

**PART I. ADMINISTRATION OF THE GOVERNMENT****TITLE II. EXECUTIVE AND ADMINISTRATIVE OFFICERS OF THE  
COMMONWEALTH****CHAPTER 6A. EXECUTIVE OFFICES****EXECUTIVE OFFICE OF PUBLIC SAFETY****Chapter 6A: Section 18A. Definitions applicable to Secs. 18A to 18I**

*[Text of section effective in a city or town which accepts the provisions of 1990, 291.]*

Section 18A. In this section and in sections 18B to 18I, inclusive, and in section fourteen A of chapter one hundred and sixty-six, the following words shall, unless the context clearly requires otherwise, have the following meaning:—

911 Service Provider, any entity providing one or more of the following 911 elements: network, database, PSAP Customer Premise Equipment (CPE).

“Automatic Number Identification”, an enhanced 911 feature that automatically displays at a Public Safety Answering Point, the number of the phone from which the 911 call was placed.

“Automatic Location Identification”, a feature that displays at the Public Safety Answering Point the name and address or geographical location associated with the number of the phone used to access 911.

“Board”, the statewide emergency telecommunications board.

“Director”, the executive director of the statewide emergency telecommunications board.

“Communication Service Provider” an entity, including a reseller or prepaid provider of wireless services, providing communications services capable of data or two-way voice communication with the ability of accessing 911 which shall include certified local exchange service providers, wireless service providers, and IP-enabled service providers.

“Enhanced 911 service”, a service consisting of communication network features provided for users of communications services, including, but not limited to, the public switched telephone network, enabling such users to reach a public safety answering point by dialing the digits 911. Such service directs calls to appropriate public safety answering points based on selective routing, and also provides the capability for automatic number identification, automatic location identification, and other emerging data services.

“Enhanced 911 network features”, those features which provide selective routing, automatic number identification and automatic location identification.

“Enhanced 911 systems”, a distinct entity or geographical segment in which enhanced 911 service is provided. It includes public safety answering points and the network used to deliver location and other data to public safety answering points from a data base.

“FCC Order”, all orders issued by the Federal Communications Commission pursuant to the proceeding entitled “Revision of the Commission’s Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems” (CC Docket No. 94-102; RM 8143), or any successor proceeding, including all other criteria established therein, regarding the delivery of wireless enhanced 911 service by a wireless carrier. Also, all orders issued by the Federal Communications Commission pursuant to the proceeding entitled “In the Matter of IP-Enabled Services; E911 Requirements for IP-Enabled Service Providers”(WC Docket No 05-196), or any successor proceeding, including all other criteria established therein, regarding the delivery of enhanced 911 service by an IP-enabled service provider.

“IP-Enabled Services”, include a broad group of communication services that use a packet based transmission network and Internet-Protocol features to transmit a variety of communications including but not limited to, instant messaging, video, voice, and other advanced IP services. The use of IP-Enabled voice services may be contrasted to traditional two-way voice communication services using traditional circuit switch telephony instead of packet based Internet Protocols.

“Local exchange service”, telephone exchange lines or channels that provide local access from the premises of a subscriber in the state to the local telecommunications network to effect the transfer of information.

“Municipality”, any city or town in the commonwealth.

“Network components”, includes the software and hardware for a controls switch, other switch modification, trunking and all components of the computer storage system and data base used for selective routing of 911 calls and automatic location identification, including a public safety answering point.

“Next Generation 911” includes an Enhanced 911 system that incorporates the handling of all 911 calls and messages including those using IP-enabled services as well as the use of IP and other advanced communications technologies in the infrastructure of the 911 system itself. Next Generation 911 (NG911) is the next evolutionary step in the development of 911. NG911, generally, is a system comprised of managed IP- based networks and elements that may augment legacy E911 features and functions as well as add new capabilities. NG911 is designed to provide access to emergency services from all sources, and to provide multimedia data capabilities for PSAPs and other emergency service organizations.

“Prepaid wireless service” means wireless service that is activated in advance by payment for a finite dollar amount of service or for a finite set of minutes that terminates either upon use by a customer and delivery by the wireless provider of an agreed-upon amount of service corresponding to the total dollar amount paid in advance or within a certain period of time following the initial purchase or activation, unless the customer makes additional payments.

“Prepaid wireless telephone service provider” means a cellular or wireless communications service provider that sells prepaid wireless telephone service at wholesale or retail.

