

CHAPTER 403

LOCAL EMERGENCY TELEPHONE SERVICES

403.01 Emergency telephone system.
 403.02 Definitions.
 403.03 Services to be provided.
 403.04 Emergency telephone number; pay telephones.
 403.05 Design of system.
 403.06 System planning and coordination.

403.07 Standards established.
 403.08 Plans to be submitted.
 403.09 Enforcement.
 403.10 Cooperative agreements.
 403.11 System costs.
 403.12 Report to legislature.

403.01 EMERGENCY TELEPHONE SYSTEM.

Subdivision 1. Each county in the metropolitan area shall establish a 911 emergency telephone system on or before December 15, 1982 and each remaining county shall establish a 911 emergency telephone system on or before December 15, 1986.

Subd. 2. The 911 systems may be multijurisdictional and regional in character provided that design and implementation are preceded by cooperative planning on a county by county basis with local public safety agencies.

History: 1977 c 311 s 1

403.02 DEFINITIONS.

Subdivision 1. For the purposes of sections 403.01 to 403.12, the terms defined in this section have the meanings given them.

Subd. 2. "Metropolitan area" means the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Subd. 3. "Public agency" means any unit of local government or special purpose district located in whole or in part within this state which provides or has authority to provide fire fighting, police, ambulance, medical, or other emergency services.

Subd. 4. "Public safety agency" means a functional division of a public agency which provides fire fighting, police, medical, or other emergency services, or a private entity which provides emergency medical or ambulance services.

Subd. 5. "Public safety answering point" means a communications facility operated on a 24 hour basis which first receives 911 calls from persons in a 911 service area and which may, as appropriate, directly dispatch public safety services or extend, transfer, or relay 911 calls to appropriate public safety agencies.

Subd. 6. "Minimum 911 service" means a telephone service meeting the design standards established pursuant to section 403.07, which automatically connects a person dialing the digits 911 to an established public safety answering point. Minimum 911 service includes (1) equipment for connecting and outswitching 911 calls within a telephone central office, trunking facilities from the central office to a public safety answering point; (2) equipment, as appropriate, for automatically selectively routing 911 calls in situations where one telephone central office serves more than one public safety answering point; and (3) provision of automatic location identification if the public safety answering point has the capability of providing that service.

Subd. 7. **Automatic location identification.** "Automatic location identification" means the process of electronically identifying and displaying on a special viewing screen the name of the subscriber and the address of the calling telephone number to a person answering a 911 emergency call.

Subd. 8. **Local location identification.** "Local location identification" means the process of locating the origin of calls to a 911 system by means of a periodically updated data base located and maintained at the public safety answering point.

History: 1977 c 311 s 2; 1987 c 56 s 1,2; 1990 c 543 s 1

403.03 SERVICES TO BE PROVIDED.

Services available through a 911 system shall include police, fire fighting and emergency medical and ambulance services. Other emergency and civil defense services may be incorporated into the 911 system at the discretion of the public agency operating the public safety answering point.

History: 1977 c 311 s 3

403.04 EMERGENCY TELEPHONE NUMBER; PAY TELEPHONES.

Subdivision 1. The digits 911 shall be the primary emergency telephone number within the system, but a public safety agency whose services are available on the 911 system may maintain a separate secondary backup number for emergency calls and shall maintain a separate number for nonemergency telephone calls.

Subd. 2. By December 15, 1986, each public utility providing telephone service within a 911 service area shall convert every pay station telephone to permit dialing of the 911 number without coin or other charge to the caller.

History: 1977 c 311 s 4

403.05 DESIGN OF SYSTEM.

Each county shall design its 911 system to meet the requirements of agencies whose services are available through the 911 system and to permit future expansion of the system.

History: 1977 c 311 s 5

403.06 SYSTEM PLANNING AND COORDINATION.

The department of administration shall coordinate the implementation of 911 systems on or before the deadlines established in section 403.01. The department shall aid counties in the formulation of concepts, methods and procedures which will improve the operation of 911 systems.

