

1 A bill to be entitled
 2 An act relating to E911 systems; amending s. 365.172,
 3 F.S.; revising applicability of definitions; providing
 4 a definition; creating s. 365.176, F.S.; requiring the
 5 Technology Program within the Department of Management
 6 Services to develop and implement a plan to require
 7 that emergency dispatchers be able to transfer an
 8 emergency call from one E911 system to another E911
 9 system in the state; providing duties relating to the
 10 development and implementation of such plan; providing
 11 an effective date.

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 13 Be It Enacted by the Legislature of the State of Florida:
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15 Section 1. Subsection (3) of section 365.172, Florida
 16 Statutes, is amended to read:

17 365.172 Emergency communications number "E911."—

18 (3) DEFINITIONS.—Only as used in this section and ss.
 19 365.171, 365.173, ~~and~~ 365.174, and 365.176, the term:

20 (a) "911 public safety telecommunicator" has the same
 21 meaning as provided in s. 401.465(1).

22 (b) ~~(a)~~ "Authorized expenditures" means expenditures of the
 23 fee, as specified in subsection (10).

24 (c) ~~(b)~~ "Automatic location identification" means the
 25 capability of the E911 service which enables the automatic

26 | display of information that defines the approximate geographic
27 | location of the wireless telephone, or the location of the
28 | address of the wireline telephone, used to place a 911 call.

29 | (d)~~(e)~~ "Automatic number identification" means the
30 | capability of the E911 service which enables the automatic
31 | display of the service number used to place a 911 call.

32 | (e)~~(d)~~ "Board" or "E911 Board" means the board of
33 | directors of the E911 Board established in subsection (5).

34 | (f)~~(e)~~ "Building permit review" means a review for
35 | compliance with building construction standards adopted by the
36 | local government under chapter 553 and does not include a review
37 | for compliance with land development regulations.

38 | (g)~~(f)~~ "Collocation" means the situation when a second or
39 | subsequent wireless provider uses an existing structure to
40 | locate a second or subsequent antennae. The term includes the
41 | ground, platform, or roof installation of equipment enclosures,
42 | cabinets, or buildings, and cables, brackets, and other
43 | equipment associated with the location and operation of the
44 | antennae.

45 | (h)~~(g)~~ "Designed service" means the configuration and
46 | manner of deployment of service the wireless provider has
47 | designed for an area as part of its network.

48 | (i)~~(h)~~ "Enhanced 911" or "E911" means an enhanced 911
49 | system or enhanced 911 service that is an emergency telephone
50 | system or service that provides a subscriber with 911 service

51 and, in addition, directs 911 calls to appropriate public safety
52 answering points by selective routing based on the geographical
53 location from which the call originated, or as otherwise
54 provided in the state plan under s. 365.171, and that provides
55 for automatic number identification and automatic location-
56 identification features. E911 service provided by a wireless
57 provider means E911 as defined in the order.

58 (j)~~(i)~~ "Existing structure" means a structure that exists
59 at the time an application for permission to place antennae on a
60 structure is filed with a local government. The term includes
61 any structure that can structurally support the attachment of
62 antennae in compliance with applicable codes.

63 (k)~~(j)~~ "Fee" means the E911 fee authorized and imposed
64 under subsections (8) and (9).

65 (l)~~(k)~~ "Fund" means the Emergency Communications Number
66 E911 System Fund established in s. 365.173 and maintained under
67 this section for the purpose of recovering the costs associated
68 with providing 911 service or E911 service, including the costs
69 of implementing the order. The fund shall be segregated into
70 wireless, prepaid wireless, and nonwireless categories.

71 (m)~~(l)~~ "Historic building, structure, site, object, or
72 district" means any building, structure, site, object, or
73 district that has been officially designated as a historic
74 building, historic structure, historic site, historic object, or
75 historic district through a federal, state, or local designation

76 program.

