

Date of Hearing: April 24, 2019

ASSEMBLY COMMITTEE ON COMMUNICATIONS AND CONVEYANCE

Miguel Santiago, Chair

AB 1168 (Mullin) – As Introduced February 21, 2019

SUBJECT: Emergency services: text to 911

SUMMARY: Requires each public safety answering point (PSAP) to deploy a text to 911 service that enables an individual to text “911” for emergency services that is capable of accepting either Short Message Service messages or Real-Time Text messages, by January 1, 2021.

EXISTING LAW:

- 1) Establishes the Warren-911 Emergency Assistance Act, which establishes the number “911” as the primary emergency telephone number for use in the state and to encourage units of local government and combinations of such units to develop and improve emergency communication procedures and facilities in such a manner as to be able to quickly respond to any person calling the telephone number “911” seeking police, fire, medical, rescue, and other emergency services. (Government Code (GOV) Section 53100, et seq.)
- 2) Requires a provider of commercial mobile radio service, to provide access for end users of that service to the local emergency telephone systems described in the Warren-911 Emergency Assistance Act, as specified. (Public Utilities Code Section 2896.1)
- 3) Imposes a 911 surcharge on intrastate telephone communication services and/or Voice over Internet Protocol (VoIP) service that provides access to the 911 emergency system. (Revenue and Taxation Code (RTC) Section 41020)
- 4) Requires the Office of Emergency Services (Cal OES) to determine annually, on or before October 1, to be effective on January 1 of the following year, a specified surcharge rate that it estimates will produce sufficient revenue to fund the current fiscal year’s 911 costs. (RTC Section 41030)
- 5) Requires Cal OES to develop a plan and timeline of target dates for the testing, implementation, and operation of a Next Generation 911 (Next Gen 911) emergency communication system, including text to 911 service, throughout California. (GOV Section 53121)

FISCAL EFFECT: Unknown. This bill has been keyed fiscal by the Legislative Counsel.

COMMENTS:

- 1) **Authors Statement:** According to the author, “As someone who is hard of hearing, I believe it is critical that we expand the ways people access 911 in an emergency. California companies are creating cutting edge technology on a daily basis and I believe we have the capability to launch Text to 911 statewide by 2021. This technology would be helpful to those who find themselves in situations where it might be too dangerous to dial 911.

Scenarios could include domestic abuse situations, accidents that cause inability to speak or active shooter situations.”

- 2) **Background:** The Warren-911 Emergency Assistance Act established California’s 911 emergency telephone response system in 1973. California has one of the nation’s largest 911 system with over 442 call center to handle its 911 calls. The Warren-911 Act provided a single, primary three-digit emergency number through which emergency service could quickly and efficiently be obtained. California’s 911 system was built on an infrastructure of analog, circuit-switched network technology known as PSAP which is designed mostly to support voice and limited data services. There are currently 438 PSAPs in California that handle 911 calls. Cal OES is tasked with coordinating the overall state response to disasters which includes oversight of the State’s 911 system.
- 3) **911 Funding:** The Cal OES Public Safety Communication Division is tasked with administering the states 911 emergency system which includes reviewing local PSAP equipment and operation, and the administration and oversight of the State Emergency Telephone Number Account (SETNA) used to fund 911 services in California. SETNA funds are derived from a statewide 911 surcharge on telephone customers for intrastate voice communications. Cal OES is required to annually determine the surcharge rate up to a statutory maximum of 0.75 percent and a minimum of 0.50 percent. As of April 2019, the SETNA surcharge is set at 0.75 percent. For years, there has been a steady decline in the amount of revenue collected and deposited into SETNA. This trend is largely due to the decline in the use of intrastate voice services.
- 4) **911 Routing:** When the Warren-911 Act was enacted, 911 emergency calls were made primarily on landlines. A call would be routed to a PSAP and the dispatcher would dispatch emergency services to the location accordingly. As wireless phones were introduced, wireless 911 calls were routed to a California Highway Patrol (CHP) dispatch because most early wireless phones were in cars and the assumption was that calls being made from a wireless phone were primarily to report issues on roadways. As wireless phones became more common, and the use of landlines decreased, more 911 calls were being made from wireless phones over landlines. Today, when a 911 call is made from a wireless phone, the call is routed to an antenna on a cell tower. Each antenna is assigned an Emergency Service Number which determines the PSAP that will handle the call. Calls are then queried until their location is determined by CHP and then transferred to a local dispatch center. This process can often lead to delays due to the inability to identify a caller’s exact location in a timely manner.
- 5) **Next Generation 911:** As more California’s move away from landlines to more Internet Protocol (IP) based systems, such as wireless and VoIP, ensuring that the state’s emergency communications network capabilities can support this transition is critical to public safety. Next Gen 911 is an IP based two way communications system that will allow digital information, such as voice, photos, videos, and text messages, to flow between 911 callers and PSAPs. Next Gen 911 will build upon, and eventually replace, the existing 911 system and lay the groundwork for a new communications system for our first responders that has the capabilities to support advancing technologies and uses. In 2014, SB 1121 (Padilla) Chapter 926, Statute of 2014, required Cal OES to develop a timeline for the implementation of Next Gen 911. Since then, Cal OES has worked with various stakeholders to develop a

Next Gen 911 implementation plan and, depending on funding, projects full implementation of Next Gen 911 by December 2022.

This bill requires each PSAP to deploy a text to 911 service by January 1, 2021, that enables individuals to text “911” for emergency services. As more people continue to rely on IP based systems, updating the States 911 system to support such new technologies would be helpful in situations in which individuals find it too difficult or dangerous to dial 911. It would also greatly improve communications between individuals and first responders, especially among those in deaf and disabled communities that might find it difficult to verbally communicate during an emergency. Reforming the way in which SETNA is funded will be critical in order for the State to continue to support the existing 911 system, while also updating it to support Next Gen 911.

- 6) **Arguments in Support:** According to NorCal Services for Deaf and Hard of Hearing, “Currently, access to 911 services is by phone or [teletypewriter] (TTY). However, many Deaf people do not have TTYS in their homes, having moved on to using videophone, smartphone and email technology. As a result, Deaf people have been forced to depend on third party relay services to access 911 services for the past decade. Although such technology is available, text to 911 services is available in only a few counties. The passage of AB 1168 would ensure that Deaf people in California have direct access to 911 services.”
- 7) **Related Legislation:** AB 911 (Rodriguez) of 2019 requires Cal OES to establish a statewide system that enables all Californians to voluntarily share information about themselves to first responders during an emergency. *Status: Pending in the Assembly Committee on Governmental Organization.*
- 8) **Prior Legislation:** AB 1211 (Padilla) of 2014 required Cal OES to develop a plan and timeline for testing, implementation, and operation of a Next Generation 911 emergency communications system. *Status: Chaptered by the Secretary of State – Chapter 926, Statutes of 2014.*

REGISTERED SUPPORT / OPPOSITION:

Support

California Chapter of the American College of Emergency Physicians
 California Coalition of Agencies Serving the Deaf and Hard of Hearing
 Deaf and Hard of Hearing Service Center
 Deaf Counseling Advocacy and Referral Agency
 Greater Los Angeles Agency on Deafness, Inc. (Glad)
 Norcal Services for Deaf and Hard of Hearing
 Orange County Deaf Equal Access Foundation

Opposition

None on file.

Analysis Prepared by: Edmond Cheung / C. & C. / (916) 319-2637