

**ACCESS Rule: IFE**  
**Consolidated Facilitator's Draft**  
**November 1, 2016**

1. Definitions:

- a. *IFE System*: a system provided by an airline that provides entertainment or information to its passengers. In this document, if no distinction is made, *IFE System* refers to all types of IFE systems. Note that multiple could be used on the same aircraft.
- b. *Seatback AVOD System*: an IFE audio-video on-demand (AVOD) system in which screens are installed in every seatback.
- c. *Wireless IFE System*: an IFE system in which content is wirelessly transmitted to Personal Electronic Devices (PEDs), either owned by the airline or by the passenger.
- d. *Preloaded PEDs*: Similar to a wireless IFE system in that it uses PEDs, but has no wireless component and all content is preloaded to the PED.
- e. *Distributed IFE*: a seatback or PED-based IFE system which has no AVOD capability; rather, a common movie or set of channels are distributed to overhead or individual displays
  - i. Overhead: a distributed IFE system with only shared overhead screens
  - ii. Seatback or PED distributed IFE: a distributed IFE system with individual screens per passenger. These typically offer more than one channel (ex. satellite TV).
- f. *Accessible IFE interface*: In this document an *accessible* IFE interface is one that is usable by individuals with hearing and/or visual disabilities. For details, see Annex B.

2. IFE Hardware/Software

- a. Beginning on the Effective Date of the final rule, any IFE system offered on a newly delivered aircraft – and any newly-installed IFE system on an existing aircraft -- must be capable of supporting closed captions in either bitmap format or as user-customizable text.
- b. All new IFE installations on new aircraft ordered **[X<sub>1</sub>][DOT/Advocates: 0]** years after the Effective Date of the final rule – or delivered more than **[X<sub>2</sub>][DOT/Advocates: 2]** years after the Effective Date of the final rule-- shall be capable of supporting closed captions in user-customizable text. All new IFE installations on existing aircraft for installations ordered **[X<sub>3</sub>][DOT/Advocates: 2]** years after the Effective Date of the final rule – or delivered more than **[X<sub>4</sub>][DOT/Advocates: 2]** years after the Effective Date of the final rule-- shall be capable of supporting closed captions in user-customizable text **meeting the specifications set forth in Annex A.**
  - i. “User-customizable captions” (UCC) means captions that adhere to the decoder requirements set forth by [47 C.F.R. § 79.103](#)(c). See Annex B below for details.
- c. All new IFE installations on new aircraft ordered **[Y<sub>1</sub> years][DOT/Advocates: 0 years]** after the Effective Date of the final rule – or delivered more than **[Y<sub>2</sub>][DOT/Advocates: 2]** years after the Effective Date of the final rule -- **must offer an accessible interface as defined in Annex B.** All new IFE installations on existing aircraft for installations ordered

- [Y<sub>3</sub>][DOT/Advocates: 2]** years after the Effective Date of the final rule – or delivered more than **[Y<sub>4</sub>][DOT/Advocates: 2]** years after the Effective Date of the final rule-- **must offer an accessible interface as defined in Annex B.**
- d. Beginning **[Z months] [Advocates: 6 months]** after the Effective Date of the final rule, any aircraft that provides a UI to connect with the Internet (e.g., a UI for an Internet service provider (ISP) such as Gogo) must also ensure that the ISP UI complies with any applicable criteria set forth in 2(a) and/or 2(b) .
  - e. An airline may apply for an exemption from paras. (b) **[and/or (c) and/or (d)]** by submitting to DoT a written demonstration that displaying UCC on a seatback display **[or providing an accessible interface as defined herein]** is not “achievable” as that term is defined in [47 C.F.R. § 79.103\(b\)](#). A carrier may also petition the DoT for an extension of time to comply with the foregoing requirements by filing a petition which demonstrates that timely compliance with the rule is not feasible due to factors outside the carriers control (e.g., due to bottlenecks in the supply chain). DoT shall review and respond to petitions for waiver/extension within 90 days of receiving the written request.
  - f. Nothing in this rule shall require a carrier to offer IFE to its passengers. Carriers shall not be required to display closed captions/audio descriptions on overhead screens **[or distributed video displays]**.<sup>1</sup>
  - g. **After ED + [W] [Airline: 6; DOT: 2] year(s)**, airlines offering seatback IFE through a system that does not support closed-captioning **[in either bitmap or user customizable format] [in the format required by this rule for new installations]** shall make IFE content accessible to passengers with a visual and/or hearing-related disability at a price no more than that charged to passengers seated in the same class of service on the same flight. This accommodation may be provided either, at the carrier’s choice, through: (a) carrier-supplied PEDs offering comparable content (in sufficient numbers to satisfy reasonably foreseeable demand by qualified individuals with disabilities) or through (b) passenger-supplied PEDs offering comparable content streamed wirelessly from an onboard server. Carrier-supplied PEDs may be either pre-loaded or streamed wirelessly by an onboard server. All content that is actually shown and available in CC/AD form and that legally may be streamed to the passenger-supplied PED shall be available for streaming to such PEDs.
    - i. Airlines may require a deaf and hard-of-hearing passenger to provide up to 48 hours advance notice via a Special Service Request (which, subject to EU privacy law applicable to foreign flights, may be filled in once and then saved in the passenger’s profile with that airline) in order to receive any carrier-supplied PED and/or instructions on how to access the wireless IFE solution. If a passenger does not meet advance notice requirements, covered carriers still should provide the accommodation if they can do so by making reasonable efforts, without delaying the flight. In the case of carrier-provided PEDs an advance credit card authorization to support a charge in the event of a damaged/non-returned PED may be required.

