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2 *A BILL to amend and reenact Code sections relating to the E-911 Services Board, more*  
3 *accurately reflecting the Board's responsibilities with respect to current and future systems and*  
4 *technologies.*

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9 \_\_\_\_\_  
10 **Be it enacted by the General Assembly of Virginia:**

11 **1. That § 56-484.12, § 56-484.13, § 56-484.14 and § 56-484.16 of the Code of Virginia are**  
12 **amended and reenacted as follows:**

13 **§ 56-484.12. Definitions.**

14 As used in this article, unless the context requires a different meaning:

15 "Automatic location identification" or "ALI" means a telecommunications network capability  
16 that enables the automatic display of information defining the geographical location of the  
17 telephone used to place a wireless Enhanced 9-1-1 call.

18 "Automatic number identification" or "ANI" means a telecommunications network capability  
19 that enables the automatic display of the telephone number used to place a wireless Enhanced 9-  
20 1-1 call.

21 "Board" means the E-911 Services Board created pursuant to this article.

22 "Chief Information Officer" or "CIO" means the Chief Information Officer appointed pursuant  
23 to § [2.2-2005](#).

24 "Coordinator" means the Virginia Public Safety Communications Systems Coordinator  
25 employed by the Division.

26 "CMRS" means mobile telecommunications service as defined in the federal Mobile  
27 Telecommunications Sourcing Act, 4 U.S.C. § 124, as amended.

28 "CMRS provider" means an entity authorized by the Federal Communications Commission to  
29 provide CMRS within the Commonwealth of Virginia.

30 "Division" means the Division of Public Safety Communications created in § [2.2-2031](#).

31 "*Emergency Services IP Network*" or *ESINet* means a broadband, packet switched network  
32 capable of carrying voice and data using Internet Protocols, engineered, managed, and intended  
33 to support public safety communications and 9-1-1 service.

34 "Enhanced 9-1-1 service" or "E-911" means a service consisting of telephone network features  
35 and PSAPs provided for users of telephone systems enabling such users to reach a PSAP by  
36 dialing the digits "9-1-1." Such service automatically directs 9-1-1 emergency telephone calls to  
37 the appropriate PSAPs by selective routing based on the geographical location from which the  
38 emergency call originated and provides the capability for ANI and ALI features.

39 "FCC order" means Federal Communications Commission Order 94-102 (61 Federal Register  
40 40348) and any other FCC order that affects the provision of E-911 service to CMRS customers.

41 "Local exchange carrier" means any public service company granted a certificate to furnish  
42 public utility service for the provision of local exchange telephone service pursuant to Chapter  
43 10.1 (§ [56-265.1](#) et seq.) of Title 56.

44 "Place of primary use" has the meaning as defined in the federal Mobile Telecommunications  
45 Sourcing Act, 4 U.S.C. § 124, as amended.

46 "Postpaid CMRS" means CMRS that is not prepaid CMRS, as defined in § [56-484.17:1](#).

47 "Public safety answering point" or "PSAP" means a facility (i) equipped and staffed on a 24-  
48 hour basis to receive and process E-911 calls or (ii) that intends to receive and process E-911  
49 calls and has notified CMRS providers in its jurisdiction of its intention to receive and process  
50 such calls.

51 "VoIP service" means interconnected voice over Internet protocol service as defined in the  
52 Code of Federal Regulations, Title 47, Part 9, section 9.3, as amended.

53 "Wireless E-911 CMRS costs" means all reasonable, direct recurring and nonrecurring capital  
54 costs and operating expenses incurred by CMRS providers in designing, upgrading, leasing,  
55 purchasing, programming, installing, testing, administering, delivering, or maintaining all  
56 necessary data, hardware, software and local exchange telephone service required to provide  
57 wireless E-911 service, which have been sworn to by an authorized agent of a CMRS provider.

58 "Wireless E-911 Fund" means a dedicated fund consisting of all moneys collected pursuant to  
59 the wireless E-911 surcharge, all prepaid wireless E-911 charges collected pursuant to § [56-  
60 484.17:1](#), and any additional funds otherwise allocated or donated to the Wireless E-911 Fund.

