

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2333 Session of
2005

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PICKETT, REICHLEY, SATHER, B. SMITH, E. Z. TAYLOR, THOMAS,
WILT, YOUNGBLOOD AND ZUG, DECEMBER 15, 2005

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, DECEMBER 15, 2005

AN ACT

1 Amending the act of July 9, 1990 (P.L.340, No.78), entitled "An
2 act providing for a Statewide emergency telephone number 911
3 system; providing for contributions from telephone
4 subscribers; providing a penalty; and making a repeal,"
5 further providing for definitions; and providing for
6 automatic location identification in multiline telephone
7 systems.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 2 of the act of July 9, 1990 (P.L.340,
11 No.78), known as the Public Safety Emergency Telephone Act,
12 amended December 30, 2003 (P.L.384, No.56), is amended to read:

13 Section 2. Definitions.

14 The following words and phrases when used in this act shall
15 have the meanings given to them in this section unless the
16 context clearly indicates otherwise:

17 "911 emergency communication system" or "911 system." A
18 system, including enhanced 911 service but excluding a wireless

1 E-911 system, which permits a person dialing 911 by telephone to
2 be connected to a public safety answering point, [via normal
3 telephone facilities,] for the reporting of police, fire,
4 medical or other emergency situations.

5 "Active prepaid wireless account." A prepaid wireless
6 account that has been used by the customer during the month to
7 complete a telephone call for which the customer's card or
8 account was reduced.

9 "Advisory committee." The wireless E-911 Emergency Services
10 Advisory Committee established in section 11.3.

11 "Agency." The Pennsylvania Emergency Management Agency.

12 "Associated with Pennsylvania."

13 (1) In the case of the mobile telephone number (MTN),
14 the geographical location associated with the first six
15 digits or NPA/NXX of the MTN; or

16 (2) in the case of a customer service address, the
17 physical location of the address.

18 "Automatic location information" or "ALI." The delivery or
19 receipt of the street address of the telephone or the geographic
20 location of the wireless device, as specified in the FCC E-911
21 Order, being used to place a call to a 911 system or to a
22 wireless E-911 system.

23 "Automatic number identification" or "ANI." The delivery or
24 receipt of the telephone number assigned to the telephone or
25 wireless device being used to place a call to a 911 system or to
26 a wireless E-911 system.

27 "Centrex system." A business telephone network switch
28 offered by some local exchange carriers that provides features
29 similar to a private branch exchange (PBX) by transmitting data
30 over telecommunication equipment or cable lines.

1 "Commission." The Pennsylvania Public Utility Commission.

2 "Competitive local exchange carrier." A local exchange
3 carrier that has been certificated as a competitive local
4 exchange carrier by the Pennsylvania Public Utility Commission.

5 "Contribution rate." A fee assessed against a telephone
6 subscriber for the nonrecurring costs, maintenance and operating
7 costs of a 911 system. Counties of the first through second
8 class A may impose a monthly contribution rate in an amount not
9 to exceed \$1 per line on each local exchange access line.

10 Counties of the third through fifth class may impose monthly
11 contribution rates in an amount not to exceed \$1.25 per line on
12 each local exchange access line. Counties of the sixth through
13 eighth class may impose a monthly contribution rate in an amount
14 not to exceed \$1.50 per line on each local exchange access line.

15 The contribution rate may be used by counties for the expenses
16 of implementing, expanding or upgrading a 911 system. Expenses
17 eligible for reimbursement through the contribution rate shall
18 include telephone terminal equipment, trunk line service
19 installation, network changes, building of initial data base and
20 any other nonrecurring costs to establish a 911 system. The
21 contribution rate may also be used to fund recurring costs
22 pursuant to section 8(b). Expenses not eligible for
23 reimbursement through the contribution rate shall include
24 purchase of real estate, cosmetic remodeling, central office
25 upgrades, hiring of dispatchers, ambulances, fire engines or
26 other emergency vehicles, utilities, taxes and other expenses as
27 determined by the Pennsylvania Emergency Management Agency.

28 "Council." The Pennsylvania Emergency Management Council.

29 "County." The term shall include a city of the first class
30 coterminous with a county.

1 "County plan." A document submitted by the county on a
2 triennial basis to the Pennsylvania Emergency Management Agency,
3 outlining its proposed and existing wireline and wireless 911
4 and enhanced 911 systems and procedures, including a
5 contribution rate, for the forthcoming three years.

