

AMENDED IN ASSEMBLY MARCH 26, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 942**

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**Introduced by Assembly Member Krekorian**

February 22, 2007

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An act to add Section 53121 to the Government Code, and to amend ~~Sections 2889.6 and 2892~~ *Section 2889.6* of, and to add Section 709.4 to, the Public Utilities Code, relating to emergency telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

AB 942, as amended, Krekorian. Emergency telecommunications.

(1) Existing provisions of the Warren-911-Emergency Assistance Act establish the number "911" as the primary emergency telephone number for use in the state and requires the providing of enhanced service capable of selective routing, automatic number identification, or automatic location identification.

This bill would require that after June 30, 2008, every telephone exchange service, competitive local exchange carrier, multitelephone system, private branch exchange system, key set system, Centrex, or similar system, to provide enhanced "911" service with automatic routing, automatic number identification, and automatic location information or identification.

(2) Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including telephone corporations. Existing law requires telephone corporations to provide residential telephone connections with access to "911" emergency services, and requires the commission to promulgate a rule or order requiring all local telephone exchange carriers to include information

in their directories and in an annual bill insert, concerning the emergency services available by dialing “911.”

This bill would require the commission to take steps to ensure that enhanced “911” service is available to all Californians and require that after June 30, 2008, any telephone exchange service, competitive local exchange carrier, multitelephone system, private branch exchange system, key set system, Centrex, or similar system, provide enhanced “911” service. The bill would also require the commission to promulgate a rule or order requiring all local exchange carriers to provide enhanced “911” service to all persons serviced by the local exchange carrier, including those persons using a telephone exchange service, multiline telephone system, private branch exchange, Centrex, or similar system. Because a violation of the Public Utilities Act or an order of the commission is a crime under existing law, the bill would impose a state-mandated local program by creating a new crime.

~~(3) The existing Emergency Telephone Users Surcharge Act generally imposes a surcharge on amounts paid by every person in the state for intrastate telephone service and is imposed at a percentage rate, not less than 0.5% nor more than 0.75%, that is annually estimated to provide revenues sufficient to fund “911” emergency telephone system costs for the current fiscal year. Surcharge amounts are paid to the State Board of Equalization on a monthly basis by the telephone service supplier and are deposited into the State Treasury to the credit of the State Emergency Telephone Number Account in the General Fund, to be expended for limited purposes, including to pay the Department of General Services for its costs in administration of the “911” emergency telephone number system.~~

Existing law requires a provider of commercial mobile radio service, as defined, to provide access for end users of that service to the local “911” emergency telephone system. Existing law authorizes a “911” call from a commercial mobile radio service telecommunications device to be routed to a public safety answering point other than the Department of the California Highway Patrol (CHP) under certain circumstances.

This bill would require the Department of General Services and the CHP to transfer that portion of the moneys from the surcharge imposed pursuant to the Emergency Telephone Users Surcharge Act that represents the costs of handling the rerouted calls, to the public safety answering point to which the calls were rerouted pursuant to the above described authorization.

(4)

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 53121 is added to the Government Code,  
2 to read:

3 53121. After June 30, 2008, every telephone exchange service,  
4 competitive local exchange carrier, multitelephone system, private  
5 branch exchange system, key set system, Centrex, or similar  
6 system, shall provide enhanced “911” service with automatic  
7 routing, automatic number identification, and automatic location  
8 information or identification sufficient to enable the public safety  
9 answering point to readily identify the location at which the “911”  
10 call was made and to send an emergency response to the caller  
11 without unreasonable delay.

12 SEC. 2. Section 709.4 is added to the Public Utilities Code, to  
13 read:

14 709.4. (a) The commission shall take steps to ensure that  
15 enhanced “911” service capable of selective routing, automatic  
16 number identification, and automatic location information or  
17 identification is available to all Californians, as soon as practicable,  
18 consistent with subdivision (b).

19 (b) After June 30, 2008, any telephone exchange service,  
20 competitive local exchange carrier, multitelephone system, private  
21 branch exchange system, key set system, Centrex, or similar  
22 system, shall provide enhanced “911” service with automatic  
23 routing, automatic number identification, and automatic location  
24 information or identification, sufficient to enable the public safety  
25 answering point to readily identify the location at which the “911”  
26 call was made and to send an emergency response to the caller  
27 without unreasonable delay. For buildings having their own street  
28 address and containing less than 40,000 square feet of workspace,  
29 location identification shall include the building’s street address.  
30 For buildings having 40,000 square feet or more of workspace,

1 location identification shall include the building's street address  
2 and a distinct location identification for each 40,000 square feet  
3 of workspace. If separate buildings containing less than 40,000  
4 square feet of workspace have a common public street address,  
5 each building shall have a distinct location identification.