“Retail” means sales by a prepaid wireless telephone service provider directly to the end user customer or to a non-prepaid wireless telephone service provider through a voluntary contractual relationship in which the service is sold directly to the end user customer on behalf of the prepaid wireless telephone service provider.

“Wholesale” means sales by the prepaid wireless telephone service provider to a non-prepaid wireless telephone service provider who sells service on behalf of the prepaid wireless telephone service provider.

“Public Safety Agency”, a functional division of a municipality or the state which provides fire fighting, law enforcement, ambulance, medical or other emergency services.

“Private Safety Agency”, any entity, except for a municipality or a public safety agency, providing emergency police, fire, ambulance or medical services.

“Public Safety Answering Point”, a facility assigned the responsibility of receiving 911 calls and, as appropriate, directly dispatching emergency response services or transferring or relaying emergency 911 calls to other public or private safety agencies.

A Primary Public Safety Answering Point is equipped with automatic number identification and automatic location identification displays, and is the first point of reception of a 911 call. It serves the municipality in which it may be located, and other cities and towns as may be determined by the board.

A Secondary Public Safety Answering Point is equipped with automatic number identification and automatic location identification displays. It receives 911 calls only when they are transferred from the primary public safety answering point or on an alternative routing basis when calls cannot be completed to the primary public safety answering point.

A Ringing Public Safety Answering Point is equipped for receipt of voice communications only, and may not operate twenty-four hours each day. It receives 911 calls that are transferred from the primary public safety answering point.

“Regional Public Safety Answering Point” is a public safety answering point that receives 911 calls for two or more municipalities and serves as a Primary Public Safety Answering Point.

“Selective Routing”, the method to direct 911 calls to the appropriate public safety answering point using a call routing database derived from the geographical location from which the call originated.

“Subscriber”, an end user customer who uses a communications service that is functionally capable of two-way communications service with the ability to access the public switched telephone network and a 911 Public Safety Answering Point.

“Incumbent Local Exchange Company”, includes all persons, firms, corporations, associations and joint stock associations or companies, as defined in chapter one hundred and fifty-nine, furnishing or rendering local telephone exchange service.

“VoIP or Voice over Internet Protocol”, a type of IP-Enabled service that allows for the two-way real time transmission of voice communications that also have access to the Public Switched Telephone Network.

“Wireless carrier”, all commercial mobile radio services, as that term is defined in 47 U.S.C. section 332(d) including resellers and prepaid providers of wireless services.

“Wireless enhanced 911 service”, the service required to be provided by wireless carriers pursuant to the FCC Order.

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*[Text of section effective in a city or town which accepts the provisions of 1990, 291.]*

Section 18B. (a) There shall be, within the executive office of public safety, a statewide emergency telecommunications board consisting of the secretary of public safety; the director of the office of consumer affairs and business regulation; the director of the Massachusetts emergency management agency and office of emergency preparedness; the chief information officer of the information technology division; the state fire marshal; the colonel of state police and the police commissioner of the city of Boston; the executive director of the state office of handicapped affairs; and thirteen members to be appointed by the governor, three of whom shall be representatives of the Massachusetts Chiefs of Police Association, three of whom shall be representatives of the Massachusetts Fire Chiefs Association, one of whom shall be a representative of the Massachusetts Emergency Medical Care Advisory Board, one of whom shall be a representative of the Massachusetts Police Association, one of whom shall be a representative of the Professional Fire Fighters of Massachusetts, one of whom shall be a representative of the Massachusetts Municipal Association, one of whom shall represent the interests of the vision impaired, one of whom shall represent the interests of the hearing impaired, and one of whom shall represent the interests of the mobility impaired.

(b) The board shall coordinate and effect the implementation of enhanced 911 service for subscribers or end user customers of traditional telephone exchange services, wireless services, IP-Enabled services, and future technologies with the ability to access 911, and administer such service in the commonwealth. The board shall promulgate rules and regulations for the administration of such service in accordance with chapter 30A. The board

shall establish technical and operational standards for the establishment of public safety answering points which utilize enhanced 911 network features in accordance with section 14A of chapter 166 and section 18C of this chapter. Cities and towns shall comply with such standards in the design, implementation and operation of public safety answering points. The board may inspect each public safety answering point that utilizes enhanced 911 network features to determine if it meets the requirements of said section and all other technical and operational standards required by law. In implementing enhanced 911 services and enhanced E911 for IP-Enabled services, the board as needed shall promulgate rules and regulations consistent with the provisions required by the Federal Communications Commission.

