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**SECTIONS 2, 4, AND 6 OF THE WIRELESS
COMMUNICATIONS AND PUBLIC SAFETY ACT OF 1999**

SECTION 1. [47 U.S.C. 609 note] SHORT TITLE.

This Act may be cited as the “Wireless Communications and Public Safety Act of 1999”.

SEC. 2. [47 U.S.C. 615 note] FINDINGS AND PURPOSE.

(a) **FINDINGS.**—The Congress finds that—

(1) the establishment and maintenance of an end-to-end communications infrastructure among members of the public, emergency safety, fire service and law enforcement officials, emergency dispatch providers, transportation officials, and hospital emergency and trauma care facilities will reduce response times for the delivery of emergency care, assist in delivering appropriate care, and thereby prevent fatalities, substantially reduce the severity and extent of injuries, reduce time lost from work, and save thousands of lives and billions of dollars in health care costs;

(2) the rapid, efficient deployment of emergency telecommunications service requires statewide coordination of the efforts of local public safety, fire service and law enforcement officials, emergency dispatch providers, and transportation officials; the establishment of sources of adequate funding for carrier and public safety, fire service and law enforcement agency technology development and deployment; the coordination and integration of emergency communications with traffic control and management systems and the designation of 9–1–1 as the number to call in emergencies throughout the Nation;

(3) emerging technologies can be a critical component of the end-to-end communications infrastructure connecting the public with emergency medical service providers and emergency dispatch providers, public safety, fire service and law enforcement officials, and hospital emergency and trauma care facilities, to reduce emergency response times and provide appropriate care;

(4) improved public safety remains an important public health objective of Federal, State, and local governments and substantially facilitates interstate and foreign commerce;

(5) emergency care systems, particularly in rural areas of the Nation, will improve with the enabling of prompt notification of emergency services when motor vehicle crashes occur; and

(6) the construction and operation of seamless, ubiquitous, and reliable wireless telecommunications systems promote public safety and provide immediate and critical communications links among members of the public; emergency medical service providers and emergency dispatch providers; public

safety, fire service and law enforcement officials; transportation officials, and hospital emergency and trauma care facilities.

(b) PURPOSE.—The purpose of this Act is to encourage and facilitate the prompt deployment throughout the United States of a seamless, ubiquitous, and reliable end-to-end infrastructure for communications, including wireless communications, to meet the Nation’s public safety and other communications needs.

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SEC. 4. [47 U.S.C. 615a] PARITY OF PROTECTION FOR PROVISION OR USE OF WIRELESS SERVICE.

(a) PROVIDER PARITY.—A wireless carrier, and its officers, directors, employees, vendors, and agents, shall have immunity or other protection from liability in a State of a scope and extent that is not less than the scope and extent of immunity or other protection from liability that any local exchange company, and its officers, directors, employees, vendors, or agents, have under Federal and State law (whether through statute, judicial decision, tariffs filed by such local exchange company, or otherwise) applicable in such State, including in connection with an act or omission involving the release to a PSAP, emergency medical service provider or emergency dispatch provider, public safety, fire service or law enforcement official, or hospital emergency or trauma care facility of subscriber information related to emergency calls or emergency services.

(b) USER PARITY.—A person using wireless 9–1–1 service shall have immunity or other protection from liability of a scope and extent that is not less than the scope and extent of immunity or other protection from liability under applicable law in similar circumstances of a person using 9–1–1 service that is not wireless.

(c) PSAP PARITY.—In matters related to wireless 9–1–1 communications, a PSAP, and its employees, vendors, agents, and authorizing government entity (if any) shall have immunity or other protection from liability of a scope and extent that is not less than the scope and extent of immunity or other protection from liability under applicable law accorded to such PSAP, employees, vendors, agents, and authorizing government entity, respectively, in matters related to 9–1–1 communications that are not wireless.

(d) BASIS FOR ENACTMENT.—This section is enacted as an exercise of the enforcement power of the Congress under section 5 of the Fourteenth Amendment to the Constitution and the power of the Congress to regulate commerce with foreign nations, among the several States, and with Indian tribes.

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SEC. 6. [47 U.S.C. 615b] DEFINITIONS.

As used in this Act:

- (1) SECRETARY.—The term “Secretary” means the Secretary of Transportation.
- (2) STATE.—The term “State” means any of the several States, the District of Columbia, or any territory or possession of the United States.

(3) **PUBLIC SAFETY ANSWERING POINT; PSAP.**—The term “public safety answering point” or “PSAP” means a facility that has been designated to receive 9–1–1 calls and route them to emergency service personnel.

(4) **WIRELESS CARRIER.**—The term “wireless carrier” means a provider of commercial mobile services or any other radio communications service that the Federal Communications Commission requires to provide wireless 9–1–1 service.

(5) **ENHANCED WIRELESS 9–1–1 SERVICE.**—The term “enhanced wireless 9–1–1 service” means any enhanced 9–1–1 service so designated by the Federal Communications Commission in the proceeding entitled “Revision of the Commission’s Rules to Ensure Compatibility with Enhanced 9–1–1 Emergency Calling Systems” (CC Docket No. 94–102; RM–8143), or any successor proceeding.

(6) **WIRELESS 9–1–1 SERVICE.**—The term “wireless 9–1–1 service” means any 9–1–1 service provided by a wireless carrier, including enhanced wireless 9–1–1 service.

(7) **EMERGENCY DISPATCH PROVIDERS.**—The term “emergency dispatch providers” shall include governmental and non-governmental providers of emergency dispatch services.

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