

- 1 **Key: Underline – Additions**
- 2 **~~Strikethrough – Deletions~~**
- 3 The text begins on the next page.
- 4 During discussions, please note page and line number.
- 5 Please note this is a draft. This document does not include a watermark for
- 6 accessibility purposes.

PART II
TELECOMMUNICATIONS
ACCESS SYSTEM

- 7
- 8
- 9
- 10 427.701 Title.
- 11 427.702 Findings, purpose, and legislative intent.
- 12 427.703 Definitions.
- 13 427.704 Powers and duties of the commission.
- 14 427.705 Administration of the telecommunications access system.
- 15 427.706 Advisory committee.
- 16 427.707 Exemption from liability.
- 17 427.708 Certain public safety and health care providers required to purchase and
- 18 operate TDD's.
- 19

20 **427.701 Title.**—This part may be cited as the “Telecommunications Access System
21 Act of 1991.”

22 **History.**—s. 1, ch. 91-111.

23

24 **427.702 Findings, purpose, and legislative intent.**—

25 (1) The Legislature finds and declares that:

26 (a) Telecommunications services provide a rapid and essential communications link
27 among the general public and with essential offices and organizations such as police,
28 fire, and medical facilities.

29 (b) All persons should have basic telecommunications services available to them at
30 reasonable and affordable costs.

31 (c) A significant portion of Florida’s hearing impaired and speech impaired
32 populations has profound disabilities, including dual sensory impairments, which render
33 normal telephone equipment useless without additional specialized telecommunications
34 devices, many of which cost several hundred dollars.

35 (d) The telecommunications system is intended to provide access to a basic
36 communications network between all persons, and that many persons who have a

37 hearing impairment or speech impairment currently have no access to the basic
38 telecommunications system.

39 (e) Persons who do not have a hearing impairment or speech impairment are
40 generally excluded from access to the basic telecommunications system to
41 communicate with persons who have a hearing impairment or speech impairment
42 without the use of specialized telecommunications devices.

43 (f) There exists a need for a telecommunications relay system whereby the cost for
44 access to basic telecommunications services for persons who have a hearing
45 impairment or speech impairment is no greater than the amount paid by other
46 telecommunications customers.

47 (g) The Federal Government, in order to carry out the purposes established by Title
48 II of the Communications Act of 1934, as amended, by the enactment of the Americans
49 with Disabilities Act, endeavored to ensure that interstate and intrastate
50 telecommunications relay services are available, to the extent possible and in the most
51 efficient manner, to hearing impaired and speech impaired persons in the United States.

52 (h) Title IV of the Americans with Disabilities Act mandates that the
53 telecommunications companies providing telephone services within the state shall
54 provide telecommunications relay services on or before July 25, 1993, to persons who
55 are hearing impaired or speech impaired within their certificated territories in a manner
56 that meets or exceeds the requirements of regulations to be prescribed by the Federal
57 Communications Commission.

58 (2) It is the declared purpose of this part to establish a system whereby the citizens
59 of Florida who are hearing impaired, speech impaired, or dual sensory impaired have
60 access to basic telecommunications services at a cost no greater than that paid by
61 other telecommunications services customers, and whereby the cost of specialized
62 telecommunications equipment necessary to ensure that citizens who are hearing
63 impaired, speech impaired, or dual sensory impaired have access to basic
64 telecommunications services and the provision of telecommunications relay service is
65 borne by all the telecommunications customers of the state.

66 (3) It is the intent of the Legislature:

67 (a) That a telecommunications access system be established to provide equitable
68 basic access to the telecommunications network for persons who are hearing impaired,
69 speech impaired, or dual sensory impaired.

70 (b) That the telecommunications access system includes a telecommunications
71 relay service system that meets or exceeds the certification requirements of the Federal
72 Communications Commission.

73 (c) That the telecommunications access system includes the distribution of
74 telecommunications devices for the deaf that are compatible with the
75 telecommunications relay service system and has the capability of incorporating new
76 technologies as they develop.

77 (d) That the telecommunications access system includes the distribution of
78 specialized telecommunications devices necessary for hearing impaired, speech
79 impaired, or dual sensory impaired persons to access basic telecommunications
80 services.

