

# HOUSE BILL No. 4984

September 17, 2013, Introduced by Reps. Lori, Tlaib and Darany and referred to the Committee on Local Government.

A bill to amend 1986 PA 32, entitled  
"Emergency 9-1-1 service enabling act,"  
by amending sections 102 and 204 (MCL 484.1102 and 484.1204),  
section 102 as amended by 2012 PA 260.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 102. As used in this act:

2       (a) "Automatic location identification" or "ALI" means a 9-1-1  
3       service feature provided by the service supplier that automatically  
4       provides the name and service address or, for a CMRS service  
5       supplier, the location associated with the calling party's  
6       telephone number as identified by automatic number identification  
7       to a 9-1-1 public safety answering point.

1 (b) "Automatic number identification" or "ANI" means a 9-1-1  
2 service feature provided by the service supplier that automatically  
3 provides the calling party's telephone number to a 9-1-1 public  
4 safety answering point.

5 (c) "Commercial mobile radio service" or "CMRS" means  
6 commercial mobile radio service regulated under section 3 of title  
7 I and section 332 of title III of the communications act of 1934,  
8 chapter 652, 48 Stat. 1064, 47 USC 153 and 332, and the rules of  
9 the federal communications commission or provided under the  
10 wireless emergency service order. Commercial mobile radio service  
11 or CMRS includes all of the following:

12 (i) A wireless 2-way communication device, including a radio  
13 telephone used in cellular telephone service or personal  
14 communication service.

15 (ii) A functional equivalent of a radio telephone  
16 communications line used in cellular telephone service or personal  
17 communication service.

18 (iii) A network radio access line.

19 (d) "Commission" means the Michigan public service commission.

20 (e) "Committee" means the emergency 9-1-1 service committee  
21 created under section 712.

22 (f) "Common network costs" means the costs associated with the  
23 common network required to deliver a 9-1-1 call with ALI and ANI  
24 from a selective router to the proper PSAP and the costs associated  
25 with the 9-1-1 database and data distribution system of the primary  
26 9-1-1 service supplier identified in a county 9-1-1 plan. As used  
27 in this subdivision, "common network" means the elements of a

1 service supplier's network that are not exclusive to the supplier  
2 or technology capable of accessing the 9-1-1 system.

3 (g) "Communication service" means a service capable of  
4 accessing, connecting with, or interfacing with a 9-1-1 system,  
5 exclusively through the numerals 9-1-1, by dialing, initializing,  
6 or otherwise activating the 9-1-1 system through the numerals 9-1-1  
7 by means of a local telephone device, cellular telephone device,  
8 wireless communication device, interconnected voice over the  
9 internet device, or any other means.

10 (h) "CMRS connection" means each number assigned to a CMRS  
11 customer.

12 (i) "Consolidated dispatch" means a countywide or regional  
13 emergency dispatch service that provides dispatch service for 75%  
14 or more of the law enforcement, fire fighting, emergency medical  
15 service, and other emergency service agencies within the  
16 geographical area of a 9-1-1 service district or serves 75% or more  
17 of the population within a 9-1-1 service district.

18 (j) "County 9-1-1 charge" means the charge allowed under  
19 sections 401b and 401e.

20 (k) "Database service provider" means a service supplier who  
21 maintains and supplies or contracts to maintain and supply an ALI  
22 database or an MSAG.

23 (l) "Direct dispatch method" means that the agency receiving  
24 the 9-1-1 call at the public safety answering point decides on the  
25 proper action to be taken and dispatches the appropriate available  
26 public safety service unit located closest to the request for  
27 public safety service.

1 (m) "Emergency response service" or "ERS" means a public or  
2 private agency that responds to events or situations that are  
3 dangerous or that are considered by a member of the public to  
4 threaten the public safety. An emergency response service includes  
5 a police or fire department, an ambulance service, or any other  
6 public or private entity trained and able to alleviate a dangerous  
7 or threatening situation.

8 (n) "Emergency service zone" or "ESZ" means the designation  
9 assigned by a county to each street name and address range that  
10 identifies which emergency response service is responsible for  
11 responding to an exchange access facility's premises.

12 (o) "Emergency telephone charge" means the emergency telephone  
13 operational charge and emergency telephone technical charge allowed  
14 under section 401.

15 (p) "Emergency 9-1-1 district" or "9-1-1 service district"  
16 means the area in which 9-1-1 service is provided or is planned to  
17 be provided to service users under a 9-1-1 system implemented under  
18 this act.

