



PUBLIC NOTICE

Federal Communications Commission
45 L St., N.E.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <https://www.fcc.gov>

DA 23-1120

Released: November 30, 2023

Media Bureau Reminds Television Broadcasters that Audio Description Rules apply to DMAs 91 Through 100 as of January 1, 2024

MB Docket No. 11-43

On October 27, 2020, the Commission adopted the *2020 Audio Description Order*, which expanded the Commission's audio description rules.¹ Audio description makes video programming more accessible to individuals who are blind or visually impaired through "[t]he insertion of audio narrated descriptions of a television program's key visual elements into natural pauses between the program's dialogue."² The Commission's audio description rules require certain television broadcast stations and multichannel video programming distributors (MVPDs) to provide audio description for a portion of the video programming they televise to consumers.³ The *2020 Audio Description Order* expanded the availability of audio description by phasing the requirements in for an additional 10 designated market areas (DMAs) each year for four years.⁴ As a result, the Commission's audio description rules extended to DMAs 61 through 70 as of January 1, 2021, to DMAs 71 through 80 on January 1, 2022 and to DMAs 81 through 90 on January 1, 2023.⁵ We remind television broadcasters that the audio description rules next will extend to DMAs 91 through 100 on January 1, 2024.⁶

In addition, on October 17, 2023, the Commission adopted the *2023 Audio Description Order*, which continues the expansion of the audio description requirements to an additional 10 DMAs per year until all DMAs are included.⁷ As set forth in the *2023 Audio Description Order*, compliance deadlines going forward will apply to the relevant DMAs as determined by The Nielsen Company as of January 1, 2023.⁸ Accordingly, the audio description rules will extend to the following DMAs on January 1, 2024⁹:

¹ *Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010*, Report and Order, MB Docket No. 11-43, 35 FCC Rcd 12577 (2020) (*2020 Audio Description Order*).

² See 47 CFR § 79.3(a)(3).

³ See *id.* § 79.3(b).

⁴ See *2020 Audio Description Order*, 35 FCC Rcd at 12577, para. 1.

⁵ 47 CFR § 79.3(b)(1).

⁶ *Id.*

⁷ *Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010*, Second Report and Order, MB Docket No. 11-43, FCC 23-82 (2023) (*2023 Audio Description Order*).

⁸ *2023 Audio Description Order* at para. 10.

⁹ We note that the Paducah-Cape Girardeau-Harrisburg DMA moved from DMA 84 utilizing Nielsen figures as of January 1, 2020 to DMA 92 utilizing Nielsen figures as of January 1, 2023, and the Cedar Rapids-Waterloo-Iowa City & Dubuque DMA moved from DMA 90 to DMA 93. Accordingly, these two DMAs were previously subject

1. El Paso (Las Cruces)
2. Paducah-Cape Girardeau-Harrisburg
3. Cedar Rapids-Waterloo-Iowa City & Dubuque
4. Burlington-Plattsburgh
5. Baton Rouge
6. Jackson, MS
7. Fort Smith-Fayetteville-Springdale-Rogers
8. Boise
9. South Bend-Elkhart
10. Myrtle Beach-Florence

The January 1, 2024 deadline also applies to the following two DMAs that would have been within the later deadline for DMAs 91 through 100 based on the Nielsen figures as of January 1, 2020, but that now fall within the earlier deadline for DMAs 81 through 90 based on the Nielsen figures as of January 1, 2023¹⁰:

1. Chattanooga
2. Charleston, SC

Accessible Materials. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice).

For general information about audio description, visit www.fcc.gov/audio-description. For further information regarding this proceeding, contact Diana Sokolow, Policy Division, Media Bureau, 202-418-2120.

-FCC-

to the January 1, 2023 compliance deadline based on their DMA rankings utilizing the Nielsen figures as of January 1, 2020. Although these DMAs now would fall within the January 1, 2024 compliance deadline due to the updated Nielsen figures, the *2023 Audio Description Order* provided that stations in these DMAs must continue complying with the audio description requirements during any gap between the effective date of the new rules, November 27, 2023, and the January 1, 2024 application of the rules to DMAs 91 through 100. *Id.* See also *Media Bureau Announces Effective Date of Rules Expanding Availability of Audio Description*, Public Notice, MB Docket No. 11-43, DA 23-1020 (2023).

¹⁰ *2023 Audio Description Order* at para. 10. Chattanooga moved from DMA 92 to DMA 84 and Charleston, SC moved from DMA 91 to DMA 88.