81 (e) That the telecommunications access system ensures that users of the
82 telecommunications relay service system pay rates no greater than the rates paid for
83 functionally equivalent voice communications services.

84 (f) That the telecommunications access system be as cost-efficient as possible
85 without diminishing the effectiveness or the quality of the system.

86 (g) That the telecommunications access system uses state-of-the-art technology for
87 specialized telecommunications devices and the telecommunications relay service and
88 encourages the incorporation of new developments in technology, to the extent that it
89 has demonstrated benefits consistent with the intent of this act and is in the best interest
90 of the citizens of this state.

91 (h) That the value of the involvement of persons who have hearing or speech
92 impairments, and organizations representing or serving those persons, be recognized
93 and such persons and organizations be involved throughout the development,
94 establishment, and implementation of the telecommunications access system through
95 participation on the advisory committee as provided in s. 427.706.

96 (i) That the total cost of providing telecommunications relay services and distributing
97 specialized telecommunications devices be spread equitably among and collected from
98 customers of all local exchange telecommunications companies.

99 **History.**—s. 1, ch. 91-111.

100
101 **427.703 Definitions.—As used in this part:**

102 (1) “Administrator” means a corporation not for profit incorporated pursuant to the
103 provisions of chapter 617 and designated by the Florida Public Service Commission to
104 administer the telecommunications relay service system and the distribution of
105 specialized telecommunications devices pursuant to the provisions of this act and rules
106 and regulations established by the commission.

107 (2) “Commission” means the Florida Public Service Commission.

108 (3) “Deaf” means having a permanent hearing impairment and being unable to
109 discriminate speech sounds in verbal communication, with or without the assistance of
110 amplification devices.

111 (4) “Dual sensory impaired” means having both a permanent hearing impairment
112 and a permanent visual impairment and includes deaf/blindness.

113 (5) “Hard of hearing” means having a permanent hearing impairment which is
114 severe enough to necessitate the use of amplification devices to discriminate speech
115 sounds in verbal communication.

116 (6) “Hearing impaired” or “having a hearing impairment” means deaf or hard of
117 hearing and, for purposes of this part, includes being dual sensory impaired.

118 (7) “Local exchange telecommunications company” means a telecommunications
119 company certificated by the commission to provide telecommunications services within
120 a specific geographic area.

121 (8) “Operating fund” means the fund established, invested, managed, and
122 maintained by the administrator for the exclusive purpose of implementing and
123 administering the provisions of this act pursuant to commission rules and regulations.

124 (9) “Ring signaling device” means a mechanism, such as a flashing light, which
125 visually indicates that a communication is being received through a telephone line. This

126 term also means a mechanism such as an adjustable volume ringer and buzzer which
127 audibly and loudly indicates an incoming telephone communication.

128 (10) "Speech impaired" or "having a speech impairment" means having a permanent
129 loss of verbal communication ability which prohibits normal usage of a standard
130 telephone handset.

131 (11) "Specialized telecommunications device" means a TDD, a volume control
132 handset, a ring signaling device, or any other customer premises telecommunications
133 equipment specifically designed or used to provide basic access to telecommunications
134 services for a hearing impaired, speech impaired, or dual sensory impaired person.

135 (12) "Surcharge" means an additional charge which is to be paid by local exchange
136 telecommunications company subscribers pursuant to the cost recovery mechanism
137 established under s. 427.704(4) in order to implement the system described herein.

138 (13) "Telecommunications company" includes every corporation, partnership, and
139 person and their lessees, trustees, or receivers appointed by any court whatsoever, and
140 every political subdivision of the state, offering two-way telecommunications service to
141 the public for hire within this state by the use of a telecommunications facility. The term
142 "telecommunications company" does not include an entity which provides a
143 telecommunications facility exclusively to a certificated telecommunications company, or
144 a specialized mobile radio service operator, a private radio carrier, a radio common
145 carrier, a cellular radio telecommunications carrier, or a cable television company
146 providing cable service as defined in 47 U.S.C. s. 522.

