

CHAPTER 108**(HB 340)**

AN ACT relating to 911 emergency service.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 65.750 is amended to read as follows:

As used in this section to KRS 65.760:

- (1) "911 emergency service" means a system that provides the end user of a service connection with emergency services by *using the digits*~~{dialing}~~ 9-1-1, directs *emergency*~~{911}~~ calls to the appropriate public safety answering points based on the geographic location from which the call originated, and provides the capability for automatic number identification and automatic location identification features in accordance with the FCC order. As used in KRS 65.760, the term "911 emergency service" includes the terms "*next generation 911*," *as defined in KRS 65.7621*, "wireless enhanced 911 system," "wireless enhanced 911 service," and "wireless E911 service" as used in KRS 65.7621 to 65.7643;
- (2) "Automatic call distribution" or "ACD" means a system that automatically distributes incoming calls to PSAP attendants in the order the calls are received;
- (3) "Automatic number identification" or "ANI" means a feature that allows for the automatic display of the 911 caller's ten (10) digit number, or equivalent, in accordance with applicable FCC rules and regulations;
- (4) "Automatic location identification" or "ALI" means a feature by which the location or estimated location of the calling party is made available to a PSAP in accordance with applicable FCC rules and regulations;
- (5) "Automatic location identification data management system" or "ALI/DBS" means a system of manual procedures and computer programs used to create, store, and update the data required for ALI in support of enhanced 911;
- (6) "Automatic vehicle location" or "AVL" means a system used to track emergency responder vehicles;
- (7) "Dispersed private telephone system" or "DPTS" means a multiline, shared tenant system or PBX used for the purpose of reselling telephone service to residential customers and whose connection to a telephone network is capable of carrying emergency calls from more than one (1) specific location within a structure or structures but does not mean a multiline, shared tenant system or PBX owned and operated by a state agency or used in providing service within a hotel or motel;
- (8) "FCC order" means the Order of the Federal Communications Commission, FCC Docket No. 94-102, adopted effective October 1, 1996, including any subsequent amendments or modifications thereof;
- (9) "Fully enhanced 911 emergency telephone service" means a telephone network feature that selectively routes calls placed to the national 911 emergency number to the proper public service answering points (PSAPs) and provides the PSAP with a voice connection and ANI and ALI information;
- (10) "Geographic information systems" or "GIS" means a system for capturing, storing, displaying, analyzing, and managing data, and associated attributes which are spatially referenced;
- (11) "Law Enforcement Information Network of Kentucky and the National Crime Information Center" or "LINK/NCIC" means two (2) systems used by law enforcement and emergency communications personnel for short messaging between agencies and to request vehicle, driver, and criminal history checks;
- (12) "Local government" means any city, county, urban-county government, consolidated local government, unified local government, or charter county government;
- (13) "Master street address guide" or "MSAG" means a database of street names and house number ranges within their associated communities defining emergency services zones and their associated emergency service numbers used by PSAPs to enable proper routing of 911 calls;
- (14) "Private branch exchange" or "PBX" means a privately owned switch system that connects calls to a telephone company;

- (15) "Public safety answering point" or "PSAP" means a communications facility that is assigned the responsibility to receive 911 calls originating in a given area and, as appropriate, to dispatch public safety services or to extend, transfer, or relay 911 calls to appropriate public safety agencies;
- (16) "Service connection" means the transmission, conveyance, or routing of voice, data, video, text, or any other information signal of the purchaser's choosing by any medium or method now in existence or later devised with the ability to directly connect the user to 911 emergency services;
- (17) "Service supplier" means a person or entity that administers, maintains, and operates the ALI/DBS and may include telephone companies that provide local exchange telephone service to a telephone subscriber;
- (18) "Station identification number" or "SIN" means a number that a DPTS uses to identify a specific station on the switch; and
- (19) "Interconnected Voice over Internet Protocol" or "VoIP" means a service that:
- (a) Enables real-time, two-way voice communications;
 - (b) Requires a broadband connection from the user's location;
 - (c) Requires Internet protocol-compatible customer premises equipment; and
 - (d) Permits users generally to receive calls that originate on the public switched telephone network and terminate calls to the public switched telephone network.

➔Section 2. KRS 65.7637 is amended to read as follows:

Notwithstanding any other provision of law, no CMRS provider,~~or~~ service supplier, ***provider of Interconnected Voice over Internet Protocol service as defined in Section 1 of this Act, or entity that provides services or equipment used in a 911 or next generation 911 system***, nor their employees, directors, officers, ***subcontractors***, or agents, except in cases of negligence, or wanton or willful misconduct, or bad faith, shall be liable for any damages in a civil action or subject to criminal prosecution resulting from death or injury to any person or from damage to property incurred by any person in connection with developing, adopting, establishing, participating in, implementing, maintaining, or providing access to ***911 emergency service as defined in Section 1 of this Act***;~~a CMRS system for the purposes of providing wireless 911 service or E911 service in compliance with the wireless E911 service requirements established by the FCC order and any rules and regulations which are or may be adopted by the Federal Communications Commission in carrying out the FCC orders;~~ in connection with the quality of the service; in connection with ensuring that any 911 call ***or communication*** goes through properly; or in connection with providing access to ***911 emergency***~~CMRS~~ service in connection with providing wireless 911 service,~~or~~ E911 service, ***or next generation 911 service***.

Signed by Governor March 26, 2019.