To ensure effective access to 9-1-1 emergency response services through Multi-Line Telephone Systems, to enhance public safety by ensuring that telephone systems can relay accurate location information for 9-1-1 callers in hotels, dormitories, businesses, and other places frequented by the public, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M___. ________________ introduced the following bill; which was referred to the Committee on Energy and Commerce.

A BILL

To ensure effective access to 9-1-1 emergency response services through Multi-Line Telephone Systems, to enhance public safety by ensuring that telephone systems can relay accurate location information for 9-1-1 callers in hotels, dormitories, businesses, and other places frequented by the public, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “9-1-1 Public Safety Access, Location, and Identification Act of 2014” or the “9-1-1 PS-ALI Act.”

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Section 1. Short Title; Table of Contents.
Section 2. Findings and Purpose
Section 3. Definitions.
Section 4. Preemption
Section 5. Requirements for MLTS Manufacturers and Service Providers
Section 6. Requirements for MLTS Managers
Section 7. Local Termination Prohibited—Exceptions
Section 8. Enforcement
Section 9. Limitation on Liability
SECTION 2. FINDINGS AND PURPOSE

(a) FINDINGS.—The Congress finds and declares that—

(1) Effective access to 9-1-1 service in businesses, dormitories, multi-tenant dwellings, hotels, and other temporary lodgings is essential to the safety of life and property throughout the United States.

(2) Consumers traveling for business or leisure often frequent hotels and other temporary lodgings served by Multi-Line Telephone Systems, and are generally unaware of system limitations that can prevent direct access to 9-1-1 or hinder the ability of responders to locate callers.

(3) Many employers operate Multi-Line Telephone Systems whose service footprint may extend across state lines and service multiple locations or campuses, and employees often do not realize that 9-1-1 calls from these facilities could be routed to the wrong Public Safety Answering Point, or intercepted before ever reaching authorized local response agencies.

(4) Maintaining a nationally-interconnected system of voice telephony is vital to the functioning of our economy.

(5) Multi-Line Telephone Systems are manufactured and sold in interstate commerce.

(6) Multi-Line Telephone systems, by virtue of their interconnection with the Public-Switched Telephone Network and other networks are necessarily amenable to use in interstate commerce, and are actually used in interstate commerce.

(7) Establishing requirements for the manufacture, importation, sale, installation, configuration, and maintenance of Multi-Line Telephone Systems and providing liability protection for manufacturers, service providers, and system managers is an appropriate subject for Federal legislation because—

(A) of the natural scope of the problems created by the manufacture, importation, and sale of unsafe Multi-Line Telephone Systems that cannot provide effective access to 9-1-1;

(B) of the natural scope of the problems created by the improper installation, configuration, or maintenance of Multi-Line Telephone Systems in unsafe manners;

(C) the citizens of the United States depend upon, and the Federal Government expends funds on, the Multi-Line Telephone Systems and associated services;
(D) a uniform means of access to emergency services facilitates the exercise and protection of citizens’ rights under the United States Constitution;

(E) it is in the interest of the Federal Government to encourage the continued availability of and effective access to a universal emergency telephone number because such availability and effective access saves lives, protects property, and promotes the healthy functioning of the national economy;

(F) imposing requirements and offering liability protection will promote the free flow of goods and services, lessen burdens on interstate commerce, and uphold constitutionally-protected due process rights;

(G) the imposition of these requirements and establishment of certain liability protections is an appropriate use of the powers contained in article I, section 8, clause 3 of the United States Constitution, and the fourteenth amendment to the United States Constitution.

(b) PURPOSE.—The purpose of this Act is to ensure effective access to 9-1-1 emergency response services through Multi-Line Telephone Systems, to enhance public safety by ensuring that telephone systems can relay accurate location information for 9-1-1 callers in hotels, dormitories, businesses, and other places frequented by the public, and to provide liability protection to manufacturers, service providers, and system owners who take required steps to ensure such access and enhancements.

SECTION 3. DEFINITIONS.

As used in this Act, the following definitions shall apply:

(a) AUTOMATIC LOCATION IDENTIFICATION (“ALI”).—The term “automatic location identification” means an automatic display at a Public Safety Answering Point of call-associated data including:

(1) telephone number of the calling party;

(2) address and location of the telephone from which the call was placed; and

(3) supplementary emergency services information about that location.

