

1 S.193

2 Introduced by Senator Ashe

3 Referred to Committee on

4 Date:

5 Subject: Telecommunications; 911 service; outage reporting; penalties

6 Statement of purpose of bill as introduced: This bill proposes to impose an
7 administrative penalty on telecommunications providers who violate outage
8 reporting rules adopted by the Enhanced 911 Board.

9 An act relating to penalties for violations of E-911 outage reporting rules

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

11 Sec. 1. 30 V.S.A. § 7061 is amended to read:

12 § 7061. ENFORCEMENT AND PENALTIES

13 (a) The Board may file a civil action for injunctive relief in Washington
14 County Superior Court to enforce a provision of this chapter or a rule adopted
15 by the Board under this chapter. The court shall award the Board its costs and
16 reasonable attorney's fees in the event that the Board prevails in an action
17 under this subsection.

18 (b) A person who violates the provisions of section 7059 of this title shall
19 be imprisoned not more than one year or fined not more than \$10,000.00, or
20 both.

1 (c) An aggrieved individual may maintain an action in Superior Court for
2 damages, injunctive relief, costs, and attorney's fees against any person who
3 intentionally or with gross negligence violates any provision of, or rules
4 adopted under, section 7059 or subsection 7055(b) of this title.

5 (d) A person who violates a provision of a Board rule establishing outage
6 reporting protocols shall be subject to an administrative penalty of \$25,000.00
7 for each day of noncompliance and proceeded against as provided in the
8 Vermont Administrative Procedure Act established under 3 V.S.A. chapter 25.
9 As used in this subsection, "person" means an originating carrier that provides
10 voice service as defined by Board rule.

11 Sec. 2. EFFECTIVE DATE

12 This act shall take effect on passage.