WIRELESS COMMUNICATIONS AND PUBLIC SAFETY ACT OF 1999
Public Law 106–81  
106th Congress  
An Act  
To promote and enhance public safety through use of 9–1–1 as the universal emergency assistance number, further deployment of wireless 9–1–1 service, support of States in upgrading 9–1–1 capabilities and related functions, encouragement of construction and operation of seamless, ubiquitous, and reliable networks for personal wireless services, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.
This Act may be cited as the “Wireless Communications and Public Safety Act of 1999”.

SEC. 2. FINDINGS AND PURPOSE.
(a) FINDINGS.—The Congress finds that—

(1) the establishment and maintenance of an end-to-end communications infrastructure among members of the public, emergency safety, fire service and law enforcement officials, emergency dispatch providers, transportation officials, and hospital emergency and trauma care facilities will reduce response times for the delivery of emergency care, assist in delivering appropriate care, and thereby prevent fatalities, substantially reduce the severity and extent of injuries, reduce time lost from work, and save thousands of lives and billions of dollars in health care costs;

(2) the rapid, efficient deployment of emergency telecommunications service requires statewide coordination of the efforts of local public safety, fire service and law enforcement officials, emergency dispatch providers, and transportation officials; the establishment of sources of adequate funding for carrier and public safety, fire service and law enforcement agency technology development and deployment; the coordination and integration of emergency communications with traffic control and management systems and the designation of 9–1–1 as the number to call in emergencies throughout the Nation;

(3) emerging technologies can be a critical component of the end-to-end communications infrastructure connecting the public with emergency medical service providers and emergency dispatch providers, public safety, fire service and law enforcement officials, and hospital emergency and trauma care facilities, to reduce emergency response times and provide appropriate care;
(4) improved public safety remains an important public
health objective of Federal, State, and local governments and
substantially facilitates interstate and foreign commerce;
(5) emergency care systems, particularly in rural areas
of the Nation, will improve with the enabling of prompt notifica-
tion of emergency services when motor vehicle crashes occur;
and
(6) the construction and operation of seamless, ubiquitous,
and reliable wireless telecommunications systems promote
public safety and provide immediate and critical communications
links among members of the public; emergency medical
service providers and emergency dispatch providers; public
safety, fire service and law enforcement officials; transportation
officials, and hospital emergency and trauma care facilities.

(b) PURPOSE.—The purpose of this Act is to encourage and
facilitate the prompt deployment throughout the United States
of a seamless, ubiquitous, and reliable end-to-end infrastructure
for communications, including wireless communications, to meet
the Nation's public safety and other communications needs.

SEC. 3. UNIVERSAL EMERGENCY TELEPHONE NUMBER.

(a) E STABLISHMENT OF UNIVERSAL EMERGENCY TELEPHONE
NUMBER.—Section 251(e) of the Communications Act of 1934 (47
U.S.C. 251(e)) is amended by adding at the end the following
new paragraph:
``(3) UNIVERSAL EMERGENCY TELEPHONE NUMBER.—The
Commission and any agency or entity to which the Commission
has delegated authority under this subsection shall designate
9–1–1 as the universal emergency telephone number within
the United States for reporting an emergency to appropriate
authorities and requesting assistance. The designation shall
apply to both wireline and wireless telephone service. In making
the designation, the Commission (and any such agency or
entity) shall provide appropriate transition periods for areas
in which 9–1–1 is not in use as an emergency telephone number
on the date of enactment of the Wireless Communications and
Public Safety Act of 1999.''.

(b) SUPPORT.—The Federal Communications Commission shall
encourage and support efforts by States to deploy comprehensive
end-to-end emergency communications infrastructure and programs,
based on coordinated statewide plans, including seamless, ubiq-
uitous, reliable wireless telecommunications networks and enhanced
wireless 9–1–1 service. In encouraging and supporting that deploy-
ment, the Commission shall consult and cooperate with State and
local officials responsible for emergency services and public safety,
the telecommunications industry (specifically including the cellular
and other wireless telecommunications service providers), the motor
vehicle manufacturing industry, emergency medical service pro-
viders and emergency dispatch providers, transportation officials,
special 9–1–1 districts, public safety, fire service and law enforce-
ment officials, consumer groups, and hospital emergency and
trauma care personnel (including emergency physicians, trauma
surgeons, and nurses). The Commission shall encourage each State
to develop and implement coordinated statewide deployment plans,
through an entity designated by the governor, and to include rep-
resentatives of the foregoing organizations and entities in develop-
ment and implementation of such plans. Nothing in this subsection

47 USC 615.
shall be construed to authorize or require the Commission to impose obligations or costs on any person.

SEC. 4. PARITY OF PROTECTION FOR PROVISION OR USE OF WIRELESS SERVICE.

(a) PROVIDER PARITY.—A wireless carrier, and its officers, directors, employees, vendors, and agents, shall have immunity or other protection from liability in a State of a scope and extent that is not less than the scope and extent of immunity or other protection from liability that any local exchange company, and its officers, directors, employees, vendors, or agents, have under Federal and State law (whether through statute, judicial decision, tariffs filed by such local exchange company, or otherwise) applicable in such State, including in connection with an act or omission involving the release to a PSAP, emergency medical service provider or emergency dispatch provider, public safety, fire service or law enforcement official, or hospital emergency or trauma care facility of subscriber information related to emergency calls or emergency services.

