

[First Reprint]

ASSEMBLY, No. 3804

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

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Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

Assemblyman SEAN T. KEAN

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Assemblymen Houghtaling, Space, Wirths, Assemblywomen Downey,

Tucker, Lopez, 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: 1/10/2022)

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

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

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

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

28
29 3. (New section) Persons appointed as public safety
30 communications professionals, also referred to as 9-1-1 dispatchers
31 or operators, shall hereinafter be referred to as 9-1-1 first responder
32 dispatchers.

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

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

42 b. Whenever this offense is committed in a motor vehicle, the
43 court shall, in addition to the sentence authorized for the offense,
44 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:

¹Senate SLP committee amendments adopted November 15, 2021.

1 defendant. Upon the conviction of any person under this section, the
2 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 motorized
8 bicycle, shall commence on the day the sentence is imposed and shall
9 run for a period of six months after the person reaches the age of 17
10 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 of
20 license suspension or postponement, the person shall be subject to
21 the penalties set forth in R.S.39:3-40. A person shall be required to
22 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 non-
28 resident driving privilege of the person based on the age of the person
29 and submit to the commission the required report. The court shall
30 not collect the license of a non-resident convicted under this section.
31 Upon receipt of a report by the court, the commission shall notify the
32 appropriate officials in the licensing jurisdiction of the suspension or
33 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 Control,
45 or for a bona fide hotel or restaurant, in accordance with the
46 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 secondary
2 educational institution.

3 e. The provisions of section 3 of P.L.1991, c.169 (C.33:1-81.1a)
4 shall apply to a parent, guardian or other person with legal custody
5 of a person under 18 years of age who is found to be in violation of
6 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 who
14 called 9-1-1 provided each of their names to the 9-1-1 **【operator】**
15 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 in
21 need of medical assistance until assistance arrived and cooperated
22 with medical assistance and law enforcement personnel on the scene.

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

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

27 (cf: P.L.2015, c.137, s.3) **】¹**

28

29 ¹4. Section 1 of P.L.1979, c.264 (C.2C:33-15) is amended to read
30 as follows:

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

38 (a) for a first violation, a written warning issued by a law
39 enforcement officer to the underage person. The written warning shall
40 include the person's name, address, and date of birth, and a copy of the
41 warning containing this information, plus a sworn statement that
42 includes a description of the relevant facts and circumstances that
43 support the officer's determination that the person committed the
44 violation, shall be temporarily maintained in accordance with this
45 section only for the purposes of determining a second or subsequent
46 violation subject to the consequences set forth in subparagraph (b) or (c)
47 of this paragraph. If the violation of this section is by a person under 18

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

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

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

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

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

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

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

41 (3) A person under the legal age to purchase alcoholic beverages or
42 cannabis items who violates paragraph (1) of this subsection for
43 possessing or consuming an alcoholic beverage, marijuana, hashish, or
44 a cannabis item shall not be subject to arrest, shall not be transported to
45 a police station, police headquarters, or other place of law enforcement
46 operations, and shall not otherwise be subject to detention or be taken
47 into custody by a law enforcement officer at or near the location where
48 the violation occurred, except to the extent that detention or custody at

1 or near the location is required to issue a written warning or write-up,
2 collect the information necessary to provide notice of a violation to a
3 parent, guardian or other person having legal custody of the underage
4 person in accordance with section 3 of P.L.1991, c.169 (C.33:1-81a), or
5 make referrals for accessing community services provided by a public
6 or private agency or organization due to a third or subsequent violation,
7 unless the person is being arrested, detained, or otherwise taken into
8 custody for also committing another violation of law for which that
9 action is legally permitted or required.

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

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

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

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

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

43 The Attorney General may use the records described herein to
44 generate the number of occurrences and other statistics concerning first,
45 second, third and subsequent violations of paragraph (1) of this
46 subsection, the municipal, county or other geographic areas within
47 which first, second, third and subsequent violations occur, and the law
48 enforcement agencies involved in first, second, third and subsequent

1 violations, which are to be compiled and made available by the Attorney
2 General in accordance with section 4 of P.L.2021, c.25 (C.2C:33-15.1).
3 The identity of any person named in a record shall not be revealed or
4 included in the information to be compiled and made available in
5 accordance with that section.

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

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

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

44 (d) A law enforcement officer shall be guilty of the crime of official
45 deprivation of civil rights as set forth in section 3 of P.L.2021, c.25
46 (C.2C:30-6.1) for violating the provisions of paragraph (1) of this
47 subsection that address law enforcement actions involving persons who

1 are under the legal age to purchase alcoholic beverages or cannabis
2 items.

