



New Rule: Mandatory Closed Captioning for Televisions in Public

Ordinance Goes Into Effect Tomorrow

October 22, 2021 -- On Wednesday, September 29, the City of Santa Fe Governing Body Unanimously Approved Ordinance 2021-21, an Ordinance Relating to Closed Captions. The Ordinance requires “places of public accommodation” such as restaurants, bars, hotels, and gyms to have closed captions activated on any television that is available to the public and capable of displaying closed captions. The intent is to ensure that television in public places is accessible to all members of the community.

The rule goes into effect October 23, 2021.

The Ordinance was initiated by the Mayor’s Committee on Disability (MCD) through the efforts of member Pam Parfitt, a member of the Hearing Loss Association of America (HLAA). The HLAA was able to get a similar Ordinance passed in Albuquerque. The plan is to achieve an ordinance in Las Cruces, and after that there will be an initiative to pass statewide legislation.

Pam Parfitt says: "In this day and age where information about weather, civil unrest, and emergency situations are broadcast on public televisions, the deaf and hard-of-hearing communities need this information as much as everyone else. While watching TV in a waiting room before an appointment, viewing a sporting event or a news program, imagine that you are the only one in the room who doesn't 'get it.' Let's be inclusive and use the closed captioning capabilities of our public televisions so that everyone is in the know."

Councilwoman Renee Villarreal was the initial sponsor who drove the legislation, and through the committee process the bill gained sponsors Councilor Jamie Cassutt, Councilor Michael Garcia, and Councilor Signe Lindell.

“Full-hearing folks at times may take for granted our ability to easily access information around us,” says Councilwoman Villarreal. “Therefore, requiring closed captions is an easy and equitable way for our City to support access to information for *all* members of

our community, especially for those who are deaf and hard of hearing. This law is an inclusive approach that I am honored to support.”

Tom Graham, City of Santa Fe Americans with Disabilities Act Coordinator says: “While my duties primarily include coordination of accessibility requirements germane to the City Government public right-of-way, buildings, programs and policies, I am fortunate to also be the Staff Liaison for the Mayor’s Committee on Disability, which is an advisory committee formed of constituents who advocate for inclusivity within our city. The purpose of the MCD is to work with and for people with and without disabilities to ensure access for all by eliminating physical and attitudinal barriers, improving participation in the Santa Fe community for the enrichment of all. They meet virtually (currently) on the third Thursday of every other even numbered month and information can be found at santafe.primegov.com/public/portal. I appreciate the great work and efforts of the MCD, Councilor Villarreal, the sponsors, and the entire Governing Body for passing, approving, and adopting this Ordinance.”

Violators of the Ordinance will be subject to a civil penalty of up to \$250 for the initial offense, and \$500 for each subsequent offense to any respondent who fails to demonstrate compliance within 30 days of a notice of such violation. The Economic Development Office has been conducting outreach to the business community to inform them of the new requirement.

To assist the business community with technical questions or concerns about how to enable closed captioning functionality the New Mexico Commission for the Deaf and Hard of Hearing is available to provide answers and resources. Executive Director Nathan Gomme asks that you direct your closed captioning questions to nmcdhh.info@state.nm.us or call 505.383.6530 for assistance. You can also find resources for working with the Deaf, Deaf Blind, and Hard of Hearing community on our website at www.cdhh.state.nm.us

For Information on the Ordinance and its implementation contact: Tom Graham, City of Santa Fe Public Works Department ADA Coordinator, tmgraham@santafenm.gov