The number of public safety answering points and answering positions at primary public safety answering points shall be determined by the board according to a formula that takes into account cost, efficiency and the public safety needs of cities and towns. Applications for secondary public safety answering points shall be reviewed and approved by the board. The installation and operation costs of secondary public safety answering points shall be the responsibility of the applicant.

The board shall be responsible for developing the scope and service level guidelines for services, equipment, training, maintenance, and support for the statewide E911 system including but not limited to wireline, wireless, and VoIP services. The board shall disburse funds for prudently-incurred expenses associated with the lease, purchase, or maintenance of emergency telephone equipment, including procurement of necessary computer networks, hardware, software, and data base provisioning; addressing; training of 911 dispatchers; training of emergency service personnel regarding the receipt and use of enhanced 911 service information; education of consumers regarding the operation, limitation, role and responsible use of enhanced 911 service, the nonrecurring costs of establishing a statewide 9-1-1 system; grants associated with the E911 program; the rates associated with the 911 service supplier's 9-1-1 service and other recurring charges; and expenses incurred by the statewide emergency telecommunications board in administering and operating the enhanced 911 program.

The board shall have the responsibility for reviewing, assessing and planning for new communications technologies that may include but are not limited to

wireless, video, broadband, and Internet Protocol (IP) based applications that can serve as the next generation technology platforms for E911. These efforts shall also seek to accommodate the hearing and speech impaired citizens of Massachusetts.

The board shall be responsible for the establishment and administration of an internal capital reserve fund for future system enhancements and new technologies. This capital reserve fund shall be funded by the E911 surcharge and shall only be disbursed for the expenses associated with board-specified E911 programs.

The board shall be responsible for developing and updating, on an annual basis, a five year plan for the statewide E911 system that will include the use of the funds in the capital reserve fund. This five year plan shall be submitted to the Department of Telecommunications and Cable for their review.

The board shall have the responsibility for developing service level guidelines for E911 systems for PSAP equipment, network and database quality. The board shall have the responsibility for developing service level guidelines for E911 access for the hearing and speech impaired community.

The board shall be responsible for submitting its annual budget, strategic plan, and capital reserve fund expenditures for review by the Department of Telecommunications and Cable so as to enable the DTC to determine, review, and implement the E911 surcharge rate applied to communications service subscribers or end user customers.

The board shall be responsible for the development of plans for the establishment of primary wireless call answering by any local, county, regional or state PSAP such that 911 calls are routed directly to the PSAP jurisdiction in which the caller is located.

(c) The board shall develop, establish rules, and administer several grant programs for the improvement of E911 PSAP operations in local, regional, county, and state PSAPs. These shall include, but not be limited to, the following:

The PSAP Training Grant program shall reimburse PSAPs for allowable expenses related to the training, career development, and certification of 911 dispatchers. Funds shall be disbursed according to a formula that weighs



both population served and 911 call volume. Not less than 5% of total surcharge revenues shall be allocated to this Fund.

The PSAP Support Grant program shall reimburse PSAPs for allowable expenses related to certain 911 telecommunicator personnel costs and the acquisition and operation of equipment, computer hardware, software, services, and other expenses related to the receipt and processing of emergency calls in PSAPs according to protocols and standards to be established by the Board. Funds shall be disbursed according to a formula that weighs both population served and 911 call volume. Not less than 40% of total surcharge revenues shall be allocated to this Fund. PSAPs may apply for grant funding to support PSAP acquisition of emergency call processing and dispatch support systems such as, but not limited to, radio and 911 consoles, computer aided dispatch systems, tape logging equipment, emergency alarm receiving and alerting equipment, 911 addressing, and emergency medical, police, and fire dispatch protocol systems. PSAPs may apply for grant funding to support certain 911 telecommunicator costs related to primary handling of wireless or NG911 911 calls, to medical call handling, and for other specific purposes as established by the board.

The Regional PSAP Development Grant program shall support the development and startup of regional PSAPs and public safety dispatch centers to maximize effective emergency 911 and dispatch services as well as regional interoperability. The board shall establish guidelines for regional consolidated services eligible for grant funding and review all grant applications to determine how proposed consolidation efforts will best support E911 systems and emergency dispatch services.

(d) The governor shall annually designate the chairperson of the board from among its members. The board shall meet at least annually, and at other times as determined by the chairperson, who shall notify all members of the time and place of all such meetings; provided, however, that a special meeting may be called at any time by a request of a majority of the board members. Members of the board shall receive no compensation, but shall be reimbursed for their expenses actually and necessarily incurred in the discharge of their duties.

