

[First Reprint]

**SENATE, No. 1590**

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**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

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INTRODUCED FEBRUARY 13, 2020

**Sponsored by:**

**Senator JAMES BEACH**

**District 6 (Burlington and Camden)**

**Senator ANTHONY M. BUCCO**

**District 25 (Morris and Somerset)**

**Co-Sponsored by:**

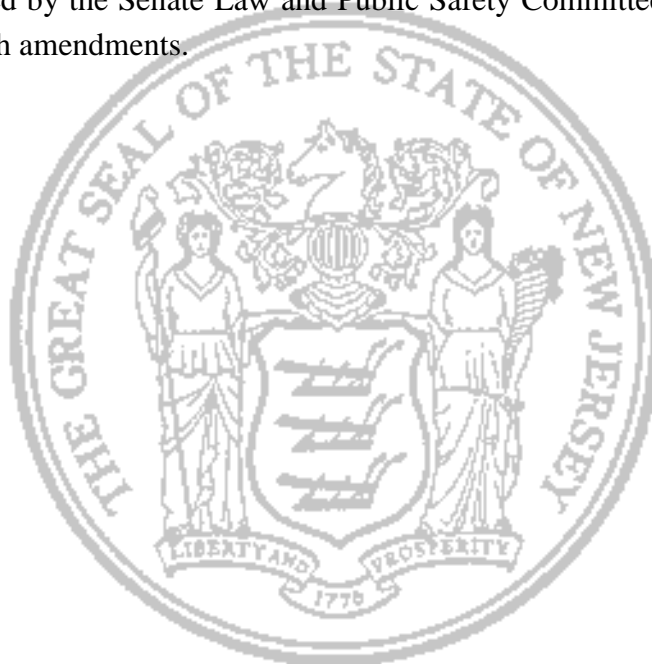
**Senators T.Kean, Ruiz and O'Scanlon**

**SYNOPSIS**

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

**CURRENT VERSION OF TEXT**

As reported by the Senate Law and Public Safety Committee on November 15, 2021, with amendments.



**(Sponsorship Updated As Of: 12/16/2021)**

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 <sup>1</sup>**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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SLP committee amendments adopted November 15, 2021.

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

1 preparation of food while enrolled in a culinary arts or hotel  
2 management program at a county vocational school or post  
3 secondary educational institution.

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

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

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

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

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

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

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

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

29 (cf: P.L.2015, c.137, s.3)】<sup>1</sup>

30

31 <sup>1</sup>4. Section 1 of P.L.1979, c.264 (C.2C:33-15) is amended to read  
32 as follows:

33 1. a. (1) Any person under the legal age to purchase alcoholic  
34 beverages, or under the legal age to purchase cannabis items, who  
35 knowingly possesses without legal authority or who knowingly  
36 consumes any alcoholic beverage, cannabis item, marijuana, or  
37 hashish in any school, public conveyance, public place, or place of  
38 public assembly, or motor vehicle shall be subject to the following  
39 consequences:

40 (a) for a first violation, a written warning issued by a law  
41 enforcement officer to the underage person. The written warning shall  
42 include the person's name, address, and date of birth, and a copy of the  
43 warning containing this information, plus a sworn statement that  
44 includes a description of the relevant facts and circumstances that  
45 support the officer's determination that the person committed the  
46 violation, shall be temporarily maintained in accordance with this  
47 section only for the purposes of determining a second or subsequent  
48 violation subject to the consequences set forth in subparagraph (b) or

1 (c) of this paragraph. If the violation of this section is by a person  
2 under 18 years of age, a written notification concerning the violation  
3 shall be provided to the parent, guardian or other person having legal  
4 custody of the underage person in accordance with section 3 of  
5 P.L.1991, c.169 (C.33:1-81.1a).

