

and 68.6, ACS telephonic CPE manufactured in or imported into the United States after February 28, 2020, shall be certified as hearing aid compatible by a Telecommunications Certification Body or the responsible party shall follow the procedures in this part for a Supplier's Declaration of Conformity to establish that such CPE is hearing aid compatible.

(b) *Certification.* The requirements of §§ 68.160 and 68.162 shall apply to the certification of ACS telephonic CPE as hearing aid compatible.

(c) *Supplier's Declaration of Conformity.* The requirements of §§ 68.320–68.350 (except § 68.324(f)) shall apply to the use of the Supplier's Declaration of Conformity procedure to establish that ACS telephonic CPE is hearing aid compatible.

(d) *Revocation procedures.* (1) The Commission may revoke the authorization of ACS telephonic CPE under this section, where:

(i) The equipment approval is shown to have been obtained by misrepresentation;

(ii) The responsible party willfully or repeatedly fails to comply with the terms and conditions of its equipment approval; or

(iii) The responsible party willfully or repeatedly fails to comply with any rule, regulation or order issued by the Commission under the Communications Act of 1934 relating to terminal equipment.

(2) Before revoking such authorization, the Commission, or the Enforcement Bureau under delegated authority, will issue a written Notice of Intent to Revoke part 68 Authorization, or a Joint Notice of Apparent Liability for Forfeiture and Notice of Intent to Revoke part 68 Authorization, pursuant to §§ 1.80 and 1.89 of this chapter. The notice will be sent to the responsible party for the equipment at issue at the address provided to the Administrative Council for Terminal Attachments. A product that has had its authorization revoked may not be reauthorized for a period of six months from the date of revocation of the approval. A responsible party for ACS telephonic CPE that has had its authorization revoked or that has been assessed a forfeiture, or both, may request reconsideration

or make administrative appeal of the decision pursuant to part 1 of the Commission's rules: Practice and Procedure, part 1 of this chapter.

**§ 68.502 Labeling, warranty, instructions, and notice of revocation of approval.**

(a) *Labeling—(1) Hearing aid compatible equipment.* All ACS telephonic CPE manufactured in the United States (other than for export) or imported for use in the United States after February 28, 2020, that is hearing aid compatible, as defined in §§ 68.316 and 68.317, shall have the letters "HAC" permanently affixed thereto. "Permanently affixed" means that the label is etched, engraved, stamped, silkscreened, indelibly printed, or otherwise permanently marked on a permanently attached part of the equipment or on a nameplate of metal, plastic, or other material fastened to the equipment by welding, riveting, or a permanent adhesive. The label must be designed to last the expected lifetime of the equipment in the environment in which the equipment may be operated and must not be readily detachable.

(2) *Non-hearing aid compatible equipment.* Non-hearing aid compatible ACS telephonic CPE offered for sale to the public on or after February 28, 2020, shall contain in a conspicuous location on the surface of its packaging a statement that the ACS telephonic CPE is not hearing aid compatible, as defined in §§ 68.4(a)(3), 68.316, 68.317, or if offered for sale without a surrounding package, shall be affixed with a written statement that the telephone is not hearing aid compatible, as defined in §§ 68.4(a)(3), 68.316 and 68.317; and be accompanied by instructions in accordance with § 68.218(b)(2).

(b) *Warranty.* In acquiring approval for equipment to be labeled and otherwise represented to be hearing aid compatible, the responsible party warrants that each item of equipment marketed under such authorization will comply with all applicable rules and regulations of this part and with the applicable technical criteria.

(c) *Instructions.* The responsible party or its agent shall provide the user of the approved ACS telephonic CPE the following:

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(1) Any consumer instructions required to be included with approved ACS telephonic CPE by the Administrative Council for Terminal Attachments;

(2) For ACS telephonic CPE that is not hearing aid compatible, as defined in § 68.316:

(i) Notice that FCC rules prohibit the use of that handset in certain locations; and

(ii) A list of such locations (*see* § 68.112).

(d) *Notice of revocation.* When approval is revoked for any item of equipment, the responsible party must take all reasonable steps to ensure that purchasers and users of such equipment are notified to discontinue use of such equipment.

### § 68.503 Complaint procedures.

The complaint procedures of §§ 68.414 through 68.423 shall apply to complaints regarding the hearing aid compatibility of ACS telephonic CPE.

### § 68.504 Administrative Council on Terminal Attachments.

The database registration and labeling provisions of §§ 68.354, 68.610, and 68.612 shall apply to ACS telephonic CPE that is approved as hearing aid compatible and is manufactured in or imported to the United States on or after February 28, 2020. After that date, the information required by the Administrative Council on Terminal Attachments shall be submitted within 30 days after the date that the equipment is manufactured in or imported into the United States.

## Subpart G—Administrative Council for Terminal Attachments

SOURCE: 66 FR 7588, Jan. 24, 2001, unless otherwise noted.

### § 68.602 Sponsor of the Administrative Council for Terminal Attachments.

(a) The Telecommunications Industry Association (TIA) and the Alliance for Telecommunications Industry Solutions (ATIS) jointly shall establish the Administrative Council for Terminal Attachment and shall sponsor the Administrative Council for Terminal Attachments for four years from the ef-

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fective date of these rules. The division of duties by which this responsibility is executed may be a matter of agreement between these two parties; however, both are jointly and severally responsible for observing these rule provisions. After four years from the effective date of these rules, and thereafter on a quadrennial basis, the Administrative Council for Terminal Attachments may vote by simple majority to be sponsored by any ANSI-accredited organization.

(b) The sponsoring organizations shall ensure that the Administrative Council for Terminal Attachments is populated in a manner consistent with the criteria of American National Standards Institute's Organization Method or the Standards Committee Method (and their successor Method or Methods as ANSI may from time to time establish) for a balanced and open membership.

(c) After the Administrative Council for Terminal Attachments is populated, the sponsors are responsible for fulfilling secretariat positions as determined by the Administrative Council for Terminal Attachments. The Administrative Council shall post on a publicly available web site and make available to the public in hard copy form the written agreement into which it enters with the sponsor or sponsors.

[66 FR 7588, Jan. 24, 2001, as amended at 67 FR 57182, Sept. 9, 2002]

### § 68.604 Requirements for submitting technical criteria.

(a) Any standards development organization that is accredited under the American National Standards Institute's Organization Method or the Standards Committee Method (and their successor Method or Methods as ANSI may from time to time establish) may establish technical criteria for terminal equipment pursuant to ANSI consensus decision-making procedures, and it may submit such criteria to the Administrative Council for Terminal Attachments.

(b) Any ANSI-accredited standards development organization that develops standards for submission to the Administrative Council for Terminal Attachments must implement and use procedures for the development of