147 (14) "Telecommunications device for the deaf" or "TDD" means a mechanism which
148 is connected to a standard telephone line, operated by means of a keyboard, and used
149 to transmit or receive signals through telephone lines.

150 (15) "Telecommunications facility" includes real estate, easements, apparatus,
151 property, and routes used and operated to provide two-way telecommunications service
152 to the public for hire within this state.

153 (16) "Telecommunications relay service" means any telecommunications
154 transmission service that allows a person who is hearing impaired or speech impaired to
155 communicate by wire or radio in a manner that is functionally equivalent to the ability of
156 a person who is not hearing impaired or speech impaired. Such term includes any

157 service that enables two-way communication between a person who uses a
158 telecommunications device or other nonvoice terminal device and a person who does
159 not use such a device.

160 (17) "Volume control handset" means a telephone which has an adjustable control
161 for increasing the volume of the sound being produced by the telephone receiving unit
162 or by the telephone transmitting unit.

163 **History.**—s. 1, ch. 91-111.

164

165 **427.704 Powers and duties of the commission.—**

166 (1) The commission shall establish, implement, promote, and oversee the
167 administration of a statewide telecommunications access system to provide access to
168 telecommunications relay services by persons who are hearing impaired or speech
169 impaired, or others who communicate with them. The telecommunications access
170 system shall provide for the purchase and distribution of specialized
171 telecommunications devices and the establishment of statewide single provider
172 telecommunications relay service system which operates continuously. To provide
173 telecommunications relay services and distribute specialized telecommunication
174 devices to persons who are hearing impaired or speech impaired, at a reasonable cost
175 the commission shall:

176 ~~(a) Investigate, conduct public hearings, and solicit the advice and counsel of the~~
177 ~~advisory committee established pursuant to s. 427.706 to determine the most cost-~~
178 ~~effective method for providing telecommunications relay service and distributing~~
179 ~~specialized telecommunications devices.~~

180 ~~(a)~~ (a) Ensure that users of the telecommunications relay service system pay rates no
181 greater than the rates paid for functionally equivalent voice communication services with
182 respect to such factors as duration of the call, time of day, and distance from the point
183 of origination to the point of termination.

184 ~~(b)~~ (b) Ensure that the telecommunications access system protects the privacy of
185 persons to whom services are provided and that all operators maintain the
186 confidentiality of all relay service messages.

187 (cd) Ensure that the telecommunications relay service system complies with
188 regulations adopted by the Federal Communications Commission to implement Title IV
189 of the Americans with Disabilities Act.

190 (2) The commission shall designate as the administrator of the telecommunications
191 access system the statewide Assistive Technology Act Program as authorized in Public
192 Law 108-364 ~~a corporation not for profit organized for such purposes and incorporated~~
193 ~~pursuant to chapter 617. For the purposes of this part, the commission may order~~
194 ~~telecommunications companies to form such a corporation not for profit.~~

195 (3)(a) The commission shall select the provider of the telecommunications relay
196 service pursuant to procedures established by the commission. In selecting the service
197 provider, the commission shall take into consideration the cost of providing the relay
198 service and the interests of the hearing impaired and speech impaired community in
199 having access to a high-quality and technologically advanced telecommunications
200 system. The commission shall award the contract to the bidder whose proposal is the
201 most advantageous to the state, taking into consideration the following:

202 1. The appropriateness and accessibility of the proposed telecommunications relay
203 service for the citizens of the state, including persons who are hearing impaired or
204 speech impaired.

205 2. The overall quality of the proposed telecommunications relay service.

206 3. The charges for the proposed telecommunications relay service system.

207 4. The ability and qualifications of the bidder to provide the proposed
208 telecommunications relay service as outlined in the request for proposals.

209 5. Any proposed service enhancements and technological enhancements which
210 improve service without significantly increasing cost.

211 6. Any proposed inclusion of provision of assistance to deaf persons with special
212 needs to access the basic telecommunications system.

213 7. The ability to meet the proposed commencement date for the telecommunications
214 relay service.

215 8. All other factors listed in the request for proposals.

