

## § 68.160

## 47 CFR Ch. I (10–1–15 Edition)

(B) Include volume control, as defined in § 68.317, on or after January 1, 2000.

(iii) Unless a telephone in a confined setting is replaced pursuant to paragraph (b)(5)(ii) of this section, a hearing aid compatible telephone shall not be required if:

(A) A telephone is both purchased and maintained by a resident for use in that resident's room in the establishment; or

(B) The confined setting has an alternative means of signalling life-threatening or emergency situations that is available, working and monitored.

(6) Telephones in hotel and motel guest rooms, and in any other establishment open to the general public for the purpose of overnight accommodation for a fee. Such telephones are required to be hearing aid compatible, as defined in § 68.316, except that, for establishments with eighty or more guest rooms, the telephones are not required to be hearing aid compatible, as defined in § 68.316, until November 1, 1998; and for establishments with fewer than eighty guest rooms, the telephones are not required to be hearing aid compatible, as defined in § 68.316, until November 1, 1999.

(i) Anytime after October 23, 1996, if a hotel or motel room is renovated or newly constructed, or the telephone in a hotel or motel room is replaced or substantially, internally repaired, the telephone in that room must be:

(A) Hearing aid compatible, as defined in § 68.316, after October 23, 1996; and

(B) Include volume control, as defined in § 68.317, on or after January 1, 2000.

(ii) The telephones in at least twenty percent of the guest rooms in a hotel or motel must be hearing aid compatible, as defined in § 68.316, as of April 1, 1997.

(iii) Notwithstanding the requirements of paragraph (b)(6) of this section, hotels and motels which use telephones purchased during the period January 1, 1985 through December 31, 1989 may provide telephones that are hearing aid compatible, as defined in § 68.316, in guest rooms according to the following schedule:

(A) The telephones in at least twenty percent of the guest rooms in a hotel or

motel must be hearing aid compatible, as defined in § 68.316, as of April 1, 1997;

(B) The telephones in at least twenty-five percent of the guest rooms in a hotel or motel must be hearing aid compatible, as defined in § 68.316, by November 1, 1999; and

(C) The telephones in one-hundred percent of the guest rooms in a hotel or motel must be hearing aid compatible, as defined in § 68.316, by January 1, 2001 for establishments with eighty or more guest rooms, and by January 1, 2004 for establishments with fewer than eighty guest rooms.

(c) *Telephones frequently needed by the hearing impaired.* Closed circuit telephones, i.e., telephones which cannot directly access the public switched network, such as telephones located in lobbies of hotels or apartment buildings; telephones in stores which are used by patrons to order merchandise; telephones in public transportation terminals which are used to call taxis or to reserve rental automobiles, need not be hearing aid compatible, as defined in § 68.316, until replaced.

[49 FR 1362, Jan. 11, 1984, as amended at 55 FR 28763, July 13, 1990; 57 FR 27183, June 18, 1992; 61 FR 42186, Aug. 14, 1996; 61 FR 42392, Aug. 15, 1996; 62 FR 43484, Aug. 14, 1997; 62 FR 51064, Sep. 30, 1997]

### § 68.160 Designation of Telecommunication Certification Bodies (TCBs).

(a) The Commission may recognize designated Telecommunication Certification Bodies (TCBs) which have been designated according to the requirements of paragraphs (b) or (c) of this section to certify equipment as required under this part. Certification of equipment by a TCB shall be based on an application with all the information specified in this part. The TCB shall process the application to determine compliance with the Commission's requirements and shall issue a written grant of equipment authorization. The grant shall identify the approving TCB and the Commission as the issuing authority.

(b) In the United States, TCBs shall be accredited and designated by the National Institute of Standards and Technology (NIST) under its National Voluntary Conformity Assessment Evaluation (NVCASE) program, or

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other recognized programs based on ISO/IEC 17065:2012, to comply with the Commission's qualification criteria for TCBs. NIST may, in accordance with its procedures, allow other appropriately qualified accrediting bodies to accredit TCBs. TCBs shall comply with the requirements in § 68.162 of this part.

(c) In accordance with the terms of an effective bilateral or multilateral mutual recognition agreement or arrangement (MRA) to which the United States is a party, bodies outside the United States shall be permitted to authorize equipment in lieu of the Commission. A body in an MRA partner economy may authorize equipment to U.S. requirements only if that economy permits bodies in the United States to authorize equipment to its requirements. The authority designating these telecommunication certification bodies shall meet the following criteria.

(1) The organization accrediting the prospective telecommunication certification body shall be capable of meeting the requirements and conditions of ISO/IEC 17011:2004.

(2) The organization assessing the telecommunication certification body shall appoint a team of qualified experts to perform the assessment covering all of the elements within the scope of accreditation. For assessment of telecommunications equipment, the areas of expertise to be used during the assessment shall include, but not be limited to, electromagnetic compatibility and telecommunications equipment (wired and wireless).

(d) *Incorporation by reference.* (1) The materials listed in this section are incorporated by reference in this part. These incorporations by reference were approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. These materials are incorporated as they exist on the date of the approval, and notice of any change in these materials will be published in the FEDERAL REGISTER. All approved material is available for inspection at the Federal Communications Commission, 445 12th St. SW., Reference Information Center, Room CY-A257, Washington, DC 20554, (202) 418-0270 and is available from the sources below. It is also available for

inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

(2) International Electrotechnical Commission (IEC), IEC Central Office, 3, rue de Varembe, CH-1211 Geneva 20, Switzerland. Email: [inmail@iec.ch](mailto:inmail@iec.ch), [www.iec.ch](http://www.iec.ch) or International Organization for Standardization (ISO), 1, ch. De la Voie-Creuse, CP 56, CH-1211, Geneva 20, Switzerland; [www.iso.org](http://www.iso.org); Tel.: + 41 22 749 01 11; Fax: + 41 22 733 34 30; email: [central@iso.org](mailto:central@iso.org). (ISO publications can also be purchased from the American National Standards Institute (ANSI) through its NSSN operation ([www.nssn.org](http://www.nssn.org)), at Customer Service, American National Standards Institute, 25 West 43rd Street, New York, NY 10036, telephone (212) 642-4900.)

(i) ISO/IEC 17011:2004(E), "Conformity assessment—General requirements for accreditation bodies accrediting conformity assessment bodies," First Edition, 2004-09-01, IBR approved for § 68.160(c).

(ii) ISO/IEC 17065:2012(E), "Conformity assessment—Requirements for bodies certifying products, processes and services," First Edition, 2012-09-15.

[64 FR 4997, Feb. 2, 1999, as amended at 80 FR 33447, Jun. 12, 2015]

### § 68.162 Requirements for Telecommunication Certification Bodies.

(a) Telecommunication certification bodies (TCBs) designated by the National Institute of Standards and Technology (NIST), or designated by another authority pursuant to an bilateral or multilateral mutual recognition agreement or arrangement to which the United States is a party, shall comply with the following requirements.

(b) *Certification methodology.* (1) The certification system shall be based on type testing as identified in ISO/IEC 17065.

(2) Certification shall normally be based on testing no more than one unmodified representative sample of each