



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 878 (as enrolled)
Sponsor: Senator Mike Shirkey
Senate Committee: Commerce
House Committee: Communications and Technology

Date Completed: 6-17-16

RATIONALE

The Emergency 9-1-1 Service Enabling Act establishes emergency 9-1-1 districts and provides for the maintenance of universal emergency 9-1-1 service systems. When a person calls 9-1-1, the system allows the caller's telephone number and address to be displayed to a public safety answering point (PSAP). The system identifies the caller's location, enabling emergency services to be sent to the appropriate place. In some instances, however, the system might not properly locate a call made from a multiline telephone system (MLTS), particularly if the building the person is calling from is large, or the site is remote from the supplied location information. Given the nature of 9-1-1 calls, the lack of precise location identification can be life-threatening.

Many states, including Michigan, have enacted legislation or regulations to require MLTS operators to employ systems that transmit a 9-1-1 caller's specific location information to the PSAP. Michigan's administrative rule requiring these changes will take effect on December 31, 2016. Apparently, however, there is some confusion as to which State agency has authority to administer the rule, and facilities subject to the rule have had technical and financial issues complying with it. To address these concerns, it has been suggested that the rule's implementation should be delayed.

CONTENT

The bill would amend the Emergency 9-1-1 Service Enabling Act to extend the deadline for a service user to install equipment necessary to provide specific location information of a 9-1-1 call.

Under the Act, the Michigan Public Service Commission must consult with and consider the recommendations of the Emergency 9-1-1 Service Committee in the promulgation of rules to require each service user with a multiline telephone system to install, by December 31, 2016, the equipment and software necessary to provide specific location information for a 9-1-1 call. The bill would extend the date to December 31, 2019.

MCL 484.1405

BACKGROUND

In 2015, the Michigan Public Service Commission (MPSC) amended a rule pertaining to emergency 9-1-1 services and MLTSs (R 484.903). The amended rule requires an MLTS operator to guarantee that its telephone system is capable of routing 9-1-1 calls to the network in a manner that results in accurate automatic location and number identification that can be verified in the 9-1-1 location database. The rule also requires an operator to identify specific location information for a communication device in a building or buildings containing an occupied area of more than 7,000 square feet operating on an MLTS. The identification information required depends on the characteristics of the building and the property. For example, for a building that has its own street address and contains an occupied area of more than 7,000 square feet on a single floor, the

operator must identify the specific location, including the street address, of each communication device.

An operator in violation of the Emergency 9-1-1 Service Enabling Act, or rules promulgated under it, may be assessed a fine from \$500 to \$5,000 per violation.

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

As originally promulgated, the requirements of R 484.903 depended on whether a building had an occupied area of 40,000 square feet or less, or more than 40,000 square feet. The rule would have taken effect on December 31, 2011; however, Public Act 271 of 2011 delayed implementation of the rule until the end of 2016 because of the estimated compliance costs for various stakeholders. In 2015, the rule was amended and now applies to buildings having more than 7,000 square feet of occupied space. According to various organizations, it is unclear whether the Michigan State Police or the MPSC has the authority to implement the new rule, and none of the State agencies involved has given definitive guidance on what steps facilities should take to comply with it. Instead, businesses have been directed to work with their local PSAP on achieving compliance. The results will likely be a patchwork of different standards that cross more than one 9-1-1 region. Given that the MPSC has the authority to impose fines for noncompliance, businesses might purchase unnecessary upgrades or retain expensive consultants to attempt to come into compliance, or switch to cellular phones. The bill would allow a few more years for the State to enact clear legislation, e.g., model legislation proposed by the National Emergency Number Association, to guide the MPSC and/or State Police in further rule-making.

In addition, compliance with the new rule is also likely to be expensive. For example, according to testimony, the Archdiocese of Detroit received a \$22,000 quote for a new compliant telephone system. To upgrade all of the Archdiocese phone systems, it estimates a cost of \$2.0 million. Other organizations and businesses are facing similar costs to comply with the rule as it is written, and are unsure whether the steps they take will guarantee compliance. Currently, such costs are unjustified, particularly when the State agencies responsible for administering the rule are unsure as to its definitive interpretation. With the bill, businesses would have more time to receive clear guidance and purchase appropriate telephone systems.

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Josh Sefton

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.