216 (b) The commission shall consider the advice and counsel of the advisory
217 committee in the development of the request for proposals. The request for proposals
218 shall include, but not be limited to:

219 1. A description of the scope and general requirements of the telecommunications
220 relay service, including the required compliance with regulations adopted by the Federal
221 Communications Commission to implement Title IV of the Americans with Disabilities
222 Act, the required service provisions and service limitations, system design, service
223 provider qualifications, and service description, type of calls to be provided, and charges
224 to the users.

225 2. A description of the telecommunications relay service system standards.

226 3. A description of information to be provided by the bidder, including service
227 provider qualifications, cost information, including cost per call and startup costs, a
228 description of the system design, including network access and facilities to be provided,
229 and relay operator standards.

230 4. A description of service provider reporting requirements.

231 (c) The commission shall establish a request for a proposals review committee,
232 which shall include commission staff and designated members of the advisory
233 committee, to review the proposals received by the commission and recommend a
234 telecommunications relay service provider to the commission for final selection. By
235 agreeing to serve on the review committee, each member of the review committee shall
236 agree that he or she currently does not have and will not have any interest or
237 employment, either directly or indirectly, with potential bidders that would conflict in any
238 manner or degree with his or her performance on the committee.

239 (d) To the extent a bidder desires any portion of its proposal to be considered
240 proprietary, confidential business information, the bidder shall make such request
241 concurrent with filing its proposal and justify its request as provided in s. 364.183.

242 (4)(a) The commission shall establish a mechanism to recover the costs of
243 implementing and maintaining the services required pursuant to this part which shall be
244 applied to each basic telecommunications access line. In establishing the recovery
245 mechanism, the commission shall:

246 1. Require all local exchange telecommunications companies to impose a monthly
247 surcharge on all local exchange telecommunications company subscribers on an
248 individual access line basis, except that such surcharge shall not be imposed upon
249 more than 25 basic telecommunications access lines per account bill rendered.

250 2. Require all local exchange telecommunications companies to include the
251 surcharge as a part of the local service charge that appears on the customer's bill,
252 except that the local exchange telecommunications company shall specify the
253 surcharge on the initial bill to the subscriber and itemize it at least once annually.

254 3. Allow the local exchange telecommunications company to deduct and retain 1
255 percent of the total surcharge amount collected each month to recover the billing,
256 collecting, remitting, and administrative costs attributed to the surcharge.

257 (b) The commission shall determine the amount of the surcharge based upon the
258 amount of funding necessary to accomplish the purposes of this act and provide the
259 services on an ongoing basis; however, in no case shall the amount exceed 25 cents
260 per line per month.

261 (c) All moneys received by the local exchange telecommunications company, less
262 the amount retained as authorized by subparagraph (4)(a)3., shall be remitted to the
263 administrator for deposit in appropriate financial institutions regulated under state or
264 federal law and used exclusively to fund the telecommunications access system
265 provided for herein.

266 (d) The surcharge collected by the local exchange telecommunications companies
267 is not subject to any sales, use, franchise, income, municipal utility, gross receipts, or
268 any other tax, fee, or assessment, nor shall it be considered revenue of the local
269 exchange telecommunications companies for any purpose.

270 (e) From the date of implementing the surcharge, the commission shall review the
271 amount of the surcharge at least annually and shall order changes in the amount of the
272 surcharge as necessary to assure available funds for the provision of the
273 telecommunications access system established herein. Where the review of the
274 surcharge determines that excess funds are available, the commission may order the
275 suspension of the surcharge for a period which the commission deems appropriate.

276 (5) The commission shall require each local exchange telecommunications
277 company to begin assessing and collecting the surcharge in the amount of 5 cents per
278 access line per month on bills rendered on or after July 1, 1991, for remission to the
279 administrator for deposit in the operational fund. Each local exchange
280 telecommunications company shall remit moneys collected to the administrator. On
281 August 15, 1991, each local exchange telecommunications company shall begin
282 remitting the moneys collected to the administrator on a monthly basis and in a manner
283 as prescribed by the commission. The administrator shall use such moneys to cover
284 costs incurred during the development of the telecommunications relay services and to
285 establish and administer the specialized telecommunications devices system.

