

HOUSE AMENDMENTS TO HOUSE BILL 2426

By COMMITTEE ON VETERANS AND EMERGENCY PREPAREDNESS

April 14

1 On page 1 of the printed bill, delete lines 18 through 30 and delete pages 2 through 5 and insert:
2 “**SECTION 2.** ORS 403.105, as amended by section 1, chapter 59, Oregon Laws 2014, is amended
3 to read:

4 “403.105. As used in ORS 305.823 and 403.105 to 403.250, unless the context requires otherwise:

5 “(1) ‘Account’ means the Emergency Communications Account.

6 “(2) ‘Automatic location identification’ means a component or capability of [*enhanced 9-1-1 tele-*
7 *phone service*] **the emergency communications system** that provides automatic display in the
8 designated public safety answering point of geographic information about the location of the in-
9 strument used to originate an incoming **emergency call** [*9-1-1 call*].

10 “(3) ‘Automatic number identification’ means a component or capability of [*enhanced 9-1-1 tele-*
11 *phone service*] **the emergency communications system** that provides automatic display in the
12 designated public safety answering point of a telephone number associated with the access line from
13 which an incoming [*9-1-1 call*] **emergency call** originates.

14 “(4) ‘Call-back number’ means a telephone number, **or other unique number or code assigned**
15 **to an instrument**, used by a primary public safety answering point to contact the [*location*] **in-**
16 **strument** from which an incoming **emergency call to 9-1-1** [*call*] originates.

17 “(5) ‘Central office’ means a utility that houses the switching and trunking equipment serving
18 telephones in a defined area.

19 “[*(6) ‘Department’ means the Department of Revenue.*]

20 “[*(7) (6) ‘Emergency call’ means a [telephone request that results from a situation]*] **request for**
21 **assistance using any device capable of direct communication to the emergency communi-**
22 **cations system** in which prompt service is essential to preserve human life or property.

23 “**(7) ‘Emergency communications system’ means the network, database, servers, other**
24 **equipment and services that provide the means to communicate with a primary public safety**
25 **answering point to request and provide assistance to preserve human life or property.**

26 “(8) ‘Emergency response location identifier’ means a component or capability of [*enhanced 9-1-1*
27 *telephone service*] **the emergency communications system** that identifies a specific emergency
28 response location.

29 “(9) ‘Enhanced 9-1-1 telephone service’ means 9-1-1 telephone service consisting of a network,
30 database and on-premises equipment that provides automatic display in the designated public safety
31 answering point of a telephone number and geographic information about the location of the in-
32 strument used to originate an incoming 9-1-1 call when the call is received.

33 “(10) ‘Exchange access services’ means:

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

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

3 “(11) ‘Governing body’ means the [*board of county commissioners of a county, city council of a*
4 *city, other governing body of a city or county, board of directors of a special*] **governing body of a**
5 **city, county, special** district or [*a*] 9-1-1 jurisdiction.

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

9 “(13) ‘Local government’ has the meaning given that term in ORS 190.710.

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

15 “(15) ‘Prepaid wireless telecommunications service’ means a telecommunications service that **is**
16 **sold in predetermined units or dollar amounts, must be paid for in advance and** provides the
17 [*right*] **purchaser with the ability** to use mobile wireless service as well as other
18 nontelecommunications services including content, ancillary services and the download of digital
19 products delivered electronically [*that must be paid for in advance, and that is sold in predetermined*
20 *units or dollars*].

21 “(16) ‘**Primary public safety answering point**’ means a **24-hour public safety answering**
22 **point that receives emergency calls directly from members of the public.**

23 “[*16*] (17) ‘Provider’ means a utility, or other vendor or supplier, [*of telecommunications*] **that**
24 **offers communications** service or equipment that provides [*telecommunications with access to the*
25 *9-1-1 emergency reporting system through local exchange service, cellular service or other wired or*
26 *wireless means*] **access to the emergency communications system.**

27 “[*17*] (18) ‘Public or private safety agency’ means any unit of state or local government, a
28 special-purpose district or a private firm that provides, or has authority to provide, fire-fighting,
29 police, ambulance or emergency medical services.

