

P.L. 2021, CHAPTER 447, *approved January 18, 2022*
Assembly, No. 3804 (*First Reprint*)

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 ¹4. 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

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 knowingly consumes any alcoholic beverage in any school, public
2 conveyance, public place, or place of public assembly, or motor
3 vehicle, is guilty of a disorderly persons offense, and shall be fined
4 not less than \$500.

5 b. Whenever this offense is committed in a motor vehicle, the
6 court shall, in addition to the sentence authorized for the offense,
7 suspend or postpone for six months the driving privilege of the
8 defendant. Upon the conviction of any person under this section, the
9 court shall forward a report to the New Jersey Motor Vehicle
10 Commission stating the first and last day of the suspension or
11 postponement period imposed by the court pursuant to this section.
12 If a person at the time of the imposition of a sentence is less than 17
13 years of age, the period of license postponement, including a
14 suspension or postponement of the privilege of operating a motorized
15 bicycle, shall commence on the day the sentence is imposed and shall
16 run for a period of six months after the person reaches the age of 17
17 years.

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

25 The court shall inform the person orally and in writing that if the
26 person is convicted of operating a motor vehicle during the period of
27 license suspension or postponement, the person shall be subject to
28 the penalties set forth in R.S.39:3-40. A person shall be required to
29 acknowledge receipt of the written notice in writing. Failure to
30 receive a written notice or failure to acknowledge in writing the
31 receipt of a written notice shall not be a defense to a subsequent
32 charge of a violation of R.S.39:3-40.

33 If the person convicted under this section is not a New Jersey
34 resident, the court shall suspend or postpone, as appropriate, the non-
35 resident driving privilege of the person based on the age of the person
36 and submit to the commission the required report. The court shall
37 not collect the license of a non-resident convicted under this section.
38 Upon receipt of a report by the court, the commission shall notify the
39 appropriate officials in the licensing jurisdiction of the suspension or
40 postponement.

41 c. In addition to the general penalty prescribed for a disorderly
42 persons offense, the court may require any person who violates this
43 act to participate in an alcohol education or treatment program,
44 authorized by the Division of Mental Health and Addiction Services
45 in the Department of Human Services, for a period not to exceed the
46 maximum period of confinement prescribed by law for the offense
47 for which the individual has been convicted.

1 d. Nothing in this act shall apply to possession of alcoholic
2 beverages by any such person while actually engaged in the
3 performance of employment pursuant to an employment permit
4 issued by the Director of the Division of Alcoholic Beverage Control,
5 or for a bona fide hotel or restaurant, in accordance with the
6 provisions of R.S.33:1-26, or while actively engaged in the
7 preparation of food while enrolled in a culinary arts or hotel
8 management program at a county vocational school or post secondary
9 educational institution.

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

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

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

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

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

25 (4) the underage person and, if applicable, one or two other
26 persons acting in concert with the underage person who made the 9-
27 1-1 call remained on the scene with the person under the legal age in
28 need of medical assistance until assistance arrived and cooperated
29 with medical assistance and law enforcement personnel on the scene.

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

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

34 (cf: P.L.2015, c.137, s.3) **】¹**
35

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

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

45 (a) for a first violation, a written warning issued by a law
46 enforcement officer to the underage person. The written warning shall
47 include the person's name, address, and date of birth, and a copy of the

1 warning containing this information, plus a sworn statement that
2 includes a description of the relevant facts and circumstances that
3 support the officer's determination that the person committed the
4 violation, shall be temporarily maintained in accordance with this
5 section only for the purposes of determining a second or subsequent
6 violation subject to the consequences set forth in subparagraph (b) or (c)
7 of this paragraph. If the violation of this section is by a person under 18
8 years of age, a written notification concerning the violation shall be
9 provided to the parent, guardian or other person having legal custody of
10 the underage person in accordance with section 3 of P.L.1991, c.169
11 (C.33:1-81.1a).

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

39 (c) for a third or subsequent violation, a write-up issued by a law
40 enforcement officer to the underage person indicating that a third or
41 subsequent violation has occurred, which includes the person's name,
42 address, and date of birth. If the violation is by a person 18 years of age
43 or older, the officer shall include with the write-up a referral for
44 accessing community services provided by a public or private agency or
45 organization, and provide notice to that agency or organization of the
46 referral which may also be used to initiate contact with the person, and
47 the agency or organization shall offer assistance to the person with
48 opportunities to access further social services, including but not limited

