

# LEGISLATIVE RESEARCH SERVICES

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## States That Have Passed Kari's Law and Other Enhanced 911 Service Legislation

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***Which states have passed "Kari's Law" legislation and other enhanced 911 service legislation?***

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### Kari's Law Legislation

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At least seven states have enacted measures that require multiple-line telephone systems (MLTS) to allow a user to directly dial 911 without entering any other number first.<sup>1</sup> Known as Kari's Law, the measure is named for Kari Hunt, who was killed by her estranged husband in a Texas motel room in 2013, while her nine-year-old daughter tried calling 911 four times but could not get through because she did not dial '9' for an outside line. Since her death, Kari's father, Hank Hunt, and other supporters have advocated at the federal, state, and local levels to get laws passed that ensure MLT systems allow direct dialing to 911. The states that have enacted Kari's law legislation are Illinois (2014), Maryland (2015), Maine (2017), Oklahoma (2016), Tennessee (2016), Texas (2015), and Utah (2017).

At the federal level, earlier this month President Donald Trump signed Kari's Law (H.R. 582). Under the legislation, all multiple-line telephone systems "manufactured, imported, offered for sale or lease, first sold or leased, or installed" after two years of the bill's enactment would have to be preconfigured to enable direct 911 dialing. While the federal legislation does not address existing systems, supporters of Kari's Law affirm that it sets a "very important precedent."<sup>2</sup>

Most of the laws in states that have passed Kari's Law legislation include provisions allowing for a temporary waiver for existing MLT systems. For example, in Texas, the service user may get a one-year waiver if the user agrees to place an instructional sticker immediately adjacent to each phone explaining

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<sup>1</sup> Multiple-line telephone systems are common in hotels, offices, and other similar enterprises.

<sup>2</sup> Most modern MLTS vendors provide a way to implement direct dial of 911. However, older private branch exchange (PBX) systems may have issues supporting direct dial, and legacy Voice-Over Internet Provider (VoIP) systems may not have the ability to support direct dial. Eddie Block, Peter Vogel, and Eric Levy, "Kari's Law: A 911 Fix That Will Make the US Safer," *E-Commerce Times*, August 22, 2017, at <https://www.ecommercetimes.com/story/84752.html>.

(footnote continued)

how to access 911 in case of an emergency. The Texas waiver must be renewed annually. Maryland's law provides an exception for the executive branch of state government, which allows departments to comply when they are next upgraded.<sup>3</sup>

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### Enhanced 911 Systems

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While the 911 “universal emergency number” system has been in existence for about 50 years, not surprisingly, existing 911 systems have been under pressure as telecommunication technology has evolved and more people rely on cell phones and Internet Protocol (IP) devices to communicate. According to the *2017 National 911 Progress Report*, based on 2016 data submitted by states, the majority of 911 calls are from cellular phones.<sup>4</sup> About 80 percent of consumers used cellular phones to make 911 calls, while about 16 percent used wireless phones.

Traditionally, callers who dial 911 from a landline phone are connected to a 911 call center—a public safety answering point (PSAP)—where the caller's phone number and address are displayed on an operator's screen. Because wireless calls are not as easily identified, the Federal Communications Commission (FCC) in 1996, adopted rules to facilitate the transition of 911 services from landline-only to wireless and cellular technologies.<sup>5</sup> Known as Enhanced 911 (E911), these systems automatically report the telephone number and location of 911 calls made from wireless phones. Most states have migrated to E911 service; however, portions of some states may not have such service. For example, about 80 percent of Alaska's population is served by 911 authorities that provide an E911 level of service.<sup>6</sup>

More recently, states have focused on Next Generation 911 (NG911) systems, which represent the next evolution in 911 services by allowing users to send text, video and picture messages, in addition to making phone calls to 911. The *2017 National 911 Progress Report* notes that 18 states have adopted a statewide NG911 plan and 20 states reported being in the installation and testing phase of NG911 implementation. Five states—Iowa, Indiana, Maine, North Dakota, and Vermont—reported that 100 percent of their populations are served by NG911 capable services.

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<sup>3</sup> The Texas rule implementing Kari's Law can be accessed at <http://www.texas911.org/>. Maryland's law, HB 1080, is available at <http://mgaleg.maryland.gov/2015RS/bills/hb/hb1080T.pdf>.

<sup>4</sup> National 911 Program, National Highway Traffic Safety Administration, November 2017. The report can be accessed at <https://www.911.gov/pdf/National-911-Program-Profile-Database-Progress-Report-2017.pdf>.

<sup>5</sup> While deploying and operating the 911 system is the responsibility of state and local authorities, federal agencies also support implementation. More information can be accessed from the FCC at <https://www.fcc.gov/general/9-1-1-and-e9-1-1-services>.

<sup>6</sup> *2017 National 911 Progress Report*, p.40.

The National Conference of State Legislatures (NCSL) maintains a “911 Legislation Tracking Database” at <http://www.ncsl.org/research/telecommunications-and-information-technology/911-database-overview.aspx>. The NCSL reported that in 2015 at least three states—Illinois, North Carolina, and Pennsylvania—passed legislation related to NG911. The Illinois measure, for example, required the implementation of NG911 in every 911 system in the state by July 1, 2020. In 2016, at least 10 states—Colorado, Connecticut, Idaho, Iowa, Kentucky, Louisiana, Nebraska, Oklahoma, Rhode Island, and Virginia—passed legislation related to NG911. The Connecticut and Rhode Island measures required the implementation of NG911. Colorado lawmakers requested a study and report on transitioning to a NG911 system, while Louisiana passed measures that allow increases in 911 service charges and requires implementation of NG911 services when funding is available. Oklahoma required the 911 Management Authority to develop a plan to deploy NG911 services statewide. In 2017, Iowa, Montana, and New Mexico passed NG911-related legislation. Montana established a 911 advisory council and made available grant funds for NG911 infrastructure to begin implementation of the system.

Upgrading current 911 systems to NG911 service is expensive, and funding is an issue for many states. While each state collects or authorizes local entities to collect fees for 911 services from telephone service subscribers, the U.S. Government Accountability Office (GAO) found in a recent report that current subscriber revenues may not be enough to support the transition to NG911, while continuing to fund existing 911 systems. The GAO recommended that the National Highway Traffic Safety Administration’s National 911 Program develop a plan to coordinate nationwide implementation to better assist states.<sup>7</sup>

We hope this is helpful. If you have questions or need additional information, please let us know.

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<sup>7</sup> Government Accountability Office, “Next Generation 911, National 911 Program Could Strengthen Efforts to Assist States,” January 2018, at <https://www.gao.gov/assets/690/689779.pdf>.