(b) AUTOMATIC NUMBER IDENTIFICATION (“ANI”).—The term “Automatic Number Identification” means a process for retrieving and displaying a routable and dialable North American Numbering Plan telephone number, associated with the access line or trunk from which a call originates, or the number that can be retrieved and displayed using
that process. ANI does not include user-configurable data such as
“Caller ID.”
(c) BUILDING UNIT IDENTIFIER (“BUI”).—The term “Building Unit
Identifier” means a room number or similar designation of a portion of
a structure or building.
(d) CALL BACK NUMBER.—The term “Call Back Number” means a
number, which may or may not be a direct-dial number for a station
used to originate a 9-1-1 call, used by a PSAP to re-contact a location
from which a 9-1-1 call was placed.
(e) COVERED MLTS.—The term “Covered MLTS” means a multi-line
telephone system or MLTS service manufactured, imported, offered for
first sale, or first sold more than two years after the date of enactment
of this Act.
(f) EMERGENCY LOCATION IDENTIFICATION NUMBER (“ELIN”).—The
term “Emergency Location Identification Number” means a valid, routable, and
dialable telephone number in North American Numbering Plan format, assigned to an MLTS operator by an appropriate au-
thority, that can be used to route a call to a PSAP and to retrieve the
ALI record for the location from which that call originates. For purposes
of this definition, an ELIN may be the same telephone number as a re-
lated station ANI.
(g) EMERGENCY RESPONSE LOCATION (“ERL”).—The term “Emer-
gency Response Location” means a location associated with one or more
ANIs established to provide a specific destination and search area for
field responders.
(h) GRANDFATHERED MLTS.—The term “Grandfathered MLTS
means an MLTS or MLTS service manufactured, imported, offered for
sale or use, and sold, installed, and used prior to the date of enactment
of this Act but which continues in use more than six years after the date
of enactment of this Act.
(i) INTERNET SERVICE PROVIDER (“ISP”).—The term “Internet Ser-
vice Provider” means a company that provides Internet access to other
companies or individuals.
(j) KEY TELEPHONE SYSTEM.—The term “Key Telephone System
means a type of MLTS designed to provide shared access to several out-
side lines through buttons, or keys, typically offering identified access
lines with direct line appearance or termination on a given telephone
set.
(k) LOCAL NOTIFICATION.—The term “Local Notification” means a
system capability whereby a call to 9-1-1 from an MLTS extension will
trigger a simultaneous notification to another station of the location of
the telephone that has dialed 9-1-1.

(l) LOCAL TERMINATION.—The term “Local Termination” means the
interception of 9-1-1 calls within an MLTS and their diversion to a sta-
tion, system, or alternative point of termination other than the Public
Safety Answering Point that would ordinarily handle a 9-1-1 call placed
by a telephone subscriber at each location from which a user can place
calls from a particular MLTS.

(m) MULTI-LINE TELEPHONE SYSTEM (“MLTS”). – The term “Multi-
line Telephone System” means a system comprised of common control
unit(s), telephone sets, control hardware and software, and adjunct sys-
tems which enables users to make and receive telephone calls using
shared resources such as telephone network trunks or data link band-
width. This term includes, but is not limited to: network-based and
premises-based systems such as Centrex service; premises-based,
hosted, and cloud-based VoIP; as well as PBX, Hybrid, and Key Tele-
phone Systems (as classified by the FCC under Part 68 of its current
rules or any successor rules); and

(n) MULTI-LINE TELEPHONE SYSTEM MANAGER.—The term “Multi-
line Telephone System Manager” means any entity that implements an
MLTS, either through purchase or lease of an MLTS or by contracting
for MLTS services such as Centrex, Hosted MLTS, Hosted VoIP, or sim-
ilar services.

(o) MASTER STREET ADDRESS GUIDE (“MSAG”).—The term “Master
Street Address Guide” means a database of street names and number
ranges within one or more communities defining Emergency Services
Zones (“ESZs”) and associating those ESZs with Emergency Services
Numbers (“ESNs”) to enable proper routing of 9-1-1 calls.

(p) ON-SITE NOTIFICATION.—The term “On-Site Notification” means
an MLTS feature that can automatically alert a designated emergency
station on the premises from which a 9-1-1 call is originated that 9-1-1
has been dialed from the MLTS and of the ERL of the station from
which a call that triggered the notification was originated, or of a more
granular BUI if that information was not included in the ALI record
associated with the ERL provisioned for the ELIN associated with the
call.

(q) PUBLIC SAFETY ANSWERING POINT (“PSAP”).—The term “Public
Safety Answering Point” means a system of hardware, software, tele-
communications or information-service connections, and call takers
that—
(1) are authorized by a governing body and operate under common management to receive 9-1-1 calls and asynchronous event notifications for a defined geographic area; and

(2) processes those calls and events according to a specified operational policy to enable and facilitate the provisioning of emergency response services such as law enforcement, fire service, and emergency medical service to consumers, businesses, properties, and other public agencies.