61 "Wireless E-911 service" means the E-911 service required to be provided by CMRS providers  
62 pursuant to the FCC order.

63 "Wireless E-911 surcharge" means a monthly fee of \$0.75 billed with respect to postpaid  
64 CMRS customers by each CMRS provider and CMRS reseller on each CMRS device capable of  
65 two-way interactive voice communication.

66 **§ 56-484.13. E-911 Services Board; membership; terms; compensation.**

67 A. ~~The Wireless E-911 Services Board is hereby continued as the E-911 Services Board,~~  
68 ~~formerly known as the Wireless E-911 Services Board, .The Board shall plan, promote and offer~~  
69 ~~assistance:~~

70 ~~1. In the statewide development, deployment, and maintenance of enhanced wireless~~  
71 ~~emergency telecommunications services and technologies; and~~

72 ~~2. In the development and deployment of enhanced wireline emergency~~  
73 ~~telecommunications services and technologies only in specific local jurisdictions that were not~~  
74 ~~wireline E-911 capable by July 1, 2000.~~

75 ~~The Board shall exercise the powers and duties conferred in this article.~~

76 B. The E-911 Services Board ~~shall:~~ ~~may promote and offer planning assistance:~~

77 ~~1. In the statewide development, deployment, and maintenance of VoIP E-911 and any~~  
78 ~~other future communications technologies accessing E-911 for emergency purposes;~~

79 ~~2. To the Virginia Information Technologies Agency (VITA), and other stakeholder~~  
80 ~~agencies, in the development and deployment of a statewide public safety network that will~~  
81 ~~support future E-911 and other public safety applications; and~~

82 ~~3. However, the Board shall seek funding from sources other than CMRS providers or~~  
83 ~~customers of CMRS to support efforts that exceed the scope of wireless E-911 service.~~

84 1. *Support and assist PSAPs in the provision of E-911 operations and services, including*  
85 *through provision of funding and development of best practices;*

86 2. *Plan, promote, and assist in the statewide development, deployment, and maintenance*  
87 *of an Emergency Services IP network to support future E-911 and other public safety*  
88 *applications; and*

89 3. *Consult and coordinate with PSAPs, state and local public bodies in Virginia, public*  
90 *bodies in other states, CMRS providers, and others as needed in the exercise of the Board's*  
91 *powers and duties.*

92 C. The Board shall consist of 15 members as follows: the Director of the Virginia  
93 Department of Emergency Management, who shall serve as chairman of the Board; the  
94 Comptroller, who shall serve as the treasurer of the Board; the Chief Information Officer; and the  
95 following 12 members to be appointed by the Governor: one member representing the Virginia  
96 State Police, one member representing a local exchange carrier providing E-911 service in  
97 Virginia, two members representing wireless service providers authorized to do business in  
98 Virginia, three county, city or town PSAP directors or managers representing diverse regions of  
99 Virginia, one Virginia sheriff, one chief of police, one fire chief, one emergency medical services  
100 manager, and one finance officer of a county, city, or town.

101 D. The Commonwealth Interoperability Coordinator shall serve as an advisor to the Board in  
102 the exercise of the powers and duties conferred in this article so as to ensure, among other  
103 matters, that enhanced wireless emergency telecommunications services and technologies are  
104 compliant with the statewide interoperability strategic plan.

105 E. All members appointed by the Governor shall serve five-year terms. The CIO and the  
106 Comptroller shall serve terms coincident with their terms of office. No gubernatorial appointee  
107 shall serve more than two consecutive terms.

108 F. A majority of the Board shall constitute a quorum. The Board shall meet at least quarterly  
109 or at the call of its chairman.

110 G. Members of the Board shall serve without compensation; however, members of the Board  
111 shall be reimbursed for expenses as provided in §§ 2.2-2813 through 2.2-2826.

112 H. The Division shall provide staff support to the Board. The Geographic Information  
113 Network Division created in § 2.2-2026 and the Virginia Department of Transportation shall  
114 provide such technical advice as the Board requires.

