WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1979

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ENROLLED
SENATE BILL NO. 389

(By Mr. Butterton, Mr. President)

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PASSED March 8, 1979

In Effect ninety days from Passage
ENROLLED

Senate Bill No. 389
(By Mr. Brotherton, Mr. President, Mr. Harman
and Mr. Susman)

[Passed March 8, 1979; in effect ninety days from passage.]

AN ACT to amend chapter twenty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article six, relating to legislative findings that a statewide emergency telephone system is important to all citizens; defining certain terms; requiring the public service commission to adopt an emergency telephone system plan; establishment of emergency systems by state and local agencies; access to certain police, fire, emergency services, uniform statewide emergency number, and changeover of telephones by certain utilities required; requiring that systems be accessible to deaf persons; requiring certain utilities and public agencies to pay certain costs; and requiring all coin-operated telephones to permit emergency calls without charge by the first day of January, one thousand nine hundred eighty-seven.

Be it enacted by the Legislature of West Virginia:

That chapter twenty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article six, to read as follows:

ARTICLE 6. LOCAL EMERGENCY TELEPHONE SYSTEM.

§24-6-1. Legislative findings.

1 The Legislature hereby finds and declares that it is in the public interest to shorten the time required for a citizen to request and receive emergency aid. There are hundreds of different emergency phone numbers throughout the state. Present telephone exchange boundaries and central office service areas do not necessarily corres-
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7 pond to public safety and political boundaries. Provi-
8 sion of a single, primary emergency number through
9 which emergency services can be quickly and efficiently
10 obtained will provide a significant contribution to law
11 enforcement and other public service efforts. This simpli-
12 fied means of procuring emergency services will result
13 in the saving of life, a reduction in the destruction of
14 property, quicker apprehension of criminals, and ulti-
15 mately the saving of money. The Legislature further finds
16 and declares that the establishment of a uniform, state-
17 wide emergency number is a matter of statewide concern
18 and interest to all inhabitants and citizens of this state.
19 It is the purpose of this article to establish a primary
20 emergency telephone number for use in this state and
21 to encourage units of local government and combinations
22 of units of local government to develop and improve
23 emergency communication procedures and facilities in
24 a manner that will allow a quick response to any person
25 calling the primary emergency telephone number seek-
26 ing police, fire, medical, rescue and other emergency
27 services.

§24-6-2. Definitions of terms used in article.

1 As used in this article, unless the context clearly re-
2 quires a different meaning:
3 (1) “Public agency” means the state, and any munici-
4 pality, county, public district or public authority which
5 provides or has authority to provide fire-fighting, police,
6 ambulance, medical, rescue or other emergency services.
7 (2) “Emergency services organization” means the
8 organization established under article five, chapter fifteen
9 of this code.
10 (3) “Public safety unit” means a functional division
11 of a public agency which provides fire-fighting, police,
12 medical, rescue or other emergency services.
13 (4) “Emergency telephone system” means a telephone
14 system which through normal telephone service facilities
15 automatically connects a person dialing the primary
16 emergency telephone number to an established public
17 agency answering point.
§24-6-3. Adoption of emergency telephone system plan.

(a) The public service commission shall, by the first day of January, one thousand nine hundred eighty, develop and adopt a comprehensive plan establishing the technical and operational standards to be followed in establishing and maintaining emergency telephone systems.

(b) In developing the comprehensive plan, the public service commission shall consult with those public utilities engaged in the provision of telephone service, and with the various public agencies and public safety units, including, but not limited to, emergency services organizations.

(c) The public service commission shall annually review with each operating telephone utility their construction and switching replacements projections. During this review, the public service commission shall ensure that all new switching facilities will accommodate the emergency telephone system.

§24-6-4. Creation of emergency telephone systems.

(a) Upon the adoption by the public service commission of the comprehensive plan, a public agency may establish, consistent with the comprehensive plan, an emergency telephone system within its respective jurisdiction. Nothing herein contained, however, shall be construed to prohibit or discourage in any way the establishment of multijurisdiction or regional systems, and any system established pursuant to this article may include the territory of more than one public agency, or may include only a portion of the territory of a public agency. To the extent feasible, these systems shall be centralized.

(b) Every system shall provide access to emergency services organizations, police, fire-fighting, and emergency medical and ambulance services, and may provide access to other emergency services. The system may also provide access to private ambulance services. The system shall provide the necessary mechanical equipment at the
established public agency answering point to allow deaf persons access to the system. In those areas in which a public safety unit of the state provides emergency services, the system shall provide access to the public safety unit.

(c) The primary emergency telephone number to the extent possible, shall be uniform throughout the state.

(d) The utility in the normal course of replacing or making major modifications to its switching equipment shall include the capability of providing for the emergency telephone system and shall bear all costs related thereto. All charges for other services and facilities provided by the utility, including the provision of distribution facilities and station equipment, shall be paid for by the public agency or public safety unit in accordance with the applicable tariff rates then in effect for such services and facilities. Other costs pursuant to the emergency telephone system shall be allocated as determined by the public service commission.

(e) All coin-operated telephones within the state shall, by the first day of January, one thousand nine hundred eighty-seven, be of a design that will permit a caller to initiate, without first having to insert a coin (dial tone first or post pay systems), local calls to the long distance and directory assistance operators, calls to the emergency telephone number answering point, if one has been established in his local calling area, and to other numbers for services as the utility may from time to time make available to the public.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis
Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

J. Wilson, Jr.
Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved this the 26th day of March, 1979.

Governor