

## § 12-10-303. Definitions

As used in this subchapter:

- (1) “Automatic location identification” means an enhanced 911 service capability that enables the automatic display of information defining the geographical location of the telephone used to place the 911 call;
- (2) “Automatic number identification” means an enhanced 911 service capability that enables the automatic display of the ten-digit number used to place a 911 call from a wire line, wireless, voice over internet protocol, or any nontraditional phone service;
- (3) “Basic 911 system” means a system by which the various emergency functions provided by public and private safety agencies within each political subdivision may be accessed utilizing the three-digit number 911, but no available options are included in the system;
- (4) “Board” means the Arkansas Emergency Telephone Services Board created by this subchapter;
- (5) “Chief executive” means the Governor, county judges, mayors, city managers, or city administrators of incorporated places, and is synonymous with head of government, dependent on the level and form of government;
- (6) “CMRS connection” means each account or number assigned to a CMRS customer;
- (7) (A) “Commercial mobile radio service” or “CMRS” means commercial mobile service under §§ 3(27) and 332(d), Federal Telecommunications Act of 1996, [47 U.S.C. § 151 et seq.](#), Federal Communications Commission rules, and the Omnibus Budget Reconciliation Act of 1993.  
  
(B)(i) “Commercial mobile radio service” or “CMRS” includes any wireless, two-way communication device, including radio-telephone communications used in cellular telephone service, personal communication service, or the functional and competitive or functional or competitive equivalent of a radio-telephone communications line used in cellular telephone service, a personal communication service, or a network radio access line.  
  
(ii) “Commercial mobile radio service” or “CMRS” does not include services whose customers do not have access to 911 or a 911-like service, a communication channel suitable only for data transmission, a wireless roaming service or other nonlocal radio access line service, or a private telecommunications system;
- (8) “Dispatch center” means a public or private agency that dispatches public or private safety agencies but does not operate a 911 public safety answer point;

- (9) “Enhanced 911 network features” means those features of selective routing that have the capability of automatic number and location identification;
- (10) (A) “Enhanced 911 system” means enhanced 911 service, which is a telephone exchange communications service consisting of telephone network features and public safety answering points designated by the chief executive that enables users of the public telephone system to access a 911 public safety communications center by dialing the digits “911”.
- (B) The service directs 911 calls to appropriate public safety answering points by selective routing based on the geographical location from which the call originated and provides the capability for automatic number identification and automatic location identification;
- (11) “Exchange access facilities” means all lines provided by the service supplier for the provision of local exchange service, as defined in existing general subscriber services tariffs;
- (12) “Governing authority” means county quorum courts and governing bodies of municipalities;
- (13) “911 public safety communications center” means the communications center operated on a twenty-four-hour basis by one (1) of the operating agencies defined by this subchapter and as designated by the chief executive of the political subdivision that includes the public safety answering point and dispatches one (1) or more public safety agencies;
- (14) “Nontraditional phone service” means any service that:
- (A) Enables real-time voice communications from the user's location to customer premise equipment;
  - (B) Permits users to receive calls that originate on the public switched telephone network or to terminate calls to the public switched telephone network; and
  - (C) Has the capability of placing a 911 call;
- (15) “Nontraditional phone service connection” means each account or number assigned to a nontraditional phone service customer;
- (16) (A) “Operating agency” means the public safety agency authorized and designated by the chief executive of the political subdivision to operate a 911 public safety communications center.
- (B) Operating agencies are limited to offices of emergency services, fire departments, and law enforcement agencies of the political subdivisions;

- (17) “Prepaid wireless telecommunications service” means a prepaid wireless calling service as defined in § 26-52-314;
- (18) “Private safety agency” means any entity, except a public safety agency, providing emergency fire, ambulance, or emergency medical services;
- (19) “Public safety agency” means an agency of the State of Arkansas or a functional division of a political subdivision that provides firefighting, rescue, natural, or human-caused disaster or major emergency response, law enforcement, and ambulance or emergency medical services;
- (20) “Public safety answering point” means the location at which 911 calls are initially answered;
- (21) “Public safety officers” means specified personnel of public safety agencies;
- (22) “Readiness costs” means equipment and payroll costs associated with equipment, call takers, and dispatchers on standby waiting for 911 calls;
- (23) “Secondary public safety answering point” means the location at which 911 calls are transferred to from a public safety answering point;
- (24) “Selective routing” means the method employed to direct 911 calls to the appropriate public safety answering point based on the geographical location from which the call originated;
- (25) “Service supplier” means any person, company, or corporation, public or private, providing exchange telephone service or CMRS service throughout the political subdivision;
- (26) “Service user” means any person, company, corporation, business, association, or party not exempt from county or municipal taxes or utility franchise assessments who is provided landline telephone service, CMRS service, voice over internet protocol service, or any nontraditional phone service with the capability of placing a 911 call in the political subdivision;
- (27) (A) “Tariff rate” means the rate or rates billed by a service supplier as stated in the service supplier's tariffs, price lists, customer contracts, or other methods of publishing service offerings that represent the service supplier's recurring charges for exchange access facilities, exclusive of all:
  - (i) Taxes;
  - (ii) Fees;

- (iii) Licenses; or
- (iv) Similar charges whatsoever.

(B) The tariff rate per county may include extended service area charges only if an emergency telephone service charge has been levied in a county and a resolution of intent has been passed by a county's quorum court that defines tariff rate as being inclusive of extended service area charges;

- (28) "Voice over internet protocol connection" means each account or number assigned to a voice over internet protocol customer;
- (29) "Voice over internet protocol service" means any service that:
  - (A) Enables real-time voice communications;
  - (B) Requires a broadband connection from the user's location;
  - (C) Requires internet protocol compatible customer premise equipment;
  - (D) Permits users to receive calls that originate on the public switched telephone network or to terminate calls to the public switched telephone network; and
  - (E) Has the capability of placing a 911 call; and
- (30) "Wireless telecommunications service provider" means a provider of commercial mobile radio services:
  - (A) As defined in [47 U.S.C. § 332\(b\)](#), as it existed on January 1, 2006, including all broadband personal communications services, wireless radio telephone services, geographic-area-specialized and enhanced-specialized mobile radio services, and incumbent, wide area, specialized mobile radio licensees that offer real-time, two-way voice service interconnected with the public switched telephone network; and
  - (B) That either:
    - (i) Is doing business in the State of Arkansas; or
    - (ii) May connect with a public safety communications center.