

The background of the entire page is a photograph of a movie theater. The foreground is filled with rows of dark, upholstered seats, viewed from behind, receding into the distance. At the top of the frame, several horizontal tracks of theater lights are visible against a dark ceiling. In the center, a large, bright white rectangular area serves as a screen, displaying the title in large, bold, black sans-serif font.

Open Caption Requirements in Movie Theaters



Media &
Entertainment

Mayor's Office for
People with Disabilities

Consumer and
Worker Protection

Open Caption Requirements in Movie Theaters

Contents

A. Introduction	2
1. What is the law about open captions and movie theaters?	2
2. What does “open captions” mean?	2
B. For Moviegoers	2
1. What are my rights as a moviegoer?	2
2. How do I know the showtimes for open caption movies?.....	2
3. Why are there no open caption showings of a particular movie? 3	
4. Who should I report a violation to?.....	3
C. Requirements as a Movie Theater.....	3
1. Who must show movies with open captions?	3
2. How many open-captioned showings are required, generally? ...	3
3. What times must I offer open-captioned showings?	4
4. Do I have to change my screening schedules to comply with the law?.....	5
5. Must I still offer individual captioning devices?	5
6. May I provide more open-captioned showings than the law requires?.....	5
7. What are the advertising requirements?	5
8. What are the record-keeping requirements?.....	5
9. What is the penalty for not following the requirements for showing open-captioned movies?.....	6

A. Introduction

1. What is the law about open captions and movie theaters?

Movie theaters in New York City must provide open captions in some of their movie showings, pursuant to [NYC Administrative Code section 20-699.7](#). This requirement starts May 15, 2022.

Open captioning is a service for moviegoers who are D/deaf and hard of hearing. In addition to moviegoers who are D/deaf and hard of hearing, captions benefit almost everyone, especially people watching movies in their non-native language, and children and adults learning to read.

2. What does “open captions” mean?

Open captions are the written, on-screen display of a movie’s dialogue, speakers’ names, and sounds (for example, the sound of a door slamming, music).



B. For Moviegoers

1. What are my rights as a moviegoer?

A movie theater that offers movies to the general public must show some movies with open captions each week. Details about the frequency and timing are in the next section.

2. How do I know the showtimes for open caption movies?

Movie theaters are required to advertise the date and time of open-captioned showings the same way that they advertise all other showings. Terms such as “Open Caption”, “Open Cap/Eng Sub”, “Open Caption (On-Screen Subtitles)” or “OC” refer to screenings with open captions.

3. Why are there no open caption showings of a particular movie?

Some movies are not made or distributed with open captions. If that is the case, the law does not require the movie theater to add captions.

4. Who should I report a violation to?

If a movie theater is not providing the required open-captioned showings, you can call 311 and say, “open captions.”

C. Requirements as a Movie Theater

1. Who must show movies with open captions?

In New York City, you must show movies with open captions if you are in the business of showing movies to the general public. Private screening facilities (for example, the Directors Guild of America’s New York Theater) are not required to show movies with open captions.

You must show movies with open captions any week when you offer more than 10 movie showings. Movies that are produced and distributed without open captions are not included in this count.

2. How many open-captioned showings are required, generally?

Generally, during a one-week period, you must provide at least one quarter of the showings of each movie title with open captions, up to a maximum of four showings per week.

All captioned showings, regardless of movie title, must be shown at different times. You may not count a captioned showing that overlaps in time with another captioned showing of any title toward the minimum unless it is not practicable to avoid such overlap (for example, the size of your theater and number of required open caption showings during Peak Hours do not allow for scheduling that would avoid overlap of open caption showings; the phrase “Peak Hours” is defined on page 5).

Exceptions:

- If you show a movie fewer than four times per week, you are not required to show the movie with open captions.
 - **Example:** You show the *Rocky Horror Picture Show* once per week on Saturday at midnight. You are not required to show it with open captions.
- You are not required to provide more than four open-captioned showings of each movie in one week.
 - **Example:** You show *Star Wars* 20 times per week. You are not required to provide five open-captioned showings of *Star Wars*; only four open-captioned showings of *Star Wars* are required.

	Total Showings Per Week of a Single Movie Title				
	1-3	4	5-8	9-12	13+
Minimum open-captioned showings	0	1	2	3	4

3. What times must I offer open-captioned showings?

Generally, you must provide at least half of your open-captioned showings within Peak Hours and at least half of the remaining open-captioned showings within Weekday Evening Hours. (See below for definitions of “Peak Hours” and “Weekday Evening Hours.”)

Exceptions:

- If you provide fewer than 1 in 8 showings of a movie within Peak Hours, you are in compliance if all showings during Peak Hours are open-captioned.
 - **Example:** You provide 19 showings of *Toy Story* during the day and one during Peak Hours. You are in compliance if the Peak Hour showing is open-captioned.
- If you provide fewer than 1 in 8 showings of a movie within Weekday Evening Hours, you are in compliance if all showings during Weekday Evening Hours are open-captioned.

Peak Hours Showings must start and end within these times	Weekday Evening Hours Showings must start and end within these times
Fridays 6:00 p.m. to 11:00 p.m. Saturdays/Sundays 11:30 a.m. to 11:00 p.m.	Mondays, Tuesdays, Wednesdays, and Thursdays 6:00 p.m. to 11:00 p.m.

4. Do I have to change my screening schedules to comply with the law?

No. If you are not planning to show a movie during Peak Hours or Weekday Evening Hours, you do not have to change your schedule.

5. Must I still offer individual captioning devices?

Yes. The federal Americans with Disabilities Act rules [28 CFR §36.303(g)] require movie theaters to provide captioning devices for movie showings that are distributed with captioning.

6. May I provide more open-captioned showings than the law requires?

Yes. You may provide more showings of movies with open captions than what is required.

Captions benefit almost everyone, and they are particularly beneficial for persons watching movies in their non-native language, for children and adults learning to read, and for persons who are D/deaf or hard of hearing.

7. What are the advertising requirements?

You must advertise the date and time of the open-captioned showings in the same manner as you advertise all other showings. Your advertisements must state which showings include open captions.

8. What are the record-keeping requirements?

You must keep a record of movies shown with and without open captions and records of advertisements for at least three years after the date of each showing.

9. What is the penalty for not following the requirements for showing open-captioned movies?

If you violate any of the requirements, then you will be subject to a civil penalty between \$100 and \$500 for each violation. Violations will be heard before the NYC Office of Administrative Trials and Hearings.