

**IMPACT STATEMENT**

**Legislation title:** Require activation of closed captioning on televisions in public areas  
(Ordinance; add Code Section 23.01.075)

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**Purpose of proposed legislation and background information:**

Closed captioning has been required for televisions since 1993. However, in public places, closed captioning is often turned off limiting the accessibility of programming to people with hearing disabilities. This ordinance will add Code Section 23.01.075 of the City Code to require public facilities with television programming accessible to the general public to activate captions during regular hours.

If the City Attorney is made aware of a potential violation, the City Attorney may issue a written determination requesting a written response either disputing the occurrence or describing how the violation has been abated. Failure to respond or reasonably satisfy the City Attorney, may result in a complaint filed with the Code Hearings Officer with potential civil penalties up to \$500 for each day the violation is committed or permitted to continue.

**Financial and budgetary impacts:**

Minimal financial impact is expected. There is the potential for minimal cost to the City Attorney's Office to respond to complaints from the public that an establishment is not complying with the requirement. Continued failure to comply could result in a complaint filed by the City Attorney with the Code Hearings Officer. Fines of up to \$500 for each day of violation could be imposed on an establishment that fails to comply. No additional staffing is expected from this ordinance.

**Community impacts and community involvement:**

This ordinance is a result of a community-initiated effort to ensure captioning was provided at public facilities in the City of Portland by default, rather than requiring a request by a member of the public. The impact will be improved inclusion and accessibility of broadcast materials for individuals experiencing hearing loss, and for those preferring visual information in public places.

Spokespersons for Portland: Turn on the Captions Now! (PTCN) David Viers and Jim House co-presented about PTCN's efforts to require all television sets in public places within the city to the Portland Commission on Disability (PCOD) at its regular meeting on Friday, December 12, 2014. The presentation was followed by a few questions, and concluded with a resounding vote of support by the Commission.

Proponents of the ordinance have reached out to Venture Portland, Portland Business Alliance, Oregon Restaurant and Lodging Association, and Comcast to explain the ordinance and determine if there were any concerns. No concerns were expressed.

Grateful appreciation is due to the following consumer organizations for their support:

- Oregon Association of the Deaf
- Hearing Loss Association of America - Oregon State Association (HLAA-OR)
- Oregon Communications Access Project (OR-CAP), a local grassroots advocacy group that is credited with implementing captioning at the Oregon Shakespearean Festival, University of Oregon, Oregon State University, Portland Trail Blazers, and other venues.

**Budgetary Impact Worksheet****Does this action change appropriations?**

- YES: Please complete the information below.  
 NO: Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount