

for state and local expenditures as published by the United States Department of Commerce.

Presented to the governor May 18, 2004

Signed by the governor May 29, 2004, 12:10 p.m.

### CHAPTER 282—S.F.No. 653

*An act relating to public safety; modifying 911 emergency telecommunications provisions governing multiline telephone systems; appropriating money; amending Minnesota Statutes 2002, sections 169A.52, subdivision 7; 403.01, subdivision 6; 403.02, by adding subdivisions; 403.07, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 403.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2002, section 169A.52, subdivision 7, is amended to read:

Subd. 7. **TEST REFUSAL; DRIVING PRIVILEGE LOST.** (a) On behalf of the commissioner, a peace officer requiring a test or directing the administration of a chemical test shall serve immediate notice of intention to revoke and of revocation on a person who refuses to permit a test or on a person who submits to a test the results of which indicate an alcohol concentration of 0.10 or more.

(b) On behalf of the commissioner, a peace officer requiring a test or directing the administration of a chemical test of a person driving, operating, or in physical control of a commercial motor vehicle shall serve immediate notice of intention to disqualify and of disqualification on a person who refuses to permit a test, or on a person who submits to a test the results of which indicate an alcohol concentration of 0.04 or more.

(c) The officer shall either:

(1) take the driver's license or permit, if any, invalidate the person's driver's license or permit card by clipping the upper corner of the card in such a way that no identifying information including the photo is destroyed, and immediately return the card to the person;

(2) issue the person a temporary license effective for only seven days; and

(3) send it the notification of this action to the commissioner along with the certificate required by subdivision 3 or 4, and issue a temporary license effective only for seven days; or

(2) invalidate the driver's license or permit in such a way that no identifying information is destroyed.

Sec. 2. Minnesota Statutes 2002, section 403.01, subdivision 6, is amended to read:

New language is indicated by underline, deletions by ~~strikeout~~.

Subd. 6. **MULTISTATION OR PBX SYSTEM.** Every owner and operator of a multistation or private branch exchange (PBX) ~~telecommunications~~ multiline telephone system shall design and maintain the system to dial the 911 number without charge to the caller.

Sec. 3. Minnesota Statutes 2002, section 403.02, is amended by adding a subdivision to read:

Subd. 22. **CALL BACK NUMBER.** “Call back number” means a number used by the public safety answering point to recontact the location from which the 911 call was placed.

Sec. 4. Minnesota Statutes 2002, section 403.02, is amended by adding a subdivision to read:

Subd. 23. **EMERGENCY LOCATION IDENTIFICATION NUMBER.** “Emergency location identification number” means a valid North American numbering plan format telephone number, assigned to the multiline telephone system operator by the appropriate authority, that is used to route the call to a public safety answering point and is used to retrieve the automatic location identification for the public safety answering point.

Sec. 5. Minnesota Statutes 2002, section 403.02, is amended by adding a subdivision to read:

Subd. 24. **EMERGENCY RESPONSE LOCATION.** “Emergency response location” means a location to which a 911 emergency response team may be dispatched. The location must be specific enough to provide a reasonable opportunity for the emergency response team to locate a caller anywhere within it.

Sec. 6. Minnesota Statutes 2002, section 403.02, is amended by adding a subdivision to read:

Subd. 25. **MULTILINE TELEPHONE SYSTEM.** “Multiline telephone system” means a private telephone system comprised of common control units, telephones, and control hardware and software that share a common interface to the public switched telephone network. This includes network and premises-based systems and systems owned or leased by governmental agencies and nonprofit entities, as well as for-profit businesses.

Sec. 7. Minnesota Statutes 2002, section 403.02, is amended by adding a subdivision to read:

Subd. 26. **SHARED RESIDENTIAL MULTILINE TELEPHONE SYSTEM SERVICE.** “Shared residential multiline telephone service” means the use of a multiline telephone system to provide service to residential facilities. For purposes of this subdivision, “residential facilities” means both single-family and multifamily facilities including extended care facilities and dormitories.

Sec. 8. Minnesota Statutes 2002, section 403.07, subdivision 5, is amended to read:

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Subd. 5. **LIABILITY.** (a) A wire line telecommunications service provider, its employees, or its agents are not liable to any person who uses enhanced 911 telecommunications service for release of subscriber information required under this chapter to any public safety answering point.

(b) A wire line telecommunications service provider is not liable to any person for the good faith release to emergency communications personnel of information not in the public record, including, but not limited to, nonpublished or nonlisted telephone numbers.

(c) A wire line telecommunications service provider, its employees, or its agents are not liable to any person for civil damages resulting from or caused by any act or omission in the development, design, installation, operation, maintenance, performance, or provision of enhanced 911 telecommunications service, except for willful or wanton misconduct.

(d) A multiline telephone system manufacturer, provider, or operator is not liable for any civil damages or penalties as a result of any act or omission, except willful or wanton misconduct, in connection with developing, designing, installing, maintaining, performing, provisioning, adopting, operating, or implementing any plan or system required by section 403.15.

**Sec. 9. [403.15] MULTILINE TELEPHONE SYSTEM 911 REQUIREMENTS.**

Subdivision 1. MULTISTATION OR PBX SYSTEM. Except as otherwise provided in this section, every owner and operator of a new multistation or private branch exchange (PBX) multiline telephone system purchased after December 31, 2004, shall design and maintain the system to provide a call back number and emergency response location.

Subd. 2. MULTILINE TELEPHONE SYSTEM USER DIALING INSTRUCTIONS. Each multiline telephone system operator must demonstrate or otherwise inform each new telephone system user how to call for emergency assistance from that particular multiline telephone system.

Subd. 3. SHARED RESIDENTIAL MULTILINE TELEPHONE SYSTEM. On and after January 1, 2005, operators of shared multiline telephone systems, whenever installed, serving residential customers shall ensure that the shared multiline telephone system is connected to the public switched network and that 911 calls from the system result in at least one distinctive automatic number identification and automatic location identification for each residential unit, except those requirements do not apply if the residential facility maintains one of the following:

(1) automatic location identification for each respective emergency response location;

(2) the ability to direct emergency responders to the 911 caller's location through an alternative and adequate means, such as the establishment of a 24-hour private answering point; or

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(3) a connection to a switchboard operator, attendant, or other designated on-site individual.

**Subd. 4. HOTEL AND MOTEL MULTILINE TELEPHONE SYSTEM.** Operators of hotel and motel multiline telephone systems shall permit the dialing of 911 and shall ensure that 911 calls originating from hotel or motel multiline telephone systems allow the 911 system to clearly identify the address and specific location of the 911 caller.

**Subd. 5. BUSINESS MULTILINE TELEPHONE SYSTEM.** (a) An operator of business multiline telephone systems connected to the public switched telephone network and serving business locations of one employer shall ensure that calls to 911 from any telephone on the system result in one of the following:

(1) automatic location identification for each respective emergency response location;

(2) an ability to direct emergency responders to the 911 caller's location through an alternative and adequate means, such as the establishment of a 24-hour private answering point; or

(3) a connection to a switchboard operator, attendant, or other designated on-site individual.

(b) Except as provided in paragraph (c), providers of multiline telephone systems serving multiple employers' business locations shall ensure that calls to 911 from any telephone result in automatic location identification for the respective emergency response location of each business location sharing the system.

(c) Only one emergency response location is required in the following circumstances:

(1) an employer's workspace is less than 40,000 square feet, located on a single floor and on a single contiguous property;

(2) an employer's workspace is less than 7,000 square feet, located on multiple floors and on a single contiguous property; or

(3) an employer's workspace is a single public entrance, single floor facility on a single contiguous property.

**Subd. 6. SCHOOLS.** A multiline telephone system operated by a public or private educational institution, including a system serving dormitories and other residential customers, is subject to this subdivision and is not subject to subdivision 3. The operator of the education institution multiline system connected to the public switched network must ensure that calls to 911 from any telephone on the system result in one of the following:

(1) automatic location identification for each respective emergency response location;

(2) an ability to direct emergency responders to the 911 caller's location through an alternative and adequate means, such as the establishment of a 24-hour private answering point; or

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(3) a connection to a switchboard operator, attendant, or other designated on-site individual.

Subd. 7. EXEMPTIONS. (a) Multiline telephone systems with a single emergency response location are exempt from subdivisions 1 and 3 to 6 and section 403.07, subdivision 3.

(b) Multiline telephone system operators that employ alternative methods of enhanced 911 support are exempt from subdivisions 1 and 3 to 6 and section 403.07, subdivision 3.

(c) A multiline telephone system operator may apply for an exemption from the requirements in this section from the chief officer of each public safety answering point serving that jurisdiction.

Subd. 8. APPLICABILITY. The requirements of subdivisions 4, 5, and 6 apply to new multiline telephone systems purchased after December 31, 2004. The requirements of subdivisions 2 and 3 and the exemptions in subdivision 7 apply regardless of when the multiline telephone system was installed.

#### **Sec. 10. APPROPRIATION.**

\$3,475,000 is appropriated in fiscal year 2004 to the commissioner of public safety from the state government special revenue fund to be used by the commissioner for 911 emergency telecommunications services under Laws 2003, First Special Session chapter 1, article 1, section 29. This is a onetime appropriation.

#### **Sec. 11. EFFECTIVE DATE.**

Sections 2 to 10 are effective the day following final enactment.

Presented to the governor May 18, 2004

Signed by the governor May 29, 2004, 10:25 a.m.

### **CHAPTER 283—S.F.No. 58**

*An act relating to crimes; reducing from 0.10 to 0.08 the per se alcohol concentration level for impairment offenses involving driving a motor vehicle, criminal vehicular homicide and injury, operating recreational vehicles or watercraft, hunting, or operating military vehicles while impaired; requiring the purging of certain driving records; requiring a report; amending Minnesota Statutes 2002, sections 97B.065, subdivision 1; 97B.066, subdivision 1; 169A.20, subdivision 1; 169A.51, subdivision 1; 169A.52, subdivisions 2, 4, 7; 169A.54, subdivision 7; 169A.76; 171.12, subdivision 3; 192A.555; 609.21; Minnesota Statutes 2003 Supplement, section 169A.53, subdivision 3.*

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