286 (6) The commission shall establish a schedule for completion of specific stages of
287 the telecommunications relay service development and implementation except that the
288 statewide telecommunications relay service shall commence on or before June 1, 1992.

289 (7) The commission shall require the administrator to submit financial statements for
290 the distribution of specialized telecommunications devices and the telecommunications
291 relay service to the commission quarterly, in the manner prescribed by the commission.

292 (8) The commission shall adopt rules and may take any other action necessary to
293 implement the provisions of this act.

294 (9) The commission shall prepare an annual report on the operation of the
295 telecommunications access system, which shall be available on the commission's
296 Internet website. Reports must be prepared in consultation with the administrator and
297 the advisory committee appointed pursuant to s. 427.706. The reports must, at a
298 minimum, briefly outline the status of developments in the telecommunications access
299 system, the number of persons served, the call volume, revenues and expenditures, the
300 allocation of the revenues and expenditures between provision of specialized
301 telecommunications devices to individuals and operation of statewide relay service,
302 other major policy or operational issues, and proposals for improvements or changes to
303 the telecommunications access system.

304 **History.**—s. 1, ch. 91-111; s. 11, ch. 2000-334; s. 139, ch. 2010-102.

305

306 **427.705 Administration of the telecommunications access system.—**

307 (1) Consistent with the provisions of this act and rules and regulations established by
308 the commission, the administrator shall: contract with a network of nonprofit
309 organizations established for the purpose of serving individuals with disabilities of all
310 ages, pursuant to Part VII of the federal Rehabilitation Act of 1973. The network of
311 nonprofit organizations shall serve as regional demonstration centers for the
312 telecommunications access program. The regional centers shall have the collective
313 capacity to provide device demonstration and education on specialized
314 telecommunications equipment to individuals with disabilities in every county in the
315 state.

316 (2a) The administrator shall be responsible for Ppurchasinge, store, distribute, and
317 maintaining specialized telecommunications devices, ~~either directly or through contract~~
318 with third parties, or a combination thereof for distribution to eligible individuals through
319 the network of regional centers.

320 ~~(b) Administer advertising and outreach services as required by the commission,~~
321 ~~either directly or through contract with third parties, or a combination thereof.~~

322 (3) The regional centers shall be responsible for conducting outreach activities to
323 promote awareness of the specialized telecommunications equipment and services
324 available through the telecommunications access system. Administer training services
325 for recipients of specialized telecommunications devices and for telecommunications
326 relay service users as directed by the commission through contract with third parties.

327 (4) The regional centers shall provide training and education for recipients of
328 specialized telecommunications devices and for telecommunications relay service users
329 as directed by the commission.

330 (5) The regional centers shall provide for certification of persons as hearing
331 impaired, speech impaired, or dual sensory impaired. Such certification process shall
332 include a statement attesting to such impairment by a licensed physician, audiologist,
333 speech-language pathologist, hearing aid specialist, or deaf service center director; by a
334 state-certified teacher of the hearing impaired; by a state-certified teacher of the visually
335 impaired; or by an appropriate state or federal agency. The licensed physician,
336 audiologist, speech-language pathologist, hearing aid specialist, state-certified teacher
337 of the hearing impaired, or state-certified teacher of the visually impaired providing

338 statements which attest to such impairments shall work within their individual scopes of
339 practice according to their education and training.

340 (6) The administrator shall eEstablish and maintain an operational fund with
341 appropriate financial institutions regulated under state or federal law, and receive
342 moneys from the local exchange telecommunications companies and deposit such
343 moneys in the operational fund.

344 ~~(e7) The administrator shall maintain~~ Develop, test, and implement an accounting
345 system and internal controls and procedures to receive, safeguard, and disperse
346 moneys in the operational fund as directed by the commission.

347 ~~(f8) The administrator shall d~~Develop and implement procedures for an independent
348 audit and for compliance with commission reporting requirements, as directed by the
349 commission.

