

## CHAPTER 75

### SERVICE

#### **§7501. Directories**

**(REPEALED)**

##### SECTION HISTORY

PL 1987, c. 141, §A6 (NEW). PL 2011, c. 623, Pt. A, §19 (RP).

#### **§7501-A. Emergency numbers in directories**

**(REPEALED)**

##### SECTION HISTORY

PL 1991, c. 45 (NEW). PL 2011, c. 623, Pt. A, §20 (RP).

#### **§7501-B. Directories**

A telephone utility is not required to publish a hard-copy telephone directory. If a provider of provider of last resort service discontinues publishing a hard-copy directory, it shall offer its provider of last resort service customers the option to receive a telephone directory in an electronic format or in the form of a printout of the electronic database showing the names, addresses and telephone numbers of persons and businesses, other than of those who have requested unlisted numbers. The service provider shall annually provide notice to each of its provider of last resort service customers of this option. [PL 2017, c. 73, §10 (AMD).]

##### SECTION HISTORY

PL 2011, c. 623, Pt. A, §21 (NEW). PL 2017, c. 73, §10 (AMD).

#### **§7502. Telephone directory errata lists**

**(REPEALED)**

##### SECTION HISTORY

PL 1987, c. 141, §A6 (NEW). PL 2011, c. 623, Pt. A, §22 (RP).

#### **§7503. Public telephone service for disabled persons**

**1. Placement of public telephones.** Any person placing public telephones in any public place after December 31, 1983, shall provide that at least one public telephone is wheelchair accessible if the public place is otherwise wheelchair accessible.

If a public place in which one or more public telephones are located becomes wheelchair accessible after December 31, 1983, the subscriber shall notify the person placing the public telephones and that person shall replace at least one public telephone with a telephone which is wheelchair accessible.

Any public telephone placed before January 1, 1984, shall be deemed to be in compliance with this section. This section shall not apply to public telephones for the use of persons while in motor vehicles. [PL 1989, c. 159, §11 (AMD).]

**2. Violations.** Any person violating this section commits a civil violation for which a forfeiture of not more than \$500 may be adjudged for each telephone which is not placed in accordance with this section.

[PL 1987, c. 141, Pt. A, §6 (NEW).]

**3. Definitions.** For purposes of this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Public telephone" means a telephone located in a public place and which is intended for use by the public. [PL 1989, c. 159, §12 (AMD).]

B. "Wheelchair accessible" means meeting the most recent applicable standards of the American National Standards Institute for accessibility by persons with disabilities at the time of placement. [PL 2021, c. 348, §54 (AMD).]

C. "Public place" means any location to which members of the public are invited or have general access, including, but not limited to, sidewalks, plazas, lobbies, stores, schools, governmental buildings, transportation terminals and shopping centers. [PL 1989, c. 159, §13 (NEW).]  
[PL 2021, c. 348, §54 (AMD).]

#### SECTION HISTORY

PL 1987, c. 141, §A6 (NEW). PL 1987, c. 628, §§5,6 (AMD). PL 1989, c. 159, §§11-13 (AMD).  
PL 2021, c. 348, §54 (AMD).

#### §7504. Special telephone equipment

The commission shall retain jurisdiction over the sale or lease of volume control and low-speech power telephone equipment and of bone conductor receivers, pursuant to section 103, until it makes an affirmative finding, based on full consideration of an evidentiary record, that there are adequate retail outlets in the State to ensure affordable and competitive pricing of this equipment and its availability in sufficient quantities to satisfy the current and projected demand for that equipment by customers with hearing or speech impairments. The commission shall have discretion not to regulate any person whose share of the total market in the State of volume control or low-speech power telephone equipment or of bone conductor receivers is considered not to be substantial. [PL 1987, c. 141, Pt. A, §6 (NEW).]

#### SECTION HISTORY

PL 1987, c. 141, §A6 (NEW).

#### §7505. Telecommunication devices for persons who are hard of hearing or speech impaired required in public facilities

**1. State buildings.** The Department of Administrative and Financial Services shall require the installation and maintenance of telecommunication devices for communication for persons who are deaf, hard of hearing, late deafened or speech impaired who rely on those devices for telephone communications in locations accessible to the public in state buildings where a primary function is the delivery of service to the general public in accordance with a plan developed by the Department of Administrative and Financial Services, Bureau of Information Services and the Department of Labor, Bureau of Rehabilitation Services.  
[PL 2021, c. 348, §55 (AMD).]

**2. Other facilities serving the public.** If public telephones are provided in a public facility, it is the responsibility of the owner or manager of the public facility to provide equal access by providing at least one telecommunication device for persons who are hard of hearing or speech impaired in the public facility.  
[PL 2021, c. 348, §55 (AMD).]