115 **§ 56-484.14. Powers and duties of E-911 Services Board.**

116 The E-911 Services Board shall have the power and duty to:

- 117 1. Make and enter into all contracts and agreements necessary or incidental to the performance of  
118 its duties and the execution of its powers, including purchase agreements payable from (i) the  
119 Wireless E-911 Fund and (ii) other moneys appropriated for the provision of enhanced 9-1-1  
120 services.
- 121 2. Pursue all legal remedies to enforce any provision of this article, or any contract entered into  
122 pursuant to this article.
- 123 3. Develop a comprehensive, statewide enhanced 9-1-1 plan for wireless E-911, VoIP E-911, and  
124 any other future communications technologies accessing E-911 for emergency purposes. In  
125 constructing and periodically updating this plan as appropriate, the Board shall monitor trends  
126 and advances in enhanced wireless, VoIP, and other emergency telecommunications  
127 technologies, plan and forecast future needs for these enhanced technologies, and formulate  
128 strategies for the efficient and effective delivery of enhanced 9-1-1 services in the future with the  
129 exclusion of traditional circuit-switched wireline 9-1-1 service.
- 130 4. Grant such extensions of time for compliance with the provisions of § [56-484.16](#) as the Board  
131 deems appropriate.
- 132 5. Take all steps necessary to inform the public of the use of the digits "9-1-1" as the designated  
133 emergency telephone number and the use of the digits "#-7-7" as a designated non-emergency  
134 telephone number.
- 135 6. Report annually to the Governor, the Senate Committee on Finance and the House Committee  
136 on Appropriations, and the Virginia State Crime Commission on (i) the state of enhanced 9-1-1  
137 services in the Commonwealth, (ii) the impact of, or need for, legislation affecting enhanced 9-1-

138 1 services in the Commonwealth, and (iii) the need for changes in the E-911 funding mechanism  
139 provided to the Board, as appropriate.

140 7. Provide advisory technical assistance to PSAPs and state and local law enforcement, and fire  
141 and emergency medical services agencies, upon request.

142 8. Collect, distribute, and withhold moneys from the Wireless E-911 Fund as provided in this  
143 article.

144 9. Develop a comprehensive single, statewide electronic addressing database to support  
145 geographic data and statewide base map data programs pursuant to § [2.2-2027](#).

146 10. Receive such funds as may be appropriated for purposes consistent with this article and such  
147 gifts, donations, grants, bequests, or other funds as may be received from, applied for or offered  
148 by either public or private sources.

149 11. Manage other moneys appropriated for the provision of enhanced emergency  
150 telecommunications services.

151 12. Perform all acts necessary, convenient, or desirable to carrying out the purposes of this  
152 article.

153 13. Drawing from the work of E-911 professional organizations, in its sole discretion, publish  
154 best practices for PSAPs. These best practices shall be voluntary and recommended by a  
155 subcommittee composed of PSAP representatives.

156 *14. Develop or adopt and publish standards for an Emergency Services IP Network to ensure*  
157 *that enhanced public safety telephone services seamlessly interoperate within the*  
158 *Commonwealth and with surrounding states.*

159 ~~15. 14-~~ Monitor developments in enhanced 9-1-1 service and multiline telephone systems and the  
160 impact of such technologies upon the implementation of Article 8 (§ [56-484.19](#) et seq.). The  
161 Board shall include its assessment of such impact in the annual report filed pursuant to  
162 subdivision 6.

163 **§ 56-484.16. Local emergency telecommunications requirements; use of digits "9-1-1".**

164 A. ~~On or before July 1, 2003,~~ Every county, city or town in the Commonwealth shall be  
165 served by an E-911 system, ~~unless an extension of time has been granted by the Board.~~ *The*  
166 *provision of E-911 shall be considered an essential, local public safety service.*

167 B. The digits "9-1-1" shall be the designated emergency telephone number in Virginia. No  
168 public safety agency shall advertise or otherwise promote the use of any number for emergency  
169 response service other than "9-1-1".

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