

CHAPTER 285
SB 239 – FINAL VERSION

03/27/14 0982s

2014 SESSION

14-2658
05/01

SENATE BILL **239**

AN ACT relative to the statewide emergency notification system.

SPONSORS: Sen. Kelly, Dist 10; Sen. Bradley, Dist 3; Sen. Reagan, Dist 17; Rep. Shepardson, Ches 10; Rep. Levesque, Hills 26; Rep. Borden, Rock 24

COMMITTEE: Energy and Natural Resources

ANALYSIS

This bill expands access to the statewide emergency notification system and removes prior opt-in requirements.

The bill is a request of the department of safety.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fourteen

AN ACT relative to the statewide emergency notification system.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 285:1 Emergency Notification System. RSA 106-H:16 is repealed and reenacted to read as
2 follows:

3 106-H:16 Emergency Notification System.

4 I. For the purpose of alerting members of the public about emergencies in a particular area
5 and delivering rapid emergency notification and information, the bureau shall develop and maintain
6 a statewide emergency notification system (ENS). The bureau shall work with technical members
7 from the wireline, wireless, VoIP, and cable industries to design the ENS for the delivery of
8 emergency messages for emergency state and local government purposes in a manner compatible
9 with existing communications systems and networks.

10 II. The ENS shall use the fixed-location data in the bureau's E-911 telephone database as
11 well as E-911 data collected from wireline and VoIP providers who utilize dynamic location
12 information databases compliant with the National Emergency Numbering Association's (NENA) i2
13 protocol or successor protocols. All wireline telephone numbers in the E-911 telephone database
14 shall automatically be included in the ENS, as well as telephone numbers collected semi-annually
15 from wireline and VoIP providers utilizing dynamic location databases compliant with the NENA i2
16 or successor protocol. In addition, the bureau shall provide the ability for the public to register with
17 the bureau a variety of devices and communication methods at fixed locations where they have
18 personal interests, such as their homes, businesses, and other family residences. This data shall
19 remain confidential and shall be used solely by the ENS for the purpose of emergency notification
20 and message delivery. Members of the public may opt-out of the emergency notification and message
21 delivery system pursuant to the provisions of paragraph IV.

22 III. The bureau shall, to the greatest extent possible, ensure that the ENS is fully
23 geographic information system (GIS) capable and able to define an emergency zone by address or
24 geographic area. Wireline phone, VoIP, and opt-in devices shall be linked to a GIS mapping
25 database, capable of performing a query based on an address or a general geographic area.

26 IV. Unless otherwise contrary to law, the ENS shall include means by which persons may
27 opt-out of the system and also make the capabilities of the system accessible to the extent that
28 current or future technology allows for communications devices not otherwise included in the system,
29 such as nomadic voice over Internet Protocol phones, internet protocol enabled services, and

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1 commercial mobile radio services.

2 V. To accommodate the use of the ENS during an emergency, the ENS shall be capable of
3 providing a pre-recorded message and delivering that message to a large number of telephones and
4 communications devices in a manner designed so as not to overwhelm or collapse the system.

5 VI. The bureau shall ensure that every state, county, and local emergency response agency
6 has access to and training in the use of the ENS.

7 VII. The bureau shall establish policies, standards, and procedures for the ENS, with the
8 assistance, review, and approval of the enhanced 911 commission and the commissioner of safety.
9 The bureau shall conduct regular assessments and internal tests of the ENS to ensure that it is
10 functioning properly in compliance with the requirements of this section and that it meets all federal
11 and state requirements for incident management. To the extent that a question arises regarding
12 whether a particular notification meets the definition of an emergency, the commissioner of safety or
13 his or her designee shall be the final arbitrator.

14 VIII. The bureau, with the approval of the enhanced 911 commission and the commissioner
15 of safety, may develop and modify the ENS to be compatible with the Federal Communications
16 Commission (FCC) guidelines or requirements for broadcast messaging.

17 IX. The bureau may participate in and shall use the Wireless Emergency Alerts (WEA)
18 component of the Federal Emergency Management Agency's Integrated Public Alert and Warning
19 System (IPAWS) or succeeding federal alerting systems as the vehicle to communicate with
20 commercial mobile radio service customers. Nothing in this section shall be deemed to alter or
21 supersede any aspect of WEA operation pursuant to existing FCC rules.

22 285:2 Effective Date. This act shall take effect 60 days after its passage.

23 Approved: July 28, 2014

24 Effective Date: September 26, 2014