

127th MAINE LEGISLATURE

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Legislative Document

No. 658

H.P. 439

House of Representatives, March 3, 2015

An Act To Allow Text Messaging for Reporting Emergencies

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

ROBERT B. HUNT Clerk

R(+ B. Hunt

Presented by Representative FECTEAU of Biddeford.

Cosponsored by Senator DUTREMBLE of York and

Representatives: ALLEY of Beals, BATES of Westbrook, BATTLE of South Portland,

CHENETTE of Saco, DAUGHTRY of Brunswick, MASTRACCIO of Sanford, NADEAU of

Winslow, Senator: DIAMOND of Cumberland.

-	1	Re it enac	ted hy the	e People of 1	the State (of Maine as	s fallaws:

- Sec. 1. 25 MRSA §2926, sub-§2, ¶I, as amended by PL 2001, c. 439, Pt. EEEE, §3, is further amended to read:
 - I. Procedures for collecting and administering the necessary funds for E-9-1-1; and
- Sec. 2. 25 MRSA §2926, sub-§2, ¶J, as enacted by PL 2001, c. 439, Pt. EEEE, §4, is amended to read:
 - J. Standards and procedures for developing and maintaining the system databases and for ensuring the confidentiality of those databases pursuant to section 2929-; and
 - Sec. 3. 25 MRSA §2926, sub-§2, ¶K is enacted to read:
- K. Standards and procedures for the acceptance by all public safety answering points
 beginning July 1, 2016 of text messages from all cellular or wireless
 telecommunications service providers in the State.
- Sec. 4. 25 MRSA §2929, sub-§1, as amended by PL 2011, c. 623, Pt. D, §1, is further amended to read:
 - **1. Definition.** As used in this section, "confidential information" means the following information as contained in any database, report, audio recording, text message or other record of the bureau or a public safety answering point:
 - A. The names, addresses and telephone numbers of persons listed in E-9-1-1 databases;
 - B. Names, addresses and telephone numbers that are omitted from a telephone utility directory list at the request of a customer;
 - C. The name, address and telephone number of a caller to a public safety answering point; or
 - D. The name, address and telephone number of and any medical information about a person receiving emergency services through the E-9-1-1 system.
- Sec. 5. 25 MRSA §2929, sub-§3, as amended by PL 2011, c. 662, §16, is further amended to read:
 - **3. Disclosure required.** The restrictions on disclosure provided under subsection 2 apply only to those portions of databases, reports, audio recordings, text messages or other records of the bureau or a public safety answering point that contain confidential information. Other information that appears in those records and other records, except information or records declared to be confidential under other law, is subject to disclosure pursuant to Title 1, section 408-A. The bureau shall develop procedures to ensure protection of confidential records and information and public access to other records and information. Procedures may involve developing edited copies of records containing confidential information or the production of official summaries of those records that contain the substance of all nonconfidential information.

1 2	Sec. 6. 25 MRSA §2929, sub-§4, as enacted by PL 1997, c. 291, §3, is amended to read:
3 4 5 6 7 8 9 10 11	4. Audio recordings of E-9-1-1 calls and text messages to E-9-1-1; confidential. Audio recordings of emergency calls made to the E-9-1-1 system and emergency text messages sent to the E-9-1-1 system are confidential and may not be disclosed except as provided in this subsection. Except as provided in subsection 2, information contained in the audio recordings and text messages is public information and must be disclosed in transcript form in accordance with subsection 3. Subject to all the requirements of subsection 2, the bureau or a public safety answering point may disclose audio recordings of emergency calls made to the E-9-1-1 system and emergency text messages sent to the E-9-1-1 system in the following circumstances:
12 13	A. To persons within the E-9-1-1 system to the extent necessary to implement and manage the E-9-1-1 system;
14 15	B. To a law enforcement officer or law enforcement agency for the purpose of criminal investigations related to an E-9-1-1 call <u>or text message</u> ;
16 17	C. To designees of the bureau director for the purpose of system maintenance and quality control; and
18 19	D. In accordance with an order issued on a finding of good cause by a court of competent jurisdiction.
20	SUMMARY
21 22 23 24 25	This bill directs the Public Utilities Commission, Emergency Services Communication Bureau to develop standards and procedures for public safety answering points to accept emergency text messaging from all wireless carriers in the State beginning July 1, 2016. This bill also amends the laws regarding confidentiality of audio recordings of E-9-1-1 calls to apply also to text messages.