77 (n)~~(m)~~ "Land development regulations" means any ordinance
78 enacted by a local government for the regulation of any aspect
79 of development, including an ordinance governing zoning,
80 subdivisions, landscaping, tree protection, or signs, the local
81 government's comprehensive plan, or any other ordinance
82 concerning any aspect of the development of land. The term does
83 not include any building construction standard adopted under and
84 in compliance with chapter 553.

85 (o)~~(n)~~ "Local exchange carrier" means a "competitive local
86 exchange telecommunications company" or a "local exchange
87 telecommunications company" as defined in s. 364.02.

88 (p)~~(o)~~ "Local government" means any municipality, county,
89 or political subdivision or agency of a municipality, county, or
90 political subdivision.

91 (q)~~(p)~~ "Medium county" means any county that has a
92 population of 75,000 or more but less than 750,000.

93 (r)~~(q)~~ "Mobile telephone number" or "MTN" means the
94 telephone number assigned to a wireless telephone at the time of
95 initial activation.

96 (s)~~(r)~~ "Nonwireless category" means the revenues to the
97 fund received from voice communications services providers other
98 than wireless providers.

99 (t)~~(s)~~ "Office" means the Technology Program within the
100 Department of Management Services, as designated by the

101 secretary of the department.

102 (u)~~(t)~~ "Order" means:

103 1. The following orders and rules of the Federal
104 Communications Commission issued in FCC Docket No. 94-102:

105 a. Order adopted on June 12, 1996, with an effective date
106 of October 1, 1996, the amendments to s. 20.03 and the creation
107 of s. 20.18 of Title 47 of the Code of Federal Regulations
108 adopted by the Federal Communications Commission pursuant to
109 such order.

110 b. Memorandum and Order No. FCC 97-402 adopted on December
111 23, 1997.

112 c. Order No. FCC DA 98-2323 adopted on November 13, 1998.

113 d. Order No. FCC 98-345 adopted December 31, 1998.

114 2. Orders and rules subsequently adopted by the Federal
115 Communications Commission relating to the provision of 911
116 services, including Order Number FCC-05-116, adopted May 19,
117 2005.

118 (v)~~(u)~~ "Prepaid wireless category" means all revenues in
119 the fund received through the Department of Revenue from the fee
120 authorized and imposed under subsection (9).

121 (w)~~(v)~~ "Prepaid wireless service" means a right to access
122 wireless service that allows a caller to contact and interact
123 with 911 to access the 911 system, which service must be paid
124 for in advance and is sold in predetermined units or dollars,
125 which units or dollars expire on a predetermined schedule or are

126 decremented on a predetermined basis in exchange for the right
 127 to access wireless service.

128 (x)~~(w)~~ "Public agency" means the state and any
 129 municipality, county, municipal corporation, or other
 130 governmental entity, public district, or public authority
 131 located in whole or in part within this state which provides, or
 132 has authority to provide, firefighting, law enforcement,
 133 ambulance, medical, or other emergency services.

134 (y)~~(x)~~ "Public safety agency" means a functional division
 135 of a public agency which provides firefighting, law enforcement,
 136 medical, or other emergency services.

137 (z)~~(y)~~ "Public safety answering point," "PSAP," or
 138 "answering point" means the public safety agency that receives
 139 incoming 911 requests for assistance and dispatches appropriate
 140 public safety agencies to respond to the requests in accordance
 141 with the state E911 plan.

142 (aa)~~(z)~~ "Rural county" means any county that has a
 143 population of fewer than 75,000.

144 (bb)~~(aa)~~ "Service identifier" means the service number,
 145 access line, or other unique identifier assigned to a subscriber
 146 and established by the Federal Communications Commission for
 147 purposes of routing calls whereby the subscriber has access to
 148 the E911 system.

149 (cc)~~(bb)~~ "Tower" means any structure designed primarily to
 150 support a wireless provider's antennae.