History: 1977 c 311 s 6

403.07 STANDARDS ESTABLISHED.

Subdivision 1. The department of administration shall establish and adopt in accordance with chapter 14, rules for the administration of sections 403.01 to 403.12 and for the development of 911 systems in the state including:

(a) Design standards for 911 systems incorporating the standards adopted pursuant to subdivision 2 for the seven county metropolitan area; and

(b) A procedure for determining and evaluating requests for variations from the established design standards.

Subd. 2. The metropolitan council shall establish and adopt design standards for the metropolitan area 911 system and transmit them to the department of administration for incorporation into the rules adopted pursuant to this section.

Subd. 3. **Data base.** In 911 systems that have been approved by the department of administration for a local location identification base, each public utility providing telephone service shall provide current customer names, service addresses, and telephone numbers to each public safety answering point within the 911 system and shall update the information according to a schedule prescribed by the county 911 plan. Information provided under this subdivision must be provided in accordance with the transactional record disclosure requirements of the federal Electronic Communications Privacy Act of 1986, United States Code, title 18, section 2703, subsection (c), paragraph (1), clause (B)(iv).

Subd. 4. **Use of furnished information.** Names, addresses, and telephone numbers provided to a 911 system under subdivision 3 are private data and may be used only for identifying the location or identity, or both, of a person calling a 911 public safety answering point. The information furnished under subdivision 3 may not be used or

disclosed by 911 system agencies, their agents, or their employees for any other purpose except under a court order. This subdivision does not affect access to service data under section 13.82, subdivision 3, when data subject to that provision is sought from a law enforcement agency.

History: 1977 c 311 s 7; 1982 c 424 s 130; 1990 c 543 s 2,3

403.08 PLANS TO BE SUBMITTED.

Subdivision 1. (a) Before December 15, 1978, each county shall submit tentative plans for the establishment of a 911 system to the public utility or utilities providing public telephone service within the county, to the department of administration and to the public utilities commission.

(b) The department of administration shall review the plan for consistency with the standards adopted pursuant to section 403.07 and report its findings to the county within six months of receipt of the plan.

(c) The public utilities commission shall review the plan and comment to the county within six months of the receipt of the plan.

(d) Each public utility providing telephone service within the county shall review the plan and transmit to the county good faith estimates of local system implementation expenses within six months of the receipt of the plan.

Subd. 2. (a) Before December 15, 1979, each county shall submit final plans for the establishment of a 911 system to the public utility or utilities providing public telephone service within the county, to the department of administration and to the public utilities commission. The final plan shall include a description of all capital and recurring costs for the proposed 911 system.

(b) The department of administration shall review the final plan for consistency with the standards adopted pursuant to section 403.07 and approve or disapprove the plan within six months of receipt.

(c) The public utilities commission shall review the final plan and determine that portion of plan implementation capital costs which may be applied to the utility company rate base and report findings to the county within six months of receipt of the plan.

Subd. 3. After department of administration approval of design and public utilities commission report of findings, each county, together with the department of administration and the local governmental units or public agencies operating public safety answering points, shall contract with the appropriate public utility or utilities for the implementation of the approved 911 system plan.

Subd. 4. Each county implementing a 911 system before December 15, 1978, shall submit to the department of administration and the public utilities commission in lieu of the required plan a report describing the system and stating its operational date.

Subd. 5. Any subsequent changes to 911 systems described in subdivision 4 shall conform to standards established by the department of administration pursuant to section 403.07.

Subd. 6. After adoption of final 911 system plans, any county or utility may petition the department of administration for a waiver of all or portions of the requirements or time limits of sections 403.01 to 403.08. Waivers shall be granted upon a demonstration by petitioner that the requirement is economically infeasible in the sense that federal or state funding for the initial capital investment required of the county to implement a 911 system is not available.

History: 1977 c 311 s 8; 1980 c 614 s 123

403.09 ENFORCEMENT.

At the request of the department of administration, the attorney general may commence proceedings in the district court against any person or public or private body to enforce the provisions of sections 403.01 to 403.12.

At the request of the public utilities commission, the attorney general may com-

mence proceedings before the district court pursuant to section 237.27, against any public utility providing telephone service which refuses to comply with the provisions of sections 403.01 to 403.12.

