

1  
2  
3  
4  
5  
6  
  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19

H.455

Introduced by Committee on Government Operations

Date:

Subject: Public service; enhanced 911 emergency response system

Statement of purpose: This bill proposes to amend generally the statutes regarding the enhanced 911 emergency response system.

An act relating to the enhanced 911 emergency response system

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 30 V.S.A. chapter 87 is amended to read:

CHAPTER 87. ENHANCED 911; EMERGENCY

RESPONSE SYSTEM SERVICES

§ 7051. DEFINITIONS

As used in this chapter:

(1) “Automatic location identification” or “ALI” means the system capability to identify automatically the geographical location of the ~~telephone~~ electronic device being used by the caller to summon assistance and to provide ~~a display of~~ that location information to an appropriate device located at any public safety answering point for the purpose of sending emergency assistance.

\* \* \*

1           (5) “Caller” means a person or an automated device calling on behalf of  
2 a person.

3           (6) “Director” means the director for statewide enhanced 911  
4 implementation.

5           (7) “Emergency call system” or “enhanced 911 system” means a system  
6 consisting of devices with the capability to determine the location and identity  
7 of a caller that initiates communication for the purpose of summoning  
8 assistance in the case of an emergency. In most cases summoning assistance  
9 will occur when a caller dials the digits 9-1-1 on a telephone, mobile phone, or  
10 other IP-enabled service, or by a communication technology designed for the  
11 purpose of summoning assistance in the case of an emergency.

12           ~~(6)~~(8) “Emergency services” mean means fire, police, medical, and  
13 other services of an emergency nature as identified by the board.

14           ~~(7)~~ “Enhanced 911 system” and “enhanced 911 services” mean a system  
15 consisting of selective routing with the capability of automatic number and  
16 location identification at a public safety answering point, network circuits, data  
17 bases and answering equipment, which enables a user of the public  
18 telecommunications system to request emergency services by dialing the digits  
19 911 and provides the capability to automatically display the name of an  
20 individual, unless otherwise requested by such individual in accordance with

1 ~~rules adopted by the board, and the address and telephone number of incoming~~  
2 ~~911 calls at the appropriate public safety answering point.~~

3 (9) “IP-enabled service” means a service, device, or application that  
4 makes use of Internet protocol, or IP, and which is capable of entering the  
5 digits 9-1-1 or otherwise contacting the emergency 911 system. IP-enabled  
6 service includes voiceover IP and other services, devices, or applications  
7 provided through or using wire line, cable, wireless, or satellite or other  
8 facilities.

9 ~~(8)(10)~~ “Municipality” means any city, town, incorporated village, other  
10 governmental incorporated unit, unorganized town, gore, grant, or other  
11 political subdivision of the state.

12 (11) “Other methods of locating caller” means those commercially  
13 available technologies designed to provide the location information of callers  
14 when a call is initiated to access emergency 911 services regardless of the type  
15 of device that is used.

16 ~~(9)(12)~~ “Public safety answering point” means a facility with enhanced  
17 911 the capability to receive emergency calls, operated on a 24-hour basis,  
18 assigned the responsibility of receiving 911 calls and dispatching, transferring,  
19 or relaying emergency 911 calls to other public safety agencies or private  
20 safety agencies.









1 § 7056. MUNICIPAL COOPERATION; ENHANCED ANI/ALI  
2 CAPABILITY

3 (a) Each municipality, by its legislative body, may participate in the  
4 enhanced 911 system. ~~Any municipality that seeks to participate in the system~~  
5 ~~shall notify the director no later than October 1, 1996.~~ Municipalities choosing  
6 to participate shall identify all building locations and other public and private  
7 locations frequented by the public and shall cooperate in the development and  
8 maintenance of the necessary ~~data bases~~ databases. The board shall work with  
9 municipalities to identify nonmonetary incentives designed to streamline and  
10 reduce the administrative burdens imposed by this requirement. Any  
11 municipality that changes its system for addresses shall ensure that the  
12 modified address system is consistent with the standards established by the  
13 board.

14 \* \* \*

15 (c) ~~Any municipality that does not participate in the enhanced 911 system~~  
16 ~~when the system commences operation may be admitted into the enhanced 911~~  
17 ~~system at a later date. The municipality shall notify the board of its intent to~~  
18 ~~join the system no later than nine months prior to the time they seek to~~  
19 ~~participate in the enhanced 911 system. Such nine months' notice may be~~  
20 ~~reduced at the discretion of the board.~~

1       (d) ~~A municipality may operate or contract for the operation of a dispatch~~  
2 ~~office providing enhanced ANI/ALI capability under standards adopted by the~~  
3 ~~board by rule, designed to ensure that dispatch office operations are~~  
4 ~~coordinated with the appropriate public safety answering point.~~

