

Senate Bill 1559

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SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes requirements for 9-1-1 telephone calls placed from multiline telephone system.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to 9-1-1 emergency communications; creating new provisions; amending ORS 403.105 and
3 403.135; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 403.105 is amended to read:

6 403.105. As used in ORS 305.823 and 403.105 to 403.250, unless the context requires otherwise:

7 (1) "Account" means the Emergency Communications Account.

8 (2) "Automatic location identification" means a component or capability of enhanced 9-1-1
9 telephone service that provides automatic display in the designated public safety answering
10 point of the telephone number from which the incoming 9-1-1 call originates, the address of
11 the telephone used to originate the incoming call and one or more specific building unit
12 identifiers.

13 (3) "Automatic number identification" means a component or capability of enhanced 9-1-1
14 telephone service that provides automatic display in the designated public safety answering
15 point of a telephone number associated with the access line from which an incoming 9-1-1
16 call originates.

17 (4) "Building unit identifier" means supplemental information about the specific location
18 from which a 9-1-1 call originates, including an identifying name, room number or other de-
19 scription of a floor, room or other portion of a building, that is useful in the delivery of
20 emergency services.

21 (5) "Call back number" means a telephone number used by a primary public safety an-
22 swering point to contact the location from which an incoming 9-1-1 call originates.

23 [(2)] (6) "Central office" means a utility that houses the switching and trunking equipment
24 serving telephones in a defined area.

25 [(3)] (7) "Department" means the Department of Revenue.

26 [(4)] (8) "Emergency call" means a telephone request that results from a situation in which
27 prompt service is essential to preserve human life or property.

28 [(5)] (9) "Enhanced 9-1-1 telephone service" means 9-1-1 telephone service consisting of a net-
29 work, database and on-premises equipment that provides automatic display *[of the incoming telephone*
30 *number and address in the designated public safety answering point at the time of receiving an in-*

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 *coming 9-1-1 call*] **in the designated public safety answering point of a telephone number and**
 2 **geographic information about the location of a telephone used to make an incoming 9-1-1 call**
 3 **when the call is received.**

4 [(6)] (10) “Exchange access services” means:

5 (a) Telephone exchange access lines or channels that provide local access by a subscriber in this
 6 state to the local telecommunications network to effect the transfer of information; and

7 (b) Unless a separate tariff rate is charged therefor, any facility or service provided in con-
 8 nection with the services described in paragraph (a) of this subsection.

9 [(7)] (11) “Governing body” means the board of county commissioners of a county, city council
 10 of a city, other governing body of a city or county, board of directors of a special district or a 9-1-1
 11 jurisdiction.

12 (12) **“Key telephone system” means a multiline telephone system designed to provide**
 13 **shared access to several outside lines through buttons or keys and typically offering identi-**
 14 **fied access lines with direct line appearance or termination on a given telephone set.**

15 [(8)] (13) “Local government” has the meaning given that term in ORS 190.710.

16 (14) **“Multiline telephone system” means a telephone system, including a network,**
 17 **premises-based, PBX, hybrid and key telephone system, that offers two or more customer**
 18 **lines and is composed of a common control unit, telephone instruments, control hardware**
 19 **and software and adjunct systems used to support capabilities of the system.**

20 [(9)] (15) “Provider” means a utility or other vendor or supplier of telecommunications service
 21 or equipment that provides telecommunications with access to the 9-1-1 emergency reporting system
 22 through local exchange service, cellular service or other wired or wireless means.

23 [(10)] (16) “Public or private safety agency” means any unit of state or local government, a
 24 special-purpose district or a private firm that provides or has authority to provide fire-fighting, po-
 25 lice, ambulance or emergency medical services.

26 [(11)] (17) “Public safety answering point” means a 24-hour communications facility established
 27 as an answering location for 9-1-1 calls originating within a given service area. A “primary public
 28 safety answering point” receives all calls directly from the public. A “secondary public safety an-
 29 swering point” only receives calls from a primary public safety answering point on a transfer or
 30 relay basis.

31 [(12)] (18) “Subscriber” means a person who has telecommunication access to the 9-1-1 emer-
 32 gency reporting system through local exchange service, cellular service or other wired or wireless
 33 means.

34 [(13)] (19) “TTY” means a telephone-typewriter used by an individual with a hearing or speech
 35 impairment to communicate with another device or individual.

36 [(14)] (20) “Utility” means a utility, as defined in ORS 759.005, a telecommunications carrier, as
 37 defined in ORS 133.721, a municipality or any provider of exchange access services.

38 [(15)] (21) “Vendor” means a person providing telephone customer premises equipment or
 39 equipment specific to the operation of enhanced 9-1-1 telephone service.

40 [(16)] (22) “9-1-1 emergency reporting system” means a telephone service that provides the users
 41 of a public telephone system the ability to reach a primary public safety answering point by calling
 42 9-1-1.

43 [(17)] (23) “9-1-1 jurisdiction” means:

44 (a) An entity created under ORS chapter 190;

45 (b) A county service district established under ORS chapter 451 to provide an emergency com-

1 munications system;

2 (c) An emergency communications district created under ORS 403.300 to 403.380; or

3 (d) A group of public or private safety agencies who have agreed in writing to jointly plan the
4 installation, maintenance, operation or improvement of a 9-1-1 emergency reporting system.