19 (q) "Emergency 9-1-1 district board" means the governing body  
20 created by the board of commissioners of the county or counties  
21 with authority over an emergency 9-1-1 district.

22 (r) "Emergency telephone operational charge" means a charge  
23 allowed under section 401 for nonnetwork technical equipment and  
24 other costs directly related to the dispatch facility and the  
25 operation of 1 or more PSAPs including, but not limited to, the  
26 costs of dispatch personnel and radio equipment necessary to  
27 provide 2-way communication between PSAPs and a public safety

1 agency. Emergency telephone operational charge does not include  
2 non-PSAP related costs such as response vehicles and other  
3 personnel.

4 (s) "Emergency telephone technical charge" means a charge as  
5 allowed under section 401 or 401d for costs directly related to 9-  
6 1-1 service including plant-related costs associated with the use  
7 of the public switched telephone network from the end user to the  
8 selective router, the network start-up costs, customer notification  
9 costs, common network costs, administrative costs, database  
10 management costs, and network nonrecurring and recurring  
11 installation, maintenance, service, and equipment charges of a  
12 service supplier providing 9-1-1 service under this act. Emergency  
13 telephone technical charge does not include costs recovered under  
14 sections 401b(10) and 408(2).

15 (t) "Exchange access facility" means the access from a  
16 particular service user's premises to the communication service.  
17 Exchange access facilities include service supplier provided access  
18 lines, PBX trunks, and centrex line trunk equivalents, all as  
19 defined by tariffs of the service suppliers as approved by the  
20 public service commission. Exchange access facilities do not  
21 include telephone pay station lines or WATS, FX, or incoming only  
22 lines.

23 (u) "Final 9-1-1 service plan" means a tentative 9-1-1 service  
24 plan that has been modified only to reflect necessary changes  
25 resulting from any failure of public safety agencies to be  
26 designated as PSAPs or secondary PSAPs under section 307.

27 (v) "LOCAL MEDICAL CONTROL AUTHORITY" MEANS A MEDICAL CONTROL

1    **AUTHORITY AS THAT TERM IS DEFINED IN SECTION 20906 OF THE PUBLIC**  
2    **HEALTH CODE, 1978 PA 368, MCL 333.20906.**

3            **(W)** ~~(v)~~—"Master street address guide" or "MSAG" means a  
4    perpetual database that contains information continuously provided  
5    by a service district that defines the geographic area of the  
6    service district and includes an alphabetical list of street names,  
7    the range of address numbers on each street, the names of each  
8    community in the service district, the emergency service zone of  
9    each service user, and the primary service answering point  
10   identification codes.

11           **(X)** ~~(w)~~—"Obligations" means bonds, notes, installment purchase  
12   contracts, or lease purchase agreements to be issued by a public  
13   agency under a law of this state.

14           **(Y)** ~~(x)~~—"Person" means an individual, corporation,  
15   partnership, association, governmental entity, or any other legal  
16   entity.

17           **(Z)** ~~(y)~~—"Prepaid wireless telecommunications service" means a  
18   commercial mobile radio service that allows a caller to dial 9-1-1  
19   to access the 9-1-1 system and is paid for in advance and sold in  
20   predetermined units or dollars of which the number declines with  
21   use in a known amount.

22           **(AA)** ~~(z)~~—"Primary public safety answering point", "PSAP", or  
23   "primary PSAP" means a communications facility operated or answered  
24   on a 24-hour basis assigned responsibility by a public agency or  
25   county to receive 9-1-1 calls and to dispatch public safety  
26   response services, as appropriate, by the direct dispatch method,  
27   relay method, or transfer method. It is the first point of

1 reception by a public safety agency of a 9-1-1 call and serves the  
2 jurisdictions in which it is located and other participating  
3 jurisdictions, if any.

4 (BB) ~~(aa)~~ "Prime rate" means the average predominant prime  
5 rate quoted by not less than 3 commercial financial institutions as  
6 determined by the department of treasury.

7 (CC) ~~(bb)~~ "Private safety entity" means a nongovernmental  
8 organization that provides emergency fire, ambulance, or medical  
9 services.

10 (DD) ~~(ee)~~ "Public agency" means a village, township, charter  
11 township, or city within the state and any special purpose district  
12 located in whole or in part within the state.

13 (EE) ~~(dd)~~ "Public safety agency" means a functional division  
14 of a public agency, county, or the state that provides fire  
15 fighting, law enforcement, ambulance, medical, or other emergency  
16 services.

