

LD4123743

## SENATE BILL NO. 1001

Offered January 23, 1995

*A BILL to amend the Code of Virginia by adding in Title 56 a chapter numbered 16.2:1, consisting of sections numbered 56-508.14:1 through 56-508.14:5, and to repeal Chapters 16.1 (§§ 56-508.1 through 56-508.7) and 16.2 (§§ 56-508.8 through 56-508.14) of Title 56 of the Code of Virginia, relating to commercial mobile radio service providers.*

Patrons—Stosch, Barry, Benedetti, Colgan, Hawkins, Holland, C.A., Holland, E.M., Lambert and Nolen

Referred to the Committee on Commerce and Labor

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia amended by adding in Title 56 a chapter numbered 16.2:1, consisting of sections numbered 56-508.14:1 through 56-508.14:5, as follows:**

*CHAPTER 16.2:1.*

*COMMERCIAL MOBILE RADIO SERVICE PROVIDERS.*

*§ 56-508.14:1. Definitions.*

*Whenever used in this chapter the following terms, words and phrases shall have the following meanings, unless the context requires a different meaning:*

*"Commercial mobile radio services provider" ("CMRS provider") means every person or organization owning, operating, controlling or managing a commercial mobile radio services system as authorized by the Federal Communications Commission and defined as a CMRS provider by Commission regulation.*

*"Commercial mobile radio services system" means any facility or facilities within the Commonwealth authorized by the Federal Communications Commission to provide CMRS on a for-hire basis to the public.*

*"Commission" means the State Corporation Commission.*

*§ 56-508.14:2. Application of chapter.*

*The provisions of this chapter shall apply only to CMRS providers as defined herein, and shall not apply to the mere purchase of CMRS service for resale to the public.*

*§ 56-508.14:3. Registration of CMRS providers.*

*All CMRS providers shall register with the Commission.*

*§ 56-508.14:4. Jurisdiction of State Corporation Commission.*

*A. Except as provided herein, the Commission shall not regulate CMRS providers.*

*B. To the extent permitted by 47 U.S.C. § 332, the Commission may require CMRS providers to file their terms and conditions of service (other than rates) if, after notice and an opportunity for hearing, the Commission finds that such filings (i) are necessary to ensure quality CMRS service and (ii) will not unreasonably prejudice or disadvantage any class of CMRS providers.*

*C. The Commission shall have jurisdiction to adjust grievances and disputes between CMRS providers and their subscribers to the full extent permitted by 47 U.S.C. § 332.*

*§ 56-508.14:5. Rules and regulations.*

*The Commission may promulgate rules and regulations to carry out the provision of this chapter.*

**2. That Chapters 16.1 (§§ 56-508.1 through 56-508.7) and 16.2 (§§ 56-508.8 through 56-508.14) of Title 56 of the Code of Virginia are repealed.**

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