6 (b) for a second violation, a written warning issued by a law  
7 enforcement officer to the underage person indicating that a second  
8 violation has occurred, which includes the person's name, address, and  
9 date of birth. If the violation is by a person 18 years of age or older,  
10 the officer shall provide the person with informational materials about  
11 how to access community services provided by public or private  
12 agencies and organizations that shall assist the person with  
13 opportunities to access further social services, including but not  
14 limited to counseling, tutoring programs, mentoring services, and  
15 faith-based or other community initiatives. If the violation is by a  
16 person under 18 years of age, a written notification concerning the  
17 second violation shall be provided to the parent, guardian or other  
18 person having legal custody of the underage person in accordance with  
19 section 3 of P.L.1991, c.169 (C.33:1-81.1a). The written notification  
20 shall include the same or similar informational materials about how to  
21 access community services provided by public or private agencies and  
22 organizations as those provided directly by a law enforcement officer  
23 to a person 18 years of age or older who commits a second violation of  
24 this paragraph. A copy of the second written warning to the underage  
25 person, and, if applicable, the written notification to the parent,  
26 guardian or other person having legal custody of the underage person  
27 concerning the second warning, plus a sworn statement that includes a  
28 description of the relevant facts and circumstances that support the  
29 officer's determination that the person committed the second violation,  
30 shall be temporarily maintained in accordance with this section only  
31 for the purposes of determining a subsequent violation subject to the  
32 consequences set forth in subparagraph (c) of this paragraph.

33 (c) for a third or subsequent violation, a write-up issued by a law  
34 enforcement officer to the underage person indicating that a third or  
35 subsequent violation has occurred, which includes the person's name,  
36 address, and date of birth. If the violation is by a person 18 years of  
37 age or older, the officer shall include with the write-up a referral for  
38 accessing community services provided by a public or private agency  
39 or organization, and provide notice to that agency or organization of  
40 the referral which may also be used to initiate contact with the person,  
41 and the agency or organization shall offer assistance to the person with  
42 opportunities to access further social services, including but not  
43 limited to counseling, tutoring programs, mentoring services, and  
44 faith-based or other community initiatives. If the violation is by a  
45 person under 18 years of age, a written notification concerning the  
46 third or subsequent violation shall be provided to the parent, guardian  
47 or other person having legal custody of the underage person in  
48 accordance with section 3 of P.L.1991, c.169 (C.33:1-81.1a). The

1 written notification shall include a referral for the person and the  
2 parent, guardian or other person having legal custody of the underage  
3 person for accessing community services provided by a public or  
4 private agency or organization, and provide notice to that agency or  
5 organization of the referral which may also then be used to initiate  
6 contact with both persons, and the agency or organization shall offer  
7 assistance to both with opportunities to access further social services,  
8 including counseling, tutoring programs, mentoring services, and faith-  
9 based or other community initiatives. A copy of a write-up for a third  
10 or subsequent violation, the written notification to the parent, guardian  
11 or other person having legal custody of the underage person, if  
12 applicable, and accompanying referrals, plus a sworn statement that  
13 includes a description of the relevant facts and circumstances that  
14 support the officer's determination that the person committed the third  
15 or subsequent violation, shall be temporarily maintained in accordance  
16 with this section only to the extent necessary to track referrals to  
17 agencies and organizations, as well as for the purposes of determining  
18 a subsequent violation subject to the consequences set forth in this  
19 subparagraph.

20 The failure of a person under the legal age to purchase alcoholic  
21 beverages or cannabis items, or the failure of a parent, guardian or  
22 other person having legal custody of the underage person, to accept  
23 assistance from an agency or organization to which a law enforcement  
24 referral was made, or to access any community services provided by  
25 that agency or organization shall not result in any summons, initiation  
26 of a complaint, or other legal action to be adjudicated and enforced in  
27 any court.

28 (2) (a) A person under the legal age to purchase alcoholic  
29 beverages or cannabis items is not capable of giving lawful consent to  
30 a search to determine a violation of this section, and a law enforcement  
31 officer shall not request that a person consent to a search for that  
32 purpose.

