

2020 -- H 8138

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- MOUNTED VIDEO/AUDIO  
SURVEILLANCE CAMERAS

Introduced By: Representative Anastasia P. Williams

Date Introduced: October 26, 2020

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 42-28.9-1, 42-28.9-2 and 42-28.9-3 of the General Laws in Chapter  
2 42-28.9 entitled "Mounted Video/Audio Surveillance Cameras" are hereby amended to read as  
3 follows:

4 **42-28.9-1. Declaration of policy.**

5 [\(a\)](#) The general assembly recognizes alcohol related traffic fatalities require special  
6 legislative initiatives. Over one million (1,000,000) people are either killed or injured every year  
7 due to alcohol related crashes. About three (3) out of five (5) Americans will be affected by an  
8 alcohol related crash at some time in their lives. Economic costs of alcohol related crashes are  
9 estimated to be forty-five billion dollars (\$45,000,000,000) yearly. Based on these statistics and  
10 projections, it will be the state legislature's policy to provide more resources to state law  
11 enforcement to reduce alcohol related vehicular crashes and fatalities.

12 [\(b\) The general assembly further recognizes that video cameras monitored by law](#)  
13 [enforcement personnel can effectively be utilized to prevent, respond to, and solve crimes.](#)

14 **42-28.9-2. Purpose and intent.**

15 The purpose of this chapter is to provide greater access to [local and](#) state law enforcement  
16 to video surveillance cameras to reduce alcohol related traffic fatalities, [and other crimes.](#)

17 **42-28.9-3. State to provide video/audio surveillance devices.**

18 [\(a\)](#) The state shall provide ten (10) mounted video/audio surveillance cameras annually to

1 the Rhode Island state police for each of the next five (5) years and those devices shall be utilized  
2 by the state police consistent with the intent of this chapter. Should other funding become available,  
3 the state will purchase the cameras with these other funds in lieu of general revenues.

4 (b) Commencing July 1, 2021, the state shall provide a minimum of fifty (50) mounted  
5 video/audio surveillance cameras annually for each of the next ten (10) years, for use by the state  
6 police and for the assistance of law enforcement by municipal police in crime prevention and to  
7 improve response to criminal activity. Should funding be available pursuant to the provisions of §  
8 39-21.1-14, the state will purchase the cameras with these funds in lieu of general revenues.

9 SECTION 2. Chapter 42-28.9 of the General Laws entitled "Mounted Video/Audio  
10 Surveillance Cameras" is hereby amended by adding thereto the following sections:

11 **42-28.9-4. Administration by superintendent of state police.**

12 (a) The superintendent of the Rhode Island state police shall be charged with the  
13 responsibility of:

14 (1) Overseeing the implementation and supervision of the provisions of this chapter;

15 (2) Preparing rules and regulations for the administration of surveillance pursuant to the  
16 provisions of this chapter;

17 (3) Establishing and maintaining a central command surveillance center for the operations  
18 necessary to carry out the provisions of this chapter;

19 (4) Assigning appropriate personnel to conduct necessary surveillance to carry out the  
20 provisions of this chapter; and

21 (5) Determining in consultation with municipal law enforcement personnel the location of  
22 mounted video/audio surveillance cameras located in municipalities.

23 (b) The superintendent of the state police in his or her discretion shall either allow local  
24 municipal law enforcement access to the live feed of video/audio surveillance cameras located  
25 within the municipalities or shall arrange for real time notification by central command surveillance  
26 center personnel to municipal police of observed suspected criminal activity being committed in  
27 the monitored municipality.

28 **42-28.9-5. Cooperation with central command surveillance center.**

29 Upon request of the superintendent, every state agency and department, and every  
30 municipality shall allow access by the central command surveillance center of the live feed for any  
31 video/audio surveillance camera utilized by the state agency or department, or by any municipality.

