

Commission has adopted rules or issued an order before the date of the enactment of this Act.

“(c) DEFINITIONS.—In this section:

“(1) 9-1-1 CALL.—The term ‘9-1-1 call’ means a voice call that is placed, or a message that is sent by other means of communication, to a public safety answering point (as defined in section 222 of the Communications Act of 1934 (47 U.S.C. 222)) for the purpose of requesting emergency services.

“(2) DISPATCHABLE LOCATION.—The term ‘dispatchable location’ means the street address of the calling party, and additional information such as room number, floor number, or similar information necessary to adequately identify the location of the calling party.”

### § 615a. Service provider parity of protection

#### (a) Provider parity

A wireless carrier, IP-enabled voice service provider, or other emergency communications provider, and their 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, emergency services, or other emergency communications services.

#### (b) User parity

A person using wireless 9-1-1 service, or making 9-1-1 communications via IP-enabled voice service or other emergency communications 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 via wireless 9-1-1 service, IP-enabled voice service, or other emergency communications service.

#### (c) PSAP parity

In matters related to 9-1-1 communications via wireless 9-1-1 service, IP-enabled voice service, or other emergency communications service, 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 via wireless 9-1-1 service, IP-enabled voice service, or other emergency communications service.

#### (d) Basis for enactment

This section is enacted as an exercise of the enforcement power of the Congress under sec-

tion 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.

(Pub. L. 106-81, §4, Oct. 26, 1999, 113 Stat. 1288; Pub. L. 110-283, title II, §201(a), July 23, 2008, 122 Stat. 2624.)

#### Editorial Notes

##### CODIFICATION

Section was enacted as part of the Wireless Communications and Public Safety Act of 1999, and not as part of the Communications Act of 1934 which comprises this chapter.

##### AMENDMENTS

2008—Pub. L. 110-283, §201(a)(1), substituted “Service provider parity of protection” for “Parity of protection for provision or use of wireless service” in section catchline.

Subsec. (a). Pub. L. 110-283, §201(a)(2), substituted “wireless carrier, IP-enabled voice service provider, or other emergency communications provider, and their officers” for “wireless carrier, and its officers” and “emergency calls, emergency services, or other emergency communications services” for “emergency calls or emergency services”.

Subsec. (b). Pub. L. 110-283, §201(a)(3), substituted “using wireless 9-1-1 service, or making 9-1-1 communications via IP-enabled voice service or other emergency communications service, shall” for “using wireless 9-1-1 service shall” and “that is not via wireless 9-1-1 service, IP-enabled voice service, or other emergency communications service” for “that is not wireless”.

Subsec. (c). Pub. L. 110-283, §201(a)(4), substituted “9-1-1 communications via wireless 9-1-1 service, IP-enabled voice service, or other emergency communications service, a PSAP” for “wireless 9-1-1 communications, a PSAP” and “that are not via wireless 9-1-1 service, IP-enabled voice service, or other emergency communications service” for “that are not wireless”.

### § 615a-1. Duty to provide 9-1-1 and enhanced 9-1-1 service

#### (a) Duties

It shall be the duty of each IP-enabled voice service provider to provide 9-1-1 service and enhanced 9-1-1 service to its subscribers in accordance with the requirements of the Federal Communications Commission, as in effect on the date of enactment of the New and Emerging Technologies 911 Improvement Act of 2008 and as such requirements may be modified by the Commission from time to time.

#### (b) Parity for IP-enabled voice service providers

An IP-enabled voice service provider that seeks capabilities to provide 9-1-1 and enhanced 9-1-1 service from an entity with ownership or control over such capabilities, to comply with its obligations under subsection (a), shall, for the exclusive purpose of complying with such obligations, have a right of access to such capabilities, including interconnection, to provide 9-1-1 and enhanced 9-1-1 service on the same rates, terms, and conditions that are provided to a provider of commercial mobile service (as such term is defined in section 332(d) of the Communications Act of 1934 (47 U.S.C. 332(d))), subject to such regulations as the Commission prescribes under subsection (c).

#### (c) Regulations

The Commission—