(r) SHARED RESIDENTIAL MLTS SERVICE.—The term “Shared Residential MLTS Service” means the use of one or more MLTS or MLTS service(s) to provide telephone service to residential facilities, including but not limited to single family and multi-family dwellings, even if the service is not individually billed.

(s) TEMPORARY RESIDENCE MLTS.—The term “Temporary Residence MLTS” means the use of MLTS or MLTS service to provide telephone service to occupants of temporary or transient dwellings, including but not limited to dormitories, hotels, motels, health care facilities, and nursing homes, or other similar facilities.

(t) TRANSITION PERIOD.—The term “Transition Period” means the period of time between the date of enactment of this Act and the date on which the terms of the Act become applicable to a particular MLTS.

(u) SHARED TELECOMMUNICATIONS SERVICES.—The term “Shared Telecommunications Services” means the provision of telecommunications and information management services and equipment within a user group located in discrete private premises in building complexes, campuses, or high-rise buildings, by a commercial shared services provider or by a user association, through privately owned customer premises equipment and associated data processing and information management services, and includes the provisioning of connections to the facilities of a local exchange carrier or an interexchange carrier.

(v) WORKSPACE.—The term “workspace” means the physical building area where work is normally performed, measured by net square footage, including offices; production, warehouse, and shop floors; storage areas; hallways; conference rooms; restrooms; break rooms; and other common areas. “Workspace” does not include wall thicknesses, shafts, heating/ventilating/air conditioning equipment spaces, mechanical/electrical spaces, or similar areas to which employees do not normally have access.

(w) 9-1-1 SERVICE PROVIDER.—The term “9-1-1 Service Provider” means an entity providing one or more of the following 9-1-1 service
system elements: network connectivity, PSAP customer premises equipment, or database management service.

SECTION 4. PREEMPTION
This Act preempts the laws of any State to the extent that such laws are inconsistent with this Act, except that this Act shall not preempt any state law that provides additional protection from liability for an MLTS manufacturer, MLTS service provider, or MLTS Manager who complies with the requirements of this Act.

SECTION 5. REQUIREMENTS FOR MLTS MANUFACTURERS AND SERVICE PROVIDERS
All Covered MLTS shall, at a minimum, provide feature support for each of the following mandatory capabilities:

(a) DIRECT ACCESS TO 9-1-1.—A Covered MLTS shall allow, as a default setting, any station equipped with dialing facilities to directly initiate a 9-1-1 call without requiring a user to dial any other, further, or additional digit, code, prefix, or post-fix, including trunk-access codes such as “9”. When a Covered MLTS is capable of being configured to require some additional act such as the dialing of a code, prefix, or trunk-access code prior to originating a call on the Public-Switched Telephone Network in normal operation, it must continue to recognize and handle, as required in this Act, all calls to 9-1-1, whether or not the code, prefix, or trunk-access code is dialed.

(b) LOCATION PROVISIONING.—A Covered MLTS shall provide adequate location determination capabilities to permit field responders such as law enforcement personnel, firefighters, and emergency medical technicians to locate, within a reasonable search area, the station from which a 9-1-1 call has been placed by supporting the assignment of a unique ELIN and ERL to each station equipped with dialing facilities, and by supporting any industry-standard signaling protocol designed to provide ANI and ALI information to an E9-1-1 or NG9-1-1 system.

(c) ON-SITE NOTIFICATION.—A Covered MLTS shall provide feature support for On-Site Notification.

(d) LOCAL TERMINATION RESTRICTION.—All Covered MLTS capable of being configured to divert 9-1-1 calls to an internal or external point of termination other than the local Public Safety Answering Point that would otherwise service a telephone subscriber at the location of any MLTS station that initiates a 9-1-1 call shall require, as mandatory precursor to activating such a function, that an MLTS Manager affirmatively acknowledge that the MLTS Manager understands the require-
ments of this Section, and that the MLTS Manager authorizing the ac-
tivation of that feature will be responsible for complying with those re-
quirements. The system shall log the date and time of such acknowledgments and the username or other unique identifier associated with the MLTS Manager who activated the feature and made the required acknowledgement and agreement, or that of such other user who did so on behalf of and with the authorization of the MLTS Manager.

SECTION 6. REQUIREMENTS FOR MLTS MANAGERS

Every person, government agency, or instrumentality of government shall ensure that all MLTS for which that person, agency, or instrumentality is an MLTS Manager meets each of the following requirements.

