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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 2011



ENROLLED

**COMMITTEE SUBSTITUTE
FOR
House Bill No. 2013**

(By Delegates Hamilton and Staggers)



Passed March 11, 2011

In Effect Ninety Days From Passage

HB 2013

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E N R O L L E D

OFFICE OF THE CLERK
SECRETARY OF STATE

COMMITTEE SUBSTITUTE

FOR

H. B. 2013

(BY DELEGATES HAMILTON AND STAGGERS)

[Passed March 11, 2011; in effect ninety days from passage.]

AN ACT 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 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, 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, a person employed as
31 the director of an emergency dispatch center who dispatches
32 emergency calls or supervises the dispatching of emergency
33 call takers is subject to an investigation of their character and

34 background. This investigation shall include, at a minimum,
35 a criminal background check conducted by the State Police
36 at its expense. A felony conviction shall preclude a person
37 from holding any of these positions.

38 (e) As a condition of continued employment, persons
39 employed to dispatch emergency calls in county emergency
40 dispatch centers shall successfully complete:

41 (1) A forty-hour nationally recognized training course for
42 dispatchers within one year of the date of their employment;
43 and,

44 (2) An additional nationally recognized emergency
45 medical dispatch course or an emergency medical dispatch
46 course approved by the Office of Emergency Medical
47 Services not later than July 1, 2013, or if employed
48 subsequent to July 1, 2013, within one year of the date of
49 employment.

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

62 (g) Each county or municipality shall appoint for each
63 answering point an enhanced emergency telephone system
64 advisory board consisting of at least six members to monitor
65 the operation of the system. The board shall be appointed by

66 the county or municipality and shall include at least one
67 member from affected:

68 (1) Fire service providers;

69 (2) Law-enforcement providers;

70 (3) Emergency medical providers;

71 (4) Emergency services providers participating in the
72 system; and,

73 (5) Counties or municipalities.

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

77 (h) The initial advisory board shall serve staggered terms
78 of one, two and three years. The initial terms of these
79 appointees shall commence on July 1, 1994. All future
80 appointments shall be for terms of three years, except that an
81 appointment to fill a vacancy shall be for the unexpired term.
82 All members shall serve without compensation. The board
83 shall adopt such policies, rules and regulations as are
84 necessary for its own guidance. The board shall meet
85 monthly, or quarterly. The board may make recommendations
86 to the county or municipality concerning the operation of the
87 system.

88 (i) Nothing herein contained shall be construed to
89 prohibit or discourage in any way the establishment of
90 multijurisdictional or regional systems, or multijurisdictional
91 or regional agreements for the establishment of enhanced
92 emergency telephone systems, and any system established
93 pursuant to this article may include the territory of more than
94 one public agency, or may include only a portion of the
95 territory of a public agency.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Michael T. Feun
Chairman, House Committee

Paul F. Bell
Chairman, Senate Committee

Originating in the House.

To take effect ninety days from passage.

Gregory M. Boy
Clerk of the House of Delegates

Carol E. Schuss
Clerk of the Senate

[Signature]
Speaker of the House of Delegates

[Signature]
Acting President of the Senate

The within is approved this the 24th
day of March, 2011.

Carl Ray Tomblin
Governor

PRESENTED TO THE GOVERNOR

MAR 18 2011

Time 1110 AM