350 ~~(g9) The administrator shall a~~Administer and control the award of ~~money~~funds to the
351 network of regional centers and any other entities ~~all parties~~ incurring costs in
352 implementing and maintaining the telecommunications access system, equipment, and
353 technical support services in accordance with the provisions of this act.

354 ~~(210)~~ The administrator shall be audited annually by an independent auditing firm to
355 assure proper management of any revenues it receives and disburses. The
356 administrator's books and records shall be open to the commission and to the Auditor
357 General for review upon request. The commission shall have the authority to establish
358 fiscal and operational requirements for the administrator to follow in order to ensure that
359 the administrative costs of the system are reasonable.

360 ~~(311)~~ The administrator may apply to the commission for an adjustment in the amount
361 of the monthly surcharge that a local exchange telecommunications company must
362 impose on its customers. Prior to applying to the commission for such an adjustment,
363 the commission may require the administrator to employ an independent accounting
364 firm to perform an audit of the accounts of the administrator and the service providers
365 relevant to the surcharge and file a report with the commission.

366 ~~(4) In contracting for the provision of distribution of specialized telecommunications~~
367 ~~devices, outreach services, and training of recipients, the administrator shall consider~~

368 ~~contracting with organizations that provide services to persons who are hearing~~
369 ~~impaired or speech impaired.~~

370 ~~(5) The administrator shall provide for the distribution of specialized~~
371 ~~telecommunications devices to persons qualified to receive such equipment in~~
372 ~~accordance with the provisions of this act. The administrator shall establish procedures~~
373 ~~for the distribution of specialized telecommunications devices and shall solicit the advice~~
374 ~~and counsel and consider the recommendations of the advisory committee in~~
375 ~~establishing such procedures. The procedures shall:~~

376 ~~(a) Provide for certification of persons as hearing impaired, speech impaired, or dual~~
377 ~~sensory impaired. Such certification process shall include a statement attesting to such~~
378 ~~impairment by a licensed physician, audiologist, speech-language pathologist, hearing~~
379 ~~aid specialist, or deaf service center director; by a state-certified teacher of the hearing~~
380 ~~impaired; by a state-certified teacher of the visually impaired; or by an appropriate state~~
381 ~~or federal agency. The licensed physician, audiologist, speech-language pathologist,~~
382 ~~hearing aid specialist, state-certified teacher of the hearing impaired, or state-certified~~
383 ~~teacher of the visually impaired providing statements which attest to such impairments~~
384 ~~shall work within their individual scopes of practice according to their education and~~
385 ~~training. The deaf service center directors and appropriate state and federal agencies~~
386 ~~shall attest to such impairments as provided for in the procedures developed by the~~
387 ~~administrator.~~

388 ~~(b) Establish characteristics and performance standards for specialized~~
389 ~~telecommunications devices determined to be necessary, and for the selection of~~
390 ~~equipment to be purchased for distribution to qualified recipients. The characteristics~~
391 ~~and standards shall be modified as advances in equipment technology render such~~
392 ~~standards inapplicable.~~

393 ~~(c) Provide for the administrator to apply for, contract for, receive, and expend for the~~
394 ~~purposes of this part any appropriation, grant, gift, or donation from the Federal~~
395 ~~Government or any other public or private source.~~

396 ~~(d) Require the administrator to purchase the equipment required by this part on a~~
397 ~~competitively bid basis, so that the best value per unit may be obtained on the~~

398 ~~equipment selected for purchase, unless the equipment is available from only one~~
399 ~~source, or the total amount of the subject transaction does not exceed \$5,000.~~

400 (612) All names, addresses, and telephone numbers provided to the Florida Public
401 Service Commission or administrator by applicants for specialized telecommunications
402 devices are confidential and exempt from the provisions of s. 119.07(1). The information
403 shall be released to contractors only to the extent necessary for assignment and
404 shipment of equipment, for provision of training in the use of equipment, and for
405 inventory reconciliation purposes. Neither the administrator nor any contractor shall
406 release this information nor use it for any other purpose.

407 (713) The statewide network of regional centers ~~administrator~~ shall assume
408 responsibility for local distribution of specialized telecommunications devices.

409 (814) The administrator shall submit financial statements to the commission quarterly,
410 in the manner prescribed by the commission.