(e) The secretary of public safety shall appoint and, subject to appropriation or funds otherwise available from other sources, fix the salary of an executive director, after reviewing final applicants with the approval of the

board. Said director shall be responsible for administering, directing and managing the affairs and business of the board, for the supervision of all personnel associated with the enhanced 911 system, and for the appointment of all such personnel except as otherwise provided by the board. The director shall not be subject to the provisions of section nine A of chapter thirty or chapter thirty-one, but shall be classified in accordance with section forty-five of said chapter thirty and the salary shall be determined in accordance with section forty-six C of said chapter thirty. The executive director, with the approval of the board, may appoint such other employees, including experts and consultants, as he deems necessary, subject to appropriation or available funds, to carry out the board's responsibilities.

(f) The board shall file a written annual report to the governor and shall file a copy thereof with the state secretary, the clerk of the house of representatives and the clerk of the senate.

(g) The board is hereby authorized to enter into contracts and agreements with, and accept gifts, grants, contributions, and bequests of funds from, any department, agency, or subdivision of federal, state, county, or municipal government and any individual, foundation, corporation, association, or public authority for the purpose of providing or receiving services, facilities or staff assistance in connection with its work. Such funds shall be deposited with the state treasurer and may be expended by the board in accordance with the provisions of section seventeen B of chapter ten. The board is hereby authorized to make grants to local, state, regional, or county governments for the purpose of improving E911 services.

(h) No provision of this section shall be construed or interpreted to alter the regulation of providers of telecommunications services pursuant to chapter 159.

(i) The board shall work with the disability community and with cities and towns to ensure that carriers are aware of the availability of and encouraged to use adaptive technology, and to ensure that enhanced 911 service is accessible to persons with disabilities.

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*[Text of section effective in a city or town which accepts the provisions of 1990, 291.]*

Section 18C. (a) Each public safety answering point shall be capable of transmitting a request for law enforcement, fire fighting, medical, ambulance or other emergency services to a public or private safety agency that provides the requested services.

(b) Each primary public safety answering point shall be equipped with a system approved by the board for the processing of requests for emergency services from the physically challenged.

(c) Except as approved by the board, no person shall permit an automatic alarm or other alerting device to dial the numbers 911 automatically or provide a prerecorded message in order to access emergency services directly.

(d) A public safety agency or private agency that receives a request for emergency service outside of its jurisdiction shall promptly forward the request to the public safety answering point or public safety agency responsible for that geographical area to the extent the information is available. Any emergency unit dispatched to a location outside its jurisdiction in the Commonwealth in response to such request shall render service to the requesting party until relieved by the public safety agency responsible for that geographical area.

(e) Municipalities may enter into written cooperative agreements to carry out the provisions of subsections (a), (b), and (d).

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municipal plans; statewide plan**

*[Text of section effective in a city or town which accepts the provisions of  
1990, 291.]*

Section 18D. (a) Each municipality in the commonwealth shall establish, staff, and operate, in conjunction with one or more other municipalities, the Commonwealth, a county or regional council of government, or by itself, a public safety answering point on a twenty-four hour a day, seven days a week basis, in a manner and according to a schedule to be approved by the board. Each such municipality also shall submit for approval its recommendations for providing enhanced 911 service in such municipality along with any other required information to the board within twelve months of the promulgations of standards by the board.

(b) The board shall review each proposed municipal or regional plan to determine if it meets the requirements of law, and the technical and operational standards established by the board. The board shall require primary public safety answering points to display automatic number identification, automatic location identification and may require other enhanced 911 features that are or may become available and set forth in the board's guidelines for administration of statewide E911 services. The primary public safety answering point shall be designed according to the plan as specified in subsection (c).

(c) The board shall develop and maintain a statewide plan for the implementation and maintenance of enhanced 911 service including next generation 911 and IP-enabled 911 services. Such plan shall include the following:

- (1) A division of the commonwealth into geographical segments. An enhanced 911 system shall be established for each municipality or county or regional council of governments, or by groups of municipalities or counties or regional council of governments, as specified by the board.
- (2) An implementation schedule, developed after consultation with 911 Service Providers, for the process and sequence of converting to enhanced 911 systems or Next Generation 911 systems.
- (3) A designation within each enhanced 911 system, of the municipalities and the public safety agencies within such municipalities, to serve as the primary public safety answering points. The board shall also evaluate the need for secondary public safety answering points in municipalities which have requested them. It shall be the responsibility of the board to make the final determination regarding the total number and location of primary public safety answering points.
- (4) The board shall, no later than September thirtieth of each year, review the existing configuration of primary, secondary and ringing public safety answering points, and develop changes or recommendations for change by December thirty-first of each year.

