

**Enrolled**  
**Senate Bill 598**

Sponsored by Senator OLSEN; Senators COURTNEY, THOMSEN, WHITSETT

CHAPTER .....

AN ACT

Relating to 9-1-1 emergency reporting system; creating new provisions; and amending ORS 403.105 and 403.135.

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

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

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

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

(2) **"Automatic location identification" means a component or capability of enhanced 9-1-1 telephone service that provides automatic display in the designated public safety answering point of geographic information about the location of the instrument used to originate an incoming 9-1-1 call.**

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

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

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

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

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

(8) **"Emergency response location identifier" means a component or capability of enhanced 9-1-1 telephone service that identifies a specific emergency response location.**

[(5)] (9) "Enhanced 9-1-1 telephone service" means 9-1-1 telephone service consisting of a network, database and on-premises equipment that provides automatic display *[of the incoming telephone number and address in the designated public safety answering point at the time of receiving an incoming 9-1-1 call.]* **in the designated public safety answering point of a telephone number and geographic information about the location of the instrument used to originate an incoming 9-1-1 call when the call is received.**

[(6)] (10) "Exchange access services" means:

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

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

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

(12) **"Key telephone system" means a type of multiline telephone system designed to provide exchange access services through shared exchange access lines or channels that typically appears to offer direct line termination on a particular instrument.**

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

(14) **"Multiline telephone system" means a communications system, including network, premises-based, PBX, hybrid and key telephone systems, that offers two or more telephone exchange access lines and consists of a common control unit, instruments, control hardware and software and adjunct systems installed at a subscriber's premises to support the 9-1-1 emergency reporting system.**

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

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

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

[(12)] (18) "Subscriber" means a person who has telecommunication access to the 9-1-1 emergency reporting system through local exchange service, cellular service or other wired or wireless means.

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

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

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

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

[(17)] (23) "9-1-1 jurisdiction" means:

(a) An entity created under ORS chapter 190;

(b) A county service district established under ORS chapter 451 to provide an emergency communications system;

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

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

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

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

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

(2) Automatic [*telephone*] number identifications received by public safety answering points are confidential and are not subject to public disclosure unless and until an official report is written

by the public or private safety agency and that agency does not withhold the telephone number under ORS 192.410 to 192.505 or other state and federal laws. The official report of a public safety answering point may not include nonpublished or nonlisted telephone numbers. The official report of a public or private safety agency may not include nonpublished or nonlisted telephone numbers. Nonpublished or nonlisted telephone numbers are not otherwise subject to public disclosure without the permission of the subscriber.

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

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

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

**SECTION 3. Section 4 of this 2013 Act is added to and made a part of ORS 403.105 to 403.250.**

**SECTION 4. (1) As used in this section, “workplace”:**

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

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

(2) **Except as provided in subsection (3) of this section the operator of a multiline telephone system installed at least 12 months after the effective date of this 2013 Act shall provide information so that the appropriate primary public safety answering point is able to query the automatic location identification database and obtain an emergency response location identifier that includes at least the street address and building name for the location from which a 9-1-1 call originates.**

(3) **Subsection (2) of this section does not apply to the operator of:**

(a) **A key telephone system;**

(b) **Any other multiline telephone system serving a workplace that compromises less than 10,000 square feet on a single level and is located on one tract, as defined in ORS 215.010, of land; and**

(c) **Wireless telecommunications services.**

(4) **If a multiline telephone system requires a caller to dial a prefix before dialing an outgoing call, the manager of the multiline telephone system installed at least 12 months after the effective date of this 2013 Act shall make a diligent effort to ensure that users of the system are aware of the procedures for making an emergency call to a 9-1-1 emergency reporting system.**

(5) **When applicable, the operator of a multiline telephone system installed at least 12 months after the effective date of this 2013 Act, shall arrange, as soon as practicable after installation of a new system or record completion of actual changes, to update the automatic location identification database with valid address information and a call-back number for the multiline telephone system from the appropriate master street address guide so that the**

emergency response location identifier specifies the emergency response location of the caller.

(6) An update to the automatic location identification database must match the direct inward dialing number automatic location identification database record indicator, to the extent that the operator of a multiline telephone system assigns the direct inward dialing number of the station or the emergency response location as the automatic location identification database record indicator.

(7) Without regard to the date of installation, the following persons are not liable for civil damages or penalties as a result of an act or omission, except willful or wanton misconduct, in connection with the development, adoption, operation or implementation of a database or the multiline telephone system:

- (a) A provider.
- (b) A manufacturer of the multiline telephone system.
- (c) A manager of the multiline telephone system.
- (d) An operator of the multiline telephone system.
- (e) A 9-1-1 jurisdiction.

**SECTION 5.** The amendments to ORS 403.105 and 403.135 by sections 1 and 2 of this 2013 Act apply to telecommunications services provided on or after the effective date of this 2013 Act.

Passed by Senate April 22, 2013

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 22, 2013

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Tina Kotek, Speaker of House

Received by Governor:

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Approved:

.....M,....., 2013

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

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Kate Brown, Secretary of State