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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1013 Session of  
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RAPP, SONNEY, TALLMAN AND VULAKOVICH, MARCH 14, 2011

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REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY  
PREPAREDNESS, MARCH 14, 2011

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AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania  
2 Consolidated Statutes, further providing for emergency  
3 telephone service.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Section 5302 of Title 35 of the Pennsylvania  
7 Consolidated Statutes, added November 23, 2010 (P.L.1181,  
8 No.118), is amended to read:

9 § 5302. Definitions.

10 The following words and phrases when used in this chapter  
11 shall have the meanings given to them in this section unless the  
12 context clearly indicates otherwise:

13 "911 emergency response team." The person or persons  
14 dispatched to render assistance in response to a 911 call.

15 "911 service provider." An entity providing one or more of  
16 the following 911 service elements: network, customer premises  
17 equipment or database service.

1 "911 system." A system, including enhanced 911 service but  
2 excluding a wireless E-911 system, which permits a person  
3 dialing 911 by telephone to be connected to a public safety  
4 answering point, via normal telephone facilities, for the  
5 reporting of police, fire, medical or other emergency  
6 situations.

7 "Advisory committee." The E-911 Emergency Services Advisory  
8 Committee.

9 "Agency." The Pennsylvania Emergency Management Agency.

10 "ALI." Automatic location information.

11 "ANI." Automatic number identification.

12 "Associated with Pennsylvania." The term shall mean:

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.

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

18 ["Automatic location information." The delivery or receipt  
19 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." The delivery or receipt  
24 of the telephone number assigned to the telephone or wireless  
25 device being used to place a call to a 911 system or to a  
26 wireless E-911 system.]

27 "Automatic location information." The delivery or receipt  
28 and automatic display at a PSAP of a 911 caller's telephone  
29 number, the address or location of the calling telephone and  
30 supplementary emergency services information of a location from

1 which the call originates.

2 "Automatic number identification." The delivery or receipt  
3 of the telephone number associated with the access line from  
4 which a call to a 911 system or to a wireless E-911 system  
5 originates.

6 "Call back number." A number used by a public safety  
7 answering point to recontact the location from which a 911 call  
8 was placed. This number may or may not be the number of the  
9 telephone station used to originate the 911 call.

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

14 "Commission." The Pennsylvania Public Utility Commission.

15 "Competitive local exchange carrier." A local exchange  
16 carrier that has been certificated as a competitive local  
17 exchange carrier by the Pennsylvania Public Utility Commission.

18 "Consumer." A person who purchases prepaid wireless  
19 telecommunications service or a prepaid wireless device in a  
20 retail transaction.

21 "Contribution rate." A fee assessed against a telephone  
22 subscriber for the nonrecurring costs, maintenance and operating  
23 costs of a 911 system.

24 "Council." The Pennsylvania Emergency Management Council.

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

27 "County plan." A document submitted by the county on a  
28 triennial basis to the Pennsylvania Emergency Management Agency  
29 outlining its proposed and existing wireline and wireless 911  
30 and E-911 systems and procedures, including a contribution rate,

1 for the forthcoming three years.

2 "E-911." Enhanced 911 service.

3 "ELIN." Emergency location identification number.

4 "Emergency location identification number." A valid North  
5 American Numbering Plan format telephone number assigned to a  
6 multiline telephone system operator by the appropriate authority  
7 which is used to route the call to a public safety answering  
8 point and is used to retrieve the automatic location information  
9 for the public safety answering point. The ELIN may be the same  
10 number as the automatic number identification. The North  
11 American Numbering Plan number may in some cases not be a  
12 dialable number.

13 "Emergency notification services." Services provided by  
14 authorized agencies of Federal, State, county or local  
15 governments, or by persons authorized by these governments, that  
16 notify the public, using ANI/ALI database information, of  
17 emergencies declared by these governments.

18 "Emergency response location." A location to which a 911  
19 emergency response team may be dispatched and which is specific  
20 enough to provide a reasonable opportunity for the emergency  
21 response team to quickly locate a caller anywhere within the  
22 location.

23 "Emergency support services." Information or database  
24 management services provided by authorized agencies of Federal,  
25 State, county or local governments, or by persons authorized by  
26 these governments, that are used in support of PSAPs or  
27 emergency notification services.

28 "Enhanced 911 service." [or "E-911."] Emergency telephone  
29 service providing for automatic identification of caller  
30 location and calling number.

1 "ERL." Emergency response location.