32 **42-28.9-6. Permissible coordination with E-911.**

33 The superintendent may establish the central command surveillance center pursuant to the  
34 provisions of § 42-28.9-4, in conjunction with the state's E-911 center.

1           **42-28.9-7. Funding.**

2           Funding to implement the provisions of this chapter shall be pursuant to the provisions of  
3 § 39-21.1-14.

4           SECTION 3. Section 39-21.1-14 of the General Laws in Chapter 39-21.1 entitled "911  
5 Emergency Telephone Number Act" is hereby amended to read as follows:

6           **39-21.1-14. ~~E-911 surcharge and first response surcharge~~ E-911/public safety**  
7 **surcharge and first response surcharge.**

8           (a)(1) A monthly ~~E-911~~ E-911/public safety surcharge of fifty cents (\$.50) is hereby levied  
9 upon each residence and business telephone line or trunk or path and data, telephony, internet, voice  
10 over internet protocol (VoIP) wireline, line, trunk or path in the state including PBX trunks and  
11 centrex equivalent trunks and each line or trunk serving, and upon each user interface number or  
12 extension number or similarly identifiable line, trunk, or path to or from a digital network (such as,  
13 but not exclusive of, integrated services digital network (ISDN), Flexpath, or comparable digital  
14 private branch exchange, or connecting to or from a customer-based or dedicated telephone switch  
15 site (such as, but not exclusive of, a private branch exchange (PBX)), or connecting to or from a  
16 customer-based or dedicated central office (such as, but not exclusive of, a centrex system but  
17 exclusive of trunks and lines provided to wireless communication companies) that can access to,  
18 connect with, or interface with the Rhode Island E-911 uniform emergency telephone system (RI  
19 E-911). In each instance where a surcharge is levied pursuant to this subsection (a)(1) there shall  
20 also be a monthly first response surcharge of fifty cents (\$.50). The surcharges shall be billed by  
21 each telecommunication services provider at the inception of services and shall be payable to the  
22 telecommunication services provider by the subscriber of the services.

23           (2) A monthly ~~E-911~~ E-911/public safety surcharge of fifty cents (\$.50) is hereby levied,  
24 on each wireless instrument, device, or means including prepaid, cellular, telephony, internet, voice  
25 over internet protocol (VoIP), satellite, computer, radio, communication, data or data only wireless  
26 lines or any other wireless instrument, device, or means that has access to, connects with, or  
27 activates or interfaces or any combination thereof with the E-911 uniform emergency telephone  
28 system. In each instance where a surcharge is levied pursuant to this subsection (a)(2) above there  
29 shall also be a monthly first response surcharge of seventy-five cents (\$.75). The surcharges shall  
30 be billed by each telecommunication services provider and shall be payable to the  
31 telecommunication services provider by the subscriber. Prepaid wireless telecommunications  
32 services shall not be included in this act, but shall be governed by chapter 21.2 of this title. The E-  
33 911 uniform emergency telephone system shall establish, by rule or regulation, an appropriate  
34 funding mechanism to recover from the general body of ratepayers this surcharge.

1 (b) The amount of the surcharges shall not be subject to the tax imposed under chapter 18  
2 of title 44 nor be included within the telephone common carrier's gross earnings for the purpose of  
3 computing the tax under chapter 13 of title 44.

4 (c) Each telephone common carrier and each telecommunication services provider shall  
5 establish a special account to which it shall deposit on a monthly basis the amounts collected as  
6 surcharges under this section.