6 "Emergency notification services." Services provided by
7 authorized agencies of Federal, State, county or local
8 governments, or by persons authorized by such governments, that
9 notify the public, using ANI/ALI data base information, of
10 emergencies declared by such governments.

11 "Emergency response location." A location to which a public
12 agency may be dispatched and which is specific enough for the
13 public agency to locate a caller anywhere within the public
14 agency.

15 "Emergency support services." Information or data base
16 management services provided by authorized agencies of Federal,
17 State, county or local governments, or by persons authorized by
18 such governments, that are used in support of PSAPs or emergency
19 notification services.

20 "Enhanced 911 service" or "E-911." Emergency telephone
21 service providing for automatic identification of caller
22 location and calling number.

23 "FCC E-911 Order." All orders issued by the Federal
24 Communications Commission pursuant to the proceeding entitled
25 "Revision of the Commission's Rules to Ensure Compatibility with
26 Enhanced 911 Emergency Calling Systems" (CC Docket No. 94-102)
27 codified at 47 CFR 20.18 (relating to 911 Service), any
28 successor proceeding and any other FCC order that affects the
29 provision of wireless E-911 service to wireless service
30 customers.

1 "Fund." The Wireless E-911 Emergency Services Fund
2 established in section 11.4.

3 "Interexchange carrier." A person that is authorized by the
4 Pennsylvania Public Utility Commission to provide long-distance
5 telecommunications service.

6 "Local exchange carrier." A person, including a competitive
7 local exchange carrier, that is authorized by the Pennsylvania
8 Public Utility Commission to provide local exchange
9 telecommunications service or exchange access.

10 "Local exchange telephone service." The provision of
11 telephonic message transmission within an exchange, as such is
12 defined and described in tariffs filed with and approved by the
13 commission.

14 "Mobile telephone number" or "MTN." The telephone number
15 assigned to a wireless telephone at the time of initial
16 activation.

17 "NPA-NXX." The first six digits of a ten-digit telephone
18 number, including a mobile telephone number, representing the
19 area code and exchange of the telephone number.

20 "Person." The term includes a corporation, a partnership, an
21 association, the Federal Government, the State government, a
22 political subdivision, a municipal or other local authority, as
23 well as a natural person.

24 "Prepaid wireless telephone service." A wireless telephone
25 service which is activated in advance by payment of a finite
26 dollar amount or for a finite set of minutes and which, unless
27 an additional finite dollar amount or finite set of minutes is
28 paid in advance, terminates either upon use by a customer and
29 delivery by the wireless carrier of an agreed-upon amount of
30 service corresponding to the total dollar amount paid in advance

1 or within a certain period of time following initial purchase or
2 activation.

3 "Private branch exchange" or "PBX." A private telephone
4 network switch that is connected to a publicly switched
5 telephone network.

6 "Public agency." The Commonwealth or a political
7 subdivision, public authority, municipal authority or any
8 organization located in whole or in part within this
9 Commonwealth which provides or has the authority to provide
10 firefighting, law enforcement, ambulance, emergency medical or
11 other emergency services.

12 "Public safety answering point" or "PSAP." The agency-
13 approved first point at which calls for emergency assistance
14 from individuals are answered, operated 24 hours a day.

15 "Public switched telephone network." The network of
16 equipment, lines and controls assembled to establish
17 communication paths between calling and called parties in North
18 America.

19 "Sufficient positive balance." A dollar amount greater than
20 or equal to the monthly wireless surcharge amount.

21 "Telephone station." Any telephone that can be assigned a
22 telephone number, an emergency response location, an automatic
23 number identification, an automatic location identification and
24 has the capability of requesting emergency service.

25 "Telephone subscriber." A person who contracts with a [local
26 exchange carrier within this Commonwealth for local exchange
27 telephone service,] either residential or commercial voice
28 service provider. When the same person has several telephone
29 dial tone access lines, each dial tone access line shall
30 constitute a separate subscription. For purposes of the

1 contribution rate, the term shall not include pay stations owned
2 or operated by a regulated public utility, or nonpublic
3 utilities as the term is used in 66 Pa.C.S. § 2913(b) (relating
4 to minimum service requirement).