2 "FCC E-911 Order." All of the following:

3 (1) All orders issued by the Federal Communications  
4 Commission pursuant to the proceeding entitled "Revision of  
5 the Commission's Rules to Ensure Compatibility with Enhanced  
6 911 Emergency Calling Systems" (CC Docket No. 94-102)  
7 codified at 47 CFR § 20.18 (relating to 911 service) and any  
8 successor proceeding.

9 (2) Any Federal Communications Commission order that  
10 affects the provision of wireless E-911 service to wireless  
11 service customers.

12 "Fund." The Wireless E-911 Emergency Services Fund.

13 "Hybrid system." A system providing both manual and pooled  
14 access for outgoing calls. During installation, either pooled or  
15 manual access is selected.

16 "Interconnected Voice over Internet Protocol provider." A  
17 person engaged in the business of providing VoIP service to end-  
18 use customers in this Commonwealth, including resellers.

19 "Interconnected Voice over Internet Protocol service."

20 Service as defined by any of the following:

21 (1) All orders issued by the Federal Communications  
22 Commission pursuant to the proceeding entitled "IP-Enabled  
23 Services" (WC Docket No. 04-36; FCC 05-116), codified at 47  
24 CFR Part 9 (relating to interconnected Voice over Internet  
25 Protocol services), and any successor proceeding.

26 (2) Any Federal Communications Commission order that  
27 affects the provision of 911 service or E-911 service to VoIP  
28 service customers or further defines interconnected Voice  
29 over Internet Protocol service.

30 "Interconnected Voice over Internet Protocol service

1 customer." A person who is billed by an interconnected Voice  
2 over Internet Protocol provider, who is the end user of VoIP  
3 service and who has designated a primary place of use within  
4 this Commonwealth.

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

8 "Internet service provider." A person that provides Internet  
9 access to other persons.

10 "ISP." Internet service provider.

11 "Key telephone system." A type of multiline telephone system  
12 which provides shared access to several outside lines through  
13 buttons or keys, and which has identified access lines with  
14 direct line appearances or terminations on each telephone  
15 station.

16 "Local exchange carrier." A person, including a competitive  
17 local exchange carrier, that is authorized by the Pennsylvania  
18 Public Utility Commission to provide local exchange  
19 telecommunications service or exchange access.

20 "Local exchange telephone service." The provision of  
21 telephonic message transmission within an exchange, as defined  
22 and described in tariffs filed with and approved by the  
23 Pennsylvania Public Utility Commission.

24 "Local notification." A system capability where a call to  
25 911 from a multiline telephone system extension is directed  
26 through the 911 network to a public safety answering point and  
27 simultaneously notifies an attendant or other designee to  
28 identify the location of the telephone that has dialed 911.

29 "Master street address guide." A database of street names  
30 and house number ranges within the associated communities

1 defining emergency services zones and their associated emergency  
2 services numbers to enable proper routing of 911 calls.

3 "MLTS." Multiline telephone system.

4 "Mobile telephone number." [or "MTN."] The telephone number  
5 assigned to a wireless telephone at the time of initial  
6 activation.

7 "MSAG." Master street address guild.

8 "MTN." Mobile telephone number.

9 "Multiline telephone system." A multiline telephone system  
10 comprised of common control unit or units, telephone sets,  
11 control hardware and software and adjunct systems used to  
12 support the MLTS capabilities required under this chapter. The  
13 term includes network-based and premises-based systems,  
14 including, but not limited to, Centrex, VoIP, PBX, Hybrid and  
15 Key Telephone Systems as classified by the Federal  
16 Communications Commission under the requirements of 47 CFR Part  
17 68 (relating to connection of terminal equipment to the  
18 telephone network) and includes systems owned or leased by  
19 governmental agencies and nonprofit entities, as well as for-  
20 profit businesses.

21 "Multiline telephone system (MLTS) manager." The person  
22 authorized to implement a multiline telephone system, either  
23 through purchase or lease of an MLTS or the purchasing of MLTS  
24 services, as the means by which to make 911 calls.

25 "Multiline telephone system (MLTS) operator." The person  
26 responsible for ensuring that a 911 call placed from a multiline  
27 telephone system is transmitted and received in accordance with  
28 this chapter regardless of the MLTS technology used to generate  
29 the call. The MLTS operator may be the MLTS manager or a third  
30 party acting on behalf of the MLTS manager.

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

4 "PBX." Private branch exchange.

5 "Person." The term includes a corporation, a partnership, an  
6 association, the Federal Government, the State government, a  
7 political subdivision, a municipal or other local authority and  
8 a natural person.