30 “[*18*] (19) ‘Public safety answering point’ means a [*24-hour*] communications facility established
31 as an answering location for [*9-1-1*] **emergency** calls originating within a [*given*] **9-1-1** service area.
32 [*A ‘primary public safety answering point’ receives all calls directly from the public. A ‘secondary*
33 *public safety answering point’ only receives calls from a primary public safety answering point on a*
34 *transfer or relay basis.*]

35 “(20) ‘**Secondary public safety answering point**’ means a **public safety answering point**
36 **that receives emergency calls from a primary public safety answering point on a transfer or**
37 **relay basis.**

38 “[*19*] (21) ‘Subscriber’ means a person [*who*] **that** has telecommunication access to [*the 9-1-1*
39 *emergency reporting*] **make an emergency call to the emergency communications** system through
40 local exchange service, cellular service or other wired or wireless means.

41 “[*20*] (22) ‘TTY’ means a telephone-typewriter used by an individual with a hearing or speech
42 impairment to communicate with another device or individual.

43 “[*21*] (23) ‘Utility’ means a **telecommunications** utility, as defined in ORS 759.005, a tele-
44 communications carrier, as defined in ORS 133.721, a municipality or any provider of exchange ac-
45 cess services.

1 “[(22) ‘Vendor’ means a person providing telephone customer premises equipment or equipment
2 specific to the operation of enhanced 9-1-1 telephone service.]

3 “[(23)] (24) ‘Wireless telecommunications service’ means commercial mobile radio service, as
4 defined in 47 C.F.R. 20.3.

5 “[(24)] (25) ‘9-1-1 emergency reporting system’ means a telephone service that provides the users
6 of a public telephone system the ability to reach a primary public safety answering point by calling
7 9-1-1.

8 “[(25)] (26) ‘9-1-1 jurisdiction’ means:

9 “(a) An entity created under ORS chapter 190 **to form a 9-1-1 jurisdiction;**

10 “(b) A county service district established under ORS chapter 451 to provide **emergency com-**
11 **munications services within the** [an] emergency communications system;

12 “(c) [An emergency] **A 9-1-1** communications district created under ORS 403.300 to 403.380; [or]

13 “(d) **A public or private safety agency; or**

14 “[(d)] (e) A group of public or private safety agencies [who] **that** have agreed in writing to
15 jointly plan the installation, maintenance, operation or improvement of [a 9-1-1 emergency reporting
16 system] **components of the emergency communications system that are within a 9-1-1 service**
17 **area.**

18 “[(26)] (27) ‘9-1-1 service area’ means the geographical area [that contains the entire central office
19 serving area from which the primary public safety answering point will have the capability to answer
20 calls placed to 9-1-1] **described in an approved 9-1-1 jurisdiction plan within which a 9-1-1 ju-**
21 **risdiction has the responsibility to answer emergency calls.**

22 “**SECTION 3.** ORS 403.105, as amended by sections 1 and 1a, chapter 59, Oregon Laws 2014, is
23 amended to read:

24 “403.105. As used in ORS 305.823 and 403.105 to 403.250, unless the context requires otherwise:

25 “(1) ‘Account’ means the Emergency Communications Account.

26 “(2) ‘Automatic location identification’ means a component or capability of [enhanced 9-1-1 tele-
27 phone service] **the emergency communications system** that provides automatic display in the
28 designated public safety answering point of geographic information about the location of the in-
29 strument used to originate an incoming **emergency call** [9-1-1 call].

30 “(3) ‘Automatic number identification’ means a component or capability of [enhanced 9-1-1 tele-
31 phone service] **the emergency communications system** that provides automatic display in the
32 designated public safety answering point of a telephone number associated with the access line from
33 which an incoming [9-1-1 call] **emergency call** originates.

