

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1990



# ENROLLED

HOUSE BILL No. 4147

(By ~~WFB~~ Del. Jones + Manuel)



Passed March 10, 1990

In Effect ninety days from Passage

**ENROLLED**

**H. B. 4147**

(By DELEGATES JONES AND MANUEL)

[Passed March 10, 1990; in effect ninety days from passage.]

AN ACT to amend and reenact sections two and three, article six, chapter twenty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to public service commission's regulation of local emergency telephone systems and the participation by the department of public safety in these proceedings.

*Be it enacted by the Legislature of West Virginia:*

That sections two and three, article six, chapter twenty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

**CHAPTER 24. PUBLIC SERVICE COMMISSION.**

**ARTICLE 6. LOCAL EMERGENCY TELEPHONE SYSTEM.**

**§24-6-2. Definitions.**

1 As used in this article, unless the context clearly  
2 requires a different meaning:

3 (1) "County answering point" means a facility to  
4 which enhanced emergency telephone system calls for a  
5 county are initially routed for response, and where  
6 county personnel respond to specific requests for  
7 emergency service by directly dispatching the appropriate  
8 emergency service provider, relaying a message to  
9 the appropriate provider or transferring the call to the  
10 appropriate provider.

11 (2) "Emergency services organization" means the  
12 organization established under article five, chapter  
13 fifteen of this code.

14 (3) "Emergency service provider" means any emer-  
15 gency services organization or public safety unit.

16 (4) "Emergency telephone system" means a telephone  
17 system which through normal telephone service facili-  
18 ties automatically connects a person dialing the primary  
19 emergency telephone number to an established public  
20 agency answering point, but does not include an  
21 enhanced emergency telephone system.

22 (5) "Enhanced emergency telephone system" means a  
23 telephone system which automatically connects the  
24 person dialing the primary emergency number to the  
25 county answering point and in which the telephone  
26 network system automatically provides to personnel  
27 receiving the call, immediately on answering the call,  
28 information on the location and the telephone number  
29 from which the call is being made, and upon direction  
30 from the personnel receiving the call routes or dis-  
31 patches such call by telephone, radio or any other  
32 appropriate means of communication to emergency  
33 service providers that serve the location from which the  
34 call is made.

35 (6) "Public agency" means the state, and any munic-  
36 ipality, county, public district or public authority which  
37 provides or has authority to provide fire-fighting, police,  
38 ambulance, medical, rescue or other emergency  
39 services.

40 (7) "Public safety unit" means a functional division of  
41 a public agency which provides fire-fighting, police,  
42 medical, rescue or other emergency services.

43 (8) "Telephone company" means a public utility which  
44 is engaged in the provision of telephone service.

45 (9) "Comprehensive plan" means a plan pertaining to  
46 the installing, modifying or replacing of telephone  
47 switching equipment; telephone utilities' response in a  
48 timely manner to requests for emergency telephone  
49 service by a public agency; telephone utilities' respon-

50 sibility to report to the public service commission;  
51 charges and tariffs for the services and facilities  
52 provided by telephone utilities; and access to emergency  
53 telephone system by emergency service organizations.

54 (10) "Technical and operational standards" means  
55 those standards of telephone equipment and processes  
56 necessary for the implementation of the comprehensive  
57 plan as defined in subdivision (9) above.

**§24-6-3. Adoption of emergency telephone system plan;  
department of public safety to adopt alternate  
plan.**

1 (a) The public service commission shall develop, adopt  
2 and periodically review a comprehensive plan establish-  
3 ing the technical and operational standards to be  
4 followed in establishing and maintaining emergency  
5 telephone systems and enhanced emergency telephone  
6 systems.

7 (b) In developing the comprehensive plan, the public  
8 service commission shall consult with telephone compan-  
9 ies, and with the various public agencies and public  
10 safety units, including, but not limited to, emergency  
11 services organizations.

12 (c) The public service commission shall annually  
13 review with each operating telephone company their  
14 construction and switching replacements projections.  
15 During this review, the public service commission shall  
16 ensure that all new switching facilities will accommo-  
17 date the emergency telephone system.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*Frederick S. Pease*  
Chairman Senate Committee

*Bernard V. Kelly*  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

*Harold C. Adams*  
Clerk of the Senate

*Donald S. Hoop*  
Clerk of the House of Delegates

*Walter S. Hurd*  
President of the Senate

*Bob Cole*  
Speaker of the House of Delegates

The within is approved this the *30th*  
day of *March*, 19*90*.

*Walter S. Hurd*  
Governor

PRESENTED TO THE  
GOVERNOR

Date 3/23/90  
Time 3:35 pm

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OFFICE OF THE GOVERNOR  
STATE OF MISSISSIPPI