9 "Prepaid wireless device." A wireless telephone that is  
10 purchased strictly for the purpose of initiating a prepaid  
11 calling service. The term does not include traditional wireless  
12 devices used for monthly calling plans.

13 "Prepaid wireless E-911 surcharge." The charge that is  
14 required to be collected by a seller from a consumer in the  
15 amount established under section 5311.4(b.1) (relating to  
16 Wireless E-911 Emergency Services Fund).

17 "Prepaid wireless provider." A person that provides prepaid  
18 wireless telecommunications service pursuant to a license issued  
19 by the Federal Communications Commission.

20 "Prepaid wireless telecommunications service." A wireless  
21 telecommunications service that meets all of the following:

22 (1) Allows a caller to dial 911 to access the 911  
23 system.

24 (2) Is paid for in advance and sold in predetermined  
25 units or dollars of which the number may or may not decline  
26 with use in a known amount.

27 "Primary place of use." The street address representative of  
28 where the customer's use of the VoIP service primarily occurs.  
29 For the purpose of VoIP 911 fees, primary place of use is the  
30 customer's registered location on the date the customer is



1 billed.

2 "Private 911 emergency answering point." An answering point  
3 operated by a nonpublic safety entity which provides functional  
4 alternative and adequate means of signaling and directing  
5 responses to emergencies as an adjunct to public safety  
6 responses, trains individuals intercepting calls for assistance  
7 in accordance with applicable local emergency telecommunications  
8 requirements and provides incident reporting to the public  
9 safety emergency response centers in accordance with State and  
10 local requirements.

11 "Private branch exchange." A private telephone network  
12 switch that is connected to a publicly switched telephone  
13 network.

14 "PSAP." A public safety answering point.

15 "Public agency." Any of the following:

16 (1) The Commonwealth.

17 (2) A political subdivision, public authority or  
18 municipal authority.

19 (3) An organization located in whole or in part within  
20 this Commonwealth which provides or has the authority to  
21 provide firefighting, law enforcement, ambulance, emergency  
22 medical or other emergency services.

23 "Public safety answering [point." The agency-approved first  
24 point at which calls for emergency assistance from individuals  
25 are answered and which is operated 24 hours a day.] point." A  
26 set of call takers authorized by a governing body and operating  
27 under common management which receives 911 calls and  
28 asynchronous event notifications for a defined geographic area  
29 and processes those calls and events according to a specified  
30 operational policy.

1 "Public switched telephone network." The network of  
2 equipment, lines and controls assembled to establish  
3 communication paths between calling and called parties in North  
4 America.

5 "Retail transaction." The purchase of prepaid wireless  
6 telecommunications service or a prepaid wireless device from a  
7 seller for any purpose other than resale.

8 "Seller." A person who sells prepaid wireless  
9 telecommunications service or a prepaid wireless device to  
10 another person.

11 "Shared residential MLTS service." The use of a multiline  
12 telephone system to provide service to residential facilities  
13 even if the service is not delineated for purposes of billing.  
14 For purposes of this definition, residential facilities shall be  
15 liberally construed to mean single family and multifamily  
16 facilities.

17 "Shared telecommunications services." The provision of  
18 telecommunications and information management services and  
19 equipment within a user group located in discrete private  
20 premises in building complexes, campuses or high-rise buildings  
21 by a commercial shared services provider or by a user  
22 association through privately owned customer premises equipment  
23 and associated data processing and information management  
24 services, including the provision of connections to the  
25 facilities of a local exchange carrier and to interexchange  
26 carriers.

27 "Telecommunications carrier." Any provider of  
28 telecommunications services as defined by the Telecommunications  
29 Act of 1996 (Public Law 104-104, 110 Stat. 56).

30 "Telephone station." Any telephone that can be assigned a

1 telephone number, an emergency response location, an automatic  
2 number identification and an automatic location identification,  
3 and that has the capability of requesting emergency service.

4 "Telephone subscriber." A person who contracts with [a local  
5 exchange carrier within this Commonwealth for residential or  
6 commercial local exchange telephone service] either a  
7 residential or a commercial voice telephone service provider. If  
8 the same person has several telephone dial tone access lines,  
9 each dial tone access line shall constitute a separate  
10 subscription. For purposes of the contribution rate, the term  
11 shall not include pay stations owned or operated by a regulated  
12 public utility, or nonpublic utilities as the term is used in 66  
13 Pa.C.S. § 2913(b) (relating to minimum service requirement).

