

ACT 63

S.B. NO. 1799

A Bill for an Act Relating to Speech and Hearing Impaired.

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

SECTION 1. The legislature believes that everyone has a natural and basic need to communicate. For many deaf, hearing-impaired, and speech-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 and speech-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 and speech-impaired persons who have a telecommunications device for the deaf. In 1988, the legislature enacted Act 207, Session Laws of Hawaii 1988, to assure telecommunication devices for the deaf are available for the deaf and hearing-impaired. Those persons who are speech-impaired were not included.

The purpose of this Act is to ensure the availability of relay services for the speech-impaired:

SECTION 2. Section 269-16.6, Hawaii Revised Statutes, is amended:

1. By amending its title and subsections (a), (b), and (c) to read:

“§269-16.6 Relay services for the deaf [and], hearing-impaired[.], and speech-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[.], and the speech impaired not later than July 1, 1992.

(b) “Relay services for the deaf [and hearing-impaired”], hearing-impaired, and speech-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 speech-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[.], and speech-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.”

2. By amending subsection (f) to read:

“(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[.], and speech-impaired.”

SECTION 3. Section 269-16.7, Hawaii Revised Statutes, is amended as follows:

“§269-16.7 Telecommunications; expedition of ratemaking procedures.¹

Whenever a public utility providing local exchange telecommunications services applies for approval of rates, charges, or fees in tariffs for specialized services for the deaf [or], hearing-impaired or speech-impaired, the commission shall expedite to the greatest extent possible any necessary ratemaking 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 and speech-impaired to the time of the next general rate increase.”

SECTION 4. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved April 26, 1991.)

Note

1. So in original.