411 **History.**—s. 1, ch. 91-111; s. 1, ch. 92-2; s. 278, ch. 96-406; s. 52, ch. 99-5; s. 12, ch.
412 2000-334.

413

414 **427.706 Advisory committee.**—

415 (1) The commission shall appoint an advisory committee to assist the commission
416 with the implementation of the provisions of this part. The committee shall be composed
417 of no more than 10 persons and shall include, to the extent practicable, the following:

418 (a) Two deaf persons recommended by the Florida Association of the Deaf.

419 (b) One hearing impaired person recommended by Self-Help for the Hard of
420 Hearing.

421 (c) One deaf and blind person recommended by the Coalition for Persons with Dual
422 Sensory Disabilities.

423 (d) One speech impaired person recommended by the Florida Language Speech
424 and Hearing Association.

425 (e) Two representatives of telecommunications companies.

426 (f) One person with experience in providing relay services recommended by the
427 Deaf Service Center Association.

428 (g) One person recommended by the Advocacy Center for Persons with Disabilities,
429 Inc.

430 (h) One person recommended by the Florida League of Seniors.

431 (2) The advisory committee shall provide the expertise, experience, and perspective
432 of persons who are hearing impaired or speech impaired to the commission and to the
433 administrator during all phases of the development and operation of the
434 telecommunications access system. The advisory committee shall advise the
435 commission and the administrator on the quality and cost-effectiveness of the
436 telecommunications relay service and the specialized telecommunications devices
437 distribution system. The advisory committee may submit material for inclusion in the
438 annual report prepared pursuant to s. 427.704.

439 (3) Members of the committee shall not be compensated for their services but are
440 entitled to receive reimbursement for per diem and travel expenses as provided in s.
441 112.061. The commission shall use funds from the Florida Public Service Regulatory
442 Trust Fund to cover the costs incurred by members of the advisory committee.

443 **History.**—s. 1, ch. 91-111; s. 45, ch. 94-324; s. 18, ch. 95-327; s. 140, ch. 2010-102;
444 s. 4, ch. 2012-177.

445
446 **427.707 Exemption from liability.**—Neither the commission, the administrator, the
447 provider of the telecommunications relay service, nor any agent, employee,
448 representative, or officer of the foregoing shall be liable for any claims, actions,
449 damages, or causes of action arising out of or resulting from the establishment,
450 participation in, or operation of the telecommunications relay service, except where
451 there is malicious purpose or wanton and willful disregard of human rights, safety, or
452 property in the establishment, participation in, or operation of the telecommunications
453 relay service.

454 **History.**—s. 1, ch. 91-111.

455
456 **427.708 Certain public safety and health care providers required to purchase**
457 **and operate TDD's.**—

458 (1) The central communications office of each county sheriff's department shall
459 purchase and continually operate at least one TDD.

460 (2)(a) The central communications office of each police department and each
461 firefighting agency in a municipality with a population of 25,000 to 250,000 shall
462 purchase and continually operate at least one TDD.

463 (b) The central communications office of each police department and each
464 firefighting agency in a municipality with a population exceeding 250,000 persons shall
465 purchase and continually operate at least two TDD's.

466 (3) Each hospital as defined in s. 395.002 shall purchase and continually operate at
467 least one TDD.

468 (4) Each emergency telephone number "911" system, as provided in s. 365.171,
469 and each agency receiving automatically routed calls through such a system shall
470 purchase and continually operate at least one TDD.

471 (5) Each public safety office, health care provider, and emergency telephone
472 number "911" system required to obtain a TDD pursuant to this section shall
473 continuously operate and staff such equipment on a 24-hour basis.

474 (6) Each office or organization required to purchase TDD's pursuant to this section
475 shall buy such equipment which meets the same specifications as those selected by the
476 commission.

477 (7) Each office or organization required to operate TDD's pursuant to this section
478 shall utilize equipment in accordance with standards established by the commission.

479 **History.**—s. 1, ch. 91-111; s. 80, ch. 92-289; s. 46, ch. 94-324; s. 19, ch. 95-327.