33 (b) The odor of an alcoholic beverage, marijuana, hashish,  
34 cannabis, or cannabis item, or burnt marijuana, hashish, cannabis, or  
35 cannabis item, shall not constitute reasonable articulable suspicion to  
36 initiate an investigatory stop of a person, nor shall it constitute  
37 probable cause to initiate a search of a person or that person's personal  
38 property to determine a violation of paragraph (1) of this subsection.  
39 Additionally, the unconcealed possession of an alcoholic beverage,  
40 marijuana, hashish, or cannabis item in violation of paragraph (1) of  
41 this subsection, observed in plain sight by a law enforcement officer,  
42 shall not constitute probable cause to initiate a search of a person or  
43 that person's personal property to determine any further violation of  
44 that paragraph or any other violation of law.

45 (3) A person under the legal age to purchase alcoholic beverages  
46 or cannabis items who violates paragraph (1) of this subsection for  
47 possessing or consuming an alcoholic beverage, marijuana, hashish, or  
48 a cannabis item shall not be subject to arrest, shall not be transported

1 to a police station, police headquarters, or other place of law  
2 enforcement operations, and shall not otherwise be subject to detention  
3 or be taken into custody by a law enforcement officer at or near the  
4 location where the violation occurred, except to the extent that  
5 detention or custody at or near the location is required to issue a  
6 written warning or write-up, collect the information necessary to  
7 provide notice of a violation to a parent, guardian or other person  
8 having legal custody of the underage person in accordance with  
9 section 3 of P.L.1991, c.169 (C.33:1-81a), or make referrals for  
10 accessing community services provided by a public or private agency  
11 or organization due to a third or subsequent violation, unless the  
12 person is being arrested, detained, or otherwise taken into custody for  
13 also committing another violation of law for which that action is  
14 legally permitted or required.

15 (4) Consistent with the provisions of subsection c. of section 1 of  
16 P.L.2020, c.129 (C.40A:14-118.5), the video and audio recording  
17 functions of a law enforcement officer's body worn camera, as defined  
18 in that section, shall be activated whenever the law enforcement  
19 officer is responding to a call for service related to a violation or  
20 suspected violation of paragraph (1) of this subsection for possessing  
21 or consuming an alcoholic beverage, marijuana, hashish, or a cannabis  
22 item, or at the initiation of any other law enforcement or investigative  
23 encounter between an officer and a person related to a violation or  
24 suspected violation of that paragraph, and shall remain activated until  
25 the encounter has fully concluded and the officer leaves the scene of  
26 the encounter; provided, however, that the video and audio recording  
27 functions of a body worn camera shall not be deactivated pursuant to  
28 subparagraph (a) of paragraph (2) of subsection c. of P.L.2020, c.129  
29 (C.40A:14-118.5), based on a request to deactivate the camera by a  
30 person who is the subject of a responsive call for service or law  
31 enforcement or investigative encounter related to a violation or  
32 suspected violation of paragraph (1) of this subsection.

33 (5) As part of the process for the issuance of a written warning or  
34 write-up to a person for a violation of paragraph (1) of this subsection,  
35 the law enforcement officer shall take possession of any alcoholic  
36 beverage, marijuana, hashish, or cannabis item from the person, and  
37 any drug or cannabis paraphernalia for use with any marijuana,  
38 hashish, or cannabis item. The existence and description of the  
39 alcoholic beverage, marijuana, hashish, or cannabis item, and any drug  
40 or cannabis paraphernalia shall be included in the sworn statement that  
41 includes a description of the relevant facts and circumstances that  
42 support the officer's determination that the person committed a  
43 violation, and which record is temporarily maintained in accordance  
44 with this section to determine subsequent possession or consumption  
45 violations, and track referrals for accessing community services  
46 provided by a public or private agency or organization due to a third or  
47 subsequent violation. Any alcoholic beverage, marijuana, hashish,  
48 cannabis item, or drug or cannabis paraphernalia obtained by the law

1 enforcement officer shall either be destroyed or secured for use in law  
2 enforcement training or educational programs in accordance with  
3 applicable law and directives issued by the Attorney General.

