September 16, 2021

Dear GCs, CIOs and IT Leaders: Save the Date, January 6, 2022, for E911 Compliance Deadline

Please mark January 6, 2022, on your calendars. This is the deadline by which non-fixed phone lines and applications, including softphone platforms such as Microsoft Teams, Zoom Phone and RingCentral, to name a few, will need to comply with RAY BAUM'S Act.

RAY BAUM'S Act was implemented by the Federal Communications Commission to improve multi-line telephone systems (MLTS), which are typically found in office buildings, on campuses, in hotels, etc. The law came into effect following the enactment of Kari's Law, which went into effect last year. Kari's Law is a result of the unfortunate death of a young mother in a motel room and several failed attempts by her 9-year-old daughter to call 911 for help because she did not know that the motel's phone system required dialing 9 to reach an outbound line before dialing 911. Kari's Law eliminates the need to dial a prefix when calling 911 and mandates that a designated contact (or contacts) within an enterprise be notified when a 911 call is made. Building upon Kari's Law, RAY BAUM'S Act requires that a 911 caller's "dispatchable location" be provided to public safety officers for each 911 call that is made so that the caller can be physically located in a building.

As a result of RAY BAUMS's Act, it no longer suffices for a MLTS to merely report a street address without including dispatchable location information for each telephone extension or to merely report floor-level location information, which could potentially cover several hundred users of a MLTS on each floor.

On January 6, 2021, businesses using certain fixed MLTS, interconnected Voice over Internet Protocol (VoIP), telephony and telephony relay services, such as desktop phones, hard phones for contact center agents, conference room phones or equipment, had to comply with RAY BAUM's Act to ensure that automatic dispatchable location information is enabled when any user attempts to place a 911 call through a fixed device. Large and small enterprises undertook the tedious task of making sure each physically fixed telephony device was associated with a dispatchable location, including a validated street address plus additional information such as suite or apartment number or similar information necessary to adequately identify the physical location of the caller.

By January 6, 2022, businesses will have to establish E911 compliance of nomadic or non-fixed calling services. Such non-fixed VoIP usually requires dynamic location routing solutions and the additional provisioning of network elements, such as WiFi access points, subnets, switches or ports with dispatchable locations to enable a user to move around within the corporate network. Enterprises will be faced with decisions as they adopt telephony systems that ensure automated updates to dispatchable location information or manual updates of location by users. Use of non-fixed phones in work-from-home setups adds some complexity to how an enterprise is able to collect current location information when employees work at home or in other remote locations with a softphone application. Further, how precise a dispatchable location needs to be for compliance may vary from enterprise to enterprise, depending on a multitude of factors, including the unique configuration of the building, the current private branch exchange and the number of employees and remote workers.

Given that the use of non-fixed phones has increased substantially as a result of the shift to remote work and work-from-home setups during the pandemic, there are many softphone service providers offering telephony services that are likely E911 compliant; however, businesses will need to make many decisions as they adopt, implement and maintain such services. To minimize liability exposure, it is now more crucial than ever that businesses fully understand the E911 regulations and have the systems and policies in place to comply.

For more Day Pitney alerts and articles related to the impact of COVID-19, as well as information from other reliable sources, please visit our COVID-19 Resource Center.

COVID-19 DISCLAIMER: As you are aware, as a result of the COVID-19 pandemic, things are changing quickly and the effect, enforceability and interpretation of laws may be affected by future events. The material set forth in this document is not an unequivocal statement of law, but instead represents our best interpretation of where things stand as of the date of first publication. We have not attempted to address the potential impacts of all local, state and federal orders that may have been issued in response to the COVID-19 pandemic.

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