

AMENDED IN ASSEMBLY MAY 29, 2013

AMENDED IN ASSEMBLY MAY 8, 2013

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AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 911

Introduced by Assembly Member Bloom

February 22, 2013

An act to add Section 53121 to the Government Code, relating to telephone systems.

LEGISLATIVE COUNSEL'S DIGEST

AB 911, as amended, Bloom. Telephone systems: 911.

The Warren-911-Emergency Assistance Act requires every local public agency to establish and operate a telephone system that automatically connects a person dialing “911” to an established public safety answering point through normal telephone service facilities. Existing law prohibits the Public Safety Communications Division in the Department of Technology from delaying the implementation of the enhanced “911” emergency telephone system, as provided.

This bill would, commencing January 1, 2019, establish various requirements regarding 911 emergency call technology that would be applicable to multiline telephone systems (MLTS), ~~providers of shared voice communications services, as defined,~~ and businesses with MLTS. The bill would require an MLTS operator, as defined, in an area that has enhanced 911 capability to maintain and operate the MLTS, as specified, to ensure that each emergency call placed from any telephone

station on the MLTS is routed to a public safety answering point and provides either automatic location information or automation number identification to the 911 network that connects to the public safety answering point. The bill would provide exemptions for buildings or structures under 7,000 square feet of workspace or *MLTS operators in areas* where enhanced 911 service is not available. The bill would authorize the assessment of civil penalties against an entity that sells or leases an MLTS system in violation of these requirements.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) There are gaps in public safety protection and accurate caller
- 4 location information is vital for 911 emergency calls and the safety
- 5 of Californians. Problem calls originate from large hospitals, public
- 6 schools, large businesses, large chain stores, local government
- 7 offices, and assisted living facilities.
- 8 (b) Problems with the current 911 systems include: (1)
- 9 misrouting a call to an entirely wrong public safety answering
- 10 point (PSAP), sometimes in a different city or region; (2) delivery
- 11 of wrong or inaccurate caller location information to the proper
- 12 PSAP.
- 13 (c) Enhancements to the 911 system typically enable the caller's
- 14 telephone number and service address to be displayed to the PSAP.
- 15 As a result, when the caller is calling from a single-line telephone
- 16 or a multiline telephone system (MLTS) serving a compact area,
- 17 the address associated with the caller's telephone number can be
- 18 retrieved and usually provides a reasonably precise identification
- 19 of the caller's location.
- 20 (d) Public safety agencies increasingly rely on the enhanced
- 21 911 system to provide dependable and precise information about
- 22 the caller's location and a reliable number to call back in order to
- 23 reach the caller. However, in some cases 911 emergency calls
- 24 made from telephones connected to an MLTS may not be precisely
- 25 located by the 911 system, eliminating some of the benefits of
- 26 enhanced 911. This lack of adequate location information can be
- 27 life threatening if the caller cannot supply the correct location.

1 (e) Related problems occur when the caller is remote from the
2 location supplied to the 911 system. In this instance not only is
3 response delayed but limited public safety resources are dispatched
4 where they are not needed. There may also be considerable
5 disruption in business operations as the response units attempt to
6 locate the caller.

7 (f) This act will address the issue of MLTS regarding the
8 installation of equipment and software necessary to provide specific
9 location information for a 911 emergency call.

10 SEC. 2. Section 53121 is added to the Government Code, to
11 read:

12 53121. (a) A multiline telephone system (MLTS) operator
13 shall maintain and operate the MLTS in such a manner that a
14 telephone call made by dialing the digits "911" and, if applicable,
15 any additional digit that must be dialed in order to permit the user
16 to access the public-~~switch~~ *switched* telephone network from any
17 telephone on the MLTS is routed to a public safety answering point
18 (PSAP) and provides automatic location information or automatic
19 number identification to the 911 network that connects to the
20 PSAP.

21 (b) Enhanced 911 MLTS support service is deemed to be
22 available if all of the following features are operating:

23 (1) The PSAP can accept emergency location identification
24 number information from the MLTS using generally accepted
25 industry standard interfaces.

26 (2) The PSAP has customer premise equipment in place to
27 accept and store the emergency response-~~locations~~ *location*
28 information provided by the MLTS.

29 (3) The PSAP is equipped to utilize the emergency response
30 ~~locations~~ *location* information.

31 (c) For an MLTS serving business locations, the MLTS operator
32 shall *program the MLTS equipment to* deliver the 911 call with an
33 emergency location identification number which will result in
34 either of the following:

35 (1) An emergency response location which provides a minimum
36 of the building and floor location of the caller.

37 (2) An ability to direct response through an alternate and
38 adequate means of signaling by the establishments of a private
39 answering point.