14 "Temporary residence." A facility such as a dormitory,  
15 hotel, motel or health care or nursing home that provides  
16 temporary occupancy for transient residents and that is served  
17 by a multiline telephone system.

18 "Vendor." A person other than a local exchange carrier or a  
19 wireless provider who supplies 911 or wireless E-911 system  
20 services or equipment.

21 "VoIP provider." Interconnected Voice over Internet Protocol  
22 provider.

23 "VoIP service." Interconnected Voice over Internet Protocol  
24 service."

25 "VoIP service customer." An Interconnected Voice over  
26 Internet Protocol service customer.

27 "VoIP system." A system used to provide Voice over Internet  
28 Protocol service.

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

1 "Wireless E-911 State plan." A document to be prepared,  
2 maintained and kept current by the Pennsylvania Emergency  
3 Management Agency providing for all aspects of the development,  
4 implementation, operation and maintenance of a Statewide  
5 integrated wireless E-911 system, including the exclusive  
6 authority to formulate technical standards and determine  
7 permitted uses of and amounts disbursed from the Wireless E-911  
8 Emergency Services Fund.

9 "Wireless E-911 surcharge." A monthly fee assessed upon each  
10 wireless service customer, other than a prepaid wireless seller,  
11 provider or consumer, subject to the prepaid wireless E-911  
12 surcharge under section 5311.4(b.1) (relating to Wireless E-911  
13 Emergency Services Fund), for each wireless two-way  
14 communication device for which that customer is charged by a  
15 wireless provider for wireless service.

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

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

23 "Wireless service." Commercial mobile radio service as  
24 defined under section 332(d) of the Communications Act of 1934  
25 (48 Stat. 1604, 47 U.S.C. § 332(d)) which provides real-time,  
26 two-way voice service that is interconnected with the public  
27 switched telephone network.

28 "Wireless service customer." A person who is billed by a  
29 wireless provider or who receives prepaid wireless telephone  
30 service from a wireless provider for wireless service within

1 this Commonwealth.

2 "Workspace." The physical building area where work is  
3 normally performed. This is a net square footage measurement  
4 which includes hallways, conference rooms, restrooms and break  
5 rooms, but does not include wall thickness, shafts, heating  
6 equipment spaces, ventilating equipment spaces, air conditioning  
7 equipment spaces, mechanical spaces, electrical spaces or  
8 similar areas where employees do not normally have access.

9 Section 2. Title 35 is amended by adding sections to read:

10 § 5311.15. Shared residential MLTS service.

11 Operators of shared residential MLTS serving residential  
12 customers shall assure that the telecommunications system is  
13 connected to the public switched telephone network such that  
14 calls to 911 result in one distinctive ANI and ALI for each  
15 living unit.

16 § 5311.16. Business MLTS.

17 (a) General rule.--For an MLTS serving business locations,  
18 the MLTS operator shall deliver the 911 call with an ELIN which  
19 shall result in one of the following:

20 (1) An ERL which provides, at a minimum, the building  
21 and floor location of a caller.

22 (2) An ability to direct response through an alternative  
23 and adequate means of signaling by the establishment of a  
24 private 911 emergency answering point.

25 (b) Reasonable effort.--The MLTS manager must make a  
26 reasonable effort to assure that 911 callers are aware of the  
27 proper procedures for calling for emergency assistance.

28 (c) Exceptions.--Workspaces with less than 7,000 square feet  
29 on a single level, and located on a single contiguous property,  
30 are not required to provide more than one ERL, and key telephone

1 systems are not required to provide more than one ERL.

2 § 5311.17. Shared telecommunications services.

3 Providers of shared telecommunications services shall assure  
4 that the MLTS is connected to the public switched telephone  
5 network such that calls to 911 from any telephone result in ALI  
6 for each respective ERL of each entity sharing the  
7 telecommunications services.

8 § 5311.18. Temporary residence.

9 Businesses providing MLTS service to a temporary residence  
10 shall permit the dialing of 911, and the MLTS operator shall  
11 ensure that the MLTS is connected to the public switched  
12 telephone network. Where PBX or other private switch ALI records  
13 are not provided for each individual station, the MLTS operator  
14 of the temporary residence shall provide specific location  
15 information for the caller to the PSAP.

16 § 5311.19. Local notification.

17 In addition to any other requirement of this chapter,  
18 applicable to its type of MLTS service, an MLTS operator may  
19 also elect to implement local notification.

20 § 5311.20. ALI database maintenance.