34 “(4) ‘Call-back number’ means a telephone number, **or other unique number or code assigned**
35 **to an instrument,** used by a primary public safety answering point to contact the [location] in-
36 **strument** from which an incoming **emergency call** [9-1-1 call] originates.

37 “(5) ‘Central office’ means a utility that houses the switching and trunking equipment serving
38 telephones in a defined area.

39 “(6) ‘Consumer’ means a person that purchases prepaid wireless telecommunications service in
40 a retail transaction.

41 “[(7) ‘Department’ means the Department of Revenue.]

42 “[(8)] (7) ‘Emergency call’ means a [telephone request that results from a situation] **request for**
43 **assistance using any device capable of direct communication to the emergency communi-**
44 **cations system** in which prompt service is essential to preserve human life or property.

45 “(8) **‘Emergency communications system’ means the network, database, servers, other**

1 **equipment and services that provide the means to communicate with a primary public safety**
2 **answering point to request and provide assistance to preserve human life or property.**

3 “(9) ‘Emergency response location identifier’ means a component or capability of [*enhanced 9-1-1*
4 *telephone service*] **the emergency communications system** that identifies a specific emergency
5 response location.

6 “(10) ‘Enhanced 9-1-1 telephone service’ means 9-1-1 telephone service consisting of a network,
7 database and on-premises equipment that provides automatic display in the designated public safety
8 answering point of a telephone number and geographic information about the location of the in-
9 strument used to originate an incoming 9-1-1 call when the call is received.

10 “(11) ‘Exchange access services’ means:

11 “(a) Telephone exchange access lines or channels that provide [*local*] access by a consumer or
12 subscriber in this state to the local telecommunications network to effect the transfer of informa-
13 tion; and

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

16 “(12) ‘Governing body’ means the [*board of county commissioners of a county, city council of a*
17 *city, other governing body of a city or county, board of directors of a special*] **governing body of a**
18 **city, county, special** district or [*a*] 9-1-1 jurisdiction.

19 “(13) ‘Interconnected Voice over Internet Protocol service’ has the meaning given that term in
20 47 C.F.R. 9.3, as amended [*on July 9, 2009*] **and in effect on the effective date of this 2015 Act.**
21 [*The Department of Revenue may by rule adjust this definition to conform to subsequent amendments*
22 *to 47 C.F.R. 9.3.*]

23 “(14) ‘Key telephone system’ means a type of multiline telephone system designed to provide
24 exchange access services through shared exchange access lines or channels that typically appears
25 to offer direct line termination on a particular instrument.

26 “(15) ‘Local government’ has the meaning given that term in ORS 190.710.

27 “(16) ‘Multiline telephone system’ means a communications system, including network,
28 premises-based, PBX, hybrid and key telephone systems, that offers two or more telephone exchange
29 access lines and consists of a common control unit, instruments, control hardware and software and
30 adjunct systems installed at a subscriber’s premises to support the [*9-1-1 emergency reporting*]
31 **emergency communications** system.

32 “(17) ‘Prepaid wireless telecommunications service’ means a telecommunications service that **is**
33 **sold in predetermined units or dollar amounts, must be paid for in advance and** provides the
34 [*right*] **purchaser with the ability** to use mobile wireless service as well as other
35 nontelecommunications services including content, ancillary services and the download of digital
36 products delivered electronically [*that must be paid for in advance, and that is sold in predetermined*
37 *units or dollars*].

38 “(18) ‘**Primary public safety answering point**’ means a **24-hour public safety answering**
39 **point that receives emergency calls directly from members of the public.**

40 “[*18*] (19) ‘Provider’ means a utility, or other vendor or supplier, [*of telecommunications*] **that**
41 **offers communications** service or equipment that provides [*telecommunications with access to the*
42 *9-1-1 emergency reporting system through local exchange service, cellular service or other wired or*
43 *wireless means*] **access to the emergency communications system.**

44 “[*19*] (20) ‘Public or private safety agency’ means any unit of state or local government, a
45 special-purpose district or a private firm that provides, or has authority to provide, fire-fighting,

1 police, ambulance or emergency medical services.

