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HOUSE BILL NO. 1603

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Commerce and Labor
on February 12, 2007)

(Patron Prior to Substitute—Delegate Rapp)

A BILL to amend and reenact § 56-484.14 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 56-484.25, relating to emergency calls made from telephones connected to multiline telephone systems.

Be it enacted by the General Assembly of Virginia:

1. That § 56-484.14 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 56-484.25, as follows:

§ 56-484.14. Powers and duties of Wireless E-911 Services Board.

The Board shall have the power and duty to:

1. Make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers, including purchase agreements payable from (i) the Wireless E-911 Fund and (ii) other moneys appropriated for the provision of enhanced 9-1-1 services.

2. Pursue all legal remedies to enforce any provision of this article, or any contract entered into pursuant to this article.

3. Develop a comprehensive, statewide enhanced 9-1-1 plan for wireless E-911, VoIP E-911, and any other future communications technologies accessing E-911 for emergency purposes. In constructing and periodically updating this plan as appropriate, the Board shall monitor trends and advances in enhanced wireless, VoIP, and other emergency telecommunications technologies, plan and forecast future needs for these enhanced technologies, and formulate strategies for the efficient and effective delivery of enhanced 9-1-1 services in the future with the exclusion of traditional circuit-switched wireline 9-1-1 service.

4. Grant such extensions of time for compliance with the provisions of § 56-484.16 as the Board deems appropriate.

5. Take all steps necessary to inform the public of the use of the digits "9-1-1" as the designated emergency telephone number and the use of the digits "#-7-7" as a designated non-emergency telephone number.

6. Report annually to the Governor, the Senate Committee on Finance and the House Committee on Appropriations, and the Virginia State Crime Commission on (i) the state of enhanced 9-1-1 services in the Commonwealth, (ii) the impact of, or need for, legislation affecting enhanced 9-1-1 services in the Commonwealth, and (iii) the need for changes in the E-911 funding mechanism provided to the Board, as appropriate.

7. Provide advisory technical assistance to PSAPs and state and local law enforcement, and fire and emergency medical service agencies, upon request.

8. Collect, distribute, and withhold moneys from the Wireless E-911 Fund as provided in this article.

9. Develop a comprehensive single, statewide electronic addressing database to support geographic data and statewide base map data programs pursuant to § 2.2-2027.

10. Receive such funds as may be appropriated for purposes consistent with this article and such gifts, donations, grants, bequests, or other funds as may be received from, applied for or offered by either public or private sources.

11. Manage other moneys appropriated for the provision of enhanced emergency telecommunications services.

12. Perform all acts necessary, convenient or desirable to carrying out the purposes of this article.

13. Drawing from the work of E-911 professional organizations, in its sole discretion, publish best practices for PSAPs. These best practices shall be voluntary and recommended by a subcommittee composed of PSAP representatives.

14. 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. The Board shall include its assessment of such impact in the annual report filed pursuant to subdivision 6.

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

60 operating a multiline telephone system that ensures that:

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

68 2. Emergency calls from a telephone station, in addition to reaching a PSAP, connect to or
69 otherwise notify a switchboard operator, attendant, or other designated on-site individual who is
70 capable of giving the PSAP the location of the telephone station from which the emergency call was
71 placed; or

72 3. Calls to the digits "9-1-1" from a telephone station connect to a private emergency answering
73 point.

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

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

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

85 "Central office system" means a business telephone service offered by a provider of communications
86 services that provides features similar to a private branch exchange by transmitting data over
87 telecommunications equipment or cable lines.

88 "Emergency call" means a telephone call that enables the user to reach a PSAP by dialing the digits
89 "9-1-1" and, if applicable, any additional digit or digits that must be dialed in order to permit the user
90 to access the public switched telephone network.

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

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

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

101 "Facility" means real estate and improvements used principally for or as a (i) hotel as defined in
102 § 35.1-1, (ii) college or university dormitory, (iii) medical care facility as defined in § 32.1-102.1, (iv)
103 group home or other residential facility licensed by the Department of Mental Health, Mental
104 Retardation and Substance Abuse Services or Department of Social Services, (v) assisted living facility
105 as defined in § 63.2-100, (vi) apartment complex or condominium where shared tenant telephone service
106 is provided, (vii) commercial or government office building, (viii) manufacturing, processing, assembly,
107 warehouse, or distribution establishment, or (ix) retail establishment.

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

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

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

119 "Private emergency answering point" means an answering point that is equipped and staffed during
120 all hours that the facility is occupied to provide adequate means of responding to calls to the digits
121 "9-1-1" from telephones on a multiline telephone system by reporting incidents to a PSAP in a manner

that identifies the emergency response location from which the call to the answering point was placed.

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

"Public switched telephone network" means the worldwide, interconnected networks of equipment, lines, and controls assembled to establish circuit-switched voice communication paths between calling and called parties.

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

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

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

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

§ 56-484.20. Charges for emergency calls.

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

§ 56-484.21. Instructions for emergency calling.

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

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

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

§ 56-484.23. Provision of emergency call information.

The MLTS provider of any multiline telephone system that is acquired or installed on or after July 1, 2009, commencing on the date of its installation, shall maintain and operate the MLTS in a manner that ensures that each emergency call placed from any telephone station on the MLTS provides either (i) ALI and ANI to the 9-1-1 network that connects to the PSAP or (ii) an alternative method of providing call location information.

§ 56-484.24. Liability.

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

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

§ 56-484.25. Exemption for certain counties.

Notwithstanding any provision of this article to the contrary, the provisions of §§ 56-484.22 and 56-484.23 shall not apply with respect to any multiline telephone system located in a county that is not served by an enhanced 9-1-1 service system, until the later to occur of (i) 120 days after the date an enhanced 9-1-1 service system for the county commences operating or (ii) July 1, 2009.