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HOUSE BILL NO. 1603

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Commerce and Labor
on December 5, 2006)

(Patron Prior to Substitute—Delegate Rapp)

A BILL to amend and reenact § 30-85 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 15 of Title 56 an article numbered 8, consisting of sections numbered 56-484.19 through 56-484.24, relating to emergency calls made from telephones connected to multiline telephone systems.

Be it enacted by the General Assembly of Virginia:

1. That § 30-85 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Chapter 15 of Title 56 an article numbered 8, consisting of sections numbered 56-484.19 through 56-484.24, as follows:

§ 30-85. Commission established; powers and duties.

The Joint Commission on Technology and Science (JCOTS) is hereby established as a permanent legislative agency of the Commonwealth. JCOTS shall generally study all aspects of technology and science and endeavor to stimulate, encourage, promote, and assist in the development of technology and science in the Commonwealth and sound public policies related thereto. In addition, JCOTS shall:

1. Evaluate the impact of existing statutes and proposed legislation related to technology and science in the Commonwealth;

2. Advise the General Assembly, Governor, and agencies, authorities, and institutions of the Commonwealth upon matters related to technology and science;

3. Investigate, research, and consider such issues related to technology and science as may be requested by the General Assembly or determined by JCOTS;

4. Make recommendations to the General Assembly and the Governor;

5. Consult with appropriate entities, public or private, on matters related to technology and science under JCOTS' consideration;

6. Encourage research and development in technology and science;

7. Solicit input from appropriate entities, public or private, on issues related to technology and science;

8. Coordinate its efforts with and assist the efforts of other agencies, authorities, and institutions of the Commonwealth;

9. *Monitor developments in enhanced 9-1-1 service and multiline telephone systems and the impact of such technologies upon the implementation of Article 8 (§ 56-484.19 et seq.) of Chapter 15 of Title 56;*

10. Accept private or public funds to carry out its purposes; and

11. Annually report its findings and recommendations to the General Assembly and the Governor. JCOTS shall make such further interim reports to the General Assembly and the Governor as it deems advisable or as required by concurrent resolution of the General Assembly or by the Governor. The chairman of JCOTS shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of JCOTS no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

*Article 8.**Emergency Calls on Multiline Telephone Systems.*

§ 56-484.19. Definitions.

As used in this article:

"Alternative method of providing call location information" means a method of maintaining and operating a multiline telephone system that ensures that:

1. Emergency calls from a telephone station provide the PSAP with sufficient location identification information to ensure that emergency responders are dispatched to a location at the facility from which the emergency call was placed, from which location emergency responders will be able to ascertain the telephone station where the emergency call was placed (i) by being able to view all of the telephone stations at the facility or (ii) by the activation of an alerting device, including but not limited to lights or an alarm, located near the telephone station, which activation is triggered by the placing of the emergency call;

2. Emergency calls from a telephone station, in addition to reaching a PSAP, connect to a switchboard operator, attendant, or other designated on-site individual who is capable of giving the

60 PSAP the location of the telephone station from which the emergency call was placed; or
61 3. Calls to the digits "9-1-1" from a telephone station connect to a private emergency answering
62 point.

63 An alternative method of providing call location information shall also be deemed to be provided, as
64 a result of the imputed ability of emergency responders to readily locate all telephone stations at the
65 facility, when emergency calls are placed from a facility with a contiguous area of fewer than 7,000
66 square feet, located on one or more floors.

67 "Automatic location identification" or "ALI" means the automatic display at a PSAP of information
68 defining the emergency call location, which information shall identify the floor name or number, room
69 name or number, building name or number, cubicle name or number, and office name or number, as
70 applicable, or imparts other information that is sufficiently specific to provide the emergency responders
71 with the ability to locate the telephone station from which the emergency call was placed.

72 "Automatic number identification" or "ANI" means the automatic display at a PSAP of a telephone
73 number that a PSAP may use to call the telephone station from which the emergency call was placed.

74 "Central office system" means a business telephone switch offered by a local exchange carrier that
75 provides features similar to a private branch exchange by transmitting data over telecommunications
76 equipment or cable lines.

77 "Emergency call" means a telephone call that enables the user to reach a PSAP by dialing the digits
78 "9-1-1" and, if applicable, any additional digit or digits that must be dialed in order to permit the user
79 to access the public switched telephone network.

80 "Emergency call location" means the location of the telephone station on an MLTS from which an
81 emergency call is placed and to which a PSAP may dispatch emergency responders based upon ALI
82 provided via the emergency call.

83 "Emergency responders" means fire services, law enforcement, emergency medical services, and
84 other public services or agencies that may be dispatched by a PSAP in response to an emergency call.

85 "Enhanced 9-1-1 service" means a service consisting of telephone network features and PSAPs that
86 (i) enables users of telephone systems to reach a PSAP by making an emergency call; (ii) automatically
87 directs emergency calls to the appropriate PSAPs by selective routing based on the geographical
88 location from which the emergency call originated; and (iii) provides the capability for ANI and ALI
89 features.