2 “[~~(20)~~] **(21)** ‘Public safety answering point’ means a [~~24-hour~~] communications facility established
3 as an answering location for [~~9-1-1~~] **emergency** calls originating within a [~~given~~] **9-1-1** service area.
4 [A ‘*primary public safety answering point*’ receives all calls directly from the public. A ‘*secondary*
5 *public safety answering point*’ only receives calls from a primary public safety answering point on a
6 *transfer or relay basis.*]

7 “[~~(21)~~] **(22)** ‘Retail transaction’ means each individual purchase, associated with an individual
8 access number or capable of being associated with an individual access number, of prepaid wireless
9 telecommunications service from a seller for any purpose other than resale.

10 **“(23) ‘Secondary public safety answering point’ means a public safety answering point**
11 **that receives emergency calls from a primary public safety answering point on a transfer or**
12 **relay basis.**

13 “[~~(22)~~] **(24)** ‘Seller’ means a person that sells prepaid wireless telecommunications service or
14 access to prepaid wireless telecommunications service to a consumer.

15 “[~~(23)~~] **(25)** ‘Subscriber’ means a person, **other than a consumer**, that has telecommunication
16 access to [~~the 9-1-1 emergency reporting~~] **the emergency communications** system through local
17 exchange service, cellular service or other wired or wireless means. [~~‘Subscriber’ does not include~~
18 ~~a person that uses prepaid wireless telecommunications service.~~]

19 “[~~(24)~~] **(26)** ‘TTY’ means a telephone-typewriter used by an individual with a hearing or speech
20 impairment to communicate with another device or individual.

21 “[~~(25)~~] **(27)** ‘Utility’ means a **telecommunications** utility, as defined in ORS 759.005, a tele-
22 communications carrier, as defined in ORS 133.721, a municipality or any provider of exchange ac-
23 cess services.

24 “[~~(26)~~] *‘Vendor’ means a person providing telephone customer premises equipment or equipment*
25 *specific to the operation of enhanced 9-1-1 telephone service.*]

26 “[~~(27)~~] **(28)** ‘Wireless telecommunications service’ means commercial mobile radio service, as
27 defined in 47 C.F.R. 20.3.

28 “[~~(28)~~] **(29)** ‘9-1-1 emergency reporting system’ means a telephone service that provides the users
29 of a public telephone system the ability to reach a primary public safety answering point by calling
30 9-1-1.

31 “[~~(29)~~] **(30)** ‘9-1-1 jurisdiction’ means:

32 “(a) An entity created under ORS chapter 190 **to form a 9-1-1 jurisdiction;**

33 “(b) A county service district established under ORS chapter 451 to provide **emergency com-**
34 **munications services within the** [~~an~~] emergency communications system;

35 “(c) [~~An emergency~~] **A 9-1-1** communications district created under ORS 403.300 to 403.380; [~~or~~]

36 “**(d) A public or private safety agency; or**

37 “[~~d~~] **(e)** A group of public or private safety agencies [~~who~~] **that** have agreed in writing to
38 jointly plan the installation, maintenance, operation or improvement of [~~a 9-1-1 emergency reporting~~
39 ~~system~~] **components of the emergency communications system that are within a 9-1-1 service**
40 **area.**

41 “[~~(30)~~] **(31)** ‘9-1-1 service area’ means the geographical area [~~that contains the entire central office~~
42 ~~servicing area from which the primary public safety answering point will have the capability to answer~~
43 ~~calls placed to 9-1-1.~~] **described in an approved 9-1-1 jurisdiction plan within which a 9-1-1 ju-**
44 **risdiction has the responsibility to answer emergency calls.”.**

45 On page 6, delete lines 1 through 16.

1 On page 7, line 38, delete “and internationally”.

2 Delete lines 43 through 45 and delete page 8.

3 On page 9, delete lines 1 through 32 and insert:

4 **“SECTION 9.** ORS 403.120 is amended to read:

