

ASSEMBLY, No. 3804

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

Assemblyman JOHN ARMATO

District 2 (Atlantic)

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

Assemblyman SEAN T. KEAN

District 30 (Monmouth and Ocean)

Co-Sponsored by:

**Assemblywomen Timberlake, McKnight, DiMaso, Swain, Vainieri Huttle,
Assemblymen Houghtaling, Space, Wirths, Assemblywomen Downey,
Tucker and Lopez**

SYNOPSIS

Designates 9-1-1 operators or dispatchers as 9-1-1 first responder dispatchers.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/25/2021)

1 AN ACT concerning emergency response services, supplementing
2 Title 26 of the Revised Statutes, and amending various parts of
3 the statutory law.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. (New section) This act shall be known and may be cited as
9 the “9-1-1 First Responder Dispatcher Act.”

10
11 2. (New section) The Legislature finds and declares that:

12 a. There are over 6,000 public safety call centers, known as
13 public safety answering points, in the United States.

14 b. Public safety communications professionals dedicate their
15 lives to helping others by performing work that goes far beyond
16 merely relaying information between the public and first
17 responders.

18 c. In times of crises, the information collected and actions
19 taken by public safety communications professionals form the
20 foundation for an effective response by law enforcement agencies,
21 fire departments, and emergency medical service professionals.

22 d. Public safety communications professionals are an important
23 part of the first responder community that provides immediate
24 assistance to crime and disaster victims.

25 e. Accordingly, it is altogether fitting and proper to recognize
26 the role of public safety communications professionals, including 9-
27 1-1 dispatchers or operators, as emergency response personnel by
28 designating them as 9-1-1 first responder dispatchers.

29
30 3. (New section) Persons appointed as public safety
31 communications professionals, also referred to as 9-1-1 dispatchers
32 or operators, shall hereinafter be referred to as 9-1-1 first responder
33 dispatchers.

34
35 4. Section 1 of P.L.1979, c.264 (C.2C:33-15) is amended to
36 read as follows:

37 1. a. Any person under the legal age to purchase alcoholic
38 beverages who knowingly possesses without legal authority or who
39 knowingly consumes any alcoholic beverage in any school, public
40 conveyance, public place, or place of public assembly, or motor
41 vehicle, is guilty of a disorderly persons offense, and shall be fined
42 not less than \$500.

43 b. Whenever this offense is committed in a motor vehicle, the
44 court shall, in addition to the sentence authorized for the offense,
45 suspend or postpone for six months the driving privilege of the

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 defendant. Upon the conviction of any person under this section,
2 the court shall forward a report to the New Jersey Motor Vehicle
3 Commission stating the first and last day of the suspension or
4 postponement period imposed by the court pursuant to this section.
5 If a person at the time of the imposition of a sentence is less than 17
6 years of age, the period of license postponement, including a
7 suspension or postponement of the privilege of operating a
8 motorized bicycle, shall commence on the day the sentence is
9 imposed and shall run for a period of six months after the person
10 reaches the age of 17 years.

11 If a person at the time of the imposition of a sentence has a valid
12 driver's license issued by this State, the court shall immediately
13 collect the license and forward it to the commission along with the
14 report. If for any reason the license cannot be collected, the court
15 shall include in the report the complete name, address, date of birth,
16 eye color, and sex of the person as well as the first and last date of
17 the license suspension period imposed by the court.

18 The court shall inform the person orally and in writing that if the
19 person is convicted of operating a motor vehicle during the period
20 of license suspension or postponement, the person shall be subject
21 to the penalties set forth in R.S.39:3-40. A person shall be required
22 to acknowledge receipt of the written notice in writing. Failure to
23 receive a written notice or failure to acknowledge in writing the
24 receipt of a written notice shall not be a defense to a subsequent
25 charge of a violation of R.S.39:3-40.

26 If the person convicted under this section is not a New Jersey
27 resident, the court shall suspend or postpone, as appropriate, the
28 non-resident driving privilege of the person based on the age of the
29 person and submit to the commission the required report. The court
30 shall not collect the license of a non-resident convicted under this
31 section. Upon receipt of a report by the court, the commission shall
32 notify the appropriate officials in the licensing jurisdiction of the
33 suspension or postponement.

