

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-26-79

Time 2:00 p.m.

**WEST VIRGINIA LEGISLATURE**  
**REGULAR SESSION, 1979**

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**ENROLLED**

**SENATE BILL NO. 389**

(By Mr. Brotherton, Mr. President)

—•—

PASSED March 8, 1979

In Effect ninety days from Passage



No. 389

# ENROLLED

## Senate Bill No. 389

(By MR. BROTHERTON, MR. PRESIDENT, MR. HARMAN  
and MR. SUSMAN)

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

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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  
2 the public interest to shorten the time required for a  
3 citizen to request and receive emergency aid. There are  
4 hundreds of different emergency phone numbers through-  
5 out the state. Present telephone exchange boundaries  
6 and central office service areas do not necessarily corres-

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.**

1 (a) The public service commission shall, by the first  
2 day of January, one thousand nine hundred eighty, de-  
3 velop and adopt a comprehensive plan establishing the  
4 technical and operational standards to be followed in  
5 establishing and maintaining emergency telephone sys-  
6 tems.

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

13 (c) The public service commission shall annually  
14 review with each operating telephone utility their con-  
15 struction and switching replacements projections.  
16 During this review, the public service commission shall  
17 ensure that all new switching facilities will accommodate  
18 the emergency telephone system.

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

1 (a) Upon the adoption by the public service commis-  
2 sion of the comprehensive plan, a public agency may  
3 establish, consistent with the comprehensive plan, an  
4 emergency telephone system within its respective juris-  
5 diction. Nothing herein contained, however, shall be  
6 construed to prohibit or discourage in any way the  
7 establishment of multijurisdiction or regional systems,  
8 and any system established pursuant to this article may  
9 include the territory of more than one public agency,  
10 or may include only a portion of the territory of a  
11 public agency. To the extent feasible, these systems  
12 shall be centralized.

13 (b) Every system shall provide access to emergency  
14 services organizations, police, fire-fighting, and emergency  
15 medical and ambulance services, and may provide access  
16 to other emergency services. The system may also pro-  
17 vide access to private ambulance services. The system  
18 shall provide the necessary mechanical equipment at the

19 established public agency answering point to allow deaf  
20 persons access to the system. In those areas in which a  
21 public safety unit of the state provides emergency ser-  
22 vices, the system shall provide access to the public safety  
23 unit.

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

26 (d) The utility in the normal course of replacing or  
27 making major modifications to its switching equipment  
28 shall include the capability of providing for the emer-  
29 gency telephone system and shall bear all costs related  
30 thereto. All charges for other services and facilities  
31 provided by the utility, including the provision of dis-  
32 tribution facilities and station equipment, shall be paid  
33 for by the public agency or public safety unit in ac-  
34 cordance with the applicable tariff rates then in effect  
35 for such services and facilities. Other costs pursuant to  
36 the emergency telephone system shall be allocated as  
37 determined by the public service commission.

38 (e) All coin-operated telephones within the state  
39 shall, by the first day of January, one thousand nine  
40 hundred eighty-seven, be of a design that will permit a  
41 caller to initiate, without first having to insert a coin  
42 (dial tone first or post pay systems), local calls to the  
43 long distance and directory assistance operators, calls to  
44 the emergency telephone number answering point, if  
45 one has been established in his local calling area, and  
46 to other numbers for services as the utility may from  
47 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

Clarence L. Chestnut Jr.  
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

J. C. Wilcox, Jr.  
Clerk of the Senate

C. A. Blankenship  
Clerk of the House of Delegates

W. J. Brinkley  
President of the Senate

Lyde M. Lee, Jr.  
Speaker House of Delegates

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

John D. Roper, Jr.  
Governor



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