

34A.2 Definitions.

As used in this chapter, unless the context otherwise requires:

1. "Access line" means an exchange access line that has the ability to access dial tone and reach a public safety answering point.
2. "Communications service" means a service capable of accessing, connecting with, or interfacing with a 911 system by dialing, initializing, or otherwise activating the system exclusively through the digits 911 by means of a local telephone device or wireless communications device.
3. "Communications service provider" means a service provider, public or private, that transports information electronically via landline, wireless, internet, cable, or satellite.
4. "Competitive local exchange service provider" means the same as defined in section 476.96.
5. "Director" means the director of the department of homeland security and emergency management.
6. "Emergency communications service surcharge" means a charge established by the program manager in accordance with section 34A.7A.
7. "Enhanced 911" or "E911" means a service that provides the user of a communications service with the ability to reach a public safety answering point by using the digits 911, and that has the following additional features:
 - a. Routes an incoming 911 call to the appropriate public safety answering point.
 - b. Automatically provides voice, displays the name, address or location, and telephone number of an incoming 911 call and public safety agency servicing the location.
 8. "Enhanced 911 service area" means the geographic area to be serviced, or currently serviced under an enhanced 911 service plan, provided that an enhanced 911 service area must at minimum encompass one entire county. The enhanced 911 service area may encompass more than one county, and need not be restricted to county boundaries.
 9. "Enhanced 911 service plan" means a plan that includes the following information:
 - a. A description of the enhanced 911 service area.
 - b. A list of all public and private safety agencies within the enhanced 911 service area.
 - c. The number of public safety answering points within the enhanced 911 service area.
 - d. Identification of the agency responsible for management and supervision of the enhanced 911 emergency communication system.
 - e. (1) A statement of estimated costs to be incurred by the joint E911 service board or the department of public safety, including separate estimates of the following:
 - (a) Nonrecurring costs, including but not limited to public safety answering points, network equipment, software, database, addressing, training, and other capital expenditures, including the purchase or lease of subscriber names, addresses, and telephone information from the local exchange service provider.
 - (b) Recurring costs, including but not limited to network access fees and other telephone charges, software, equipment, and database management, and maintenance, including the purchase or lease of subscriber names, addresses, and telephone information from the local exchange service provider. Recurring costs shall not include personnel costs for a public safety answering point.
 - (2) Funds deposited in an E911 service fund are appropriated and shall be used for the payment of costs that are limited to nonrecurring and recurring costs directly attributable to the receipt and disposition of the 911 call. Costs do not include expenditures for any other purpose, and specifically exclude costs attributable to other emergency services or expenditures for buildings or personnel, except for the costs of personnel for database management and personnel directly associated with addressing.
 - f. Current equipment operated by affected local exchange service providers, and central office equipment and technology upgrades necessary for the provider to implement enhanced 911 service within the enhanced 911 service area.
 - g. A schedule for implementation of the plan throughout the E911 service area. The schedule may provide for phased implementation.
 - h. The number of telephone access lines capable of access to 911 in the enhanced 911 service area.

i. The total property valuation in the enhanced 911 service area.

j. A plan to migrate to an internet protocol-enabled next generation network.

10. “*Local exchange carrier*” means the same as defined in section 476.96.

11. “*Local exchange service provider*” means a vendor engaged in providing telecommunications service between points within an exchange and includes but is not limited to a competitive local exchange service provider and a local exchange carrier.

12. “*Prepaid wireless telecommunications service*” means a wireless communications service that provides the right to utilize mobile wireless service as well as other nontelecommunications services, including the download of digital products delivered electronically, content and ancillary services, which must be paid for in advance and that is sold in predetermined units or dollars of which the amount declines with use in a known amount.

13. “*Program manager*” means the E911 program manager appointed pursuant to section 34A.2A.

14. “*Provider*” means a vendor who provides, or offers to provide, E911 equipment, installation, maintenance, or exchange access services within the enhanced 911 service area.

15. “*Public or private safety agency*” means a unit of state or local government, a special purpose district, or a private firm which provides or has the authority to provide fire fighting, police, ambulance, emergency medical services, or hazardous materials response.

16. “*Public safety answering point*” means a twenty-four-hour public safety communications facility that receives enhanced 911 service calls and directly dispatches emergency response services or relays calls to the appropriate public or private safety agency.

17. “*Wireless communications service*” means commercial mobile radio service. “*Wireless communications service*” includes any wireless two-way communications used in cellular telephone service, personal communications service, or the functional or competitive equivalent of a radio-telephone communications line used in cellular telephone service, a personal communications service, or a network access line. “*Wireless communications service*” does not include a service whose customers do not have access to 911 or 911-like service, a communications channel utilized only for data transmission, or a private telecommunications system.

18. “*Wireless communications service provider*” means a company that offers wireless communications service to users of wireless devices including but not limited to cellular, personal communications services, mobile satellite services, and enhanced specialized mobile radio.

19. “*Wireless E911 phase 1*” means a 911 call made from a wireless device in which the wireless service provider delivers the call-back number and address of the tower that received the call to the appropriate public safety answering point.

20. “*Wireless E911 phase 2*” means a 911 call made from a wireless device in which the wireless service provider delivers the call-back number and the latitude and longitude coordinates of the wireless device to the appropriate public safety answering point.

21. “*Wire-line E911 service surcharge*” means a charge set by the E911 service area operating authority and assessed on each wire-line access line which physically terminates within the E911 service area in accordance with section 34A.7.

88 Acts, ch 1177, §2

C89, §477B.2

92 Acts, ch 1139, §34

C93, §34A.2

93 Acts, ch 125, §1; 94 Acts, ch 1199, §45; 98 Acts, ch 1101, §3, 4, 16; 2004 Acts, ch 1175, §445; 2008 Acts, ch 1032, §201; 2012 Acts, ch 1111, §1; 2013 Acts, ch 29, §31, 32

Referred to in §34A.7

[T] Subsection 2 stricken and former subsections 3 – 5 renumbered as 2 – 4

[T] NEW subsection 5