---

<sup>1</sup> Phil Watson: Don’t understand this allowance. If the distributed video system has individual displays, each user should be able to individually select whether to play captions. And if the video has a descriptive audio track, they should be able to select that audio. Only overhead systems should have this restriction.

- h. While program owners will be responsible for the original quality of the closed captions and audio descriptions of the purchased content, airlines shall be responsible for quality issues unique to the IFE environment, including but not limited to malfunctions or failures of IFE hardware and/or software onboard the aircraft. Passengers shall have recourse by filing a complaint with the airline in an accessible manner and the airlines shall take steps to remedy such issues.

### 3. IFE Content

- a. “Covered IFE content means English-language theatrical movies and English **[and Spanish-language]** television content that has been **[produced] [licensed]** on or after the **[xx days]** of the effective date of the rule and displayed on television or provided in theatres **[in the United States]** with closed-captions and/or audio-description.

- b. Obtaining and Displaying IFE Content

**[V] days after the effective date of the rule**, for covered content that the carriers license carriers shall request a closed-caption and[/or] audio-described version of covered IFE content by the content provider and obtain such covered IFE content and ensure that the content is suitable for display on IFE systems, where IFE formatting is available.

- c. Edited Version of Movies or Television Show

If a carrier or its agent procures a movie or television show that has been edited for display on aircraft and the unedited movie or television show was available by the content provider with closed-captions and/or audio-description, the carrier shall also procure for display on aircraft either: (1) a closed-captioned and/or audio-described version of the edited movie or television show; or (2) a closed-captioned and/or audio-described version of the unedited movie or television show.

- d. Information Collection Requirement

Each carrier shall prepare a list each month of all the movies and television shows it licensed that month. Such lists shall indicate for each IFE content item whether the content is available to airline passengers in closed-captioned and/or audio described format. To the extent that a movie or television show is not available in captioned and/or audio described format to airline passengers, the carrier must state the reason that one is not available (e.g., work cycle, audio-described version not available by provider). Each monthly list must contain the following certification signed by the carrier’s authorized representative: “I affirm that [ ] Airline has ordered closed-captioned and/or audio-described content in all cases where it is available in IFE format. I certify that this list has been prepared under my direction and the list and affirmation are true, correct and complete to the best of my knowledge and belief. “ The carrier shall retain the lists with certification for a period of two years and make them available to the Department of Transportation on request.

- e. Retention and Reporting Requirement.

By the last Monday in January of each year, the carrier shall submit an annual report to the Department of Transportation summarizing its accessible IFE content licenses as a share of

IFE total content licenses during the prior calendar year using the specified form (see attachment). **See Annex C for the format and content of that report.** Each annual report must contain the following certification signed by the carrier's authorized representative: "I, the undersigned, do certify that this report has been prepared under my direction. I affirm that, to the best of my knowledge and belief, that this is true, correct, and complete report." Electronic signatures will be accepted.

- f. **This report will not be required on or after [xx] years after the effective date of the rule."**

#### 4. Accessibility Disclosure

Airlines shall disclose and provide clear information on their accessible IFE options to passengers in advance of travel. Limitations on content entailed by use of passenger-supplied PEDs shall be disclosed to passengers in advance of booking/travel. Airlines shall also provide clear information about the availability of captioned and audio described content through the provision of a search filter and identifying icons on accessible systems and PEDs.