(a) DIRECT ACCESS TO 9-1-1.—In general, every MLTS shall be installed, configured, and maintained to provide direct access to 9-1-1.

(1) All Covered MLTS and Grandfathered MLTS must be installed, configured, and maintained, to provide direct access to 9-1-1 from all handsets and other stations equipped with dialing facilities without requiring a user to dial any other, further, or additional digit, code, prefix, or post-fix, including trunk-access codes such as “9”.

(2) During the Transition Period, an MLTS Manager responsible for an MLTS that is not installed, configured, or maintained to provide direct access to 9-1-1 shall give notice to all users or potential users of each MLTS for which the MLTS Manager is responsible by:

(A) notifying regular users such as employees of the limitations on 9-1-1 calling by requiring them, on an annual basis, to sign a document, written in a language they can read, that explains that direct access to 9-1-1 is not available from the MLTS;

(B) placing on each station a label that explains, in type of at least 14 points size, how 9-1-1 can be reached, and that conspicuously lists the complete dial-string required to reach 9-1-1 in red type of at least 36 points size; and

(C) notifying temporary occupants such as hotel guests of the limitations of the MLTS at check-in, and advising such occupants of the required procedure for dialing 9-1-1.

(b) GENERAL LOCATION PROVISIONING OBLIGATIONS.—All Covered MLTS and Grandfathered MLTS shall be installed, configured, and maintained to provide distinct ELINs and ERLs for each station, unless permitted to elect a lesser requirement by Subsection (c) or (d).

(c) SPECIAL LOCATION PROVISIONING OBLIGATIONS FOR COVERED MLTS.—Covered MLTS that meet the definition of one of the following
services may satisfy their location provisioning obligations by providing
the specified level of location data:

(1) Shared Residential MLTS shall provide a unique ELIN and
ERL for each living unit and common area served, and may meet
the requirements for Business MLTS with respect to stations in all
other areas.

(2) Temporary Residence MLTS may provide a unique ELIN and
ERL for each temporary residential unit served, and may meet the
requirements for Business MLTS with respect to stations in all
other areas.

(3) Business MLTS may provide at least one ERL for each floor
of each property served, and within each floor at least one additional
ERL for each whole 7,000 square feet of Workspace beyond the first,
plus one additional ERL for any remaining Workspace, if the MLTS
is configured to also provide Alternative Notification.

(d) SPECIAL LOCATION PROVISIONING OBLIGATIONS FOR GRANDFA-
THERED MLTS.—Grandfathered MLTS that meet the definition of one
of the following services may satisfy their location provisioning obliga-
tions by providing the specified level of location data:

(1) Shared Residential MLTS shall provide a unique ELIN and
ERL for each living unit served, but may meet the requirements for
Business MLTS with respect to stations in all other areas.

(2) Temporary Residence MLTS may provide either a unique
ELIN and ERL for each temporary residential unit (e.g., hotel or
dorm room), or facilities for automatically notifying a designated
station that is continuously staffed while the facility is occupied,
such as a guard post, front desk, or annunciator, that a 9-1-1 call
has been placed and of the Building Unit Identifier from which it
was placed.

(3) Business MLTS may provide at least one ERL for each floor
of each property served, and within each floor at least one additional
ERL for each whole 7,000 square feet of Workspace beyond the first,
plus one additional ERL for any remaining Workspace, or facilities
for automatically notifying a designated station that is continuously
staffed while the facility is occupied, such as a guard post, front
desk, or annunciator, that a 9-1-1 call has been placed and of the
Building Unit Identifier from which it was placed.

(4) Key Telephone Systems may provide one ERL per installed
line.

(e) LOCATION INFORMATION MAINTENANCE.—An MLTS Manager
shall validate all ERLs established for stations served by the MLTS
against the appropriate local MSAG, and shall provide that validated
data to each local ALI database administrator within seven days of first
establishing MLTS service and within one day of making changes to
any previously-installed system, or by installing, configuring, and/or
maintaining each Covered MLTS or Grandfathered MLTS in a jurisdic-
tion served by NG9-1-1 Service to transmit station-level location infor-
mation with each 9-1-1 call in accordance with applicable industry
standards.

(1) Exceptions for MLTS in Areas Without E9-1-1 OR NG9-1-1.—
For areas of the country in which neither Enhanced 9-1-1 service
nor NG9-1-1 service has been established, the database mainte-
nance requirements of this section shall be tolled, with respect to
stations in those areas only, as follows:

(A) Covered MLTS serving stations in areas with neither E9-
1-1 nor NG9-1-1 service shall meet the applicable database
maintenance requirements of this Section within six months
from the time E9-1-1 or NG9-1-1 service is established.

