**Section 771.100 Applicability**

a) This Part shall apply to any telecommunications carrier, as defined in Section 13-202 of the Public Utilities Act [220 ILCS 5/13-202], providing pay telephone service.

b) This Part does not apply to pay telephone provider's provision of "private" or "private use" pay telephones in that the telecommunications services offered by these pay telephones are not for public use. Pay telephones in locations where the telephone is available to a limited group such as family, club members, employees, or patrons are not for public use under the Act, including, but not limited to, the locations described below:

1) Those areas of mental health facilities as defined in Section 1-114 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/1-114] or developmental disability facilities as defined in Section 1-107 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/1-107] that are not accessible to the public;

2) Those areas of correctional institutions or facilities as defined in Section 3-1-2 of the Unified Code of Corrections [730 ILCS 5/3-1-2], county jails and detention centers, or any detention facility operated by a unit of local government that are not accessible to the public; and

3) Those indoor areas of banking establishments, restaurants, bars, taverns, retail stores, barbershops, beauty shops, grocery stores, department stores, movie houses, hospitals, doctors' offices, gas stations, and factories.

c) Providers of pay telephones who locate pay telephones in locations accessible to or used by a large number of the public are telecommunications carriers within the meaning of Section 13-202 of the Act. Pay telephones in the following locations are deemed to be "public" or "for public use": transportation centers and terminals, stadiums, exposition centers, toll service areas, public streets and roads, parks, public areas of shopping malls and shopping centers, hotel lobbies, all telephones located outdoors (except those located on the property of a private club), roadside oases and rest areas, amusement parks, municipal, State and federal government buildings, grounds and associated areas, and military establishments.