

1 COMMITTEE SUBSTITUTE

2 for

3 **H. B. 2013**

4
5 (By Delegates Hamilton and Staggers)

6 (Originating in the Committee on the Judiciary)

7
8 [January 31, 2011]

9
10 A BILL to amend and reenact §24-6-5 of the Code of West Virginia,
11 1931, as amended, relating to requirements for enhanced
12 emergency telephone systems and county emergency dispatch
13 centers.

14 *Be it enacted by the Legislature of West Virginia:*

15 That §24-6-5 of the Code of West Virginia, 1931, as amended,
16 be amended and reenacted to read as follows:

17 **ARTICLE 6. LOCAL EMERGENCY TELEPHONE SYSTEM.**

18 **§24-6-5. Enhanced emergency telephone system requirements.**

19 (a) An enhanced emergency telephone system, at a minimum,
20 shall provide that:

21 (1) All the territory in the county, including every municipal
22 corporation in the county, which is served by telephone company
23 central office equipment that will permit such a system to be
24 established shall be included in the system: *Provided*, That if a
25 portion of the county or a portion of a municipal corporation
26 within the county is already being served by an enhanced emergency

1 telephone system, that portion of the county or municipality may be
2 excluded from the county enhanced emergency telephone system;

3 (2) Every emergency service provider that provides emergency
4 service within the territory of a county participate in the system;

5 (3) Each county answering point be operated constantly;

6 (4) Each emergency service provider participating in the
7 system maintain a telephone number in addition to the one provided
8 ~~for~~ in the system; and

9 (5) If the county answering point personnel reasonably
10 determine that a call is not an emergency, the personnel provide
11 the caller with the number of the appropriate emergency service
12 provider.

13 (b) To the extent possible, enhanced emergency telephone
14 systems shall be centralized.

15 (c) In developing an enhanced emergency telephone system, ~~the~~
16 a county commission or the West Virginia State Police shall seek
17 the advice of both the telephone companies providing local exchange
18 service within the county and the local emergency providers.

19 (d) As a condition of employment, ~~any~~ a person employed ~~to act~~
20 as the director of an emergency dispatch center who dispatches
21 emergency calls or supervises the dispatching of emergency call
22 takers ~~shall be~~ is subject to an investigation of their character
23 and background. This investigation shall include, at a minimum, a
24 criminal background check conducted by the State Police at its
25 expense. A felony conviction shall preclude ~~such~~ a person from
26 holding any of these positions. ~~This requirement applies~~

1 ~~prospectively. The requirement takes effect on July 1, 2006.~~

2 (e) As a condition of continued employment, persons employed
3 to dispatch emergency calls in county emergency dispatch centers
4 shall successfully complete:

5 (1) A forty-hour nationally recognized training course for
6 dispatchers within one year of the date of their employment; ~~except~~
7 that persons employed to dispatch emergency calls prior to the
8 effective date of this subsection, as a condition of continuing
9 employment, shall successfully complete such a course not later
10 than July 1, 1995. and,

11 (2) An additional nationally recognized emergency medical
12 dispatch course or an emergency medical dispatch course approved by
13 the Office of Emergency Medical Services not later than July 1,
14 2013, or if employed subsequent to July 1, 2013, within one year of
15 the date of employment.

16 (f) On or before July 1, 2013, the director of each county
17 emergency dispatch center shall develop policies and procedures to
18 establish a protocol for dispatching emergency medical calls
19 implementing a nationally recognized emergency medical dispatch
20 program or an emergency medical dispatch program approved by the
21 Office of Emergency Medical Services: Provided, That a county's
22 emergency dispatch center, which utilizes a "one-button transfer"
23 system, may continue to use this system, if the county's emergency
24 dispatch center establishes policies and procedures which require
25 the agency to whom the call is transferred to remain on the call
26 until a first responder arrives.

1 ~~(f)~~ (g) Each county or municipality shall appoint for each
2 answering point an enhanced emergency telephone system advisory
3 board consisting of at least six members to monitor the operation
4 of the system. The board shall be appointed by the county or
5 municipality and shall include at least one member from affected:

- 6 (1) Fire service providers;
- 7 (2) Law-enforcement providers;
- 8 (3) Emergency medical providers; ~~and~~
- 9 (4) Emergency services providers participating in the system;

10 and,

- 11 (5) ~~at least one member from the~~ Counties or municipalities.

12 ~~The board may make recommendations to the county or municipality~~
13 ~~concerning the operation of the system. In addition,~~

14 The director of the county or municipal enhanced telephone
15 system shall serve as an ex officio member of the advisory board.

16 (h) The initial advisory board shall serve staggered terms of
17 one, two and three years. The initial terms of these appointees
18 shall commence on July 1, 1994. All future appointments shall be
19 for terms of three years, except that an appointment to fill a
20 vacancy shall be for the unexpired term. All members shall serve
21 without compensation. The board shall adopt such policies, rules
22 and regulations as are necessary for its own guidance. The board
23 shall meet monthly, ~~on the day of each month~~ or quarterly. ~~on the~~
24 ~~day of each month which the board may designate.~~ The board may
25 make recommendations to the county or municipality concerning the
26 operation of the system.

1 ~~(g) Any advisory board established prior to January 1, 1994,~~
2 ~~shall have three years to meet the criteria of subsection (e) of~~
3 ~~this section.~~

4 (h)(i) Nothing herein contained shall be construed to prohibit
5 or discourage in any way the establishment of multijurisdictional
6 or regional systems, or multijurisdictional or regional agreements
7 for the establishment of enhanced emergency telephone systems, and
8 any system established pursuant to this article may include the
9 territory of more than one public agency, or may include only a
10 portion of the territory of a public agency.