

## CHAPTER 403

## LOCAL EMERGENCY TELEPHONE SERVICES

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**403.02 DEFINITIONS.**

Subdivision 1. **Scope.** For the purposes of this chapter, the terms defined in this section have the meanings given them.

*[For text of subs 2 to 9, see M.S.1994]*

**History:** 1995 c 149 s 1

**403.07 STANDARDS ESTABLISHED.**

Subdivision 1. **Rules.** The department of administration shall establish and adopt in accordance with chapter 14, rules for the administration of this chapter 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.

*[For text of subs 2 to 4, see M.S.1994]*

**History:** 1995 c 149 s 2

**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 this chapter.

At the request of the public utilities commission, the attorney general may commence proceedings before the district court pursuant to section 237.27, against any public utility providing telephone service which refuses to comply with this chapter.

**History:** 1995 c 149 s 3

**403.11 SYSTEM COSTS.**

Subdivision 1. **Emergency telephone service fee.** (a) Each customer of a telephone company or communications carrier that provides service capable of originating a 911 emergency telephone call 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 of administration if the utility is included in an approved 911 plan and the charges have been certified and approved under subdivision 3. The commissioner of administration shall transfer an amount equal to two cents a month from the fee assessed under this section on cellular and other nonwire access services to the commissioner of public safety for the purpose of offsetting the costs, including administrative and staffing costs, incurred by the state patrol division of the department of public safety in handling 911 emergency calls made from cellular phones. Money remaining in the 911 emergency telephone service account after all other obligations are paid must not cancel and is carried forward to subsequent years and may be appropriated from time to time to the commissioner of administration to provide financial assistance to counties for the improvement of local emergency telephone services. The improvements may include

providing access to minimum 911 service for telephone service subscribers currently without access and upgrading existing 911 service to include automatic number identification, local location identification, automatic location identification, and other improvements specified in revised county 911 plans approved by the department.

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

(c) The fee must be collected by each company or carrier providing service subject to the fee. 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 companies and carriers of the amount to be collected. Companies and carriers must be given a minimum of 45 days notice of fee changes.

(e) This subdivision does not apply to customers of a telecommunications carrier as defined in section 237.01, subdivision 6.

*[For text of subs 2 to 4, see M.S.1994]*

**History:** 1995 c 265 art 2 s 29

#### **403.13 CELLULAR TELEPHONE USE.**

A provider of cellular telephone services in Minnesota shall notify its subscribers at the time of initial subscription and four times per year thereafter that a 911 emergency call made with a cellular telephone is not answered by a local public safety answering point but rather is routed to a state patrol dispatcher and that, accordingly, the caller must provide specific information regarding the caller's location.

**History:** 1995 c 149 s 4