

How To Comply With New Multiline Telephone System Rules

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On Jan. 6, Section 506 of Ray Baum's Act[1] went into effect and supplements the previously enacted Kari's Law Act from 2017.[2]

While Ray Baum's Act incorporates many communications-related initiatives, Section 506, in particular, enhances 911 emergency services for organizations that leverage multiline telephone systems by requiring the MLTS to convey a dispatchable location when 911 calls are made to emergency dispatch centers, regardless of the platform used.

An MLTS is composed of common control units, telephone sets, control hardware and software, and adjunct systems — including network and premises-based systems, such as Voice over Internet Protocol, or VoIP — as well as private branch exchange, hybrid and key telephone systems. It includes systems owned or leased by governmental agencies and nonprofit entities, as well as for-profit businesses.

Under the act, a dispatchable location delivered with a 911 call must provide the validated street address of the calling party, plus additional information such as suite, apartment or similar details necessary to further specify the location of the calling party.

Because technology impacts the extent to which a dispatchable location may be provided, requirements under the act and the implementing regulations vary based on the types of MLTS devices used to make the emergency call, such as (1) on-premises, fixed devices such as a wired desk phone, (2) on-premises, nonfixed devices such as a cordless office phone, and (3) off-premises devices.

On Aug. 2, 2019, the Federal Communications Commission issued the final rule to implement the act and Kari's Law. The FCC's final rule requires in pertinent part:

- Calls from on-premises, fixed devices must provide an automated dispatchable location.



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- When a 911 call is made from on-premises, nonfixed devices, an automated dispatchable location or an alternative location information must be provided. Alternative location information may be coordinate-based or provided manually, and must be sufficient to identify the caller's civic address and approximate in-building location, including floor level, in large buildings.
- Calls from off-premises devices must similarly provide an automated dispatchable location if technically feasible. Otherwise, a location may be coordinate-based or entered manually by the user. If a coordinate-based location is provided, it must consist of the best available position that can be obtained from any available technology or combination of technologies.

More recently, the Public Safety and Homeland Security Bureau published responses to some frequently asked questions on these obligations to help stakeholders understand and comply with the FCC final rule.

Background

Preceding the enactment of Ray Baum's Act, Congress passed Kari's Law. Together, Kari's Law and Ray Baum's Act establish key elements when dialing 911 for emergency services.

Kari's Law is named in honor of Kari Hunt, who was murdered in 2013 by her estranged husband in a motel room in Marshall, Texas. Her 9-year-old daughter attempted to call 911 for help but failed to reach emergency dispatch because she was unaware that the motel's phone system required dialing 9 for an outbound line before dialing 911.

As of Feb. 16, 2020, Kari's Law requires MLTS in the U.S. to enable users to dial 911 directly, without having to dial a prefix to reach an outside line, and to provide for notification when a 911 call is made (e.g., to a front desk or security office), regardless of the type of service that is used to make the call.

Signed into law in 2018, Ray Baum's Act supplements Kari's Law and highlights the importance of providing accurate location information with 911 calls in order for first responders to quickly locate callers.

Applicability of MLTS Requirements

The requirements in Kari's Law and Ray Baum's Act apply to all MLTS in the U.S. that are manufactured, imported, offered for first sale or lease, first sold or leased, or installed on or after Feb. 17, 2020. The FCC's final rule and the supporting FAQs offer additional guidance on key applicability determinations including:

- The requirements do not apply to MLTS installed prior to Feb. 17, 2020. This may mean that some systems installed prior to Feb. 17, and not upgraded may still require dialing a prefix because the law is not retroactive. However, some states may have enacted their own state versions of Kari's Law that would require compliance with the direct-dial requirements.[3]
- An MLTS that was manufactured before Feb. 17, 2020, but is first installed on or after Feb. 17, would be covered by Kari's Law.

- If the MLTS was installed before Feb. 17, 2020, but is upgraded on or after Feb. 17, it could be subject to Kari's Law depending on the magnitude of the upgrade. While not all upgrades trigger coverage by Kari's Law, the FCC considers upgrades to core MLTS software or hardware functions to be of sufficient magnitude to bring an MLTS within the scope of the statute and rules.
- The rules apply to MLTS that are fixed telephony, interconnected VoIP services, telecommunications relay services and mobile texting services. This means that fixed and nonfixed MLTS devices, which may be mobile or nomadic, may also be required to comply with 911 MLTS requirements.

