

(H. B. 1544)  
(Conference)

**(No. 94)**

(Approved May 16, 2006)

## **AN ACT**

To add a new subsection (hh) and redesignate subsection (hh) as (ii), of Section 3 of Chapter I; and to add Section 7B to Chapter III of Act No. 213 of September 12, 1996, as amended, known as the “Puerto Rico Telecommunications Act of 1996,” in order to create the Puerto Rico Emergency Alert System, which shall be offered by telecommunications services and/or companies for the safety and benefit of the users; and for other purposes.

### **STATEMENT OF MOTIVES**

The purpose of this legislation is to create the Puerto Rico Emergency Alert System, which shall be offered by telecommunications services and/or companies for the safety and benefit of their users.

For many years, AM and FM radio stations, television stations, as well as Cable TV systems have been operating under the previous “Emergency Broadcast System” (EBA\*).

The recent natural tidal wave disaster (“tsunami”) that affected Sri Lanka, India, Indonesia, Thailand and other nearby countries, caused the death of some one hundred fifty (150) thousand people, as well as millions of dollars in losses. Atmospheric situations such as this one prove the need for a

Puerto Rico Emergency Alert System, which may be transmitted by radio,

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\* (EBS).

television and also by text messages that can be sent through cellular telephones, which undoubtedly alert the public to imminent danger or any catastrophe.

Communications experts have stated that during the current year (2005) it shall be common for commercial text messages to be sent through cellular telephones. In view of this, the Legislature deems it would be most important for the users of cellular telephones to receive text messages that could save their lives. This would require cellular phones companies to be regulated based upon regulations approved to such effects, which the Telecommunications Regulatory Board of Puerto Rico is hereby directed to approve.

**BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:**

Section 1.- A new subsection (hh) is hereby added, and subsection (hh) is redesignated as (ii) of Section 3, of Chapter I of Act No. 213 of September 12, 1996, to read as follows:

“Section 3.- Definitions

(a) ...

(hh) “Emergency Alert System” shall mean the manner or means used by the President of the United States of America and other authorized officers to immediately communicate or warn the public of any national or local emergency situations under the “Federal Telecommunications Act of 1996.”

(ii) Telecommunications shall mean the transmission of information chosen by the user between points specified by

the user, without change in the form or content of the information sent and received.”

Section 2.- Section 7B is hereby added to Act No. 213 of September 12, 1996, to read as follows:

“Section 7B.- “Puerto Rico Emergency Alert System” Regulations

The Telecommunications Regulatory Board of Puerto Rico shall approve regulations which shall be mandatory for the Puerto Rico Emergency Alert System to comply with the provisions set forth in this Act.

Once the Federal Emergency Alert System is activated, the pertinent government agencies shall transmit the message and information as provided by the federal agencies to the cellular companies and telecommunication service providers, which shall, in turn, transmit the emergency situation to their users via text message.”

Section 3.- The Telecommunications Regulatory Board shall prepare regulations subject to the Uniform Administrative Procedures Act, Act No. 170 of August 12, 1988, as amended, to enforce compliance with this Act within a term of one year from its approval.

Section 4.- Should any part of this Act be declared null by a court with competent jurisdiction, said ruling shall not affect or invalidate the remaining parts of the Act and its effects shall be limited to the aspect subject to said ruling.

Section 5.- This Act shall take effect immediately after its approval.

## CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 94 (H.B. 1544) (Conference) of the 3<sup>rd</sup> Session of the 15<sup>th</sup> Legislature of Puerto Rico:

**AN ACT** to add a new subsection (hh) and redesignate subsection (hh) as (ii), of Section 3 of Chapter I; and to add Section 7B to Chapter III of Act No. 213 of September 12, 1996, as amended, known as the “Puerto Rico Telecommunications Act of 1996,” in order to create the Puerto Rico Emergency Alert System, which shall be offered by telecommunications services and/or companies for the safety and benefit of the users; and for other purposes,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 8<sup>th</sup> of September of 2006.

Francisco J. Domenech  
Director