1 to counseling, tutoring programs, mentoring services, and faith-based or
2 other community initiatives. If the violation is by a person under 18
3 years of age, a written notification concerning the third or subsequent
4 violation shall be provided to the parent, guardian or other person
5 having legal custody of the underage person in accordance with section
6 3 of P.L.1991, c.169 (C.33:1-81.1a). The written notification shall
7 include a referral for the person and the parent, guardian or other person
8 having legal custody of the underage person for accessing community
9 services provided by a public or private agency or organization, and
10 provide notice to that agency or organization of the referral which may
11 also then be used to initiate contact with both persons, and the agency
12 or organization shall offer assistance to both with opportunities to access
13 further social services, including counseling, tutoring programs,
14 mentoring services, and faith-based or other community initiatives. A
15 copy of a write-up for a third or subsequent violation, the written
16 notification to the parent, guardian or other person having legal custody
17 of the underage person, if applicable, and accompanying referrals, plus
18 a sworn statement that includes a description of the relevant facts and
19 circumstances that support the officer's determination that the person
20 committed the third or subsequent violation, shall be temporarily
21 maintained in accordance with this section only to the extent necessary
22 to track referrals to agencies and organizations, as well as for the
23 purposes of determining a subsequent violation subject to the
24 consequences set forth in this subparagraph.

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

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

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

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

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

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

1 private agency or organization due to a third or subsequent violation.
2 Any alcoholic beverage, marijuana, hashish, cannabis item, or drug or
3 cannabis paraphernalia obtained by the law enforcement officer shall
4 either be destroyed or secured for use in law enforcement training or
5 educational programs in accordance with applicable law and directives
6 issued by the Attorney General.

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

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

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

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

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

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

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

1 extended record retention was requested, the record shall be destroyed
2 or permanently deleted.

3 (d) A law enforcement officer shall be guilty of the crime of official
4 deprivation of civil rights as set forth in section 3 of P.L.2021, c.25
5 (C.2C:30-6.1) for violating the provisions of paragraph (1) of this
6 subsection that address law enforcement actions involving persons who
7 are under the legal age to purchase alcoholic beverages or cannabis
8 items.

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

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

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

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

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

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

35 (2) the underage person who called 9-1-1 and, if applicable, one or
36 two other persons acting in concert with the underage person who called
37 9-1-1 provided each of their names to the 9-1-1 **【operator】** first
38 responder dispatcher;

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

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

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

1 g. For purposes of this section, an alcoholic beverage includes
2 powdered alcohol as defined by R.S.33:1-1, a cannabis item includes
3 any item available for lawful consumption pursuant to the "New Jersey
4 Cannabis Regulatory, Enforcement Assistance, and Marketplace
5 Modernization Act," P.L.2021, c.16 (C.24:6I-31 et al.), and the terms
6 "marijuana" and "hashish" have the same meaning as set forth in
7 N.J.S.2C:35-2, and the terms "drug paraphernalia" and "cannabis
8 paraphernalia" have the same meaning as set forth in N.J.S.2C:36-1 and
9 section 3 of P.L.2021, c.16 (C.24:6I-33), respectively.¹

10 (cf: P.L.2021, c.38. s.1)

11
12 5. Section 3 of P.L.2017, c.116 (C.26:2K-68) is amended to read
13 as follows:

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

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

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

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

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

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

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

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

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

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

17 (4) the underage person and, if applicable, one or two other
18 persons acting in concert with the underage person who made the 9-
19 1-1 call remained on the scene with the person under the legal age in
20 need of medical assistance until assistance arrived and cooperated
21 with medical assistance and law enforcement personnel 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 P.L.2000,
25 c.33 (C.40:48-1.2).

26 (cf: P.L.2009, c.133, s.2)】¹

27

28 ¹【7.】6.¹ Section 3 of P.L.1989, c.3 (C.52:17C-3) is amended to
29 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, but
38 the commission shall advise the Chief Technology Officer on the
39 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

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

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

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

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

30 (1) The configuration of, and requirements for, the enhanced 9-1-
31 1 network. The office with the approval of the commission and the
32 Chief Technology Officer, in consultation with the council, only as
33 provided herein, and assistance and advice of the Office of
34 Information Technology in but not of the Department of the Treasury
35 is empowered to enter into contracts for the provision of 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 management
47 of PSAPs shall conform to these standards in the design,
48 implementation and operation of the PSAPs. These standards shall

1 include provision for the training and certification of call-takers and
2 **【public safety】** 9-1-1 first responder dispatchers or for the adoption
3 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 to
11 maximize the reliability of the system.

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

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

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

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

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

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

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

45 (2) the role and responsibilities of the counties and municipalities
46 of the State in the implementation of the New Jersey Interoperable
47 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 of
7 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 expenditure
15 of moneys appropriated thereto and appropriated for the purposes of
16 installation of the Statewide enhanced 9-1-1 network and the New
17 Jersey Interoperable Communications System.

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

19

20 '【8.】 7.¹ This act shall take effect immediately.

21

22

23

24

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