

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND FIFTEEN

—
H.P. 149 - L.D. 206

An Act To Clarify Restrictions on Disclosure of E-9-1-1 System Information

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 25 MRSA §2929, sub-§1, as amended by PL 2011, c. 623, Pt. D, §1, is further amended to read:

1. Definition. As used in this section, "confidential information" means the following information as contained in any database, report, audio recording or other record of the bureau or a public safety answering point:

- A. The names, addresses and telephone numbers of persons listed in E-9-1-1 databases;
- B. Names, addresses and telephone numbers that are omitted from a telephone utility directory list at the request of a customer;
- C. ~~The name, address and telephone number~~ Personally identifying information of a caller to a public safety answering point; ~~or~~
- D. ~~The name, address and telephone number~~ Personally identifying information of and any medical information about a person receiving emergency services through the E-9-1-1 system; ~~or~~
- E. Personally identifying information of any 3rd party, including, but not limited to, a minor, given during a telephone call to a public safety answering point.

For the purposes of this subsection, "personally identifying information" means any information that directly or by reasonable inference might disclose the identity of or personal information about a specific person or persons, including, but not limited to, a person's name, home address, telephone number, mailing address, e-mail address, date of birth, physical residence location, approximate physical location, global positioning system coordinate location information and social security number. "Personally identifying information" does not include the name, title, official agency contact information or, when applicable, official agency identifying number of a public employee involved in a response to an emergency call in the course of carrying out the public employee's official duties.

For the purposes of this subsection, "medical information" includes, but is not limited to, any information revealing or concerning a person's injury or injuries, physical health status, mental health status, medication use, medical history or medical treatment.

Sec. 2. 25 MRSA §2929, sub-§2, ¶B, as enacted by PL 1997, c. 291, §3, is amended to read:

B. A public safety answering point may disclose confidential information to a ~~law enforcement officer or law enforcement agency~~ criminal justice agency, as defined in Title 16, section 803, subsection 4, for the purpose purposes of eriminal investigations the administration of criminal justice, as defined in Title 16, section 803, subsection 2, and the administration of juvenile justice, as defined in Title 15, section 3308-A, subsection 1, paragraph A, related to an E-9-1-1 call;

Sec. 3. 25 MRSA §2929, sub-§4, ¶¶B and C, as enacted by PL 1997, c. 291, §3, are amended to read:

B. To a ~~law enforcement officer or law enforcement agency~~ criminal justice agency, as defined in Title 16, section 803, subsection 4, for the purpose purposes of eriminal investigations the administration of criminal justice, as defined in Title 16, section 803, subsection 2, and the administration of juvenile justice, as defined in Title 15, section 3308-A, subsection 1, paragraph A, related to an E-9-1-1 call;

C. To designees of the bureau director for the purpose of system maintenance and quality control; ~~and~~

Sec. 4. 25 MRSA §2929, sub-§4, ¶C-1 is enacted to read:

C-1. To a person accused of a crime or that person's agent or attorney for trial and sentencing purposes if authorized by:

- (1) The responsible prosecutorial office or prosecutor; or
- (2) A rule or order of a court of competent jurisdiction.

As used in this paragraph, "agent" means a licensed professional investigator or an expert witness, or a parent, foster parent or guardian if the accused person has not attained 18 years of age; and