34 c. In addition to the general penalty prescribed for a disorderly
35 persons offense, the court may require any person who violates this
36 act to participate in an alcohol education or treatment program,
37 authorized by the Division of Mental Health and Addiction Services
38 in the Department of Human Services, for a period not to exceed the
39 maximum period of confinement prescribed by law for the offense
40 for which the individual has been convicted.

41 d. Nothing in this act shall apply to possession of alcoholic
42 beverages by any such person while actually engaged in the
43 performance of employment pursuant to an employment permit
44 issued by the Director of the Division of Alcoholic Beverage
45 Control, or for a bona fide hotel or restaurant, in accordance with
46 the provisions of R.S.33:1-26, or while actively engaged in the
47 preparation of food while enrolled in a culinary arts or hotel

1 management program at a county vocational school or post
2 secondary educational institution.

3 e. The provisions of section 3 of P.L.1991, c.169 (C.33:1-
4 81.1a) shall apply to a parent, guardian or other person with legal
5 custody of a person under 18 years of age who is found to be in
6 violation of this section.

7 f. An underage person and one or two other persons shall be
8 immune from prosecution under this section if:

9 (1) one of the underage persons called 9-1-1 and reported that
10 another underage person was in need of medical assistance due to
11 alcohol consumption;

12 (2) the underage person who called 9-1-1 and, if applicable, one
13 or two other persons acting in concert with the underage person
14 who called 9-1-1 provided each of their names to the 9-1-1
15 **[operator]** first responder dispatcher;

16 (3) the underage person was the first person to make the 9-1-1
17 report; and

18 (4) the underage person and, if applicable, one or two other
19 persons acting in concert with the underage person who made the 9-
20 1-1 call remained on the scene with the person under the legal age
21 in need of medical assistance until assistance arrived and
22 cooperated with medical assistance and law enforcement personnel
23 on the scene.

24 The underage person who received medical assistance also shall
25 be immune from prosecution under this section.

26 g. For purposes of this section, an alcoholic beverage includes
27 powdered alcohol as defined by R.S.33:1-1.

28 (cf: P.L.2015, c.137, s.3)

29

30 5. Section 3 of P.L.2017, c.116 (C.26:2K-68) is amended to
31 read as follows:

32 3. a. The commissioner shall establish a system to allow for
33 the electronic reporting of emergency medical services dispatch and
34 response information as required pursuant to section 2 of P.L.2017,
35 c.116 (C.26:2K-67). Information shall be reported to the system in
36 a format and at such intervals as required by the commissioner,
37 except that, to the extent possible, the system shall interact with
38 existing systems used by emergency medical services providers and
39 emergency medical services dispatch centers, including, but not
40 limited to, emsCharts and Image Trend, to facilitate automated,
41 real-time reporting of the information. The department shall furnish
42 to EMS providers and 9-1-1 first responder dispatchers, without
43 charge, any software or programs developed by the department for
44 accessing and using the electronic reporting system.

45 b. The electronic reporting system established pursuant to this
46 section shall, at a minimum, seek to record and track data
47 concerning types of medical emergencies for which emergency
48 medical services are requested, response times for emergency

1 medical services providers, patterns in the timing and location of
2 requests for emergency medical services, patterns in the type or
3 nature of emergency medical services provided, and patterns in
4 dispatch and response activity.

5 c. The commissioner shall, in consultation with the Emergency
6 Medical Services Advisory Council, adopt rules and regulations,
7 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
8 (C.52:14B-1 et seq.), establishing quality performance metrics and
9 pre-hospital protocols for emergency medical services providers,
10 which shall be based on the data tracked and recorded pursuant to
11 subsection b. of this section. The commissioner shall review and
12 update the rules and regulations concerning quality performance
13 metrics and pre-hospital protocols as appropriate.

14 d. The commissioner shall make the response times for
15 emergency medical services providers that are tracked and recorded
16 pursuant to subsection b. of this section available to the public on
17 the department's Internet website.

