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PART II  
TELECOMMUNICATIONS  
ACCESS SYSTEM

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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.