

Article 8.
Emergency Calls on Multiline Telephone Systems.

§ 56-484.19. Definitions.

As used in this article:

"Alternative method of providing call location information" means a method of maintaining and operating a multiline telephone system that ensures that:

1. Emergency calls from a telephone station provide the PSAP with sufficient location identification information to ensure that emergency responders are dispatched to a location at the facility from which the emergency call was placed, from which location emergency responders will be able to ascertain the telephone station where the emergency call was placed (i) by being able to view all of the telephone stations in the area contiguous to the telephone station from which the emergency call was placed or (ii) by the activation of an alerting system at the facility, which activation is triggered by the placing of the emergency call, and which readily allows arriving emergency responders to determine the physical location of the telephone station from which the emergency call was placed. A light or alarm located near the telephone station is an example of such an alerting system;

2. Emergency calls from a telephone station, in addition to reaching a PSAP, connect to or otherwise notify a switchboard operator, attendant, or other designated on-site individual who is capable of giving the PSAP the location of the telephone station from which the emergency call was placed; or

3. Calls to the digits "9-1-1" from a telephone station connect to a private emergency answering point.

An alternative method of providing call location information shall also be deemed to be provided, as a result of the imputed ability of emergency responders to readily locate all telephone stations from which the emergency call could have been placed, when emergency calls provide calling party information corresponding to a contiguous area containing the telephone from which the emergency call was placed, of fewer than 7,000 square feet, located on one or more floors.

"Automatic location identification" or "ALI" means the automatic display at a PSAP of

information defining the emergency call location, which information shall identify the floor name or number, room name or number, building name or number, cubicle name or number, and office name or number, as applicable, or imparts other information that is sufficiently specific to provide the emergency responders with the ability to locate the telephone station from which the emergency call was placed.

"Automatic number identification" or "ANI" means the automatic display at a PSAP of a telephone number that a PSAP may use to call the telephone station from which the emergency call was placed.

"Calling party information" means information that is delivered by the MLTS provider to the PSAP that is used to provide the ANI and ALI function.

"Central office system" means a business telephone service offered by a provider of communications services that provides features similar to a private branch exchange by transmitting data over telecommunications equipment or cable lines.

"Emergency call" means a telephone call that enables the user to reach a PSAP by dialing the digits "9-1-1" and, if applicable, any additional digit or digits that must be dialed in order to permit the user to access the public switched telephone network.

"Emergency call location" means the location of the telephone station on an MLTS from which an emergency call is placed and to which a PSAP may dispatch emergency responders based upon ALI provided via the emergency call.

"Emergency responders" means fire services, law enforcement, emergency medical services, and other public services or agencies that may be dispatched by a PSAP in response to an emergency call.

"Enhanced 9-1-1 service" means a service consisting of telephone network features and PSAPs that (i) enables users of telephone systems to reach a PSAP by making an emergency call; (ii) automatically directs emergency calls to the appropriate PSAPs by selective routing based on the geographical location from which the emergency call originated; and (iii) provides the capability for ANI and ALI features.

"Facility" means real estate and improvements used principally for or as a (i) hotel as defined

in § 35.1-1, (ii) college or university dormitory, (iii) medical care facility as defined in § 32.1-102.1, (iv) group home or other residential facility licensed by the Department of Mental Health, Mental Retardation and Substance Abuse Services or Department of Social Services, (v) assisted living facility as defined in § 63.2-100, (vi) apartment complex or condominium where shared tenant telephone service is provided, (vii) commercial or government office building, (viii) manufacturing, processing, assembly, warehouse, or distribution establishment, or (ix) retail establishment.

"MLTS provider" means a person who operates a facility at which telephone service is provided, with or without compensation, through a multiline telephone system.

"MLTS service provider" means a person offering or operating third party services that combine communications services, private branch exchange or central office systems, and multiline telephone systems where such services are provided to an MLTS provider on a fee-for-service basis.

"Multiline telephone system" or "MLTS" means a telephone system, including network-based or premises-based systems, whether owned or leased by a public or private entity, operated in the Commonwealth, that serves a facility, has more than one telephone station, and is comprised of common control units, telephones, and control hardware and software that share a common interface to the public switched telephone network, whether by a private branch exchange or central office system, without regard to whether the system utilizes VoIP technology.

"Person" includes any individual, corporation, partnership, association, cooperative, limited liability company, trust, joint venture, government, political subdivision, or any other legal or commercial entity and any successor, representative, agent, agency, or instrumentality thereof.

"Portable VoIP services" includes any MLTS utilizing a VoIP service and providing an end user with the capability to use the service at a location independent of the original physical location of telephone stations on the MLTS.

"Private emergency answering point" means an answering point that is equipped and staffed during all hours that the facility is occupied to provide adequate means of responding to calls to the digits "9-1-1" from telephones on a multiline telephone system by reporting incidents to a PSAP in a manner that identifies the emergency response location from which the call to the answering point was placed.

"Public safety answering point" or "PSAP" means a communications operation operated by or on behalf of a governmental entity that is equipped and staffed on a 24-hour basis to receive and process telephone calls for emergency assistance from an individual by dialing, in addition to any digits required to obtain an outside line, the digits "9-1-1."

