

AMENDED IN SENATE AUGUST 13, 2013
AMENDED IN SENATE JULY 10, 2013
AMENDED IN SENATE JUNE 25, 2013
AMENDED IN ASSEMBLY MAY 29, 2013
AMENDED IN ASSEMBLY MAY 8, 2013
AMENDED IN ASSEMBLY APRIL 24, 2013
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~~, *2016*, *would* establish various requirements regarding 911 emergency call technology that

would be applicable to operators of multiline telephone systems (MLTS). The bill would require an MLTS operator, as defined, to ~~maintain program, maintain,~~ and operate the MLTS, as specified, to ensure that each emergency call placed from any telephone ~~station~~ on the MLTS is routed to the appropriate public safety answering point *or private emergency answering point* and provides either automatic location ~~information or information,~~ automation number identification, *or emergency response location* to the ~~911 network that connects to the~~ public safety answering point *or private emergency answering point*. The bill would provide an exemption for a multiline telephone system serving a building or structure with less than 7,000 square feet of workspace. ~~The bill would authorize the assessment of civil penalties by the division against an MLTS operator or 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) Public safety is threatened when 911 calls placed to public
- 4 safety dispatchers from telephone systems serving multiple stations
- 5 in large buildings or complexes do not identify the precise location
- 6 of the caller.
- 7 (b) The enhanced 911 system widely deployed today enables a
- 8 caller’s telephone number and service address to be displayed to
- 9 the public safety dispatcher who receives the 911 call. Public safety
- 10 agencies increasingly rely on this enhanced 911 system to provide
- 11 dependable and precise information about a caller’s location and
- 12 a reliable number to call back in order to reach the person who
- 13 called for emergency assistance.
- 14 (c) Even with the enhanced 911 system, however, emergency
- 15 calls may not provide precise caller location when made from one
- 16 station of a multiline telephone system commonly used in large
- 17 hospitals, public schools, government offices, assisted living
- 18 facilities, businesses, and chain stores. This lack of precise location
- 19 information can be life threatening if the person making the
- 20 emergency call cannot supply the correct location to the dispatcher.

1 (d) Emergency calls from a large building or campus with a
2 multiline telephone system also can be routed to the wrong public
3 safety dispatch office, sometimes in a different city or region.

4 (e) These limitations of multiline telephone systems not only
5 delay emergency response time, but also cause limited public safety
6 resources to be dispatched where they are not needed and disrupt
7 business operations as response units attempt to locate the caller.

8 (f) This act will enhance public safety through requirements to
9 ensure that 911 emergency calls made from individual stations of
10 multiline telephone systems provide specific location information
11 of the caller.

12 SEC. 2. Section 53121 is added to the Government Code, to
13 read:

14 53121. (a) For purposes of this section, the following terms
15 have the following meanings:

16 (1) “Automatic location identification (ALI)” means the
17 automatic display at the PSAP of a caller’s telephone number,
18 address, or location of the telephone, and supplementary emergency
19 services information.

20 (2) “Automatic number identification (ANI)” means the
21 automatic display at the PSAP of the telephone number associated
22 with the access line from which a 911 call originates.

23 (3) “Centrex” means a business telephone service offered by
24 some local exchange carriers that provides PBX-type features over
25 access lines.

26 ~~(4) “Emergency location identification number (ELIN)” means
27 a valid North American numbering plan format telephone number
28 (assigned to the MLTS operator by the appropriate authority), that
29 is used to route the call to a PSAP and used to retrieve the ALI for
30 the PSAP. The ELIN may be the same number as the ANI. In some
31 cases, the number may not be a dialable number.~~

32 ~~(5)~~

33 (4) “Emergency response location (ERL)” means a location that
34 provides a minimum of the building and floor location of the caller
35 to which a 911 emergency response team may be dispatched.

36 ~~(6)~~

37 (5) “Master street address guide (MSAG)” means a database of
38 street names and house number ranges within their associated
39 communities defining emergency service zones and their associated
40 emergency service numbers to enable proper routing of 911 calls.

1 ~~(7)~~

2 (6) “Multiline telephone system (MLTS)” means a system
3 comprised of a common control unit or units, telephone sets, and
4 control hardware and software. This includes, but is not limited
5 to, ~~network and premises-based~~ *network- and premises-based*
6 systems, such as ~~Centrex and PBX, Hybrid, and Key Centrex,~~
7 *VoIP, PBX, and Hybrid Telephone Systems.*

8 ~~(8)~~

9 (7) “MLTS operator” means the entity that purchases, leases,
10 or otherwise contracts for the entity’s use of the MLTS and
11 therefore is responsible for ensuring that a 911 emergency call
12 placed from an MLTS is transmitted in accordance with this
13 section, regardless of the type of MLTS technology used to
14 generate the call. *“MLTS operator” does not include an entity that*
15 *only provides connection to a PTN.*

16 ~~(9)~~

17 (8) “Private emergency answering point (PEAP)” means an
18 answering point operated by nonpublic safety entities with
19 alternative and adequate means of signaling and directing a
20 response to emergencies.

21 ~~(10)~~

22 (9) “Private branch exchange (PBX)” means a private telephone
23 switch that is connected to the public switched telephone network
24 or successor network.

25 ~~(11)~~

26 ~~(10) “Public-switched telephone network-(PSTN)” (PTN)”~~
27 *means the public switched telephone network of equipment, lines,*
28 *and controls assembled to establish communication paths between*
29 *calling and called parties in North America and any successor*
30 *network that provides the ability to route or transmit a 911 call*
31 *to a PSAP.*

32 ~~(12)~~

33 (11) “Public safety answering point (PSAP)” means a facility
34 equipped and staffed to receive 911 calls.

