

**Introduced by Senator Lieu**December 19, 2012

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An act to amend Sections 741, 742, and 742.3 of the Public Utilities Code, relating to telecommunications.

## LEGISLATIVE COUNSEL'S DIGEST

SB 50, as introduced, Lieu. Telecommunications: pay telephones.

(1) Existing law requires an owner or operator of a coin-activated telephone for public use, which is not a telephone corporation and which provides operator-assisted services by other than a telephone corporation tariffed to provide those services, to post on or near the telephone equipment certain information, as prescribed.

This bill would apply this provision to a credit or debit card-activated telephone.

(2) Existing law requires the Public Utilities Commission to adopt and enforce operating requirements, as prescribed, for coin-activated and credit card-activated telephones available for public use owned or operated by corporations or persons other than telephone corporations.

This bill would apply this provision to debit card-activated telephones.

(3) Existing law requires the Public Utilities Commission to adopt and enforce, as prescribed, an operating requirement for coin-activated and credit card-activated telephones available for public use, whether owned by telephone corporations or persons other than telephone corporations, that requires every telephone to display a notice that surcharges may apply to operator-assisted and calling card calls.

This bill would apply this provision to debit card-activated telephones.

(4) Because the provisions of this bill would be a part of the Public Utilities Act and because a violation of an order or decision of the Public Utilities Commission implementing its requirements would be a crime,

the bill would impose a state-mandated local program by creating a new crime.

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 741 of the Public Utilities Code is  
2 amended to read:

3 741. Every owner or operator of coin-activated *or credit or*  
4 *debit card-activated* telephones available for public use, other than  
5 a telephone corporation, which, as part of the service furnished,  
6 provides operator-assisted services by other than a telephone  
7 corporation having tariff schedules on file with the commission  
8 providing for the furnishing of operator-assisted services shall  
9 cause to be posted on or near the telephone equipment so as to be  
10 easily seen by telephone customers all of the following information:

11 (a) The name of the provider of operator-assisted services and  
12 a toll-free telephone number for contacting that provider.

13 (b) The applicable charges for each available operator-assisted  
14 service.

15 (c) That the provider of operator-assisted services will respond  
16 to inquiries concerning the terms and conditions of any available  
17 service.

18 SEC. 2. Section 742 of the Public Utilities Code is amended  
19 to read:

20 742. (a) The commission shall, by rule or order, adopt and  
21 enforce operating requirements for coin-activated ~~and~~ *or credit or*  
22 *debit* card-activated telephones available for public use owned or  
23 operated by corporations or persons other than telephone  
24 corporations. These requirements shall include, but are not limited  
25 to, all of the following:

26 (1) A requirement that the telephone corporation furnishing  
27 service to the corporation or person owning or operating a  
28 coin-activated or credit *or debit* card-activated telephone terminate

1 service for any violation of the commission's rules or orders or of  
2 this section, upon a determination by the commission that the  
3 violation was a significant or repeated violation. Any determination  
4 by the commission leading to a termination of service shall be  
5 made in accordance with commission rules or orders adopted  
6 pursuant to this subdivision.

7 (2) A requirement that every telephone permit a caller to be  
8 connected with the operator personnel of any telephone corporation  
9 authorized by the commission to operate within a service area by  
10 dialing the numeral "0" and with the emergency services  
11 switchboard reached by dialing the numerals "911" without  
12 insertion of any coin.

13 (3) A requirement that every telephone contain instructions for  
14 both local and long distance dialing, the name of the owner or  
15 operator of the telephone, and the telephone number of that owner  
16 or operator to which complaints can be made.

17 (4) A requirement that every telephone display its telephone  
18 number or other identification number, as determined by the  
19 commission, and the address at which the telephone is located, on  
20 the telephone in a place where that information may be seen by a  
21 person using the telephone.

22 (b) The commission shall require every telephone corporation  
23 which publishes a directory of subscribers to include in that  
24 directory information comprising the substance of this section and  
25 the rules and orders of the commission adopted pursuant to this  
26 section.

27 SEC. 3. Section 742.3 of the Public Utilities Code is amended  
28 to read:

29 742.3. The commission shall, by rule or order, adopt and  
30 enforce an operating requirement for coin-activated and credit *or*  
31 *debit* card-activated telephones available for public use, whether  
32 owned by telephone corporations or persons other than telephone  
33 corporations, which requires that every telephone display a notice  
34 that surcharges may apply to operator-assisted and calling card  
35 calls. The required signage shall be phased in over a period of two  
36 years beginning on January 1, 1993. A sticker with the necessary  
37 notification may be used as an interim measure until January 1,  
38 1995.

39 SEC. 4. No reimbursement is required by this act pursuant to  
40 Section 6 of Article XIII B of the California Constitution because

1 the only costs that may be incurred by a local agency or school  
2 district will be incurred because this act creates a new crime or  
3 infraction, eliminates a crime or infraction, or changes the penalty  
4 for a crime or infraction, within the meaning of Section 17556 of  
5 the Government Code, or changes the definition of a crime within  
6 the meaning of Section 6 of Article XIII B of the California  
7 Constitution.

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