**3. Public facilities.** For the purposes of this section, the following kinds of facilities shall be considered public facilities:

A. Airport terminals serving scheduled flights; [PL 1987, c. 503, §1 (NEW).]

B. Bus and train depots; and [PL 1987, c. 503, §1 (NEW).]

C. Hospitals. [PL 1987, c. 503, §1 (NEW).]  
[PL 1987, c. 503, §1 (NEW).]

**4. Notice.** A sign noting the availability and location of the telecommunication device for persons who are hard of hearing or speech impaired must be posted by the owner of the facility in a conspicuous location within each public facility covered by this section.  
[PL 2021, c. 348, §55 (AMD).]

**5. Devices.** The requirements of this section may be satisfied by installation of telecommunications devices for the deaf as defined in section 8702, subsection 6, or other devices approved by the Department of Labor, Bureau of Rehabilitation Services, Division for the Deaf, Hard of Hearing and Late Deafened.  
[PL 2009, c. 174, §25 (AMD).]

**6. Relief.** A violation of this section is unlawful public accommodations discrimination under Title 5, section 4592, and any person aggrieved may assert that person's rights pursuant to Title 5, chapter 337.  
[PL 1989, c. 671 (NEW).]

#### SECTION HISTORY

PL 1987, c. 503, §1 (NEW). PL 1989, c. 671 (AMD). PL 1993, c. 708, §J11 (AMD). RR 1995, c. 1, §30 (COR). PL 2009, c. 68, §4 (AMD). PL 2009, c. 174, §§24, 25 (AMD). PL 2021, c. 348, §55 (AMD).

#### §7506. Interexchange carrier selection

**(REPEALED)**

#### SECTION HISTORY

PL 1991, c. 318, §2 (NEW). PL 1991, c. 660, §1 (RP).

#### §7507. Emergency interruption of service for law enforcement purposes

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Critical incident" means a situation in which there is probable cause to believe that a person is holding a hostage while committing a crime or who is barricaded and resisting apprehension through the use or threatened use of force. [RR 1993, c. 1, §105 (COR).]

B. "Commanding law enforcement officer" means a law enforcement officer who has jurisdiction and is in charge at a critical incident. [RR 1993, c. 1, §105 (COR).]

C. "Law enforcement officer" means a person who by virtue of public employment is vested by law with a duty to maintain public order, to prosecute offenders and to make arrests for crimes.  
[RR 1993, c. 1, §105 (COR).]

[RR 1993, c. 1, §105 (COR).]

**2. Order.** The commanding law enforcement officer at a critical incident may order a previously designated telephone utility security employee to arrange to cut, reroute or divert telephone lines for the purpose of preventing telephone communication by a suspected person with a person other than a law enforcement officer or a person authorized by a law enforcement officer.

[PL 1993, c. 31, §1 (NEW).]

**3. Security employee designation.** A telephone utility shall designate a security employee and an alternate security employee to provide required assistance to law enforcement officers involved in a critical incident.

[PL 1993, c. 31, §1 (NEW).]

## SECTION HISTORY

RR 1993, c. 1, §105 (COR). PL 1993, c. 31, §1 (NEW).

**§7508. Public-interest pay phones**

**1. Public-interest pay phone locations.** In order to ensure access to pay phones in a manner that fulfills the requirements of the public health, safety and welfare, the commission shall establish by rule a process for reviewing and approving requests for public-interest pay phones in accordance with this section.

A. The commission shall establish procedures by which citizens may petition to have a public-interest pay phone at a particular location. [PL 2005, c. 131, §2 (NEW).]

B. Consistent with the following general criteria, the commission shall establish procedures and standards for responding to a petition for a public-interest pay phone.

(1) A proposed public-interest pay phone must fulfill a public welfare, health or safety policy objective.

(2) A pay phone would not otherwise remain or be placed at a proposed public-interest pay phone location by the operation of the competitive marketplace. [PL 2005, c. 131, §2 (NEW).]

C. A public-interest pay phone may not be removed from service unless its owner provides written notice to the commission 30 days prior to removal, except that the commission, pursuant to rules adopted under this section, may grant a waiver of this requirement. [PL 2005, c. 131, §2 (NEW).]  
[PL 2005, c. 131, §2 (NEW).]

**2. Recovery of costs.** The costs associated with installing and maintaining public-interest pay phones pursuant to this section must be paid from funds available pursuant to section 7104, subsection 6.  
[PL 2005, c. 131, §2 (NEW).]

**3. Rules.** The commission shall adopt rules that are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A to implement this section.  
[PL 2005, c. 131, §2 (NEW).]

**4. Annual report.**  
[PL 2023, c. 77, §10 (RP).]

## SECTION HISTORY

PL 2005, c. 131, §2 (NEW). PL 2009, c. 122, §18 (AMD). PL 2023, c. 77, §10 (AMD).

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