

FCC Broadcast Regulation Closed Captioning

Media & Entertainment Law
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Closed Captioning

History

In 1993, built-in decoders
required on all new analog TVs.

In 2002, built-in decoders
required on all new digital TVs.

In 1996, Congress requires
programming distributors to close
caption, with phase-in.

Now fully phased in.

General scope

Subtitles can be used in lieu of closed captioning.

Programming in languages other than English or Spanish is (generally) exempt.

Requirements

As of 2006, all new English-language programming must be captioned.

As of 2008, 75% of pre-rule English programming must be captioned.

From 2005, 30% of Spanish-language programming must be captioned - per channel, per quarter.

Beginning January 1, 2012, 75% of programming in Spanish must be captioned - per channel, per quarter.

Closed Captioning

Automatic Exemptions

PSAs, promos, etc., shorter than 10 min.

2 a.m. to 6 a.m. programming

Locally produced non-news programming
with no repeat value.

New networks, for first four years.

<\$3M revenue channels

Plus a few other random exceptions.

Closed Captioning

Waiver Exemptions

Can petition the FCC for a
waiver based on “undue
burden”

Automatic exemption while
petition is pending