6 SEC. 3. Section 2889.6 of the Public Utilities Code is amended  
7 to read:

8 2889.6. The commission shall, by rule or order, require all  
9 local exchange carriers to do all of the following:

10 (a) Include in their telephone directory information concerning  
11 emergency situations which may affect the telephone network.  
12 The information shall include the procedures which the corporation  
13 will follow during emergencies, the manner in which telephone  
14 subscribers can best use the telephone network in an emergency  
15 situation, and the emergency services available by dialing "911."

16 (b) Annually provide to all subscribers in the form of a billing  
17 insert, which need not be a separate document, information  
18 concerning emergency situations which may affect the telephone  
19 network. The information shall include the procedures which the  
20 corporation will follow during emergencies, the manner in which  
21 telephone subscribers can best use the telephone network in an  
22 emergency situation, and the emergency services available by  
23 dialing "911." The billing insert shall additionally direct the  
24 subscriber to consult the telephone directory for similar information  
25 concerning the use of the telephone in emergency situations.

26 (c) Provide enhanced "911" service capable of selective routing,  
27 automatic number identification, and automatic location  
28 identification to all persons serviced by the local exchange carrier,  
29 including those persons using a telephone exchange service,  
30 competitive local exchange carrier, multiline telephone system,  
31 private branch exchange, key set system, Centrex, or similar  
32 system.

33 ~~SEC. 4. Section 2892 of the Public Utilities Code is amended~~  
34 ~~to read:~~

35 ~~2892. (a) A provider of commercial mobile radio service, as~~  
36 ~~defined in Section 216.8, shall provide access for end users of that~~  
37 ~~service to the local emergency telephone systems described in the~~  
38 ~~Warren-911-Emergency Assistance Act (Article 6 (commencing~~  
39 ~~with Section 53100) of Chapter 1 of Part 1 of Division 2 of Title~~  
40 ~~5 of the Government Code). "911" shall be the primary access~~

1 number for those emergency systems. A provider of commercial  
2 mobile radio service, in accordance with all applicable Federal  
3 Communication Commission orders, shall transmit all “911” calls  
4 from technologically compatible commercial mobile radio service  
5 communication devices without requiring user validation or any  
6 similar procedure. A provider of commercial mobile radio service  
7 may not charge any airtime, access, or similar usage charge for  
8 any “911” call placed from a commercial mobile radio service  
9 telecommunications device to a local emergency telephone system.

10 (b) A “911” call from a commercial mobile radio service  
11 telecommunications device may be routed to a public safety  
12 answering point other than the Department of the California  
13 Highway Patrol only if the alternate routing meets all of the  
14 following requirements:

15 (1) The “911” call originates from a location other than from a  
16 freeway, as defined in Section 23.5 of the Streets and Highways  
17 Code, under the jurisdiction of the Department of the California  
18 Highway Patrol.

19 (2) The alternate routing is economically and technologically  
20 feasible.

21 (3) The alternate routing will benefit public safety and reduce  
22 burdens on dispatchers for the Department of the California  
23 Highway Patrol.

24 (4) The Department of the California Highway Patrol, the  
25 Department of General Services, and the proposed alternate public  
26 safety answering point, in consultation with the wireless industry,  
27 providers of “911” selective routing service, and local law  
28 enforcement officials, determine that it is in the best interest of the  
29 public and will provide more effective emergency service to the  
30 public to route “911” calls that do not originate from a freeway,  
31 as defined in Section 23.5 of the Streets and Highways Code, under  
32 the jurisdiction of the Department of the California Highway Patrol  
33 to another public safety answering point.

34 (5) The Department of General Services and the Department of  
35 the California Highway Patrol shall transfer that portion of the  
36 moneys from the surcharge imposed pursuant to the Emergency  
37 Telephone Users Surcharge Act (Part 20 (commencing with Section  
38 41001) of Division 2 of the Revenue and Taxation Code) that  
39 represents the costs of handling the rerouted calls, to the public

1 ~~safety answering point to which the calls were rerouted pursuant~~  
2 ~~to this section.~~  
3 ~~SEC. 5.~~  
4 *SEC. 4.* No reimbursement is required by this act pursuant to  
5 Section 6 of Article XIII B of the California Constitution because  
6 the only costs that may be incurred by a local agency or school  
7 district will be incurred because this act creates a new crime or  
8 infraction, eliminates a crime or infraction, or changes the penalty  
9 for a crime or infraction, within the meaning of Section 17556 of  
10 the Government Code, or changes the definition of a crime within  
11 the meaning of Section 6 of Article XIII B of the California  
12 Constitution.