21 Where applicable, MLTS operators must arrange to update the  
22 ALI database with an appropriate Master Street Address Guide  
23 valid address and callback information for each MLTS telephone,  
24 such that the location information specifies the ERL of the  
25 caller. These updates must be downloaded or otherwise made  
26 available to the ALI database provider as soon as practicable  
27 for a new MLTS installation, or within one business day of  
28 record completion of the actual changes for MLTS installed  
29 before the effective date of this section. The information is  
30 subject to all Federal and State privacy and confidentiality

1 laws. The MLTS operator shall audit accuracy of information  
2 contained in the ALI database at least once annually.

3 § 5311.21. Industry standards.

4 MLTS operators shall comply with E-911 generally accepted  
5 industry standards. Local exchange carriers and ISPs are  
6 responsible for providing 911 call interconnectivity through the  
7 use of generally accepted industry standards.

8 § 5311.22. Dialing instructions.

9 An MLTS operator may require a caller to dial a prefix,  
10 usually the digit 9, before dialing any outgoing call. The MLTS  
11 manager shall be required to take all reasonable efforts to  
12 assure that potential 911 callers are aware of the proper  
13 procedures for calling for emergency assistance. Dialing  
14 instruction requirements shall apply to all MLTS operators  
15 regardless of whether any other MLTS exemptions in this chapter  
16 apply.

17 § 5311.23. MLTS signaling.

18 An MLTS shall support 911 calling by using any generally  
19 accepted industry standard signaling protocol designed to  
20 produce an automatic display of caller information on the video  
21 terminal of the PSAP call taker unless the MLTS operator is  
22 exempt or a waiver has been granted.

23 § 5311.24. MLTS operator education.

24 Public agencies providing 911 educational programs are  
25 encouraged to develop a program to educate MLTS operators  
26 related to accessing 911 emergency telephone systems and  
27 coordinate adequate testing of the MLTS interface to the 911  
28 system.

29 § 5311.25. Limitation of liability.

30 No manufacturer or provider of MLTS, MLTS manager, MLTS

1 operator or 911 service provider shall be liable for any civil  
2 damages or penalties as a result of any act or omission, except  
3 willful or wanton misconduct, in connection with developing,  
4 adopting, operating or implementing any plan or system required  
5 by this chapter.

6 § 5311.26. Exemptions.

7 Facilities in areas without E-911 service that are authorized  
8 by law to offer alternative and adequate means of intercepting  
9 emergency calls shall provide training to individuals  
10 intercepting the calls in accordance with applicable local  
11 emergency telecommunications requirements. Such facilities,  
12 until they have E-911 service available to them, are otherwise  
13 exempt from the MLTS requirements in this chapter other than  
14 those in this section and in section 5311.22 (relating to  
15 dialing instructions).

16 § 5311.27. MLTS in areas without enhanced 911 service.

17 MLTS operators in areas without enhanced 911 service are  
18 exempt from the signaling and ALI database maintenance  
19 requirements of this chapter. Existing MLTS operators shall  
20 comply with these requirements within five years after E-911  
21 service becomes available in their area or immediately upon  
22 installation of a new MLTS after E-911 service becomes  
23 available. If E-911 service becomes available in an area more  
24 than five years after the effective date of this section, MLTS  
25 operators in that area shall comply with the signaling and ALI  
26 database maintenance requirements within 12 months of the date  
27 of E-911 service availability.

28 § 5311.28. Waiver provisions.

29 The agency may grant a waiver of any MLTS requirement in this  
30 chapter upon good cause shown. A local exchange carrier or ISP



1 is not authorized to enforce compliance with this chapter.  
2 Nothing in this section shall be construed to relieve employers  
3 of their obligations under Federal and State workplace  
4 occupational safety and health statutes and rules.

5 Section 3. The provisions of this act shall be implemented  
6 in accordance with the following:

7 (1) In areas where E-911 MLTS support service is  
8 available on the effective date of this section,  
9 implementation shall be completed within 180 days of the  
10 effective date of this section. E-911 support service is  
11 deemed to be available if:

12 (i) the PSAP can accept ELIN information from the  
13 MLTS using generally accepted industry standard  
14 interfaces;

15 (ii) facilities are in place to accept and store the  
16 ERL information provided by the MLTS operators; and

17 (iii) the PSAP is equipped to utilize the ERL  
18 information.

19 (2) In areas where MLTS is installed one year or more  
20 after the effective date of this section, implementation  
21 shall be completed upon installation.

22 (3) In all other cases, implementation shall be  
23 completed within seven years of the effective date of this  
24 section.

25 Section 4. This act shall take effect in 60 days.