

CHAPTER 477C

DUAL PARTY RELAY SERVICE

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477C.1 Dual party relay service — purpose.

The general assembly finds that the provision of a statewide dual party relay service will further the public interest and protect the health, safety, and welfare of the people of Iowa through an increase in the usefulness and availability of the telephone system. Many persons who are deaf, hard-of-hearing, or have speech impairments are not able to utilize the telephone system without this type of service. Therefore, it is the purpose of [this chapter](#) to enable the orderly development, operation, promotion, and funding of a statewide dual party relay service.

91 Acts, ch 194, §1; 93 Acts, ch 75, §6; 96 Acts, ch 1129, §96

477C.2 Definitions.

As used in [this chapter](#), unless the context otherwise requires:

1. “*Board*” means the utilities board within the department of commerce created in [section 474.1](#).
2. “*Communication impairment*” means the inability to use the telephone for communication without a telecommunications device for the deaf.
3. “*Council*” means the dual party relay council established in [section 477C.5](#).
4. “*Dual party relay service*” or “*relay service*” means a communication service which provides communication-impaired persons access to the telephone system functionally equivalent to the access available to persons not communication-impaired.
5. “*Telecommunications device for the deaf*” means any specialized or supplemental telephone equipment used by communication-impaired persons to provide access to the telephone system.

91 Acts, ch 194, §2

477C.3 Dual party relay service.

With the advice of the council, the board shall plan, establish, administer, and promote a statewide program to provide dual party relay service as follows:

1. The board may enter into the necessary contracts and arrangements with private entities to provide for the delivery of relay service.
2. The relay service, to the extent reasonably possible, shall allow persons with communication impairments to use the telephone system in a manner and at a rate equivalent to persons without communication impairments.
3. The relay service may be provided on a stand-alone basis within the state, with other states, or with telephone utilities providing relay service in other states.
4. The board may employ additional personnel, pursuant to [section 476.10](#), to plan, establish, administer, and promote the relay service.

91 Acts, ch 194, §3

Referred to in [§8F2](#), [477C.6](#)

477C.4 Telecommunications devices for the deaf.

With the advice of the council, the board may plan, establish, administer, and promote a program to secure, finance, and distribute telecommunications devices for the deaf. The board may establish eligibility criteria for persons to receive telecommunications devices for the deaf, including, but not limited to, requiring certification that the recipient cannot use the telephone for communication without a telecommunications device for the deaf.

91 Acts, ch 194, §4

Referred to in [§8F2](#), [477C.6](#)

477C.5 Dual party relay council.

1. A dual party relay council is established, consisting of eleven members appointed by the board. The council shall advise the board on all matters concerning relay service and equipment distribution programs.

2. The council shall consist of:

- a. Six consumers who have communication impairments.
- b. Two representatives from telephone companies.
- c. One representative from the division of deaf services of the department of human rights.
- d. One representative from the office of the consumer advocate of the department of justice.
- e. One member of the board or a designee of the board.

3. Council members who are not state or local government officers or employees shall be reimbursed for their necessary and actual expenses incurred in performance of their duties and shall receive a per diem of fifty dollars when the council is meeting, payable from moneys available to the board pursuant to [section 477C.7](#).

91 Acts, ch 194, §5; 94 Acts, ch 1023, §57

Referred to in [§477C.2](#)

477C.6 Budget.

The board shall review and approve the proposed annual budget of the relay service program authorized in [section 477C.3](#) and the equipment distribution program authorized in [section 477C.4](#).

91 Acts, ch 194, §6

477C.7 Funding.

1. The board shall impose an annual assessment to fund the programs described in [this chapter](#) upon all telecommunications carriers providing service in the state.

2. The total assessment shall be allocated as follows:

a. Wireless communications service providers shall be assessed three cents per month for each wireless communications service number provided in this state.

b. (1) The remainder of the assessment shall be allocated one-half to local exchange telephone utilities and one-half to the following:

- (a) Interexchange carriers.
- (b) Centralized equal access providers.
- (c) Alternative operator services companies.

(2) The assessment shall be allocated proportionally based upon revenues from all intrastate regulated, deregulated, and exempt telephone services under [sections 476.1](#) and [476.1D](#).

3. The telecommunications carriers shall remit the assessed amounts quarterly to a special fund, as defined under [section 8.2, subsection 9](#). The moneys in the fund are appropriated solely to plan, establish, administer, and promote the relay service and equipment distribution programs.

4. The telecommunications carriers subject to assessment shall provide the information requested by the board necessary for implementation of the assessment.

5. The local exchange telephone utilities shall not recover from intrastate access charges any portion of such utilities assessment imposed under [this section](#).

91 Acts, ch 194, §7; 92 Acts, ch 1163, §99; 2005 Acts, ch 17, §1

Referred to in [§476.101](#), [477C.5](#)