5 “403.120. (1) The Office of Emergency Management shall:

6 “(a) *[Adopt rules in accordance with ORS chapter 183 relating to the planning, administration and*

7 *funding of 9-1-1 emergency reporting systems established pursuant to ORS 403.115.]* **Except as oth-**

8 **erwise provided by law, adopt rules relating to the emergency communications system, as**

9 **deemed necessary by the office.**

10 “(b) *[Assist, at the request of a 9-1-1 jurisdiction, local government or governing body, in planning*

11 *9-1-1 emergency reporting systems or may, at the request of a 9-1-1 jurisdiction, act as an agent of the*

12 *9-1-1 jurisdiction for the purposes of purchasing and maintaining equipment and services]* **Plan, im-**

13 **plement, administer, operate and maintain the emergency communications system** required

14 to fulfill the requirements of ORS 403.115.

15 “(c) **At the request of a 9-1-1 jurisdiction, act as an agent of the 9-1-1 jurisdiction for the**

16 **purposes of purchasing and maintaining equipment and services required to conform to ap-**

17 **licable laws and rules adopted by the office.**

18 “[*(c)*] **(d)** Report biennially to the Legislative Assembly the progress made in implementing ORS

19 305.823 and 403.105 to 403.250.*[including in the report:]* **The report must include:**

20 “(A) Financial information concerning the revenues collected, distributed and expended by state

21 agencies and 9-1-1 jurisdictions for the purposes of complying with ORS 403.105 to 403.250; and

22 “(B) Account and subaccount balances.

23 “**(2) The office may enter into and administer contracts for goods and services related**

24 **to the emergency communications system.**

25 “[*(2)*] **(3)** The office may establish advisory committees and study groups to study and advise on:

26 “(a) The planning and administration of *[9-1-1 emergency reporting systems]* **public safety an-**

27 **swering points; and**

28 “[*(b)*] *Multijurisdictional 9-1-1 emergency reporting systems; and]*

29 “[*(c)*] **(b)** Issues impacting *[9-1-1 emergency reporting systems throughout the state]* **the emer-**

30 **gency communications system or individual public safety answering points.**

31 **“SECTION 10.** ORS 403.130 is amended to read:

32 “403.130. (1) **A 9-1-1 jurisdiction shall create and maintain a 9-1-1 jurisdiction plan for**

33 **emergency communications services provided within a 9-1-1 service area pursuant to ORS**

34 **403.105 to 403.250 and rules adopted by the Office of Emergency Management. The 9-1-1 ju-**

35 **risdiction shall submit the 9-1-1 jurisdiction plan to:**

36 “(a) **The office;**

37 “(b) **Public and private safety agencies within the 9-1-1 service area; and**

38 “(c) **Any other public or private entity within the 9-1-1 service area that may be affected.**

39 “**(2) The 9-1-1 jurisdiction plan must describe the capital and recurring costs to provide**

40 **the components of the emergency communications system within the 9-1-1 service area.**

41 “**(3) The office shall review the 9-1-1 jurisdiction plan for compliance with the require-**

42 **ments imposed under ORS 403.105 to 403.250 and rules adopted by the office, and if the plan**

43 **is:**

44 “(a) **In compliance, the office shall approve the plan.**

45 “(b) **Not in compliance, the office shall reject the plan.**

1 “(4) If the office rejects the 9-1-1 jurisdiction plan under subsection (3) of this section:

2 “(a) The 9-1-1 jurisdiction shall revise and resubmit the plan within 90 days after the date
3 the office rejects the plan; and

4 “(b) The office shall review the revised plan and either approve or reject the revised plan
5 within 90 days after the date the office receives the revised plan.