(b) USER PARITY.—A person using wireless 9-1-1 service shall have immunity or other protection from liability of a scope and extent that is not less than the scope and extent of immunity or other protection from liability under applicable law in similar circumstances of a person using 9-1-1 service that is not wireless.

(c) PSAP PARITY.—In matters related to wireless 9-1-1 communications, a PSAP, and its employees, vendors, agents, and authorizing government entity (if any) shall have immunity or other protection from liability of a scope and extent that is not less than the scope and extent of immunity or other protection from liability under applicable law accorded to such PSAP, employees, vendors, agents, and authorizing government entity, respectively, in matters related to 9-1-1 communications that are not wireless.

(d) BASIS FOR ENACTMENT.—This section is enacted as an exercise of the enforcement power of the Congress under section 5 of the Fourteenth Amendment to the Constitution and the power of the Congress to regulate commerce with foreign nations, among the several States, and with Indian tribes.

SEC. 5. AUTHORITY TO PROVIDE CUSTOMER INFORMATION.

Section 222 of the Communications Act of 1934 (47 U.S.C. 222) is amended—

(1) in subsection (d)—

(A) by striking “or” at the end of paragraph (2);

(B) by striking the period at the end of paragraph (3) and inserting a semicolon and “and”;

and

(C) by adding at the end the following:

“(4) to provide call location information concerning the user of a commercial mobile service (as such term is defined in section 332(d))—

“(A) to a public safety answering point, emergency medical service provider or emergency dispatch provider, public safety, fire service, or law enforcement official, or hospital emergency or trauma care facility, in order to respond to the user’s call for emergency services;

“(B) to inform the user’s legal guardian or members of the user’s immediate family of the user’s location in an emergency situation that involves the risk of death or serious physical harm; or
“(C) to providers of information or database management services solely for purposes of assisting in the delivery of emergency services in response to an emergency.”.

(2) by redesignating subsection (f) as subsection (h) and by inserting the following after subsection (e):

“(f) AUTHORITY TO USE WIRELESS LOCATION INFORMATION.—For purposes of subsection (c)(1), without the express prior authorization of the customer, a customer shall not be considered to have approved the use or disclosure of or access to—

“(1) call location information concerning the user of a commercial mobile service (as such term is defined in section 332(d)), other than in accordance with subsection (d)(4); or

“(2) automatic crash notification information to any person other than for use in the operation of an automatic crash notification system.

“(g) SUBSCRIBER LISTED AND UNLISTED INFORMATION FOR EMERGENCY SERVICES.—Notwithstanding subsections (b), (c), and (d), a telecommunications carrier that provides telephone exchange service shall provide information described in subsection (i)(3)(A) (including information pertaining to subscribers whose information is unlisted or unpublished) that is in its possession or control (including information pertaining to subscribers of other carriers) on a timely and unbundled basis, under nondiscriminatory and reasonable rates, terms, and conditions to providers of emergency services, and providers of emergency support services, solely for purposes of delivering or assisting in the delivery of emergency services.”;

(3) by inserting “location,” after “destination,” in subsection (h)(1)(A) (as redesignated by paragraph (2)); and

(4) by adding at the end of subsection (h) (as redesignated), the following:

“(4) PUBLIC SAFETY ANSWERING POINT.—The term ‘public safety answering point’ means a facility that has been designated to receive emergency calls and route them to emergency service personnel.

“(5) EMERGENCY SERVICES.—The term ‘emergency services’ means 9–1–1 emergency services and emergency notification services.

“(6) EMERGENCY NOTIFICATION SERVICES.—The term ‘emergency notification services’ means services that notify the public of an emergency.

“(7) EMERGENCY SUPPORT SERVICES.—The term ‘emergency support services’ means information or data base management services used in support of emergency services.”.

SEC. 6. DEFINITIONS.

As used in this Act:

(1) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

(2) STATE.—The term “State” means any of the several States, the District of Columbia, or any territory or possession of the United States.

(3) PUBLIC SAFETY ANSWERING POINT; PSAP.—The term “public safety answering point” or “PSAP” means a facility that has been designated to receive 9–1–1 calls and route them to emergency service personnel.
(4) Wireless Carrier.—The term “wireless carrier” means a provider of commercial mobile services or any other radio communications service that the Federal Communications Commission requires to provide wireless 9–1–1 service.

(5) Enhanced Wireless 9–1–1 Service.—The term “enhanced wireless 9–1–1 service” means any enhanced 9–1–1 service so designated by the Federal Communications Commission in the proceeding entitled “Revision of the Commission’s Rules to Ensure Compatibility with Enhanced 9–1–1 Emergency Calling Systems” (CC Docket No. 94–102; RM–8143), or any successor proceeding.

(6) Wireless 9–1–1 Service.—The term “wireless 9–1–1 service” means any 9–1–1 service provided by a wireless carrier, including enhanced wireless 9–1–1 service.

(7) Emergency Dispatch Providers.—The term “emergency dispatch providers” shall include governmental and non-governmental providers of emergency dispatch services.

Approved October 26, 1999.