1 (d) (1) An entity that ~~sells~~ *is the seller or lessor of* an MLTS
 2 system shall provide, at the time of sale *or lease*, to the purchaser
 3 *or lessee* and to each new user, either a demonstration of how to
 4 place an emergency call from a telephone station or provide written
 5 instructions at each telephone station ~~that informs an individual~~
 6 ~~how to place an emergency call from the telephone station~~ *on how*
 7 *to do so.*

8 (2) *An MLTS operator shall either provide each new user of the*
 9 *MLTS with a demonstration of how to place an emergency call*
 10 *from a telephone station or provide written instructions at each*
 11 *station on how to do so.*

12 (e) (1) Where applicable, an MLTS operator shall arrange to
 13 update the automatic location information database with
 14 appropriate master street address guide valid address and callback
 15 information for each MLTS telephone, such that the location
 16 information specifies the emergency response location of the caller.
 17 These updates shall be downloaded or made available to the
 18 automatic location information database provider as soon as
 19 practicable for new MLTS installation, or within one business day
 20 of the record of completion of the actual changes for previously
 21 installed systems. The information is subject to all federal and state
 22 privacy and confidentiality laws.

23 (2) The MLTS operator shall ~~audit review and verify the~~
 24 ~~accuracy of the number and location information contained in the~~
 25 ~~automatic location information database provided by the MLTS at~~
 26 ~~least once annually.~~

27 (f) An MLTS operator shall be considered to be in compliance
 28 with this section when the MLTS complies with ~~the enhanced 911~~
 29 ~~system generally accepted industry standards as adopted by the~~
 30 ~~applicable Federal Communications Commission rules and orders~~
 31 ~~regarding enhanced 911 systems.~~ ~~The telecommunication local~~
 32 ~~exchange carriers and Internet service providers are responsible~~
 33 ~~for providing interconnectivity through the use of generally~~
 34 ~~accepted industry standards.~~

35 (g) ~~Providers of shared voice communications services shall~~
 36 ~~ensure that the MLTS is connected to the public switch network~~
 37 ~~such that 911 calls from any telephone result in automatic location~~
 38 ~~information for each emergency response location.~~

39 (h)

1 (g) A business providing temporary structures or facilities,
2 regardless of size, with an MLTS shall permit the dialing of 911
3 and the MLTS operator shall ensure that the MLTS is connected
4 to the public switched telephone network. Where automatic
5 location information records are not provided for each individual
6 station, the MLTS operator of the temporary structure or facility
7 shall provide specific location information of the caller to the
8 PSAP.

9 ~~(i)~~

10 (h) (1) An MLTS operator, its employees, or its agents shall
11 not be liable to any person for damages incurred as the result of
12 any act or omission by it, except for gross negligence or intentional,
13 willful, or wanton misconduct, in connection with maintaining or
14 operating the MLTS in a manner required by this section.

15 (2) A *telecommunications* voice-~~communications~~ service
16 provider, its *affiliates, directors, officers,* employees, or agents
17 shall not be liable to any person for damages incurred as the result
18 of the release of information not in the public record, including,
19 but not limited to, unpublished or unlisted telephone numbers, to
20 a PSAP, its employees or agents, or to emergency responders,
21 made in connection with an emergency call.

22 ~~(j)~~

23 (i) An MLTS serving multiple buildings or structures with a
24 combined total workspace of 7,000 square feet or less shall not be
25 required to provide more than one emergency response location.
26 An MLTS serving a single building with 7,000 square feet of
27 workspace or less shall not be required to provide more than one
28 emergency response location. In the event of a dispute over the
29 total amount of square footage, the State Fire Marshal shall
30 determine whether the exemption applies to the building or
31 structures.

32 ~~(k)~~

33 (j) Key Telephone Systems, which serve only small workspace
34 areas, are not required to comply with this section. Other MLTS,
35 such as PBX or Hybrids (systems that incorporate the functionality
36 of both Key Telephone Systems and PBX), shall comply with this
37 section.

38 ~~(l)~~

39 (k) This section shall not apply to MLTS operators in areas
40 without enhanced 911 service.

1 ~~(m)~~
 2 (l) An entity that ~~sells~~ *is a seller or lessor of* an MLTS system
 3 in violation of this section after January 1, 2019, may be assessed
 4 a fine from five hundred dollars (\$500) to five thousand dollars
 5 (\$5,000) per system sold *or leased*.

6 ~~(n)~~
 7 (m) For purposes of this section, “MLTS operator” means the
 8 entity ~~responsible for ensuring that a 911 emergency call placed~~
 9 ~~from an MLTS is transmitted and received in accordance with this~~
 10 ~~section, regardless of the type of MLTS technology used to~~
 11 ~~generate the call. that purchases, leases, or otherwise contracts~~
 12 ~~for the entity’s use of the MLTS equipment.~~

13 ~~(o)~~
 14 (n) For purposes of this section, “~~shared voice communications~~
 15 ~~services” means providing telecommunications services and~~
 16 ~~equipment within a user group, including providing connections~~
 17 ~~to the facilities of a local exchange and to interexchange~~
 18 ~~telecommunications companies~~ “*emergency response location*”
 19 *means a location that provides, at a minimum, the location of the*
 20 *building and floor number of the caller to which a 911 emergency*
 21 *response team may be dispatched.*

22 ~~(p)~~
 23 (o) The provisions of this section shall become operative on
 24 January 1, 2019. In areas where enhanced 911 service first becomes
 25 available after January 1, 2019, MLTS providers shall have 12
 26 months from the date enhanced 911 service became available to
 27 comply with these provisions.

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