6 “[1] (5) Each 9-1-1 jurisdiction shall submit to the Office of Emergency Management in writing
7 within 30 days any change to *[the 9-1-1 emergency telephone system]* a **public safety answering point**
8 that alters the *[final plan or system description]* **approved 9-1-1 jurisdiction plan** on file with the
9 office. The changes may include, but are not limited to:

10 “(a) The address of the public safety answering point;

11 “(b) Telephone numbers used to satisfy requirements set forth in ORS 403.115;

12 “(c) Director changes;

13 “(d) Agencies served by the 9-1-1 jurisdiction; and

14 “(e) The method used to direct *[the 9-1-1]* **an emergency** call once received by the primary
15 public safety answering point.

16 “[2] (6) If an established 9-1-1 jurisdiction proposes to move *[its 9-1-1 emergency reporting sys-*
17 *tem from one]* a public safety answering point to another **location** or a governing body proposes to
18 establish a new 9-1-1 jurisdiction with a new primary public safety answering point, and if either
19 of these proposals will result in control of the *[9-1-1 emergency reporting system]* **9-1-1 service area**
20 by an agency or agencies other than *[as]* **the agency or agencies** identified in the *[final plan ap-*
21 *proved by the office under ORS 401.750 (1987 Replacement Part), section 7, chapter 743, Oregon Laws*
22 *1991, or the system description filed with the office under ORS 401.750 (5) (1987 Replacement Part)]*
23 **approved 9-1-1 jurisdiction plan filed with the office**, the 9-1-1 jurisdiction or governing body
24 shall submit a **revised 9-1-1 jurisdiction** plan setting forth *[these]* **the** changes to:

25 “(a) The Office of Emergency Management;

26 “(b) Public and private safety agencies in the 9-1-1 service area; and

27 “(c) *[Utilities which provide telephone service]* **Any other public or private entity** in the 9-1-1
28 service area **that may be affected**.

29 “[3] (7) In addition to meeting the requirements *[of ORS 403.115]* **imposed under ORS 403.105**
30 **to 403.250** and rules adopted pursuant to ORS 403.120, the revised *[final]* **9-1-1 jurisdiction** plan
31 must describe the capital and recurring costs for the proposed *[9-1-1 emergency reporting system]*
32 **components of the emergency communications system within the 9-1-1 service area**.

33 “[4] (8) The office shall review the revised *[final]* **9-1-1 jurisdiction** plan for compliance with
34 *[this section, ORS 403.115]* **the requirements imposed under ORS 403.105 to 403.250** and rules
35 adopted pursuant to ORS 403.120 and, if the office determines that the plan is in compliance, ap-
36 prove the plan.

37 “[5] (9) The office may not approve a revised *[final]* **9-1-1 jurisdiction** plan submitted under
38 **subsection (6) of** this section unless the **revised** plan is accompanied by written approval of the
39 governing bodies of all public and private safety agencies affected by or providing service in the
40 9-1-1 service area.”.

41 In line 40, restore the bracketed material and delete the boldfaced material.

42 On page 11, delete lines 25 through 27 and insert:

43 “**SECTION 14.** ORS 403.145 is amended to read:

44 “403.145. All public safety answering points must be capable of receiving *[9-1-1]* emergency calls
45 **through a TTY or other device capable of receiving an emergency call** from individuals with

1 hearing or speech impairments *[through a TTY]*.”.

2 On page 16, line 8, after “(h)” insert “An employee of a 9-1-1 jurisdiction”.

3 On page 17, delete lines 15 through 21 and insert:

4 “**SECTION 26.** ORS 403.300 is amended to read:

5 “403.300. As used in ORS 403.300 to 403.380, unless the context requires otherwise:

6 “(1) ‘District’ means a 9-1-1 communications district formed under ORS 403.300 to 403.380.

7 “(2) ‘District board’ or ‘board’ means the governing body of a district.

8 “[3] ‘9-1-1 emergency reporting system’ means a system established under ORS 403.115.]

9 “[4] (3) ‘9-1-1 jurisdiction’ has the meaning given that term *[by]* **in** ORS 403.105.

10 “[5] (4) ‘Public or private safety agency’ has the meaning given that term *[by]* **in** ORS
11 403.105.”.

12