7 (d) The money collected by each telecommunication services provider shall be transferred  
8 within sixty (60) days after its inception of wireline, wireless, prepaid, cellular, telephony, voice  
9 over internet protocol (VoIP), satellite, computer, internet, or communications services in this state  
10 and every month thereafter, to the division of taxation, together with the accrued interest. The ~~E-~~  
11 ~~911~~ [E-911/public safety](#) surcharge shall be deposited in a restricted receipt account and used ~~solely~~  
12 for the operation of the ~~E-911~~ [E-911/public safety](#) uniform emergency telephone system [and the](#)  
13 [central command surveillance center established pursuant to the provisions of § 42-28.9-4. Fifty](#)  
14 [percent \(50%\) of the funds in the restricted receipt account shall be used solely for the operation of](#)  
15 [the E-911 uniform emergency telephone system and fifty percent \(50%\) of the funds in the](#)  
16 [restricted receipt account shall be used solely for the operation of the central command surveillance](#)  
17 [center and to implement and conduct operations in accordance with the provisions of chapter 28.9](#)  
18 [of title 42.](#) The first response surcharge shall be deposited in the general fund; provided, however,  
19 that, ten percent (10%) of money collected from the first response surcharge shall be deposited in  
20 the information technology investment fund established pursuant to § 42-11-2.5. Any money not  
21 transferred in accordance with this paragraph shall be assessed interest at the rate set forth in § 44-  
22 1-7 from the date the money should have been transferred.

23 (e) Every billed subscriber-user shall be liable for any surcharge imposed under this section  
24 until it has been paid to the telephone common carrier or telecommunication services provider. Any  
25 surcharge shall be added to and shall be stated separately in the billing by the telephone common  
26 carrier or telecommunication services provider and shall be collected by the telephone common  
27 carrier or telecommunication services provider.

28 (f) Each telephone common carrier and telecommunication services provider shall annually  
29 provide the E-911 uniform emergency telephone system division or any other agency that may  
30 replace it [and the superintendent of the state police](#), with a list of amounts uncollected together with  
31 the names and addresses of its subscriber-users who can be determined by the telephone common  
32 carrier or telecommunication services provider to have not paid the ~~E-911~~ [E-911/public safety](#)  
33 surcharge.

34 (g) Included within, but not limited to, the purposes for which the money collected from

1 the ~~E-911~~ E-911/public safety surcharge may be used are rent, lease, purchase, improvement,  
2 construction, maintenance, repair, and utilities for the equipment and site or sites occupied by the  
3 E-911 uniform emergency telephone system and/or the central command surveillance center;  
4 salaries, benefits, and other associated personnel costs; acquisition, upgrade, or modification of  
5 PSAP equipment to be capable of receiving E-911 information or video/audio surveillance feeds,  
6 including necessary computer hardware, software, and database provisioning, addressing, and non-  
7 recurring costs of establishing emergency services; network development, operation, and  
8 maintenance; database development, operation, and maintenance; on-premise equipment  
9 maintenance and operation; training emergency service personnel regarding use of E-911 or  
10 video/audio surveillance devices; educating consumers regarding the operations, limitations, role,  
11 and responsible use of E-911; reimbursement to telephone common carriers or telecommunication  
12 services providers of rates or recurring costs associated with any services, operation,  
13 administration, or maintenance of E-911 services as approved by the division; reimbursement to  
14 telecommunication services providers or telephone common carriers of other costs associated with  
15 providing E-911 services, including the cost of the design, development, and implementation of  
16 equipment or software necessary to provide E-911 service information to PSAP's, as approved by  
17 the division.

18 (h) [Deleted by P.L. 2000, ch. 55, art. 28, § 1.]

19 (i) Nothing in this section shall be construed to constitute rate regulation of wireless  
20 communication services carriers, nor shall this section be construed to prohibit wireless  
21 communication services carriers from charging subscribers for any wireless service or feature.

22 (j) [Deleted by P.L. 2006, ch. 246, art. 4, § 1].

23 SECTION 4. This act shall take effect on July 1, 2021.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- MOUNTED VIDEO/AUDIO  
SURVEILLANCE CAMERAS

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- 1           This act would establish a central command video/audio surveillance center administered
- 2 by the state police. Funding would be provided by use of fifty percent (50%) of the E-911 funds.
- 3           This act would take effect on July 1, 2021.

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