

**NOTICE: The following statutes do not constitute an exhaustive compilation of the law governing emergency communications law in the State of Tennessee. Other federal and state legal authority may relate to or govern emergency communications. This is an unofficial publication of portions of the Tennessee Code Annotated for reference purposes only. Please check the official Tennessee Code Annotated published by the Tennessee Code Commission for the most current and accurate versions of the laws referenced herein.**

**TENNESSEE CODE ANNOTATED**

**TITLE 38 PREVENTION AND DETECTION OF CRIME**

**CHAPTER 1 MISCELLANEOUS PROVISIONS**

\*\*\* CURRENT THROUGH THE 2018 SESSION \*\*\*

**Part 6 – PROVIDING CALLER LOCATIONS IN EMERGENCIES**

**§ 38-1-601. Definitions**

As used in this part, unless the context otherwise requires:

- (1) “Department” means the department of commerce and insurance; and
- (2) “Wireless telecommunications service provider” means a provider of commercial mobile radio service as defined by 47 CFR 20.3.

HISTORY: 2012 Pub.Acts, c. 815, § 2, eff. April 25, 2012.

**§ 38-1-602. Wireless Telecommunications Service Provider; Call Location Information; Emergency**

- (a) Upon request of a law enforcement agency, a wireless telecommunications service provider shall provide call location information concerning the telecommunications device of the user in order for the requesting law enforcement agency to respond to a call for emergency services or an emergency situation that involves the risk of death or serious physical harm. The wireless telecommunications service provider shall provide the most accurate call location information available, given the technical and other limitations that may affect the accuracy of the call location information in the relevant area.
- (b) The department shall obtain contact information for all wireless telecommunications service providers authorized to do business in this state in order to facilitate a request from a law enforcement agency for call location information in accordance with this section.
- (c) When requested by a law enforcement agency, the public safety answering point of the enhanced 911 statewide system, authorized by title 7, chapter 86, part 3, shall assist the agency in obtaining call location information from wireless telecommunications service providers. Such assistance shall be provided only upon the requesting agency providing information establishing that the call location information is necessary to assist the agency in responding to a call for emergency services or to an emergency situation that involves the risk of death or serious physical harm.

HISTORY: 2012 Pub.Acts, c. 815, § 2, eff. April 25, 2012.

**§ 38-1-603. Service Provider Liability**

No cause of action shall lie in any court against any wireless telecommunications service provider, its officers, employees, agents, or other specified persons for providing call location information while acting in good faith and in accordance with this part. A wireless telecommunications service provider shall not be obligated to make an affirmative determination that the requesting law enforcement agency or public safety answering point has met the threshold requirements of this part.

HISTORY: 2012 Pub.Acts, c. 815, § 2, eff. April 25, 2012.

**§ 38-1-604. Rules**

The commissioner of commerce and insurance shall adopt rules, in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, relative to the notice and disclosure requirements provided in this part.

HISTORY: 2012 Pub.Acts, c. 815, § 2, eff. April 25, 2012.