17 (FF) ~~(ee)~~ "Qualified obligations" means obligations that meet  
18 1 or more of the following:

19 (i) The proceeds of the obligations benefit the 9-1-1 district,  
20 and for which all of the following conditions are met:

21 (A) The proceeds of the obligations are used for capital  
22 expenditures, costs of a reserve fund securing the obligations, and  
23 costs of issuing the obligations. The proceeds of obligations shall  
24 not be used for operational expenses.

25 (B) The weighted average maturity of the obligations does not  
26 exceed the useful life of the capital assets.

27 (C) The obligations shall not in whole or in part appreciate

1 in principal amount or be sold at a discount of more than 10%.

2 (ii) The obligations are issued to refund obligations that meet  
3 the conditions described in subparagraph (i) and the net present  
4 value of the principal and interest to be paid on the refunding  
5 obligations, excluding the cost of issuance, will be less than the  
6 net present value of the principal and interest to be paid on the  
7 obligations being refunded, as calculated using a method approved  
8 by the department of treasury.

9 (GG) ~~(ff)~~ "Relay method" means that a PSAP notes pertinent  
10 information and relays it by a communication service to the  
11 appropriate public safety agency or other provider of emergency  
12 services that has an available emergency service unit located  
13 closest to the request for emergency service for dispatch of an  
14 emergency service unit.

15 (HH) ~~(gg)~~ "Secondary public safety answering point" or  
16 "secondary PSAP" means a communications facility of a public safety  
17 agency or private safety entity that receives 9-1-1 calls by the  
18 transfer method only and generally serves as a centralized location  
19 for a particular type of emergency call.

20 (II) ~~(hh)~~ "Service supplier" means a person providing a  
21 communication service to a service user in this state.

22 (JJ) ~~(ii)~~ "Service user" means a person receiving a  
23 communication service.

24 (KK) ~~(jj)~~ "State 9-1-1 charge" means the charge provided for  
25 under section 401a.

26 (II) ~~(kk)~~ "Tariff" means the rate approved by the public  
27 service commission for 9-1-1 service provided by a particular



1 service supplier. Tariff does not include a rate of a commercial  
2 mobile radio service by a particular supplier.

3 (MM) ~~(ll)~~—"Tentative 9-1-1 service plan" means a plan prepared  
4 by 1 or more counties for implementing a 9-1-1 system in a  
5 specified 9-1-1 service district.

6 (NN) ~~(mm)~~—"Transfer method" means that a PSAP transfers the 9-  
7 1-1 call directly to the appropriate public safety agency or other  
8 provider of emergency service that has an available emergency  
9 service unit located closest to the request for emergency service  
10 for dispatch of an emergency service unit.

11 (OO) ~~(nn)~~—"Universal emergency number service" or "9-1-1  
12 service" means public communication service that provides service  
13 users with the ability to reach a public safety answering point by  
14 dialing the digits "9-1-1".

15 (PP) ~~(oo)~~—"Universal emergency number service system" or "9-1-  
16 1 system" means a system for providing 9-1-1 service under this  
17 act.

18 (QQ) ~~(pp)~~—"Wireless emergency service order" means the order  
19 of the federal communications commission, FCC docket No. 94-102,  
20 adopted June 12, 1996 with an effective date of October 1, 1996.

21 Sec. 204. (1) A 9-1-1 system implemented ~~pursuant to~~ **UNDER**  
22 this act shall be designed to meet the individual circumstances of  
23 each county and the public agencies participating in the 9-1-1  
24 system, and shall be within the service limitations of service  
25 suppliers providing the 9-1-1 service in the 9-1-1 system. System  
26 designs shall include provision for expansion of the system to  
27 include capabilities not required in initial implementation,

1 including the addition of PSAPs and secondary PSAPs.

2 (2) Every 9-1-1 system shall be designed so that a 9-1-1 call  
3 is processed by means of either the direct dispatch method, the  
4 relay method, or the transfer method. At least 2 of the specified  
5 methods shall be available for use by the PSAP receiving the call.  
6 The PSAP may handle nonemergency calls by referring the caller to  
7 another number.

8 (3) EACH PSAP SHALL WORK WITH EACH OF THE FOLLOWING TO  
9 DETERMINE WHICH PUBLIC SAFETY SERVICE UNIT IS LOCATED CLOSEST TO  
10 THE REQUEST FOR PUBLIC SAFETY SERVICE:

11 (A) ANY LOCAL MEDICAL CONTROL AUTHORITIES.

12 (B) THE PUBLIC AGENCIES PARTICIPATING IN THE 9-1-1 SYSTEM.