terms established by the commission.

(e) Notwithstanding subsections (c) and (d), relay services for the period beginning July 1, 1989, and ending June 30, 1992, shall be provided by every telephone public utility providing local service; provided that the commission and the provider or providers can agree on the terms and conditions for the provision of those relay services.

[(c)] (f) The commission shall require every telephone public utility providing local telephone service to file a schedule of rates and charges and every

provider of relay service to maintain a separate accounting for the costs of providing for relay services for the deaf and hearing-impaired.

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

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved June 13, 1989.)