S T A T E O F N E W Y O R K

9142

I N A S S E M B L Y

January 29, 2016

Introduced by M. of A. FITZPATRICK -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the general business law, in relation to ensuring access to emergency services via telephone

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The general business law is amended by adding a new section 206-f to read as follows:

S 206-F. ACCESS TO EMERGENCY SERVICES VIA TELEPHONE. 1. FOR THE PURPOSE OF THIS SECTION:

(A) THE TERM "COVERED BUSINESS" MEANS ANY PARTNERSHIP, JOINT VENTURE, CLUB, CORPORATION OR OTHER FORM OF BUSINESS ORGANIZATION WHICH OPENS ITS FACILITIES TO THE GENERAL PUBLIC FOR THE SALE AND PURCHASE OF GOODS OR SERVICES.

(B) THE TERM "HOTEL" AND "MOTEL" MEANS AN ESTABLISHMENT WHICH IS REGULARLY USED AND KEPT OPEN AS SUCH IN A BONA FIDE MANNER FOR THE FEEDING AND LODGING OF GUESTS, WHERE ALL WHO CONDUCT THEMSELVES PROPERLY AND WHO ARE ABLE AND READY TO PAY FOR SUCH SERVICES ARE RECEIVED IF THERE ARE ACCOMMODATIONS FOR THEM. THIS TERM SHALL INCLUDE A TOURIST CABIN, CAMP, RESORT, TAVERN, INN, BOARDING HOUSE, LODGING HOUSE OR ANY OTHER ESTABLISHMENT COMPARABLE OR EQUIVALENT TO ANY OF THOSE PREVIOUSLY MENTIONED.

(C) THE TERM "MULTI-LINE TELEPHONE SYSTEM" MEANS ANY SYSTEM COMPRISED OF COMMON CONTROL UNIT OR UNITS, TELEPHONE SETS, CONTROL HARDWARE AND SOFTWARE, AND ADJUNCT SYSTEMS WHICH ENABLES USERS TO MAKE AND RECEIVE TELEPHONE CALLS USING SHARED RESOURCES SUCH AS TELEPHONE NETWORK TRUNKS OR DATA LINK BANDWIDTH. THIS TERM INCLUDES, BUT IS NOT LIMITED TO, NETWORK-BASED AND PREMISES-BASED SYSTEMS SUCH AS CENTREX SERVICE, PREMISES-BASED, HOSTED AND CLOUD-BASED VOIP, AS WELL AS PBX, HYBRID AND KEY TELEPHONE SYSTEMS, AS CLASSIFIED BY THE FCC UNDER PART SIXTY-EIGHT OF ITS RULES.

2. ALL HOTELS, MOTELS AND COVERED BUSINESSES WHICH OPERATE A MULTI-LINE TELEPHONE SYSTEM SHALL CONFIGURE SAID SYSTEM TO ALLOW ANY CALL TO 911 ON THE SYSTEM TO BE DIRECTLY CONNECTED TO A PUBLIC SAFETY ANSWERING POINT WITHOUT THE USE OF AN ACCESS CODE.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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3. ALL HOTELS, MOTELS AND COVERED BUSINESSES WHICH OPERATE A MULTI-LINE TELEPHONE SYSTEM SHALL ENSURE THAT THE CONFIGURATION OF SAID SYSTEM WILL ALSO ALLOW ANY CALL MADE ON THEIR SYSTEM WHERE THE SYSTEM'S EXISTING ACCESS CODE IS DIALED PRIOR TO DIALING 911 BE DIRECTLY CONNECTED TO A PUBLIC SAFETY ANSWERING POINT.

4. WHEN FEASIBLE, WITHOUT IMPROVING SYSTEM HARDWARE, ALL HOTELS, MOTELS AND COVERED BUSINESSES SHALL CONFIGURE THEIR MULTI-LINE TELEPHONE SYSTEM TO PROVIDE NOTIFICATION OF ANY 911 CALL MADE ON ITS SYSTEM TO A CENTRALIZED LOCATION ON THE SAME SITE AS THE SYSTEM.

5. THE REQUIREMENTS SET FORTH IN THIS SECTION SHALL NOT APPLY TO ANY HOTEL, MOTEL OR COVERED BUSINESS THAT WOULD BE REQUIRED TO UPGRADE THE HARDWARE OF ITS TELEPHONE NETWORK TO MEET SAID REQUIREMENTS. HOWEVER, THESE EXEMPTED ENTITIES SHALL BE REQUIRED TO PLACE AN INSTRUCTIONAL STICKER ON OR IMMEDIATELY ADJACENT TO EACH TELEPHONE INFORMING USERS OF THE PHONE'S INABILITY TO DIRECTLY DIAL 911 AND THE PROCEDURES TO FOLLOW IN CASE OF AN EMERGENCY. EACH INSTRUCTIONAL STICKER SHALL BE PRINTED IN BOLD, EASY TO READ FONT IN A CONTRASTING COLOR WITH A MINIMUM PRINT SIZE OF SIXTEEN POINT FONT.

6. VIOLATION OF THIS SECTION SHALL BE PUNISHABLE BY A FINE OF TWO HUNDRED FIFTY DOLLARS FOR AN INITIAL OFFENSE, WITH A FINE OF FIVE HUNDRED DOLLARS FOR ANY SECOND OR SUBSEQUENT OFFENSES. EACH VIOLATION SHALL BE A SEPARATE AND DISTINCT OFFENSE. NO FINE SHALL BE IMPOSED UNTIL AFTER A HEARING IS HELD BY THE COMMISSIONER OF THE DEPARTMENT OF LABOR, LICENSING AND CONSUMER AFFAIRS WHERE THE ALLEGED VIOLATOR SHALL HAVE THE OPPORTUNITY TO BE HEARD.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.