

1 H.132

2 Introduced by Representatives Ram of Burlington, Bissonnette of Winooski,
3 Clarkson of Woodstock, Cole of Burlington, Dakin of Chester,
4 Evans of Essex, Grad of Moretown, Lenex of Shelburne, Miller
5 of Shaftsbury, Russell of Rutland City, Stevens of Waterbury,
6 Toll of Danville, Vowinkel of Wilder, Waite-Simpson of Essex,
7 and Wilson of Manchester

8 Referred to Committee on

9 Date:

10 Subject: Internal security and public safety; missing persons; wireless

11 telecommunications location information; law enforcement access

12 Statement of purpose of bill as introduced: This bill proposes to require
13 wireless telecommunications service providers to provide immediately a user's
14 location information to a law enforcement agency if requested to do so by the
15 agency during an emergency.

16 An act relating to law enforcement requests for location information from
17 wireless telecommunications service providers

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

1 Sec. 1. 20 V.S.A. § 1829 is added to read:

2 § 1829. LAW ENFORCEMENT ACCESS TO LOCATION INFORMATION

3 FROM WIRELESS TELECOMMUNICATIONS SERVICE

4 PROVIDERS

5 (a) A wireless telecommunications service provider shall provide call
6 location information concerning the telecommunications device of a user to a
7 law enforcement agency or the Department of Public Safety immediately upon
8 request. A law enforcement agency or the Department shall not request
9 information pursuant to this section unless responding to an emergency
10 situation involving a reasonable risk of death or serious physical harm.

11 (b) A wireless telecommunications service provider may establish
12 protocols for the voluntary disclosure of call location information.

13 (c) A wireless telecommunications service provider or any other person
14 shall not be subject to any civil, criminal, or administrative liability or penalty
15 for providing call location information in good faith pursuant to this section.

16 (d) The Department of Public Safety shall obtain contact information from
17 all wireless telecommunications service providers subject to the jurisdiction of
18 the Public Service Board under 30 V.S.A. § 203 to facilitate a request made by
19 a law enforcement agency or the Department under this section. The
20 Department shall disseminate the contact information to each law enforcement
21 agency in the state.

1 (e)(1) Location information acquired pursuant to this section shall not be
2 released to any person who is not part of the law enforcement investigation
3 related to the emergency situation, including the person reporting the
4 emergency.

5 (2) An employee of a law enforcement agency or the Department shall
6 not request information under this section if he or she knows the person whose
7 location information is being requested.

8 (3) A person who violates this subsection shall be fined not more
9 than \$500.00.

10 Sec. 2. EFFECTIVE DATE

11 This act shall take effect on July 1, 2013.