5       (e) ~~In order to facilitate the development of consolidated public safety~~  
6 ~~communications systems, the employees of any local government may be~~  
7 ~~detailed or assigned to a state of Vermont worksite under the same terms and~~  
8 ~~conditions provided for in subchapter 2 of chapter 21 of Title 1, relating to~~  
9 ~~interchange of state employees.~~

10       § 7057. PRIVATELY OWNED TELEPHONE SYSTEMS

11       ~~When an enhanced 911 system is implemented, any~~ Any privately owned  
12 telephone system shall provide to those end users the same level of 911 service  
13 that other end users ~~in the area~~ receive and shall provide ANI signaling, station  
14 identification data, and updates to enhanced 911 data bases under rules adopted  
15 by the board, ~~except that the~~. The board may waive the provisions of this  
16 section for any privately owned telephone system, taking into consideration the  
17 costs and the public benefits of compliance, provided that in the judgment of  
18 the board, the owner of the system is actively engaged in becoming compliant  
19 with this section, is likely to comply with this section in a reasonable amount  
20 of time, and will do so in accordance with standards and procedures adopted  
21 by the board by rule.

1 § 7058. PAY TELEPHONES

2 ~~When enhanced 911 service begins operation in a municipality, or as soon~~  
3 ~~as feasible thereafter, each~~ Each provider or other owner or lessee of a pay  
4 station telephone ~~operating in that area shall convert each telephone to~~ permit a  
5 caller to dial 911 without first inserting a coin or paying any other charge. The  
6 provider or other owner or lessee shall prominently display on each notice  
7 advising callers to dial 911 in an emergency and that deposit of a coin is not  
8 required.

9 § 7059. CONFIDENTIALITY OF SYSTEM INFORMATION

10 (a)(1) No person shall access, use, or disclose to any other person any  
11 individually identifiable information contained in the system database created  
12 under subdivision 7053(a)(4) of this title, including any customer or user ALI  
13 or ANI information, except in accordance with rules adopted by the board and  
14 for the purpose of:

15 (A) responding to emergency calls;

16 (B) system maintenance and quality control under the direction of the  
17 director; ~~or~~

18 (C) investigation, by law enforcement personnel, of false or  
19 intentionally misleading reports of incidents requiring emergency services;

20 (D) assisting in the implementation of a statewide emergency  
21 notification system;



1 ~~IP-enabled service or a provider's respective employees, directors, officers,~~  
2 ~~assigns, affiliates, or agents shall be liable for civil damages in connection with~~  
3 ~~the release of customer information to any governmental entity, including any~~  
4 ~~public safety answering point, as required under this chapter.~~

*§ 7060. LIMITATION OF LIABILITY*

*No person shall be liable in any suit for civil damages who in good faith receives, develops, collects, or processes information for the enhanced 911 data base, relays or transfers enhanced 911 services, or provides emergency telephone and radio communications for ambulance, police, and fire departments, unless such action constitutes gross negligence or an intentional tort database or develops, designs, adopts, establishes, installs, participates in, implements, maintains, or provides access to telephone, mobile, or IP-enabled service for the purpose of helping persons obtain emergency assistance in accordance with this chapter unless such action constitutes gross negligence or an intentional tort. In addition, no provider of telephone, mobile, or other IP-enabled service or a provider's respective employees, directors, officers, assigns, affiliates, or agents shall be liable for civil damages in connection with the release of customer information to any governmental entity, including any public safety answering point, as required under this chapter.*

5 \* \* \*

6 Sec. 2. STUDY OF FUNDING EMERGENCY 911 SERVICES

(a) The Vermont enhanced 911 board, in consultation with the department of public service, the public service board, the national emergency number association, the national association of state 911 administrators, the congressional 911 caucus, and other relevant groups, shall study alternatives to the present system of funding emergency 911 services. The study shall examine ways to directly associate and allocate the actual costs of providing emergency 911 service based on methods that are not solely reliant on an assessment to subscribers of wire line service by allocating the cost to all users

of the emergency 911 system regardless of the technical means by which the users access such service. Proposed methods may continue to require telecommunication providers and others to assess and collect the fee on behalf of the emergency 911 system and pay such funds into the emergency 911 fund, including those entities that currently pay into the universal service fund, providers of IP-enabled services, and other vendors that sell devices and services that are used to access emergency 911 services. The study shall assess whether alternative funding mechanisms could feasibly be implemented at the state level or whether the need should be addressed nationally.

1        (b) Pursuant to subsection (a) of this section, the board shall report to the  
2        general assembly not later than January 15, 2012 and shall outline steps  
3        required to implement proposed changes, including draft language that may be  
4        considered to implement any proposed change. The board shall receive  
5        assistance from the joint fiscal office, legislative council, and the secretary of  
6        administration to complete the study and report.

7        Sec. 3. EFFECTIVE DATE

8        This act shall take effect on passage.