5 [(18)] (24) "9-1-1 service area" means the geographical area that contains the entire central of-
6 fice serving area from which the primary public safety answering point will have the capability to
7 answer calls placed to 9-1-1.

8 **SECTION 2.** ORS 403.135 is amended to read:

9 403.135. (1) Each telecommunications utility that provides exchange access service or radio
10 communications service and that provides automatic [*telephone*] number identification to public
11 safety answering points may not block the number of the calling party from being forwarded on 9-1-1
12 calls.

13 (2) Automatic [*telephone*] number identifications received by public safety answering points are
14 confidential and are not subject to public disclosure unless and until an official report is written
15 by the public or private safety agency and that agency does not withhold the telephone number
16 under ORS 192.410 to 192.505 or other state and federal laws. The official report of a public safety
17 answering point may not include nonpublished or nonlisted telephone numbers. The official report
18 of a public or private safety agency may not include nonpublished or nonlisted telephone numbers.
19 Nonpublished or nonlisted telephone numbers are not otherwise subject to public disclosure without
20 the permission of the subscriber.

21 (3) A telecommunications utility is not subject to an action for civil damages for providing in
22 good faith confidential or nonpublic information, including nonpublished and nonlisted subscriber
23 information, to emergency services providers who are responding to emergency calls placed to a
24 9-1-1 or an enhanced 9-1-1 emergency reporting system or notifying the public of an emergency. This
25 subsection does not compel a telecommunications utility to provide nonpublished and nonlisted
26 subscriber information directly to emergency services providers or law enforcement agencies prior
27 to placement of an emergency call to a 9-1-1 or an enhanced 9-1-1 emergency reporting system
28 without process of law. Subscriber information acquired by a 9-1-1 jurisdiction for the purpose of
29 enhancing a 9-1-1 emergency reporting system is not subject to public disclosure and may not be
30 used by other public agencies except:

31 (a) To respond to a 9-1-1 call; or

32 (b) To notify the public of an emergency by utilizing an automated telephone notification system
33 if a telecommunications utility has provided subscriber information to the 9-1-1 jurisdiction or
34 emergency services provider.

35 **SECTION 3.** Section 4 of this 2012 Act is added to and made a part of ORS 403.105 to
36 403.250.

37 **SECTION 4.** (1) As used in this section, "workspace":

38 (a) **Includes hallways, lobbies, conference rooms, restrooms, break rooms, elevators,**
39 **laboratories, warehouse space and other areas of a building in which employees or volunteers**
40 **perform work that are accessible on a regular basis by employees, volunteers or members**
41 **of the public; and**

42 (b) **Does not include wall thickness, shafts, heating or ventilation spaces, mechanical or**
43 **electrical spaces or other areas not accessible on a regular basis by employees or by the**
44 **public.**

45 (2) **The operator of a multiline telephone system installed at least 12 months after the**

1 effective date of this 2012 Act shall transmit to the appropriate primary public safety an-
 2 swering point automatic location identification that includes the building unit identifier for
 3 the specific location from which the 9-1-1 call originates.

4 (3) Notwithstanding subsection (2) of this section, a multiline telephone system is not
 5 required to provide more than one building unit identifier if the system is:

6 (a) A key telephone system; or

7 (b) Any other multiline telephone system that serves a workspace that is less than 10,000
 8 square feet on a single level and that is located on one tract, as defined in ORS 215.010.

9 (4) If the multiline telephone system requires a caller to dial a prefix before dialing an
 10 outgoing call, the manager of a multiline telephone system installed at least 12 months after
 11 the effective date of this 2012 Act shall make a diligent effort to ensure that users of the
 12 system are aware of the procedures for making an emergency call to a 9-1-1 or enhanced
 13 9-1-1 emergency reporting system.

14 (5) When applicable, the operator of a multiline telephone system installed at least 12
 15 months after the effective date of this 2012 Act shall:

16 (a) Arrange to update the automatic location identification database with a valid address
 17 and call back number, based on a master street address guide, for each telephone instrument
 18 in a multiline telephone system.

19 (b) Update the automatic location identification database, or otherwise make the valid
 20 address and call back number available to the database provider:

21 (A) For a newly installed multiline telephone system, as soon as practicable; or

22 (B) For an existing system, within one business day after completion of the actual
 23 changes.

24 (c) Audit, annually or more often, the accuracy of information in the database.

25 (6) An update to the automatic location identification database must:

26 (a) Match the direct inward dialing number's building unit identifier, to the extent that
 27 the operator of a multiline telephone system assigns the building unit identifier, to the au-
 28 tomatic location identification database record.

29 (b) Provide valid address and call back number information for the system.

30 (7) Without regard to the date of installation, if a multiline telephone system is capable
 31 of providing the accurate, detailed automatic location identification required by this section,
 32 the following persons are not liable for civil damages or penalties as a result of an act or
 33 omission, except willful or wanton misconduct, in connection with the development, adoption,
 34 operation or implementation of a database or the multiline telephone system:

35 (a) A provider of the multiline telephone system.

36 (b) A manufacturer of the multiline telephone system.

37 (c) A manager of the multiline telephone system.

38 (d) An operator of the multiline telephone system.

39 (e) A 9-1-1 jurisdiction.

40 **SECTION 5.** This 2012 Act being necessary for the immediate preservation of the public
 41 peace, health and safety, an emergency is declared to exist, and this 2012 Act takes effect
 42 on its passage.