

Act No. 515
Public Acts of 2004
Approved by the Governor
December 30, 2004
Filed with the Secretary of State
January 3, 2005
EFFECTIVE DATE: January 3, 2005

**STATE OF MICHIGAN
92ND LEGISLATURE
REGULAR SESSION OF 2004**

Introduced by Senators Gilbert, Patterson, Birkholz, Garcia, Goschka, Cropsey, McManus and Van Woerkom

ENROLLED SENATE BILL No. 1267

AN ACT to amend 1986 PA 32, entitled "An act to provide for the establishment of emergency telephone districts; to provide for the installation, operation, modification, and maintenance of universal emergency number service systems; to provide for the imposition and collection of certain charges; to provide the powers and duties of certain state agencies, local units of government, public officers, telephone service suppliers, and others; to create an emergency telephone service committee; to provide remedies; to provide penalties; and to repeal certain parts of this act on specific dates," by amending sections 317 and 602 (MCL 484.1317 and 484.1602), section 602 as amended by 2003 PA 244, and by adding section 317a.

The People of the State of Michigan enact:

Sec. 317. Name, address, and telephone number information provided to a 9-1-1 system by a service supplier shall be used only for the purpose of identifying the telephone location or identity, or both, of a person calling the 9-1-1 emergency telephone number and shall not be used or disclosed by the 9-1-1 system agencies, their agents, or their employees for any other purpose, unless the information is used or disclosed as otherwise required under this act, to a member of a public safety agency if necessary to respond to events or situations that are dangerous or threaten individual or public safety, or pursuant to a court order. A person who violates this section is guilty of a misdemeanor.

Sec. 317a. (1) A 9-1-1 service district may implement an emergency notification system that will allow emergency service responders to contact service users within a specific geographic area regarding an imminent danger or emergency that may affect the user's health, safety, or welfare.

(2) A person that provides an emergency notification system allowed under this section is a service supplier under section 604.

(3) A service supplier shall upon request provide to each 9-1-1 service district within the provider's service area the telephone number and address data, including all listed, unlisted, and unpublished numbers and addresses, for each service user within the district.

(4) A service supplier may charge a reasonable rate to provide the data required under subsection (3).

(5) A 9-1-1 service district shall not request the data required under subsection (3) more than once per month.

(6) The data provided under subsection (3) shall be used only for the purposes provided under this section.

(7) This section does not apply to a wireless carrier. As used in this subsection, "wireless carrier" means a provider of 2-way cellular, broadband PCS, geographic area 800 MHz and 900 MHz commercial mobile radio service, wireless communications service, or other commercial mobile radio service as defined in 47 CFR 20.3, that offers radio

communications that may provide fixed, mobile, radio location, or satellite communication services to individuals or businesses within its assigned spectrum block and geographical area or that offers real-time, 2-way voice or data service that is interconnected with the public switched network, including a reseller of the service.

(8) A person who violates this section is guilty of a misdemeanor.

Sec. 602. Except for a dispute between a commercial mobile radio service and a local exchange provider as defined under section 408, a dispute between or among 1 or more service suppliers, counties, public agencies, public service agencies, or any combination of those entities regarding their respective rights and duties under this act shall be heard as a contested case before the public service commission as provided in the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Jay E. Randall

Clerk of the House of Representatives

Approved

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Governor