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

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

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

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

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

25 (1) one of the underage persons called 9-1-1 and reported that
26 another underage person was in need of medical assistance due to
27 alcohol consumption, or the consumption of marijuana, hashish, or a
28 cannabis item;

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

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

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

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

42 g. For purposes of this section, an alcoholic beverage includes
43 powdered alcohol as defined by R.S.33:1-1, a cannabis item includes
44 any item available for lawful consumption pursuant to the "New Jersey
45 Cannabis Regulatory, Enforcement Assistance, and Marketplace
46 Modernization Act," P.L.2021, c.16 (C.24:6I-31 et al.), and the terms
47 "marijuana" and "hashish" have the same meaning as set forth in
48 N.J.S.2C:35-2, and the terms "drug paraphernalia" and "cannabis

1 paraphernalia" have the same meaning as set forth in N.J.S.2C:36-1 and
2 section 3 of P.L.2021, c.16 (C.24:6I-33), respectively.¹
3 (cf: P.L.2021, c.38. s.1)

4
5 5. Section 3 of P.L.2017, c.116 (C.26:2K-68) is amended to read
6 as follows:

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

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

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

37 d. The commissioner shall make the response times for
38 emergency medical services providers that are tracked and recorded
39 pursuant to subsection b. of this section available to the public on the
40 department's Internet website.
41 (cf: P.L.2017, c.116, s.3)

42
43 ¹6. Section 2 of P.L.2009, c.133 (C.40:48-1.2a) is amended to
44 read as follows:

45 2. a. An underage person and one or two other persons shall be
46 immune from prosecution under an ordinance authorized by section
47 1 of P.L.2000, c.33 (C.40:48-1.2) prohibiting any person under the

1 legal age who, without legal authority, knowingly possesses or
2 knowingly consumes an alcoholic beverage on private property if:

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

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

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

12 (4) the underage person and, if applicable, one or two other
13 persons acting in concert with the underage person who made the 9-
14 1-1 call remained on the scene with the person under the legal age in
15 need of medical assistance until assistance arrived and cooperated
16 with medical assistance and law enforcement personnel on the scene.

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

21 (cf: P.L.2009, c.133, s.2) **】¹**

22

23 **¹【7.】 6.¹** Section 3 of P.L.1989, c.3 (C.52:17C-3) is amended to
24 read as follows:

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

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

39 The office shall designate a staff member from within the Office
40 of Information Technology to be designated as a professional
41 spectrum manager. The professional spectrum manager shall be
42 responsible for approving all applications for public safety spectrum
43 allocations in the State to ensure that the State fully complies with
44 Federal Communications Commission rules that impact frequency
45 allocation for public safety use. The spectrum manager may be
46 chosen from among the current employees of the office and the
47 chosen employee may continue the duties and responsibilities of their

1 current position in addition to the duties and responsibilities of
2 spectrum manager as provided in this section.

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

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

21 To this end the office shall establish, after review and approval by
22 the commission, in consultation with the council, a State plan for the
23 emergency enhanced 9-1-1 system in this State, which plan shall
24 include:

25 (1) The configuration of, and requirements for, the enhanced 9-1-
26 1 network. The office with the approval of the commission and the
27 Chief Technology Officer, in consultation with the council, only as
28 provided herein, and assistance and advice of the Office of
29 Information Technology in but not of the Department of the Treasury
30 is empowered to enter into contracts for the provision of this network.

31 (2) The role and responsibilities of the counties and
32 municipalities of the State in the implementation of the system,
33 consistent with the provisions of this act, including a timetable for
34 implementation.

35 (3) Technical and operational standards for the establishment of
36 public safety answering points (PSAPs) which utilize enhanced 9-1-
37 1 network features in accordance with the provisions of this act and
38 in alignment with the Next Generation 9-1-1 Planning by the
39 National 9-1-1 Office within the United States Department of
40 Transportation, National Highway Traffic Safety Administration.
41 Those entities having responsibility for the creation and management
42 of PSAPs shall conform to these standards in the design,
43 implementation and operation of the PSAPs. These standards shall
44 include provision for the training and certification of call-takers and
45 **【public safety】** 9-1-1 first responder dispatchers or for the adoption
46 of such a program.

47 The office, after review and approval by the commission and the
48 Chief Technology Officer, in consultation with the council, only as

1 provided herein, may update and revise the State plan from time to
2 time.

3 The office may inspect each PSAP to determine if it meets the
4 requirements of this act and the technical and operational standards
5 established pursuant to this section. The office shall explore ways to
6 maximize the reliability of the system.

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

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

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

23 The office shall plan, implement and coordinate a Statewide
24 public education program designed to generate public awareness at
25 all levels of the emergency enhanced 9-1-1 system. Advertising and
26 display of 9-1-1 shall be in accordance with standards established by
27 the office. Advertising expenses may be defrayed from the moneys
28 appropriated to the office.

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

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

34 (1) the strategy to most effectively provide interoperability and
35 coordinate public safety communications between and among State,
36 county and municipal public safety agencies. The office shall submit
37 recommendations and proposals, as appropriate, to the Regional
38 Planning Committees to which the State is assigned by the Federal
39 Communications Commission; and

40 (2) the role and responsibilities of the counties and municipalities
41 of the State in the implementation of the New Jersey Interoperable
42 Communications System, consistent with the National
43 Communications Plan and the provisions of this act, including a
44 timetable for implementation.

45 e. The office, after review and approval by the commission and
46 the Chief Technology Officer, in consultation with the council, only
47 as provided herein, may update and revise the State plan as needed.
48 The plan or any portion of it may be implemented by the adoption of

1 regulations pursuant to the "Administrative Procedure Act,"
2 P.L.1968, c.410 (C.52:14B-1 et seq.).

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

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

13

14 ¹**[8.]** 7.¹ This act shall take effect immediately.