

House Research Act Summary

CHAPTER: 282

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TOPIC: Public safety

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Overview

Chapter 282 amends statutes governing the treatment of drivers' licenses for drivers who refuse a chemical test for intoxication and regulates the implementation of enhanced 911 service for multiline phone systems.

Previously, an officer dealing with a driver who refused to take a breath, blood, or urine test for intoxication was permitted to either take the driver's license or invalidate it, while issuing a temporary 7-day license. Section 1 of Chapter 282 eliminates this discretion, requiring the officer to invalidate the license, but leave it in the driver's possession.

Sections 2 through 11 of Chapter 282 require operators of multiline telephone systems serving institutions such as offices, universities, and hotels to provide enhanced 911 (E911) service or its equivalent to their customers. Most traditional "landline" telephones have this enhanced capability, which automatically transmits the caller's location to the emergency personnel answering the call. This feature allows emergency responders to quickly reach callers unable to speak or who do not know their location. However, it has been estimated that as few as 20 percent of large institutions with multiline telephone systems can provide responders with the caller's specific location (e.g., 8th floor, southwest corner).

This is a national problem. A December 2003 Federal Communications Commission order stated that

Section

“the lack of effective implementation of MLTS [multiline telephone systems] E911 could be an unacceptable gap in the emergency call system. . . . The delivery of accurate location and call-back information is vital for emergency response service to be effective and is clearly in the public interest.¹”

The Commission concluded, “[W]e expect that states will adopt rules requiring MLTS E911 implementation. . . . [W]e are prepared to act at the federal level should states fail to do so.”²

- 1 **Test refusal; driving privilege lost.** Requires an officer to invalidate the license of a driver who refuses to take a chemical test for intoxication, issue the driver a temporary 7-day license, and notify the commissioner of the Department of Public Safety of this action.
- 2 **Multistation or PBX system.** Requires a multistation telephone system operator to provide a callback number and an emergency response location for 911 calls.
- 3 **Definition: call back number.** Telephone number used by the 911 calltaker (“public safety answering point”) to recontact the location from which the 911 call is placed.
- 4 **Definition: emergency location identification number.** Telephone number assigned to a multiline telephone system operator that is used by the public safety answering point to retrieve the location from which the 911 call is placed.
- 5 **Definition: emergency response location.** Location to which a 911 response team is dispatched. The location must be specific enough to give the response team a reasonable opportunity to locate the caller.
- 6 **Definition: multiline telephone system.** Private telephone system sharing a common interface to the public switched telephone network, including network and premises-based systems and those owned or leased by government and nonprofit agencies.
- 7 **Definition: shared residential multiline telephone system.** Multiline system for residential facilities, including single-family, multifamily and extended care facilities and dormitories.
- 8 **Liability.** Relieves a multiline telephone system manufacturer, provider, or operator from liability for any civil damages or penalties for any action, except willful or wanton misconduct, connected to any 911 requirements in section 9.
- 9 **Multiline telephone system 911 requirements.**

Subd. 1. Multistation or PBX system. Requires an owner or operator of a new multistation or PBX multiline system purchased after December 31, 2004, to operate and maintain the system to provide a call back number and emergency response location.

Subd. 2. Multiline telephone system user dialing instructions. Requires the

¹ *In the Matter of Revision of the Commission’s Rules to Ensure Compatibility With Enhanced 911 Emergency Calling Systems*, CC Docket No. 94-102, December 1, 2003, Paragraph 50.

² *Ibid.*, Paragraph 53.

Section

system operator to instruct all new users how to call for emergency assistance.

Subd. 3. Shared residential multiline telephone system. After January 1, 2005, operators of a shared residential multiline telephone system must ensure that the system is connected to the public switched network and that 911 calls result in at least one distinctive automatic number identification (i.e., the caller's telephone number) and automatic location identification for each residential unit, unless the system:

- results in an automatic location identification on the call taker's screen for each emergency response location;
- directs emergency responders to the 911 caller's location through alternative means; or
- is connected to a switchboard operator or another individual on site.

Subd. 4. Hotel and motel multiline telephone system. Requires the system operator to allow 911 calls to be dialed and to ensure that the address and specific location of the caller is clearly identified.

Subd. 5. Business multiline telephone system. Requires the operator of such a system connected to the public switched telephone network and serving a single employer to ensure that 911 calls result in one of the three outcomes bulleted under subdivision 3.

If the system serves multiple business locations, the provider must ensure that 911 calls identify a specific location at each place of business. Only one emergency response location is required if the workspace is on a single contiguous property and:

- is less than 40,000 square feet in area and located on a single floor;
- is less than 7,000 square feet on multiple floors; or
- is a single public entrance, single floor facility.

Subd. 6. Schools. A multiline telephone system operated by a public or private educational institution, including dormitories, must ensure that 911 calls result in one of the three outcomes bulleted under subdivision 3.

Subd. 7. Exemptions. Multiline telephone systems with a single emergency response location or that use other methods of enhanced 911 support are exempt from all but subdivision 2 of this section. They are also exempt from section 403.07, subdivision 3, under which communities can require providers to submit a local database of current names, addresses, and telephone numbers to public safety answering points. (Few communities elect this option; most outsource this database

Section

function.) An operator may apply for an exemption from the requirements of this section to the chief officer of each public safety answering point serving that jurisdiction.

Subd. 8. Applicability. The requirements of subdivisions 4 through 6 apply to new multiline systems purchased after December 31, 2004. The requirements of subdivisions 2, 3, and 7 apply to all multiline telephone systems regardless of the date of purchase.

10 Appropriation. Designates a one-time \$3.475 million appropriation to the commissioner of public safety from the state government special revenue fund to be used for public safety answering points that have implemented 911 service or have committed to doing so by 2008.

11 Effective date. Sections 2 through 10 are effective the day following final enactment.