## Annex A Specifications of User-Customizable Captions

*[Note: These standards are drawn from the FCC requirements set forth in detail in [47 C.F.R. § 79.103\(c\)](#). The topic headings are listed here for ease of reference. Item 1 defines the presentation modes that should be supported. Items 2-10 represent the customizable characteristics of the text. Item 11 (not listed below but found in the linked documents above) does not apply here.]*

“User-customizable captions” (UCC) means captions that adhere to the decoder requirements set forth by [47 C.F.R. § 79.103](#).

**(c)** Specific technical capabilities. All apparatus subject to this section shall implement the following captioning functionality:

- (1) Presentation
- (2) Character color
- (3) Character opacity
- (4) Character size
- (5) Fonts
- (6) Caption background color and opacity
- (7) Character edge attributes
- (8) Caption window color
- (9) Language (switching between languages or caption tracks when available)
- (10) Preview and setting retention

**Annex B**  
**Specifications of "Accessible Interface"**

1. Accessible IFE UIs must comply with any applicable criteria established by the [Web Content Accessibility Guidelines 2.0, level AA](#).
  - a. Accessible IFE UIs may be made accessible as defined herein through a variety of means, including but not limited to: customized talking interfaces using text-to-speech (TTS) technology built into the system (e.g., a "talking" application); or taking advantage of assistive technology (such as screen readers) that is a part of the device's operating systems.
  - b. An accessible IFE UI may also include tactile indicators, such as those provided by a template surrounding the display screen or laid directly over the display screen.
2. Video playback systems within accessible IFE UIs must also comply with the 11 criteria specified in [FCC 13-138](#), 47 C.F.R. §§ 79.107(a)(4)(i)-(xi). IFE UIs are not required to include all of the specified functions, and suppliers are not required to add any of these functions. To the extent the apparatus or navigation device does include any of these functions, however, they must be made accessible in accordance with these rules. The 11 functions are listed below:
  - a. Power On/Off
  - b. Volume Adjust and Mute
  - c. Channel/Program Selection
  - d. Display Channel/Program Information
  - e. Configuration – Setup
  - f. Configuration – CC Control
  - g. Configuration – CC Options
  - h. Configuration – Video Description Control
  - i. Display Configuration Info
  - j. Playback Functions
  - k. Input Selection
3. Any audible alerts that are integral to the function or operation of the IFE system must provide visual alternatives (e.g., on-screen text or some other visual indicator). This is limited only to functions within the IFE system itself, not for conveying in-flight safety announcements or other communication between the crew and passengers. (The accessibility of in-flight cabin announcements will be addressed by the cabin-announcements task force. The task force's findings will be listed separately in the general term sheet.)
4. Any control that is provided for direct communication with the crew (e.g., a flight-attendant call button) must be identifiable and operable in an electronic and/or a tactile manner. Passengers must also receive audible and/or visual confirmation that the control has been operated.
5. All criteria specified here shall apply to both Seatback IFE Systems and Wireless IFE Systems.

**Annex C**  
**Format and Content of Carrier Annual Reports**

Name of Carrier: \_\_\_\_\_

Submission Date: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Email Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Calendar Year of Data Collection: \_\_\_\_\_

Total number of IFE content purchased: \_\_\_\_\_

Table 1. MOVIES/FILMS

	All movies	New <sup>2</sup> English-language movies produced in the United States and released to more than 500 theaters	Other movies
Total number of movies purchased			
Number of movies purchased that have closed captions			
Number of movies purchased that have audio descriptions			

<sup>1</sup> "New" is defined as content that has never been released to the IFE market and is being made available to the IFE market for the first time.

\_\_\_\_\_

Table 2. SHOWS

	All Shows	English-language shows that are video programming <sup>3</sup>	Spanish-language shows that are video programming <sup>2</sup>	Other shows
Total number of shows purchased				
Number of shows purchased that have closed captions				
Number of shows purchased that have audio descriptions				

<sup>2</sup> “For the purposes of this report, “video programming” is defined as programming provided in the United States by a television network via broadcast, cable, satellite, or Internet Protocol, excluding live television.

**Certification Statement:** I, the undersigned, do certify that this report has been prepared under my direction. I affirm that, to the best of my knowledge and belief, that this is true, correct, and complete report.

Signature: \_\_\_\_\_

\_\_\_\_\_