151 (dd) ~~(ee)~~ "Voice communications services" means two-way
152 voice service, through the use of any technology, which actually
153 provides access to E911 services, and includes communications
154 services, as defined in s. 202.11, which actually provide access
155 to E911 services and which are required to be included in the
156 provision of E911 services pursuant to orders and rules adopted
157 by the Federal Communications Commission. The term includes
158 voice-over-Internet-protocol service. For the purposes of this
159 section, the term "voice-over-Internet-protocol service" or
160 "VoIP service" means interconnected VoIP services having the
161 following characteristics:

- 162 1. The service enables real-time, two-way voice
163 communications;
- 164 2. The service requires a broadband connection from the
165 user's locations;
- 166 3. The service requires IP-compatible customer premises
167 equipment; and
- 168 4. The service offering allows users generally to receive
169 calls that originate on the public switched telephone network
170 and to terminate calls on the public switched telephone network.

171 (ee) ~~(dd)~~ "Voice communications services provider" or
172 "provider" means any person or entity providing voice
173 communications services, except that the term does not include
174 any person or entity that resells voice communications services
175 and was assessed the fee authorized and imposed under subsection

176 (8) by its resale supplier.

177 (ff)~~(ee)~~ "Wireless 911 system" or "wireless 911 service"
178 means an emergency telephone system or service that provides a
179 subscriber with the ability to reach an answering point by
180 accessing the digits 911.

181 (gg)~~(ff)~~ "Wireless category" means the revenues to the
182 fund received from a wireless provider from the fee authorized
183 and imposed under subsection (8).

184 (hh)~~(gg)~~ "Wireless communications facility" means any
185 equipment or facility used to provide service and may include,
186 but is not limited to, antennae, towers, equipment enclosures,
187 cabling, antenna brackets, and other such equipment. Placing a
188 wireless communications facility on an existing structure does
189 not cause the existing structure to become a wireless
190 communications facility.

191 (ii)~~(hh)~~ "Wireless provider" means a person who provides
192 wireless service and:

- 193 1. Is subject to the requirements of the order; or
194 2. Elects to provide wireless 911 service or E911 service
195 in this state.

196 (jj)~~(ii)~~ "Wireless service" means "commercial mobile radio
197 service" as provided under ss. 3(27) and 332(d) of the Federal
198 Telecommunications Act of 1996, 47 U.S.C. ss. 151 et seq., and
199 the Omnibus Budget Reconciliation Act of 1993, Pub. L. No. 103-
200 66, August 10, 1993, 107 Stat. 312. The term includes service

201 provided by any wireless real-time two-way wire communication
 202 device, including radio-telephone communications used in
 203 cellular telephone service; personal communications service; or
 204 the functional or competitive equivalent of a radio-telephone
 205 communications line used in cellular telephone service, a
 206 personal communications service, or a network radio access line.
 207 The term does not include wireless providers that offer mainly
 208 dispatch service in a more localized, noncellular configuration;
 209 providers offering only data, one-way, or stored-voice services
 210 on an interconnected basis; providers of air-to-ground services;
 211 or public coast stations.

212 Section 2. Section 365.176, Florida Statutes, is created
 213 to read:

214 365.176 Transfer of E911 calls between systems.-

215 (1) The office shall develop and implement a plan by
 216 January 1, 2019, to require that a 911 public safety
 217 telecommunicator, when deemed prudent and requested by a caller
 218 or when necessary, be able to transfer an emergency call from
 219 one local, multijurisdictional, or regional E911 system to
 220 another local, multijurisdictional, or regional E911 system in
 221 the state.

222 (2) In developing and implementing this plan, the office
 223 shall:

224 (a) Coordinate with public agencies to identify and
 225 resolve any technological or logistical issues in implementing

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226 | this section.

227 | (b) Identify or establish a system or clearinghouse for
228 | maintaining contact information for all E911 systems in the
229 | state.

230 | (c) Establish a date, considering any technological,
231 | logistical, financial, or other identified issues, by when all
232 | E911 systems in the state must be able to transfer emergency
233 | calls pursuant to subsection (1).

234 | Section 3. This act shall take effect July 1, 2018.