18 (cf: P.L.2017, c.116, s.3)

19

20 6. Section 2 of P.L.2009, c.133 (C.40:48-1.2a) is amended to
21 read as follows:

22 2. a. An underage person and one or two other persons shall be
23 immune from prosecution under an ordinance authorized by section
24 1 of P.L.2000, c.33 (C.40:48-1.2) prohibiting any person under the
25 legal age who, without legal authority, knowingly possesses or
26 knowingly consumes an alcoholic beverage on private property if:

27 (1) one of the underage persons called 9-1-1 and reported that
28 another underage person was in need of medical assistance due to
29 alcohol consumption;

30 (2) the underage person who called 9-1-1 and, if applicable, one
31 or two other persons acting in concert with the underage person
32 who called 9-1-1 provided each of their names to the 9-1-1
33 **【operator】** first responder dispatchers;

34 (3) the underage person was the first person to make the 9-1-1
35 report; and

36 (4) the underage person and, if applicable, one or two other
37 persons acting in concert with the underage person who made the 9-
38 1-1 call remained on the scene with the person under the legal age
39 in need of medical assistance until assistance arrived and
40 cooperated with medical assistance and law enforcement personnel
41 on the scene.

42 b. The underage person who received medical assistance as
43 provided in subsection a. of this section also shall be immune from
44 prosecution under an ordinance authorized by section 1 of P.L.2000,
45 c.33 (C.40:48-1.2).

46 (cf: P.L.2009, c.133, s.2)

1 7. Section 3 of P.L.1989, c.3 (C.52:17C-3) is amended to read
2 as follows:

3 3. a. There is established in the Office of Information
4 Technology an Office of Emergency Telecommunications Services.

5 b. The office shall be under the immediate supervision of a
6 director, who shall be a person qualified by training and experience
7 to direct the work of the office. The director shall administer the
8 provisions of this act subject to review by the Chief Technology
9 Officer and shall perform other duties as may be provided by law.
10 The director shall be appointed by the Chief Technology Officer,
11 but the commission shall advise the Chief Technology Officer on
12 the qualifications of the director. The Chief Technology Officer is
13 authorized to appoint, in accordance with Title 11A of the New
14 Jersey Statutes, clerical, technical, and professional assistants, and
15 also may designate any available personnel as shall be necessary to
16 effectuate the purposes of this act.

17 The office shall designate a staff member from within the Office
18 of Information Technology to be designated as a professional
19 spectrum manager. The professional spectrum manager shall be
20 responsible for approving all applications for public safety spectrum
21 allocations in the State to ensure that the State fully complies with
22 Federal Communications Commission rules that impact frequency
23 allocation for public safety use. The spectrum manager may be
24 chosen from among the current employees of the office and the
25 chosen employee may continue the duties and responsibilities of
26 their current position in addition to the duties and responsibilities of
27 spectrum manager as provided in this section.

28 The office shall designate a staff member from within the Office
29 of Information Technology to be designated the Statewide
30 Interoperability Coordinator to coordinate interoperable
31 communications grants and projects consistent with the National
32 Communications Plan. The coordinator may be chosen from among
33 the current employees of the office and the chosen employee may
34 continue the duties and responsibilities of his current position in
35 addition to the duties and responsibilities of coordinator as provided
36 in this section.

37 The office shall, subject to review by the commission and the
38 Chief Technology Officer, and in consultation with the council, the
39 telephone companies, the Board of Public Utilities and the wireless
40 telephone companies, and with the assistance of the Office of
41 Information Technology in but not of the Department of the
42 Treasury, continue to plan, design, implement, and coordinate the
43 Statewide emergency enhanced 9-1-1 telephone system to be
44 established pursuant to this act as well as any changes to that
45 system needed to provide wireless enhanced 9-1-1 service.

46 To this end the office shall establish, after review and approval
47 by the commission, in consultation with the council, a State plan for

1 the emergency enhanced 9-1-1 system in this State, which plan shall
2 include:

3 (1) The configuration of, and requirements for, the enhanced 9-
4 1-1 network. The office with the approval of the commission and
5 the Chief Technology Officer, in consultation with the council, only
6 as provided herein, and assistance and advice of the Office of
7 Information Technology in but not of the Department of the
8 Treasury is empowered to enter into contracts for the provision of
9 this network.

10 (2) The role and responsibilities of the counties and
11 municipalities of the State in the implementation of the system,
12 consistent with the provisions of this act, including a timetable for
13 implementation.