90 "Facility" means real estate and improvements used principally for or as a (i) hotel as defined in
91 § 35.1-1, (ii) college or university dormitory, (iii) medical care facility as defined in § 32.1-102.1, (iv)
92 group home or other residential facility licensed by the Department of Mental Health, Mental
93 Retardation and Substance Abuse Services or Department of Social Services, (v) assisted living facility
94 as defined in § 63.2-100, (vi) apartment complex or condominium where shared tenant telephone service
95 is provided, (vii) commercial or government office building, (viii) manufacturing, processing, assembly,
96 warehouse, or distribution establishment, or (ix) retail establishment.

97 "MLTS provider" means a person who operates a facility at which telephone service is provided,
98 with or without compensation, through a multiline telephone system.

99 "Multiline telephone system" or "MLTS" means a telephone system, including network-based or
100 premises-based systems, whether owned or leased by a public or private entity, operated in the
101 Commonwealth, that serves a facility, has more than one telephone station, and is comprised of common
102 control units, telephones, and control hardware and software that share a common interface to the
103 public switched telephone network, whether by a private branch exchange or central office system,
104 without regard to whether the system utilizes VoIP service.

105 "Person" includes any individual, corporation, partnership, association, cooperative, limited liability
106 company, trust, joint venture, government, political subdivision, or any other legal or commercial entity
107 and any successor, representative, agent, agency, or instrumentality thereof.

108 "Private emergency answering point" means an answering point that is equipped and staffed to
109 provide adequate means of responding to calls to the digits "9-1-1" from telephones on a multiline
110 telephone system by reporting incidents to a PSAP in a manner that identifies the emergency response
111 location from which the call to the answering point was placed.

112 "Public safety answering point" or "PSAP" means a communications operation equipped and staffed
113 on a 24-hour basis to receive and process telephone calls for emergency assistance from an individual
114 by dialing, in addition to any digits required to obtain an outside line, the digits "9-1-1."

115 "Public switched telephone network" means the network of equipment, lines, and controls assembled
116 to establish communication paths between calling and called parties in North America.

117 "Retail establishment" means any establishment selling goods or services to the ultimate user or
118 consumer of those goods or services, not for the purpose of resale, but for that user's or consumer's
119 personal rather than business use.

120 "Telephone call" means the use of a telephone to initiate an ordinary voice transmission placed
121 through the public switched telephone network.

122 "Telephone station" means a telephone on a multiline telephone system, from which a call may be
123 placed to a PSAP by dialing, in addition to any digits required to access the public switched telephone
124 network, the digits "9-1-1." However, in any medical care facility or licensed assisted living facility,
125 "telephone station" includes any telephone on a multiline telephone system located in an administrative
126 office, nursing station, lobby, waiting area, or other area accessible to the general public but does not
127 include a telephone located in the room of a patient or resident.

128 "VoIP service" has the same meaning ascribed to it in § 56-484.12.

129 § 56-484.20. Charges for emergency calls.

130 The MLTS provider of any multiline telephone system shall maintain and operate the MLTS in such
131 manner that an individual placing an emergency call from a telephone station on the MLTS is not
132 charged for the call.

133 § 56-484.21. Instructions for emergency calling.

134 Commencing July 1, 2009, the MLTS provider of any multiline telephone system shall either (i)
135 demonstrate or provide written instructions to each new user of the MLTS how to place an emergency
136 call from a telephone station or (ii) provide written instructions at each telephone station that inform an
137 individual how to place an emergency call from the telephone station. Written instructions provided to a
138 new user or provided at a telephone station shall include the telephone station's street address and such
139 additional information regarding the location of the telephone station that is sufficiently specific to
140 permit an emergency responder with the information to locate the telephone station.

141 § 56-484.22. Access to PSAPs from telephone stations on MLTS.

142 Commencing July 1, 2009, the MLTS provider of any multiline telephone system shall maintain and
143 operate the MLTS in such manner that a telephone call made by dialing the digits "9-1-1" and, if
144 applicable, any additional digit or digits that must be dialed in order to permit the user to access the
145 public switched telephone network, from any telephone on the MLTS is routed to a PSAP.

146 § 56-484.23. Provision of emergency call information.

147 The MLTS provider of any multiline telephone system that is acquired or installed on or after July 1,
148 2009, commencing on the date of its installation, shall maintain and operate the MLTS in a manner that
149 ensures that each emergency call placed from any telephone station on the MLTS provides either (i) ALI
150 and ANI to the PSAP or (ii) an alternative method of providing call location information.

151 § 56-484.24. Liability.

152 A. An MLTS provider, its employees or agents shall not be liable to any person for damages
153 incurred as a result of any act or omission by it, except gross negligence or intentional, willful or
154 wanton misconduct, in connection with maintaining or operating the MLTS in a manner required by this
155 article.

156 B. A telecommunications service provider, its employees or agents shall not be liable to any person
157 for damages incurred as the result of the release of information not in the public record, including, but
158 not limited to, unpublished or unlisted telephone numbers, to a PSAP, its employees or agents, or to
159 emergency responders, made in connection with an emergency call.