History: 1977 c 311 s 9; 1980 c 614 s 123

403.10 COOPERATIVE AGREEMENTS.

Subdivision 1. In counties implementing 911 systems pursuant to sections 403.01 to 403.08, all public agencies and counties which are part of different 911 systems but share common boundary lines may enter into cooperative agreements which shall provide that once an emergency unit is dispatched in response to a request through the system, the unit shall render its services to the requesting party without regard to jurisdictional boundaries.

Subd. 2. Public safety agencies with jurisdictional responsibilities shall in all cases be notified by the public safety answering point of a request for service in their jurisdiction.

Subd. 3. Counties, public agencies, operating public safety answering points, and other local governmental units may enter into cooperative agreements under section 471.59 for the allocation of operational and capital costs attributable to the 911 system.

History: 1977 c 311 s 10

403.11 SYSTEM COSTS.

Subdivision 1. **Emergency telephone service fee.** (a) Each customer of a local exchange company is assessed a fee to cover the costs of ongoing maintenance and related improvements for trunking and central office switching equipment for minimum 911 emergency telephone service, plus administrative and staffing costs of the department of administration related to managing the 911 emergency telephone service program. Recurring charges by a public utility providing telephone service for updating the information required by section 403.07, subdivision 3, must be paid by the commissioner for information if the utility is included in an approved 911 plan and the charges have been certified and approved under subdivision 3.

(b) The fee may not be less than eight cents nor more than 30 cents a month for each customer access line, including trunk equivalents as designated by the public utilities commission for access charge purposes. The fee must be the same for all customers.

(c) The fee must be collected by each utility providing local exchange telephone service. Fees are payable to and must be submitted to the commissioner of administration monthly before the 25th of each month following the month of collection, except that fees may be submitted quarterly if less than \$250 a month is due, or annually if less than \$25 a month is due. Receipts must be deposited in the state treasury and credited to a 911 emergency telephone service account in the special revenue fund. The money in the account may only be used for 911 telephone services as provided in paragraph (a).

(d) The commissioner of administration, with the approval of the commissioner of finance, shall establish the amount of the fee within the limits specified and inform the utilities of the amount to be collected. Utilities must be given a minimum of 45 days notice of fee changes.

Subd. 2. **Modification costs.** The costs of a public utility incurred in the modification of central office switching equipment for minimum 911 service shall be paid from the general fund of the state treasury by appropriations for that purpose.

Subd. 3. **Method of payment; certification.** A public utility incurring reimbursable costs under subdivision 1 or 2 shall certify those costs to the commissioner of administration. The certification shall be in a form as prescribed by the commissioner after consultation with the public utilities commission. If the commissioner and the commission approve the certified costs as appropriate and accurate, the commissioner shall pay the certified costs from money appropriated for that purpose within 90 days following receipt by the commissioner of the certified costs. The commissioner of administration

MINNESOTA STATUTES 1990

9019

LOCAL EMERGENCY TELEPHONE SERVICES 403.12

shall estimate the amount required to reimburse public utilities for the state's obligations under subdivisions 1 and 2 and the governor shall include the estimated amount in the biennial budget request.

Subd. 4. **Local recurring costs.** Recurring costs of telephone communications equipment and services at public safety answering points shall be borne by the local governmental unit operating the public safety answering point or allocated pursuant to section 403.10, subdivision 3. Costs attributable to local government electives for services beyond minimum 911 service shall be borne by the governmental unit requesting the elective service.

History: 1977 c 311 s 11; 1978 c 680 s 1; 1980 c 614 s 123,147; 1Sp1985 c 13 s 330; 1987 c 404 s 174; 1989 c 335 art 4 s 85; 1990 c 543 s 4

403.12 REPORT TO LEGISLATURE.

Subdivision 1. By January 1 of each year, the department of administration shall report to the legislature the progress that has been made in the implementation of sections 403.01 to 403.12.

Subd. 2. [Repealed, 1Sp1986 c 3 art 1 s 51]

Subd. 3. [Repealed, 1Sp1986 c 3 art 1 s 51]

History: 1977 c 311 s 12; 1Sp1986 c 3 art 1 s 52