4 (6) With respect to any violation of paragraph (1) of this  
5 subsection concerning the possession or consumption of an alcoholic  
6 beverage, marijuana, hashish, or any cannabis item:

7 (a) a person under the legal age to purchase alcoholic beverages or  
8 cannabis items shall not be photographed or fingerprinted,  
9 notwithstanding any provisions of section 2 of P.L.1982, c.79  
10 (C.2A:4A-61) to the contrary;

11 (b) (i) any copy of any written warning or write-up issued to a  
12 person under the legal age to purchase alcoholic beverages or cannabis  
13 items, written notification provided to the person's parent, guardian or  
14 other person having legal custody in accordance with section 3 of  
15 P.L.1991, c.169 (C.33:1-81.1a), sworn statement describing the  
16 relevant facts and circumstances that support an officer's determination  
17 that a person committed a violation, or referrals for accessing  
18 community services provided by a public or private agency or  
19 organization pertaining to a third or subsequent violation shall be  
20 segregated and maintained in a separate physical location or electronic  
21 repository or database from any other records maintained by a law  
22 enforcement agency, and reported to the Attorney General in a manner  
23 so that they are similarly segregated and maintained in a separate  
24 physical location or electronic repository or database from other law  
25 enforcement records accessible to the Attorney General and State and  
26 local law enforcement agencies, and shall not be transferred to or  
27 copied and placed in any other physical location or electronic  
28 repository or database containing any other law enforcement records.  
29 These records shall only be used to the extent necessary to determine a  
30 subsequent violation of paragraph (1) of this subsection or to track  
31 referrals to agencies and organizations, and shall not be revealed,  
32 reviewed, or considered in any manner with respect to any current or  
33 subsequent juvenile delinquency matter, including but not limited to, a  
34 charge, filing, eligibility or decision for diversion or discharge, or  
35 sentencing, other disposition, or related decision affecting the juvenile,  
36 or with respect to any current or subsequent prosecution for  
37 committing an offense or other violation of law, including but not  
38 limited to, a charge, filing, eligibility or decision for diversion or  
39 discharge, or sentencing, other disposition, or related decision  
40 affecting an adult under 21 years of age. Also, these records shall be  
41 deemed confidential and shall not be subject to public inspection or  
42 copying pursuant to the provisions of P.L.1963, c.73 (C.47:1A-1 et  
43 seq.), and their existence shall not be acknowledged based upon any  
44 inquiry in the same manner as if the records were expunged records  
45 pursuant to the provisions of subsection a. of N.J.S.2C:52-15.

46 The Attorney General may use the records described herein to  
47 generate the number of occurrences and other statistics concerning  
48 first, second, third and subsequent violations of paragraph (1) of this



1 subsection, the municipal, county or other geographic areas within  
2 which first, second, third and subsequent violations occur, and the law  
3 enforcement agencies involved in first, second, third and subsequent  
4 violations, which are to be compiled and made available by the  
5 Attorney General in accordance with section 4 of P.L.2021, c.25  
6 (C.2C:33-15.1). The identity of any person named in a record shall not  
7 be revealed or included in the information to be compiled and made  
8 available in accordance with that section.

9 The records of violations shall only be maintained temporarily and  
10 shall be destroyed or permanently deleted as set forth in subparagraph  
11 (c) of this paragraph.

12 (ii) any records pertaining to a person's acceptance of assistance  
13 from an agency or organization to which a law enforcement referral  
14 was made shall not be revealed, reviewed, or considered in any  
15 manner with respect to any current or subsequent juvenile delinquency  
16 matter, including but not limited to, a charge, filing, eligibility or  
17 decision for diversion or discharge, or sentencing, other disposition, or  
18 related decision affecting the juvenile, or with respect to any current or  
19 subsequent prosecution for committing an offense or other violation of  
20 law, including but not limited to, a charge, filing, eligibility or decision  
21 for diversion or discharge, or sentencing, other disposition, or related  
22 decision affecting an adult under 21 years of age. Also, these records  
23 shall be deemed confidential and shall not be subject to public  
24 inspection or copying pursuant to the provisions of P.L.1963, c.73  
25 (C.47:1A-1 et seq.), and their existence shall not be acknowledged  
26 based upon any inquiry in the same manner as if the records were  
27 expunged records pursuant to the provisions of subsection a. of  
28 N.J.S.2C:52-15.