"Public switched telephone network" means the worldwide, interconnected networks of equipment, lines, and controls assembled to establish circuit-switched voice communication paths between calling and called parties.

"Retail establishment" means any establishment selling goods or services to the ultimate user or consumer of those goods or services, not for the purpose of resale, but for that user's or consumer's personal rather than business use.

"Telephone call" means the use of a telephone to initiate an ordinary voice transmission placed through the public switched telephone network.

"Telephone station" means a telephone on a multiline telephone system, from which a call may be placed to a PSAP by dialing, in addition to any digits required to access the public switched telephone network, the digits "9-1-1." However, in any medical care facility or licensed assisted living facility, "telephone station" includes any telephone on a multiline telephone system located in an administrative office, nursing station, lobby, waiting area, or other area accessible to the general public but does not include a telephone located in the room of a patient or resident.

"VoIP service" has the same meaning ascribed to it in § 56-484.12.

(2007, c. 427; 2008, c. 853.)

The 2008 amendments. - The 2008 amendment by c. 853, in the definition of "Alternative method of providing call location information," rewrote subdivision 1 and the concluding paragraph thereof; and inserted the definitions of "Calling party information," "MLTS service provider," and "Portable VoIP services."

Law review. - For 2007 annual survey article, "Health Care Law," see 42 U. Rich. L. Rev. 441 (2007).

§ 56-484.20. Charges for emergency calls.

The MLTS provider of any multiline telephone system shall maintain and operate the MLTS in such manner that an individual placing an emergency call from a telephone station on the MLTS is not charged for the call.

(2007, c. 427.)

§ 56-484.21. Instructions for emergency calling.

Commencing July 1, 2009, the MLTS provider of any multiline telephone system shall either (i) demonstrate or provide written instructions to each new user of the MLTS how to place an emergency call from a telephone station or (ii) provide written instructions at each telephone station that inform an individual how to place an emergency call from the telephone station. Written instructions provided to a new user or provided at a telephone station shall include the telephone station's street address and such additional information regarding the location of the telephone station that is sufficiently specific to permit an emergency responder with the information to locate the telephone station.

(2007, c. 427.)

§ 56-484.22. Access to PSAPs from telephone stations on MLTS.

Commencing July 1, 2009, the MLTS provider of any multiline telephone system shall maintain and operate the MLTS in such manner that a telephone call made by dialing the digits "9-1-1" and, if applicable, any additional digit or digits that must be dialed in order to permit the user to access the public switched telephone network, from any telephone on the MLTS is routed to a PSAP.

(2007, c. 427.)

§ 56-484.23. Provision of emergency call information.

A. The MLTS provider of any multiline telephone system that is acquired or installed on or after July 1, 2009, commencing on the date of its installation, shall maintain and operate the MLTS in a manner that ensures that each emergency call placed from any telephone station on the MLTS provides either (i) calling party information to the 9-1-1 network that connects to the PSAP or (ii) an alternative method of providing call location information.

B. Notwithstanding the requirements of subsection A, the MLTS provider of any multiline telephone system using portable VoIP services that is acquired or installed on or after July 1, 2009, commencing on the date of its installation, shall make all reasonable efforts to maintain and operate the MLTS in a manner that ensures that each emergency call placed from any telephone station on the MLTS provides either: (i) calling party information to the 9-1-1 network that connects to the PSAP or (ii) an alternative method of providing call location information.

C. The MLTS provider shall arrange to update the automatic location identification database with appropriate master street address guide, valid address and callback information corresponding to the calling party information for each telephone station. Such updates shall be provided as soon as practicable for new MLTS installations or within one business day of record completion of the actual changes for previously installed systems. When an MLTS provider obtains service through a MLTS service provider, the MLTS service provider shall be responsible for meeting this requirement.

(2007, c. 427; 2008, c. 853.)

The 2008 amendments. - The 2008 amendment by c. 853 designated the provisions of the section as subsection A, substituting "calling party information" for "ALI and ANI" in clause (i) thereof; and added subsections B and C.

Law review. - For 2007 annual survey article, "Health Care Law," see 42 U. Rich. L. Rev. 441 (2007).

§ 56-484.24. Liability.

A. An MLTS provider, its employees or agents shall not be liable to any person for damages incurred as a result of any act or omission by it, except gross negligence or intentional, willful or wanton misconduct, in connection with maintaining or operating the MLTS in a manner required by this article.

B. A telecommunications service provider, its employees or agents shall not be liable to any person for damages incurred as the result of the release of information not in the public record, including, but not limited to, unpublished or unlisted telephone numbers, to a PSAP, its employees or agents, or to emergency responders, made in connection with an emergency call.

(2007, c. 427.)

§ 56-484.25. Exemption for certain counties.

Notwithstanding any provision of this article to the contrary, the provisions of §§ 56-484.22 and 56-484.23 shall not apply with respect to any multiline telephone system located in a county that is not served by an enhanced 9-1-1 service system, until the later to occur of (i) 120 days after the date an enhanced 9-1-1 service system for the county commences operating or (ii) July 1, 2009.

(2007, c. 427.)