

COMMITTEE SUBSTITUTE

FOR

H. B. 2013

(BY DELEGATES HAMILTON AND STAGGERS)

(Originating in the Committee on the Judiciary)
[January 31, 2011]

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

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 6. LOCAL EMERGENCY TELEPHONE SYSTEM.

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

- 1 (a) An enhanced emergency telephone system, at a
- 2 minimum, shall provide that:

3 (1) All the territory in the county, including every
4 municipal corporation in the county, which is served by
5 telephone company central office equipment that will permit
6 such a system to be established shall be included in the
7 system: *Provided*, That if a portion of the county or a portion
8 of a municipal corporation within the county is already being
9 served by an enhanced emergency telephone system, that
10 portion of the county or municipality may be excluded from
11 the county enhanced emergency telephone system;

12 (2) Every emergency service provider that provides
13 emergency service within the territory of a county participate
14 in the system;

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

16 (4) Each emergency service provider participating in the
17 system maintain a telephone number in addition to the one
18 provided for in the system; and

19 (5) If the county answering point personnel reasonably
20 determine that a call is not an emergency, the personnel
21 provide the caller with the number of the appropriate
22 emergency service provider.

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

25 (c) In developing an enhanced emergency telephone
26 system, ~~the~~ a county commission or the West Virginia State
27 Police shall seek the advice of both the telephone companies
28 providing local exchange service within the county and the
29 local emergency providers.

30 (d) As a condition of employment, ~~any~~ a person
31 employed ~~to act as~~ the director of an emergency dispatch
32 center who dispatches emergency calls or supervises the
33 dispatching of emergency call takers ~~shall be~~ is subject to an
34 investigation of their character and background. This
35 investigation shall include, at a minimum, a criminal
36 background check conducted by the State Police at its
37 expense. A felony conviction shall preclude ~~such a~~ a person
38 from holding any of these positions. ~~This requirement~~
39 ~~applies prospectively. The requirement takes effect on July~~
40 ~~1, 2006.~~

41 (e) As a condition of continued employment, persons
42 employed to dispatch emergency calls in county emergency
43 dispatch centers shall successfully complete:

44 (1) A forty-hour nationally recognized training course for
45 dispatchers within one year of the date of their employment;
46 ~~except that persons employed to dispatch emergency calls~~

47 ~~prior to the effective date of this subsection, as a condition of~~
48 ~~continuing employment, shall successfully complete such a~~
49 ~~course not later than July 1, 1995: and,~~

50 (2) An additional nationally recognized emergency
51 medical dispatch course or an emergency medical dispatch
52 course approved by the Office of Emergency Medical
53 Services not later than July 1, 2013, or if employed
54 subsequent to July 1, 2013, within one year of the date of
55 employment.

56 (f) On or before July 1, 2013, the director of each county
57 emergency dispatch center shall develop policies and
58 procedures to establish a protocol for dispatching emergency
59 medical calls implementing a nationally recognized
60 emergency medical dispatch program or an emergency
61 medical dispatch program approved by the Office of
62 Emergency Medical Services: Provided, That a county's
63 emergency dispatch center, which utilizes a "one-button
64 transfer" system, may continue to use this system, if the
65 county's emergency dispatch center establishes policies and
66 procedures which require the agency to whom the call is
67 transferred to remain on the call until a first responder
68 arrives.

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

75 (1) Fire service providers;

76 (2) Law-enforcement providers;

77 (3) Emergency medical providers; ~~and~~

78 (4) Emergency services providers participating in the
79 system; and,

80 (5) ~~at least one member from the Counties~~ or
81 ~~municipalities.~~ The board may make recommendations to the
82 ~~county or municipality concerning the operation of the~~
83 ~~system. In addition,~~

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

87 (h) The initial advisory board shall serve staggered terms
88 of one, two and three years. The initial terms of these
89 appointees shall commence on July 1, 1994. All future
90 appointments shall be for terms of three years, except that an

91 appointment to fill a vacancy shall be for the unexpired term.
92 All members shall serve without compensation. The board
93 shall adopt such policies, rules and regulations as are
94 necessary for its own guidance. The board shall meet
95 monthly, ~~on the day of each month~~ or quarterly. ~~on the day~~
96 ~~of each month which the board may designate.~~ The board
97 may make recommendations to the county or municipality
98 concerning the operation of the system.

99 ~~(g) Any advisory board established prior to January 1,~~
100 ~~1994, shall have three years to meet the criteria of subsection~~
101 ~~(e) of this section.~~

102 ~~(h)~~(i) Nothing herein contained shall be construed to
103 prohibit or discourage in any way the establishment of
104 multijurisdictional or regional systems, or multijurisdictional
105 or regional agreements for the establishment of enhanced
106 emergency telephone systems, and any system established
107 pursuant to this article may include the territory of more than
108 one public agency, or may include only a portion of the
109 territory of a public agency.