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**Chapter 6A: Section 18E. Civil proceedings by attorney general**

*[Text of section effective in a city or town which accepts the provisions of 1990, 291.]*

Section 18E. The attorney general may, at the request of the board or on his own initiative, institute civil proceedings against any municipality or entity operating a PSAP or petition the department of telecommunications and cable to institute proceedings to require a communications services provider to provide services under this chapter.

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**Chapter 6A: Section 18F. Assessments against telephone companies; rate**

*[Text of section effective in a city or town which accepts the provisions of  
1990, 291.]*

*Section To Be Deleted*

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**Chapter 6A: Section 18G. Retention of 911 recordings**

Section 18G. The statewide emergency telecommunications board shall require that each public safety answering point that possesses enhanced 911 service shall retain recorded calls for a period of not less than six months; provided however, that said board shall require that if a public safety answering point utilizes a digital recording system, recorded calls shall be retained for a period of not less than one year.



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disbursement of funds; quarterly reports; call volume and system performance**

*[ Text of section added by 2002, 61, Sec. 6 effective until June 30, 2008.  
Repealed by 2002, 61, Sec. 7. See 2002, 61, Sec. 9 as amended by 2007, 42,  
Sec. 9.]*

Section 18H. (a) There shall be imposed on each subscriber or end user customer of a communication service provider, whose communication service is capable of directly accessing and utilizing a 911 emergency telephone system, a surcharge in the amount between 30 and 99 cents per month per communication service access line or equivalent. With the approval of the board, a wireless or VoIP provider may impose this surcharge based on the subscriber's service or billing address. Based on the actual expenditures incurred in implementing and administering an enhanced statewide 911 system and other board-authorized programs, the statewide emergency telecommunications board shall develop and present to the Department of Telecommunications and Cable a yearly budget which includes all proposed E911 and Disability Access expenditures along with the number of access lines and/or subscribers to be surcharged. Every communication service provider shall provide to the SETB biannual line, subscriber, or end user customer counts to aid in budget preparations. The Department of Telecommunications and Cable shall review the annual budget to determine and approve a reasonable and prudent rate for the E911 surcharge. The surcharge shall be collected by the communication service provider. The surcharge may be shown on the subscriber or end user customer bill as "Massachusetts E911 Service and Disability Access Surcharge". The surcharge shall not be subject to sales or use tax. The subscriber shall be liable for the surcharge imposed under this section. The communication service provider shall have no obligation or authority to enforce the collection of the surcharge.

(b) Each communication service provider shall remit the surcharge revenues collected from its subscribers to the state treasurer for deposit in the Enhanced 911 Fund. The surcharge revenues shall be expended solely for the activities of the board, the creation and maintenance of public safety answering points including grant programs for 911 support purposes and expenses associated with maintenance of the network for the statewide E911 systems as set forth in Section 18B. The recovery of costs by communication service providers incurred in providing their end users access to E911 system elements may be eligible after the allowable E911 expenses are met on a statewide basis.

The Department of Telecommunications and Cable shall annually report to the general court concerning the financial condition of the fund and shall address in the report the reasonableness of the telecommunications service related capital expenditures and related expenses of the statewide emergency board incurred.

(c) Prepaid wireless telephone service shall be subject to surcharge. The prepaid wireless communication service provider shall: (1) collect the wireless 9-1-1 fee on a monthly basis from each customer whose account balance is equal to or greater than the amount of the wireless 9-1-1 fee on the last day of the month for remittance to the Enhanced 911 Fund; (2) collect the wireless 9-1-1 fee, or make voluntary contractual arrangements with a retail seller of prepaid wireless telephone service to collect the wireless 9-1-1 fee and transfer those funds to the wireless telephone service provider for remittance to the Enhanced 911 Fund, from the customer at the point-of-sale for each increment of prepaid wireless telephone service that is purchased at the time of sale; or (3) collect the wireless 9-1-1 fee indirectly from customers by calculating the total wireless 9-1-1 fee owed by its customers and remitting that amount to the Enhanced 911 Fund; a prepaid wireless communication service provider that elects the collection method specified in this subparagraph must calculate the total wireless 9-1-1 fee owed for the month by: (A) dividing its total intrastate prepaid wireless revenue for the month by the national Average Revenue Per User for prepaid wireless service, as defined by the relevant statutory agency; and (B) multiplying the result obtained under subparagraph (1) by the amount of the wireless 9-1-1 fee.