14 (3) Technical and operational standards for the establishment of
15 public safety answering points (PSAPs) which utilize enhanced 9-1-
16 1 network features in accordance with the provisions of this act and
17 in alignment with the Next Generation 9-1-1 Planning by the
18 National 9-1-1 Office within the United States Department of
19 Transportation, National Highway Traffic Safety Administration.
20 Those entities having responsibility for the creation and
21 management of PSAPs shall conform to these standards in the
22 design, implementation and operation of the PSAPs. These
23 standards shall include provision for the training and certification of
24 call-takers and **[public safety]** 9-1-1 first responder dispatchers or
25 for the adoption of such a program.

26 The office, after review and approval by the commission and the
27 Chief Technology Officer, in consultation with the council, only as
28 provided herein, may update and revise the State plan from time to
29 time.

30 The office may inspect each PSAP to determine if it meets the
31 requirements of this act and the technical and operational standards
32 established pursuant to this section. The office shall explore ways
33 to maximize the reliability of the system.

34 The plan or any portion of it may be implemented by the
35 adoption of regulations pursuant to subsection b. of section 15 of
36 this act.

37 The State plan shall require the consolidation of PSAPs as
38 appropriate, consistent with revisions in the plan to upgrade the
39 enhanced 9-1-1 system and shall condition the allocation of moneys
40 dedicated for the operation of PSAPs on the merging and sharing of
41 PSAP functions by municipalities, counties and the State Police,
42 consistent with the revised plan. The Treasurer may establish, by
43 regulation, a 9-1-1 call volume minimum that may be utilized as a
44 factor in determining which PSAP functions are to be consolidated
45 under the State plan.

46 The State plan shall limit the use of sworn law enforcement
47 officers to provide dispatch services and the office shall condition
48 the receipt of moneys dedicated for the operation of PSAPs on the

1 limited use of sworn law enforcement officers, except for officers
2 returning to active duty from an injury or other physical disability.

3 The office shall plan, implement and coordinate a Statewide
4 public education program designed to generate public awareness at
5 all levels of the emergency enhanced 9-1-1 system. Advertising
6 and display of 9-1-1 shall be in accordance with standards
7 established by the office. Advertising expenses may be defrayed
8 from the moneys appropriated to the office.

9 c. (Deleted by amendment, P.L.1999, c.125).

10 d. To this end, the office shall, subject to review and approval
11 by the commission and the Chief Technology Officer, and in
12 consultation with the council, develop a Statewide Communications
13 Interoperability Plan, which shall include:

14 (1) the strategy to most effectively provide interoperability and
15 coordinate public safety communications between and among State,
16 county and municipal public safety agencies. The office shall
17 submit recommendations and proposals, as appropriate, to the
18 Regional Planning Committees to which the State is assigned by the
19 Federal Communications Commission; and

20 (2) the role and responsibilities of the counties and
21 municipalities of the State in the implementation of the New Jersey
22 Interoperable Communications System, consistent with the National
23 Communications Plan and the provisions of this act, including a
24 timetable for implementation.

25 e. The office, after review and approval by the commission and
26 the Chief Technology Officer, in consultation with the council, only
27 as provided herein, may update and revise the State plan as needed.
28 The plan or any portion of it may be implemented by the adoption
29 of regulations pursuant to the "Administrative Procedure Act,"
30 P.L.1968, c.410 (C.52:14B-1 et seq.).

31 f. The office, after review and approval by the commission and
32 the Chief Technology Officer, only as provided herein, shall submit
33 a report to the Senate Revenue, Finance and Appropriations
34 Committee and the Assembly Appropriations Committee, or their
35 successors, not later than February 15 of each year, concerning its
36 progress in carrying out the provisions of this act and the
37 expenditure of moneys appropriated thereto and appropriated for the
38 purposes of installation of the Statewide enhanced 9-1-1 network
39 and the New Jersey Interoperable Communications System.

40 (cf: P.L.2011, c.4, s.2)

41

42 8. This act shall take effect immediately.

43

44

45

STATEMENT

46

47 This bill designates certain public safety communications
48 professionals as 9-1-1 first responder dispatchers.

A3804 ARMATO, MURPHY

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1 Public safety communications professionals dedicate their lives
2 to helping others by performing work that goes far beyond merely
3 relaying information between the public and first responders. In
4 times of crises, the information collected and actions taken by
5 public safety communications professionals form the foundation for
6 an effective response by law enforcement agencies, fire
7 departments, and emergency medical service professionals.
8 It is the sponsor's intent to recognize these professionals as an
9 important part of the first responder community by designating
10 them as 9-1-1 first responder dispatchers.