5 "Vendor." A person other than a local exchange carrier or a
6 wireless provider who supplies 911 or wireless E-911 system
7 services or equipment.

8 "Wireless E-911 service." Service provided by a wireless
9 provider, pursuant to the FCC E-911 Order.

10 "Wireless E-911 State plan." A document to be prepared,
11 maintained and kept current by the Pennsylvania Emergency
12 Management Agency providing for all aspects of the development,
13 implementation, operation and maintenance of a Statewide
14 integrated wireless E-911 system, including the exclusive
15 authority to formulate technical standards and determine
16 permitted uses of and amounts disbursed from the Wireless E-911
17 Emergency Services Fund established by section 11.4(a).

18 "Wireless E-911 surcharge." A monthly fee assessed upon each
19 wireless service customer for each wireless two-way
20 communication device for which that customer is charged by a
21 wireless provider for wireless service.

22 "Wireless E-911 system." An E-911 system which permits
23 wireless service customers dialing 911 to be connected to a
24 public safety answering point for the reporting of police, fire,
25 medical or other emergency situations.

26 "Wireless provider." A person engaged in the business of
27 providing wireless service to end-use customers in this
28 Commonwealth, including resellers.

29 "Wireless service." Commercial mobile radio service as
30 defined under section 332(d) of the Communications Act of 1934

1 (47 U.S.C. § 332(d)) and which provides real-time, two-way voice
2 service that is interconnected with the public switched
3 telephone network.

4 "Wireless service customer." A person who is billed by a
5 wireless provider or who receives prepaid wireless telephone
6 service from a wireless provider for wireless service within
7 this Commonwealth.

8 Section 2. The act is amended by adding a section to read:

9 Section 9.1. Automatic location identification in multiline
10 telephone systems.

11 (a) Automatic number identification.--An owner or operator
12 of a multiline telephone system, installed after the effective
13 date of this section shall provide automatic number
14 identification for every telephone station to the 911 network
15 service provider.

16 (b) Automatic location identification.--An owner or operator
17 of a multiline telephone system, installed after the effective
18 date of this section shall provide the 911 ALI host database
19 provider accurate updates within 24 hours of all moves,
20 additions and changes of telephone numbers assigned to a
21 telephone station within the multiline telephone system. The
22 telephone automatic location identification information provided
23 shall include, but not be limited to, the following:

24 (1) Telephone number including area code.

25 (2) Name of owner/operator of multiline telephone
26 system.

27 (3) Complete address of the telephone station, which
28 must be supplied in a format that:

29 (i) Is mutually agreed upon by the MLTS owner or
30 operator and the E-911 ALI host database provider.

1 (ii) Conforms to generally accepted industry
2 standards.

3 (iii) Contains all data fields required to
4 successfully update the E-911 service provider's database
5 management system.

6 (4) Telephone station's two-character abbreviation.

7 (5) Location field that describes the physical location
8 of the telephone station in a format that complies with
9 generally accepted industry practices. Location information
10 shall be specific and include, but not be limited to, the
11 following details:

12 (i) Floor name or number.

13 (ii) Room name or number.

14 (iii) Building name or number.

15 (iv) Cubical name or number.

16 (v) Office name or number.

17 (c) Alternatives for owners or operators of multiline
18 systems.--

19 (1) An owner or operator of a multiline telephone system
20 installed prior to the effective date of this section may
21 elect to ensure that calls to 911 emergency communication
22 systems from any telephone station result in one of the
23 following:

24 (i) automatic location identification for each
25 respective emergency response location; or

26 (ii) a connection to a switchboard operator,
27 attendant or other designated on-site individual.

28 (d) Exemptions.--An owner or operator of a multiline
29 telephone system connected to the public switched telephone
30 network installed after the effective date of this section may

1 elect to ensure that calls to 911 emergency communication
2 systems from any telephone station provide only one emergency
3 response location, if one of the following circumstances is
4 satisfied:

5 (1) An employer's workspace is less than 40,000 square
6 feet and is located on a single floor and is on a single
7 contiguous property.

8 (2) An employer's workspace is less than 70,000 square
9 feet and is located on multiple floors and is on a single
10 contiguous property.

11 (3) An employer's workspace has a single public
12 entrance, occupies only a single floor of a facility and is
13 located on a single contiguous property.

14 Section 3. This shall take effect immediately.