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**AB-1699 Telecommunications: mobile internet service providers: first response agencies: emergencies.**  
(2019-2020)

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**Assembly Bill No. 1699**

**CHAPTER 398**

An act to add Section 2898 to the Public Utilities Code, relating to telecommunications.

[ Approved by Governor October 02, 2019. Filed with Secretary of State October 02, 2019. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 1699, Levine. Telecommunications: mobile internet service providers: first response agencies: emergencies.

Existing law prohibits a mobile internet service provider from engaging in specified actions concerning the treatment of internet traffic, including, among other things, blocking lawful content, applications, services, or nonharmful devices, and impairing or degrading lawful internet traffic on the basis of internet content, application, or service, or use of a nonharmful device, subject to reasonable network management.

This bill would authorize a first response agency to submit a request to a mobile internet service provider to not impair or degrade the lawful internet traffic of an account used by the agency in response to an emergency, and would require a first response agency that acts pursuant to that authorization to notify the mobile internet service provider upon the account no longer being used by the agency in response to the emergency. The bill would prohibit the mobile internet service provider, upon receiving that request, from impairing or degrading the lawful internet traffic of the first response agency's account until the earlier of either the time when the account is no longer being used by the agency in response to the emergency or the end of the emergency, subject to reasonable network management.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** The Legislature finds and declares that this act is adopted pursuant to the police power granted to the State of California. This act is adopted to protect and promote the safety, life, public health, public convenience, general prosperity, and well-being of society, and the welfare of the state's population and economy. This act ensures police and emergency services personnel have access to all of the resources necessary for them to operate effectively during an emergency.

**SEC. 2.** Section 2898 is added to the Public Utilities Code, to read:

**2898.** (a) Notwithstanding any other provision of this part, upon receiving a request pursuant to subdivision (b), the mobile internet service provider shall not impair or degrade the lawful internet traffic of the first response agency's identified account until the earlier of either the account no longer being used by the agency in response to the emergency or the end of the emergency, subject to reasonable network management.

(b) (1) A first response agency may submit a request to a mobile internet service provider to not impair or degrade the lawful internet traffic of an account used by the agency in response to an emergency. As part of the request, the first response agency shall identify the account number and lines for the mobile internet service provider.

(2) A first response agency that submits a request pursuant to paragraph (1) shall notify the mobile internet service provider upon the account no longer being used by the agency in response to the emergency.

(c) For purposes of this section, the following definitions apply:

(1) "Emergency" means the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state, or the territorial limits of a county, city and county, or city, caused by a fire, flood, storm, riot, cyberterrorism, sudden and severe energy shortage, Governor's warning of an earthquake or volcanic prediction, earthquake, or other similar condition.

(2) "First response agencies" has the same meaning as defined in Section 8592.1 of the Government Code, and shall include fire districts.

(3) "Mobile internet service provider" has the same meaning as defined in Section 3100 of the Civil Code.

(4) "Reasonable network management" has the same meaning as defined in Section 3100 of the Civil Code.