(B) Grandfathered MLTS serving stations in areas with nei-
ther E9-1-1 nor NG9-1-1 service shall meet the applicable data-
base maintenance requirements of this Section within six years
from the time such service is first established, if that time is less
than six years after the date of enactment of this Act.

(C) Grandfathered MLTS serving stations in areas with nei-
ther E9-1-1 service nor NG9-1-1 service shall meet the applica-
ble database maintenance requirements of this Section within
six months from the time such service is first established, if that
time is more than six years after the date of enactment of this
Act.

(2) Audit Requirement.—An MLTS Manager shall, no less than
once per year, verify the accuracy of all ALI data against the actual
physical location of each station served by an MLTS.

SECTION 7. LOCAL TERMINATION PROHIBITED—
EXCEPTIONS

Except as allowed below, an MLTS Manager shall not install, configure,
or maintain an MLTS to engage in Local Termination of 9-1-1 calls.

(a) WHEN PERMITTED.—An MLTS Manager may configure an
MLTS to locally terminate 9-1-1 calls if and only if all of the following
conditions obtain during periods in which the facility or facilities served
by an MLTS are occupied:

(1) The point of termination to which an MLTS is configured to
divert 9-1-1 calls is provisioned with redundant communications
links from the MLTS, dimensioned in accordance with telecommunications industry standards and best practices, to accommodate call volumes and call arrival patterns that can be reasonably anticipated on the basis of an historical traffic study or industry standards, if no historical data is available, for the facility or facilities served by the MLTS.

(2) The point of termination to which the MLTS is configured to divert 9-1-1 calls is staffed on a continuous basis with qualified personnel trained as public safety telecommunicators in accordance with or in excess of the training requirements of the local Public Safety Answering Point to which a 9-1-1 call would otherwise be delivered if not locally terminated.

(3) The point of termination to which the MLTS is configured to divert 9-1-1 calls is provisioned with a means of directly dispatching qualified emergency responders including duly authorized and sworn law enforcement personnel, firefighters, and EMS units trained and equipped in accordance with the prevailing standards of the community or communities within which the MLTS provides service to end users.

(4) The MLTS is configured to automatically re-route calls via the Public-Switched Telephone Network, using the dial-string “9-1-1”, to the local Public Safety Answering Point that would otherwise serve a station if it were operated by a local telephone subscriber in the event that a diverted call is not answered within 25 seconds or the point of termination cannot be reached due to network or system failure or overload.

SECTION 8. ENFORCEMENT

(a) PROHIBITION ON IMPORTATION OR SALE OF NONCOMPLIANT MLTS.—The Federal Trade Commission shall have the power to ban the importation or sale of MLTS which do not comply with the requirements of this Act.

(b) PROHIBITION ON ATTACHMENT OF NON-COMPLIANT TERMINAL EQUIPMENT.—The Federal Communications Commission shall have the power to prohibit the attachment of MLTS which do not comply with the requirements of this Act to the Public-Switched Telephone Network, or to any successor network over which voice telephone calls may be carried.

(c) ADMINISTRATIVE PROCEDURE.—In exercising the powers delegated by this Act, the Federal Trade Commission and the Federal Communications Commission shall proceed by informal rulemaking.
SECTION 9. LIMITATION ON LIABILITY

(a) LIABILITY PROTECTION FOR MLTS MANUFACTURERS, SERVICE PROVIDERS, AND MLTS MANAGERS.—No MLTS manufacturer, MLTS service provider, or MLTS Manager shall be liable for any harm arising from the use or attempted use of an MLTS to dial or connect a 9-1-1 call if—

1. the MLTS Manufacturer, MLTS service provider, or MLTS Manager complied with all applicable requirements of this Act by the required dates at the time the harm occurred;
2. if appropriate or required, the manufacturer, service provider, or MLTS Manager was properly licensed, certified, or authorized by the appropriate authorities for the activities or practice in the State in which the harm occurred;
3. the harm was not caused by willful or criminal misconduct or a conscious, flagrant indifference to the rights or safety of the individual harmed by the use or attempted use of an MLTS to dial or connect a 9-1-1 call.

(b) APPLICATION.—This Act applies to any claim in law or equity, whether sounding in contract, tort, products liability, or otherwise against an MLTS manufacturer, service provider, or MLTS Manager where that claim is filed on or after the effective date of this Act, but only if the harm that is the subject of the claim or the conduct that caused such harm occurred after such effective date.