29 (c) All of the records maintained by a law enforcement agency and  
30 reported to the Attorney General as described in subsubparagraph (i)  
31 of subparagraph (b) of this paragraph shall be destroyed or  
32 permanently deleted by the law enforcement agency and Attorney  
33 General on the second anniversary following the creation of the record  
34 concerning a violation, or not later than the last day of the month in  
35 which that second anniversary date falls, or alternatively not later than  
36 the 21st birthday of a person who is the subject of a record, or not later  
37 than the last day of the month in which that birthday falls, whichever  
38 date occurs sooner, except that a record shall be maintained upon  
39 request by the person named in the record or representative thereof, the  
40 law enforcement officer who made the record, or the law enforcement  
41 agency currently maintaining the record if it involves a lawsuit,  
42 disciplinary complaint, or criminal prosecution arising from the  
43 violation described in the record, based on an assertion that the record  
44 has evidentiary or exculpatory value. Upon final disposition of the  
45 matter for which the extended record retention was requested, the  
46 record shall be destroyed or permanently deleted.

47 (d) A law enforcement officer shall be guilty of the crime of  
48 official deprivation of civil rights as set forth in section 3 of P.L.2021,

1 c.25 (C.2C:30-6.1) for violating the provisions of paragraph (1) of this  
2 subsection that address law enforcement actions involving persons  
3 who are under the legal age to purchase alcoholic beverages or  
4 cannabis items.

5 b. (Deleted by amendment, P.L.2021, c.25)

6 c. (Deleted by amendment, P.L.2021, c.25)

7 d. Nothing in this act shall apply to possession of alcoholic  
8 beverages by any such person while actually engaged in the  
9 performance of employment pursuant to an employment permit issued  
10 by the Director of the Division of Alcoholic Beverage Control, or for a  
11 bona fide hotel or restaurant, in accordance with the provisions of  
12 R.S.33:1-26, or while actively engaged in the preparation of food  
13 while enrolled in a culinary arts or hotel management program at a  
14 county vocational school or post-secondary educational institution;  
15 and nothing in this section shall apply to possession of cannabis items  
16 by any such person while actually engaged in the performance of  
17 employment by a cannabis establishment, distributor, or delivery  
18 service as permitted pursuant to the "New Jersey Cannabis Regulatory,  
19 Enforcement Assistance, and Marketplace Modernization Act,"  
20 P.L.2021, c.16 (C.24:6I-31 et al.).

21 e. Except as otherwise provided in this section, the provisions of  
22 section 3 of P.L.1991, c.169 (C.33:1-81.1a) shall apply to a parent,  
23 guardian or other person with legal custody of a person under 18 years  
24 of age who is found to be in violation of this section.

25 f. An underage person and one or two other persons shall be  
26 immune from prosecution under this section 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, or the consumption of marijuana, hashish, or a  
30 cannabis item;

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

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

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

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

44 g. For purposes of this section, an alcoholic beverage includes  
45 powdered alcohol as defined by R.S.33:1-1, a cannabis item includes  
46 any item available for lawful consumption pursuant to the "New Jersey  
47 Cannabis Regulatory, Enforcement Assistance, and Marketplace  
48 Modernization Act," P.L.2021, c.16 (C.24:6I-31 et al.), and the terms

1 "marijuana" and "hashish" have the same meaning as set forth in  
2 N.J.S.2C:35-2, and the terms "drug paraphernalia" and "cannabis  
3 paraphernalia" have the same meaning as set forth in N.J.S.2C:36-1  
4 and section 3 of P.L.2021, c.16 (C.24:6I-33), respectively.<sup>1</sup>  
5 (cf: P.L.2021, c.38. s.1)

6  
7 5. Section 3 of P.L.2017, c.116 (C.26:2K-68) is amended to  
8 read as follows:

