
SENATE BILL 6375

State of Washington

52nd Legislature

1992 Regular Session

By Senator Thorsness

Read first time 01/27/92. Referred to Committee on Energy & Utilities.

1 AN ACT Relating to the regulatory oversight of private branch
2 exchanges for the public health and safety; amending RCW 80.36.370;
3 adding new sections to chapter 80.36 RCW; adding new sections to
4 chapter 38.52 RCW; creating a new section; and prescribing penalties.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that citizens of
7 the state have begun to rely on enhanced 911, a system that allows the
8 person answering an emergency call to immediately determine the
9 location of the emergency without the need of the caller to speak. The
10 legislature further finds that in some cases, calls made from
11 telephones attached to private branch exchange equipment cannot be
12 precisely located by the answerer, eliminating some of the benefit of
13 enhanced 911, and that this condition could additionally imperil
14 citizens calling from these locations in an emergency.

1 NEW SECTION. **Sec. 2.** (1) As of the effective date of this
2 section, a person may not install or cause to be installed private
3 branch exchange equipment to be connected with the facilities of any
4 telecommunications company registered with the utilities and
5 transportation commission unless the private branch exchange equipment
6 is capable of forwarding automatic number identification information
7 and automatic location information to an emergency response answering
8 location.

9 (2) A person who knowingly installs or causes to be installed
10 private branch exchange equipment without such forwarding capability is
11 guilty of a gross misdemeanor.

12 NEW SECTION. **Sec. 3.** (1) The department has primary authority
13 to regulate and enforce section 2 of this act as it relates to the
14 public health and safety implications of private branch exchange
15 equipment interconnections with local exchange telephone companies.

16 (2) By December 1, 1992, the department shall adopt rules on
17 enforcing section 2 of this act. The rules must include a fee schedule
18 to be levied against the owner of private branch exchange equipment and
19 be designed to pay for the costs of enforcing section 2 of this act.

20 NEW SECTION. **Sec. 4.** By December 1, 1993, the department, in
21 consultation with the utilities and transportation commission, shall
22 adopt rules that provide for warning information to users of telephones
23 directly serviced by private branch exchange equipment that do not
24 provide an emergency response answering location with the automatic
25 number and location information needed for enhanced 911 service.

26 NEW SECTION. **Sec. 5.** In consultation with the utilities and
27 transportation commission, the state enhanced 911 coordinator is

1 directed to develop a plan providing for the phase out, by December 31,
2 1998, of the use of all private branch exchange equipment that have no
3 capability of forwarding automatic number identification information
4 and automatic location information to an emergency response answering
5 location.

6 NEW SECTION. **Sec. 6.** By December 1, 1992, the commission
7 shall develop a list of known private branch exchange equipment used
8 within the state and connected to facilities of local exchange
9 companies. The commission may require local exchange companies to
10 provide relevant information that aids the commission in developing
11 such a list.

12 **Sec. 7.** RCW 80.36.370 and 1990 c 118 s 1 are each amended to read
13 as follows:

14 The commission shall not regulate the following:

15 (1) One way broadcast or cable television transmission of
16 television or radio signals;

17 (2) Private telecommunications systems;

18 (3) Telegraph services;

19 (4) Any sale, lease, or use of customer premises equipment except
20 such equipment as is regulated on July 28, 1985, unless the commission
21 finds, upon notice and investigation, that out of public safety,
22 convenience, or necessity, such equipment should be regulated as to its
23 capability of providing linkage with enhanced emergency communications
24 service;

25 (5) Private shared telecommunications services, unless the
26 commission finds, upon notice and investigation, that customers of such
27 services have no alternative access to local exchange
28 telecommunications companies. If the commission makes such a finding,

1 it may require the private shared telecommunications services provider
2 to make alternative facilities or conduit space available on reasonable
3 terms and conditions at reasonable prices;

4 (6) Radio communications services provided by a regulated
5 telecommunications company, except that when those services are the
6 only voice grade, local exchange telecommunications service available
7 to a customer of the company the commission may regulate the radio
8 communication service of that company.

9 NEW SECTION. **Sec. 8.** (1) Sections 2 and 6 of this act are
10 each added to chapter 80.36 RCW.

11 (2) Sections 3 through 5 of this act are each added to chapter
12 38.52 RCW.