35 ~~(13)~~

36 (12) “Workspace” means the physical building area where work
37 is normally performed. This is a net square footage measurement
38 that includes hallways, conference rooms, restrooms, and
39 breakrooms, but does not include wall thickness, shafts, heating,
40 ventilating, or air-conditioning equipment spaces, mechanical

1 electrical spaces, or similar areas where employees do not normally
2 perform work activities.

3 (b) (1) A multiline telephone system (MLTS) operator shall
4 ~~maintain program, maintain,~~ and operate the MLTS in such a
5 manner that a telephone call made by dialing the digits “911” and,
6 if applicable, any additional digit that must be dialed in order to
7 permit the user to access the ~~PSTN~~ PTN from any telephone on
8 the MLTS is routed to the appropriate PSAP and provides ~~ALI or~~
9 ~~ANI to the 911 network that connects to the PSAP.~~ PSAP or PEAP
10 and provides ANI, and either ALI or ERL, to the PSAP or PEAP.

11 (2) MLTS operators serving hotels, motels, or residential
12 customers in noncommercial buildings, such as apartments and
13 condominiums, shall ensure that the MLTS is connected to the
14 PTN, so that calls to 911 result in one distinctive ANI and one
15 distinctive ALI for each residential or living unit.

16 (3) MLTS operators serving shared business services to a
17 business or public entity shall ensure that the MLTS connects to
18 the PTN so that calls to 911 from a telephone result in one ALI
19 for each ERL of each entity sharing service.

20 (e) ~~An MLTS operator shall program the MLTS equipment to~~
21 ~~transmit with any 911 call the ELIN and emergency response~~
22 ~~location of the caller either directly to the PSAP or PEAP.~~

23 (d)

24 (c) (1) An entity that is the seller or lessor of an MLTS system
25 shall provide, at the time of sale or lease, to the purchaser or lessee
26 either a demonstration of, or written instructions as to, how to
27 place an emergency call from a telephone station.

28 (2) An MLTS operator shall provide each new user of the MLTS
29 with either a demonstration of, or written instructions at each
30 station as to, how to place an emergency call from a telephone
31 station.

32 (e)

33 (d) (1) An MLTS operator shall arrange to update the ALI
34 database, or a functionally equivalent database, with appropriate
35 MSAG or an appropriate equivalent valid address and callback
36 information for each MLTS telephone, such that the location
37 information specifies the emergency response location of the caller.
38 These updates shall be downloaded or made available to the
39 automatic location information database provider as soon as
40 practicable for a new MLTS installation, or within one business

1 day of the record of completion of the actual changes for previously
 2 installed systems. The information is subject to all *applicable*
 3 federal and state privacy and confidentiality laws.

4 (2) The MLTS operator shall review and verify the accuracy of
 5 the number and location information provided by the MLTS at
 6 least once annually.

7 ~~(f) Applicable Federal Communications Commission rules and~~
 8 ~~orders regarding enhanced 911 systems shall take precedence over~~
 9 ~~any provision contained in this section.~~

10 (e) *To the extent that any provision of this section conflicts with*
 11 *the requirements of federal law, the requirements of federal law*
 12 *shall prevail.*

13 ~~(g)~~

14 (f) The MLTS operator that provides ~~voice communication~~
 15 *MLTS* services to temporary structures or facilities, regardless of
 16 the size *of the temporary structure or facility*, shall ensure that the
 17 MLTS is connected to the ~~PSTN~~ *PTN*. Where automatic location
 18 information records are not provided for each individual station,
 19 the MLTS operator of the temporary structure or facility shall
 20 provide specific location information of the caller to the PSAP.

21 ~~(h)~~

22 (g) (1) An MLTS operator, service provider, its employees, or
 23 its agents shall not be liable to any person for damages incurred
 24 as the result of any act or omission by it, except for gross
 25 negligence or intentional, willful, or wanton misconduct, in
 26 connection with maintaining or operating the MLTS in a manner
 27 required by this section. *This section does not affect or modify the*
 28 *existing limitation of liability set forth in Section 1714.55 of the*
 29 *Civil Code.*

30 (2) ~~A voice local exchange carrier, VoIP service provider, or~~
 31 ~~IP service provider, or its affiliates, directors, officers, employees,~~
 32 ~~or agents shall not be liable to any person for damages incurred~~
 33 ~~as the result of the release of information not in the public record,~~
 34 ~~including, but not limited to, unpublished or unlisted telephone~~
 35 ~~numbers, to a PSAP, its employees or agents, or to emergency~~
 36 ~~responders, made in connection with an emergency call.~~

37 ~~(i) (1)~~

38 (h) This section shall not apply to an MLTS serving a building
 39 or multiple buildings or structures with a combined total workspace
 40 of 7,000 square feet or ~~less~~ *less*. In the event of a dispute, the

1 State Fire Marshal shall determine the square footage of a
2 workspace.

3 ~~(2) This exemption does not apply to temporary structures or~~
4 ~~facilities with MLTS.~~

5 ~~(j) An MLTS operator or an entity that is a seller or lessor of~~
6 ~~an MLTS system in violation of this section after January 1, 2019,~~
7 ~~may be assessed a civil fine from five hundred dollars (\$500) to~~
8 ~~five thousand dollars (\$5,000) per system sold or leased. The~~
9 ~~division shall be responsible for the enforcement of this~~
10 ~~subdivision.~~

11 ~~(k)~~

12 ~~(i) The provisions of this section shall become operative on~~
13 ~~January 1, 2019 2016. In areas where enhanced 911 service first~~
14 ~~becomes available after January 1, 2019 2016, MLTS providers~~
15 ~~shall have 12 months from the date enhanced 911 service became~~
16 ~~available to comply with these provisions.~~