MLTS Applicability Review and Compliance Assessment

MLTS are ubiquitous and typically found throughout organizations such as office buildings, industrial complexes, campuses and hotels.

Conducting an assessment to determine the scope of an organization's MLTS usage, assess its compliance with federal requirements and identify potential areas of risk may prove challenging for an organization considering the complexity of issues triggered by the new requirements. In support of that effort, the following are suggested areas to review and consider by assessment and compliance teams across an organization.

MLTS Scope

An organization should identify a responsible owner for managing the MLTS and lead the compliance effort. It should also clarify if the MLTS is used across the organization and confirm the MLTS is configured to permit dial access to 911. The system should be tested to ensure direct access to 911 is available and to confirm a functioning notification protocol within the organization.

Systems Installed or Managed by Service Provider

The organization can benefit from identifying its MLTS provider and determining whether the provider has undertaken any assessment of compliance with Kari's Law and Ray Baum's Act obligations. If so, the organization should be given the opportunity to review that assessment.

The organization may also assess whether there are any protections afforded to it in the service provider contracts, such as indemnity provisions. Organizations that install MLTS should make sure that the platform selected is configured to provide a notification to a central location at the facility where the system is installed in accordance with Kari's Law and Ray Baum's Act requirements.

Centralized Notification

The organization should determine if and how 911 calls made from its MLTS are currently monitored, confirm if there is a central location where any flags on the system would be noted as a result of an outgoing 911 call, and determine whether the current 911 notification provides the location of the device that dialed 911.

The centralized notification system should be regularly monitored, and a responsible owner assigned for this function. If the organization has work-from-home employees leveraging the network through a PBX

device or VoIP, the organization should examine whether their location is captured in the 911 networks.

Dispatchable Location

If the organization is spread across multiple buildings or buildings with multiple floors that are listed under one address, determine if the current protocol currently allows for the pinpoint of the caller's location despite sharing the same address.

Confirm whether the level of location detail provides sufficient information for first responders to find the caller. If testing the MLTS for 911 direct-dial capability, determine whether the location provided with the call is accurately mapped to the address, building, floor and/or room where the device used to make the call is located.

If the organization has not already conducted a network assessment, evaluate wireless access point locations and network addressing schemes that map physical building layouts.

VoIP platforms such as Microsoft Teams uses this information to identify the floor and building locations of the caller. It is also helpful to examine the organization's internal mechanisms to determine whether the device locations in the 911 records are updated when devices are moved.

Mostly importantly, an organization should confirm that regardless of whether a caller is using an on-premise fixed device, on-premise nonfixed device, or off-premise device, that the organization's MLTS is able to provide a dispatchable location.

Installation or Upgrades

An organization should determine the installation date of its MLTS and confirm whether any systems were upgraded since Feb. 17, 2020. If so, determine to what extent those systems upgraded. To ensure visibility of the compliance effort in the organization, identify the responsible owner for upgrading the system.

Nonfixed Devices

Based on the business operations of the organization, determine which departments across the organization utilize nonfixed devices or off-premises devices and confirm how these devices are currently being utilized. The organization should confirm with the service provider for these devices whether they conducted a compliance assessment for 911 emergency calling obligations.

Conclusion

These areas for consideration are designed to serve as an initial assessment tool for organizations to understand the potential scope of their MLTS use and inform the applicability determinations. As an organization engages in further analysis into the extent of its MLTS functions, additional inquiries will likely be required to prepare a more fulsome plan to ensure compliance with Kari's Law and Ray Baum's Act.

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[1] Repack Airwaves Yielding Better Access for Users of Modern Services Act of 2018 ("RAY BAUM'S Act"), H.R. 1625, 115TH Congress (2017-2018), Division P.

[2] Kari's Law Act of 2017, H.R. 582, 115th Congress (2017-2018); Pub. L. No. 115-127, 132 Stat. 326 (2018) (codified at 47 U.S.C. § 623).

[3] Maine, for example, requires that a public or private entity that installs or operates an MLTS shall ensure that the system is connected to the public switched telephone network in such a way that when an individual using the system dials 911, the call connects to the public safety answering point without requiring the user to first dial any other number or set of numbers.