9 3. a. The commissioner shall establish a system to allow for  
10 the electronic reporting of emergency medical services dispatch and  
11 response information as required pursuant to section 2 of  
12 P.L.2017, c.116 (C.26:2K-67). Information shall be reported to the  
13 system in a format and at such intervals as required by the  
14 commissioner, except that, to the extent possible, the system shall  
15 interact with existing systems used by emergency medical services  
16 providers and emergency medical services dispatch centers,  
17 including, but not limited to, emsCharts and Image Trend, to  
18 facilitate automated, real-time reporting of the information. The  
19 department shall furnish to EMS providers and 9-1-1 first responder  
20 dispatchers, without charge, any software or programs developed by  
21 the department for accessing and using the electronic reporting  
22 system.

23 b. The electronic reporting system established pursuant to this  
24 section shall, at a minimum, seek to record and track data  
25 concerning types of medical emergencies for which emergency  
26 medical services are requested, response times for emergency  
27 medical services providers, patterns in the timing and location of  
28 requests for emergency medical services, patterns in the type or  
29 nature of emergency medical services provided, and patterns in  
30 dispatch and response activity.

31 c. The commissioner shall, in consultation with the Emergency  
32 Medical Services Advisory Council, adopt rules and regulations,  
33 pursuant to the "Administrative Procedure Act," P.L.1968, c.410  
34 (C.52:14B-1 et seq.), establishing quality performance metrics and  
35 pre-hospital protocols for emergency medical services providers,  
36 which shall be based on the data tracked and recorded pursuant to  
37 subsection b. of this section. The commissioner shall review and  
38 update the rules and regulations concerning quality performance  
39 metrics and pre-hospital protocols as appropriate.

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

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

45  
46 <sup>1</sup>6. Section 2 of P.L.2009, c.133 (C.40:48-1.2a) is amended to  
47 read as follows:

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

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

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

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

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

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

26 (cf: P.L.2009, c.133, s.2) **】<sup>1</sup>**

27  
28       <sup>1</sup>**【7.】** 6.<sup>1</sup> Section 3 of P.L.1989, c.3 (C.52:17C-3) is amended  
29 to read as follows:

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

32       b. The office shall be under the immediate supervision of a  
33 director, who shall be a person qualified by training and experience  
34 to direct the work of the office. The director shall administer the  
35 provisions of this act subject to review by the Chief Technology  
36 Officer and shall perform other duties as may be provided by law.  
37 The director shall be appointed by the Chief Technology Officer,  
38 but the commission shall advise the Chief Technology Officer on  
39 the qualifications of the director. The Chief Technology Officer is  
40 authorized to appoint, in accordance with Title 11A of the New  
41 Jersey Statutes, clerical, technical, and professional assistants, and  
42 also may designate any available personnel as shall be necessary to  
43 effectuate the purposes of this act.

44       The office shall designate a staff member from within the Office  
45 of Information Technology to be designated as a professional  
46 spectrum manager. The professional spectrum manager shall be  
47 responsible for approving all applications for public safety spectrum  
48 allocations in the State to ensure that the State fully complies with

1 Federal Communications Commission rules that impact frequency  
2 allocation for public safety use. The spectrum manager may be  
3 chosen from among the current employees of the office and the  
4 chosen employee may continue the duties and responsibilities of  
5 their current position in addition to the duties and responsibilities of  
6 spectrum manager as provided in this section.

7 The office shall designate a staff member from within the Office  
8 of Information Technology to be designated the Statewide  
9 Interoperability Coordinator to coordinate interoperable  
10 communications grants and projects consistent with the National  
11 Communications Plan. The coordinator may be chosen from among  
12 the current employees of the office and the chosen employee may  
13 continue the duties and responsibilities of his current position in  
14 addition to the duties and responsibilities of coordinator as provided  
15 in this section.