(d) Each communication service provider shall report to the board on a quarterly basis the total surcharge revenues collected from its subscribers

during the preceding quarter. Notwithstanding any general or special law to the contrary, such quarterly report shall not be a public record.

(e) **Audit of Service Fee Billing and Collection.** The board may request periodic audits of 911 service fee billing and collection of communication service providers.

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Section 18I. Notwithstanding any general or special law to the contrary, a municipality may modify, change or alter 911 Service Provider equipment used in the municipality's enhanced 911 system in order to permit the monitoring of emergency 911 communications by the fire department of the municipality at a secure location staffed at all times by fire department personnel fully trained in such monitoring. The emergency 911 communications shall be monitored in a manner that prevents any broadcast of them to the general public. The secure location used for monitoring emergency 911 communications shall be restricted to trained fire department personnel when such communications are being monitored. No such modification or change in a municipality's telephone company equipment or enhanced 911 system shall cause any degradation of the state's 911 system.

**PART I. ADMINISTRATION OF THE GOVERNMENT****TITLE XXII. CORPORATIONS****CHAPTER 166. TELEPHONE AND TELEGRAPH COMPANIES, AND LINES FOR THE TRANSMISSION OF ELECTRICITY****TELEPHONE COMPANIES****Chapter 166: Section 14A. Enhanced 911 service**

Section 14A. (a) In order to establish statewide enhanced 911 service, upon the written request of the statewide emergency telecommunications board, established by section eighteen B of chapter six A, hereinafter referred to as the board, each communications service provider providing service in the state shall provide and maintain enhanced 911 service in compliance with a schedule established by the board after consultation with the communications service provider.

(b) Each municipality in the commonwealth shall be served by a primary public safety answering point that utilizes enhanced 911 network features in accordance with the implementation schedule established by the board under the provisions of section eighteen D of chapter six A.

(c) No provision of law shall be construed to prohibit or discourage the formation of multiagency, multijurisdictional or regional public safety answering points, that any such plan is approved by the board. Any public safety answering point may serve the jurisdiction of more than one public agency or a segment of the jurisdiction of a municipality.

(d) A communications service provider shall forward to any public safety answering point, or any other answering point equipped for enhanced 911 service, the telephone number and street address of any telephone used to place a 911 call. Subscriber information provided in accordance with this section shall be used only for the purpose of responding to emergency calls or for use in any ensuing investigation or prosecution, including the investigation of false or intentionally misleading reports of incidents requiring emergency service. No communications service provider, nor the agents of any communications service provider, shall be liable in any action to any person for releases of information as permitted in this section.

(e) As enhanced 911 service becomes available and where facilities are available, each communications service provider and owner of a private coin telephone in the state shall convert each public coin or coinless telephone within areas served by such enhanced 911 service to dial tone first capability, which will allow a caller to dial 911 without first inserting a coin or paying any other charge. Each provider of public coin or coinless telephone shall provide access to enhanced 911 service, and prominently display instructions on how to use such system.

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COMMONWEALTH****CHAPTER 10. DEPARTMENT OF THE STATE TREASURER****STATE LOTTERY****Chapter 10: Section 35W. Enhanced 911 Fund**

Section 35W. (a) There is hereby established and set up on the books of the commonwealth a separate fund to be known as the Enhanced 911 Fund. There shall be credited to such fund all revenues received by the commonwealth from surcharges imposed under section 18H of chapter 6A; from appropriations; from gifts, grants, contributions and bequests of funds from any department, agency or subdivision of federal, state or municipal government, and any individual foundation, corporation, association or public authority; revenue derived from the investment of amounts credited to the fund; and any federal funds made available for emergency telecommunication services. The fund shall be used solely for the purposes described in said section 18B and 18H of said chapter 6A.

(b) Amounts credited to the fund shall be available for expenditure by the statewide telecommunications board, without further appropriation. The board shall report annually to the general court its planned expenditures for the next fiscal year; the uses to which the fund was used in the last fiscal year and the balance remaining in the fund; and the aggregate surcharges collected in the last fiscal year based upon quarterly reports of communications service providers as required under subsection (d) of section 18H of chapter 6A. The report shall also include a request, if necessary, for appropriation for deposit in the fund.

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**CHAPTER 10. DEPARTMENT OF THE STATE TREASURER**

**STATE LOTTERY**

**Chapter 10: Section 35W ½ . Wireless Enhanced 911 Fund**

*Section To Be Deleted*