16 The office shall, subject to review by the commission and the  
17 Chief Technology Officer, and in consultation with the council, the  
18 telephone companies, the Board of Public Utilities and the wireless  
19 telephone companies, and with the assistance of the Office of  
20 Information Technology in but not of the Department of the  
21 Treasury, continue to plan, design, implement, and coordinate the  
22 Statewide emergency enhanced 9-1-1 telephone system to be  
23 established pursuant to this act as well as any changes to that  
24 system needed to provide wireless enhanced 9-1-1 service.

25 To this end the office shall establish, after review and approval  
26 by the commission, in consultation with the council, a State plan for  
27 the emergency enhanced 9-1-1 system in this State, which plan shall  
28 include:

29 (1) The configuration of, and requirements for, the enhanced 9-  
30 1-1 network. The office with the approval of the commission and  
31 the Chief Technology Officer, in consultation with the council, only  
32 as provided herein, and assistance and advice of the Office of  
33 Information Technology in but not of the Department of the  
34 Treasury is empowered to enter into contracts for the provision of  
35 this network.

36 (2) The role and responsibilities of the counties and  
37 municipalities of the State in the implementation of the system,  
38 consistent with the provisions of this act, including a timetable for  
39 implementation.

40 (3) Technical and operational standards for the establishment of  
41 public safety answering points (PSAPs) which utilize enhanced 9-1-  
42 1 network features in accordance with the provisions of this act and  
43 in alignment with the Next Generation 9-1-1 Planning by the  
44 National 9-1-1 Office within the United States Department of  
45 Transportation, National Highway Traffic Safety Administration.  
46 Those entities having responsibility for the creation and  
47 management of PSAPs shall conform to these standards in the  
48 design, implementation and operation of the PSAPs. These

1 standards shall include provision for the training and certification of  
2 call-takers and **public safety** 9-1-1 first responder dispatchers or  
3 for the adoption of such a program.

4 The office, after review and approval by the commission and the  
5 Chief Technology Officer, in consultation with the council, only as  
6 provided herein, may update and revise the State plan from time to  
7 time.

8 The office may inspect each PSAP to determine if it meets the  
9 requirements of this act and the technical and operational standards  
10 established pursuant to this section. The office shall explore ways  
11 to maximize the reliability of the system.

12 The plan or any portion of it may be implemented by the  
13 adoption of regulations pursuant to subsection b. of section 15 of  
14 this act.

15 The State plan shall require the consolidation of PSAPs as  
16 appropriate, consistent with revisions in the plan to upgrade the  
17 enhanced 9-1-1 system and shall condition the allocation of moneys  
18 dedicated for the operation of PSAPs on the merging and sharing of  
19 PSAP functions by municipalities, counties and the State Police,  
20 consistent with the revised plan. The Treasurer may establish, by  
21 regulation, a 9-1-1 call volume minimum that may be utilized as a  
22 factor in determining which PSAP functions are to be consolidated  
23 under the State plan.

24 The State plan shall limit the use of sworn law enforcement  
25 officers to provide dispatch services and the office shall condition  
26 the receipt of moneys dedicated for the operation of PSAPs on the  
27 limited use of sworn law enforcement officers, except for officers  
28 returning to active duty from an injury or other physical disability.

29 The office shall plan, implement and coordinate a Statewide  
30 public education program designed to generate public awareness at  
31 all levels of the emergency enhanced 9-1-1 system. Advertising  
32 and display of 9-1-1 shall be in accordance with standards  
33 established by the office. Advertising expenses may be defrayed  
34 from the moneys appropriated to the office.

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

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

40 (1) the strategy to most effectively provide interoperability and  
41 coordinate public safety communications between and among State,  
42 county and municipal public safety agencies. The office shall  
43 submit recommendations and proposals, as appropriate, to the  
44 Regional Planning Committees to which the State is assigned by the  
45 Federal Communications Commission; and

46 (2) the role and responsibilities of the counties and  
47 municipalities of the State in the implementation of the New Jersey  
48 Interoperable Communications System, consistent with the National

1 Communications Plan and the provisions of this act, including a  
2 timetable for implementation.

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

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

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

19

20 <sup>1</sup>**[8.]** 7.<sup>1</sup> This act shall take effect immediately.