



# MARYLAND 9-1-1 BOARD

# 9-1-1

# ANNUAL REPORT 2020

LAWRENCE J. HOGAN  
GOVERNOR

BOYD K. RUTHERFORD  
LT. GOVERNOR

ROBERT L. GREEN  
SECRETARY - DPSCS

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES





**Department of Public Safety and Correctional Services**

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**Maryland 9-1-1 Board**

6776 Reisterstown Road – Suite 207, Baltimore, Maryland 21215-2362  
(410) 339-6383 • [www.dpscs.state.md.us/ensb/](http://www.dpscs.state.md.us/ensb/)

STATE OF MARYLAND

LARRY HOGAN  
GOVERNOR

August 1, 2019

BOYD K. RUTHERFORD  
LT. GOVERNOR

The Honorable Larry Hogan  
Governor  
State House  
Annapolis, MD 21401

ROBERT L. GREEN  
SECRETARY

CHRISTOPHER  
McCULLY  
DEPUTY SECRETARY  
ADMINISTRATION

The Honorable William C. “Bill” Ferguson, IV  
President  
Senate of Maryland  
State House H-107  
Annapolis, MD 21401

ANTHONY MYERS  
CHAIRMAN

SCOTT ROPER  
EXECUTIVE DIRECTOR

JUMARY WEST  
FISCAL COORDINATOR

The Honorable Adrienne A. Jones  
Speaker  
Maryland House of Delegates  
State House H-101  
Annapolis, MD 21401

Dear Governor Hogan, President Ferguson and Speaker Jones:

Pursuant to the Public Safety Article §1-307(a), the Maryland 9-1-1 Board, formerly known as the Emergency Number Systems Board, is required to submit an annual report on the 9-1-1 Trust Fund and certain activities of the Maryland 9-1-1 Board to the Governor, the Secretary of the Department of Public Safety and Correctional Services and the Legislature. The Statute specifically states:

(a) Required – The [Maryland 9-1-1] Board shall submit an annual report to the Governor, the Secretary, and subject to §2-1246 of the State Government Article, the Legislative Policy Committee.

(b) Contents – the report shall provide the following information for each county:

- (1) The type of 9-1-1 system currently operating in the county
- (2) The total 9-1-1 fee and additional charge charged
- (3) The funding formula in effect
- (4) Any statutory or regulatory violation by the county and the response of the Board

- (5) Any efforts to establish an enhanced 9-1-1 system to the county; and
- (6) Any suggested changes to this subtitle

Attached is the Board's submission in satisfaction of this reporting requirement.

I hope this letter and attachment meet with your approval. If you have any questions, please contact Maryland 9-1-1 Board Executive Director Scott Roper at (410) 339-6305.

Sincerely,



Anthony Myers, Chairman  
Maryland 9-1-1 Board

Attachment

CC: Ms. Sarah Albert, Library Associate, Department of  
Legislative Services, MSAR# 11960

## **TABLE OF CONTENTS**

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<b>INTRODUCTION .....</b>	<b>4</b>
<b>EXECUTIVE SUMMARY .....</b>	<b>6</b>
<b>PUBLIC SAFETY ARTICLE.....</b>	<b>9</b>
<b>THE CODE OF MARYLAND REGULATIONS.....</b>	<b>12</b>
<b>HISTORY OF 9-1-1 IN MARYLAND.....</b>	<b>13</b>
<b>BOARD MEMBERSHIP .....</b>	<b>16</b>
<b>TYPES OF 9-1-1 SYSTEMS .....</b>	<b>18</b>
<b>PSAP INSPECTIONS .....</b>	<b>22</b>
<b>FUNDING.....</b>	<b>23</b>
<b>MARYLAND 9-1-1 BOARD EXPENDITURES .....</b>	<b>26</b>
<b>COUNTY AUDITS .....</b>	<b>29</b>
<b>MARYLAND 9-1-1 BOARD SPECIAL MEETINGS .....</b>	<b>30</b>
<b>9-1-1 TRAINING IN MARYLAND .....</b>	<b>31</b>
<b>POLICY/STANDARDS SUBCOMMITTEE .....</b>	<b>33</b>
<b>TECHNOLOGY SUBCOMMITTEE .....</b>	<b>34</b>
<b>TRAINING SUBCOMMITTEE.....</b>	<b>35</b>
<b>CYBERSECURITY SUBCOMMITTEE.....</b>	<b>38</b>
<b>INVESTIGATIONS SUBCOMMITTEE.....</b>	<b>38</b>
<b>MENA DAY OF CELEBRATION .....</b>	<b>39</b>
<b>CONCLUSIONS AND NEXT STEPS .....</b>	<b>40</b>
 <b><u>APPENDIX</u></b>	
<b>PUBLIC SAFETY ARTICLE.....</b>	<b>42</b>
<b>CODE OF MARYLAND REGULATIONS.....</b>	<b>60</b>

# ***INTRODUCTION***

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## **MARYLAND 9-1-1 BOARD MISSION STATEMENT**

***THE MARYLAND 9-1-1 BOARD WORKS COOPERATIVELY WITH THE COUNTIES TO PROVIDE AN EFFECTIVE AND EFFICIENT MARYLAND 9-1-1 SYSTEM THROUGH THE ADMINISTRATION OF THE 9-1-1 TRUST FUND REVENUES.***

The Board achieves its goals through implementation of the following principles:

## **MARYLAND 9-1-1 BOARD VISION STATEMENT**

***THE MARYLAND 9-1-1 BOARD IS DEDICATED TO ENSURING MARYLAND'S 9-1-1 SYSTEM REMAINS ROBUST AND RESPONSIVE TO THE PUBLIC-SAFETY NEEDS OF OUR CITIZENS AND VISITORS. THE BOARD IS COMMITTED TO PROVIDING FISCALLY RESPONSIVE FUNDING TO MAINTAIN A TECHNOLOGICALLY ADVANCED 9-1-1 SYSTEM STAFFED WITH APPROPRIATELY TRAINED EMERGENCY OPERATORS. THROUGH A PARTNERSHIP WITH THE 9-1-1 COMMUNITY, THE BOARD WILL PROVIDE LEADERSHIP AND GUIDANCE FOR MARYLAND TO BE RECOGNIZED NATIONALLY FOR EXCELLENCE IN PROVIDING 9-1-1 SERVICE.***

The Maryland 9-1-1 Board's (Board) duties are defined by Sections §1-301 through §1-315 of the Public Safety Article of the Annotated Code of Maryland. Further clarity of direction and explicit responsibilities of the Board are provided in the Code of Maryland Regulations (COMAR) Title 12, Subtitle 11, Chapter 03. Those duties include coordinating the enhancement of County 9-1-1 systems and the oversight of the 9-1-1 Trust Fund. This report details the activities of the Board during calendar year 2020 and Trust Fund expenditures of fiscal year 2020 (July 1, 2019 to June 30, 2020).

The Public Safety Article requires that the following six topics be included in the annual report:

<b>1. Types of 9-1-1 Systems in Operation</b>	<b>Page 18</b>
<b>2. Total State and County Fees Charged</b>	<b>Page 24</b>
<b>3. Funding Formula in Effect by County</b>	<b>Page 23</b>
<b>4. Statutory or Regulatory Violations by County</b>	<b>None Noted</b>
<b>5. Efforts to Establish an Enhanced 911 System</b>	<b>Page 18</b>
<b>6. Any Suggested Changes to this Subtitle</b>	<b>Page 11</b>

This report goes significantly beyond these six areas in an effort to provide additional understanding into the work of the Maryland 9-1-1 Board. As the communications industry introduces new technological enhancements, Maryland's 9-1-1 system continues to evolve to ensure that Maryland's citizens and visitors are afforded a robust and responsive system when they call 9-1-1.

The current direction of the Board is to evaluate and fund local, regional and statewide plans for enhancements consistent with the Public Safety Article, Board guidelines, the availability of 9-1-1 Trust Fund dollars, and technological advancements. The Board is examining the following current issues:

- Integrating "Next Generation (NG)" Internet Protocol (IP) based 9-1-1 service delivery of voice, text, data, and video messaging into the 9-1-1 System;
- Examining current local and national policies, standards and legislation to identify best practices evolving from governance, planning, regulatory, policy and funding issues arising from a statewide transition to a NG 9-1-1 environment;
- Working with our 9-1-1 System service providers to establish standards, policies and procedures that will enhance the redundancy, resiliency and survivability of 9-1-1 service in Maryland;
- Funding emergency dispatch protocol training and software enhancements that promote the standardization of 9-1-1 call processing throughout the state;
- Exploring advancements in geographical information systems (GIS) to enhance 9-1-1 related mapping, caller location, prioritized call answering and emergency response routing methodologies;
- Examining cybersecurity threats and best practices;
- Implementing remote 9-1-1 workstations at secondary PSAPs to provide enhanced caller information associated with transferred 9-1-1 calls; and
- Examining technological advancements that permit regional sharing of 9-1-1 related equipment for call delivery to primary, back-up and secondary PSAPs in an IP network environment.

The engagement of local leadership has created a positive and constructive working relationship among Maryland's PSAP community, its legislative delegations, its first responder community, and the Department of Public Safety and Correctional Services to collectively address these issues.

Questions regarding this report and its content should be forwarded to the Maryland 9-1-1 Board Office of the Executive Director at 6776 Reisterstown Road, Suite 207, Baltimore, MD 21215.

The Maryland 9-1-1 Board web site is: [www.dpscs.maryland.gov/ensb](http://www.dpscs.maryland.gov/ensb)

## ***EXECUTIVE SUMMARY***

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Maryland's Public Safety Article §1-305 defines the membership of the seventeen-member Maryland 9-1-1 Board. Board members are drawn from private and public sectors representing various aspects of public safety and the people they serve. The current membership of the Board includes a diverse group of police, fire, emergency management, regulatory and communications industry professionals. The members serve a Governor appointed, Senate confirmed four-year term without compensation. While only required to meet quarterly, the Board meets monthly to examine current trends in 9-1-1, and the funding needs of Maryland's Public Safety Answering Points (PSAP).

The existing 9-1-1 infrastructure has performed admirably for decades; however, new data rich communications devices and services are driving the existing 9-1-1 infrastructure towards its operational limits. Consumers are increasingly relying on enhanced wireless and IP-based communications technologies, which offer expanded data capabilities such as text, picture and video messaging.

The Board continues to monitor and study national standards surrounding the development of Next Generation 9-1-1 system elements that would capture the benefits of ever evolving mobile and data communications technologies, as well as continuing to provide or enhance existing 9-1-1 functionality.

Some of the more prominent achievements and current activities of the Board include:

- Developing technical requirements, and defining the costs associated with the delivery and processing of Next Generation 9-1-1 services (NG 9-1-1) to our primary and secondary PSAPs;
- Responded to the COVID-19 pandemic by providing remote call taking capabilities for each PSAP, select cleaning equipment, and shifting 9-1-1 training to more online opportunities;
- Fully implemented text-to-911 service in all 24 county PSAPs;
- Funded a text-to-911 public education campaign;
- Working collaboratively with the Commission to Advance Next Generation 9-1-1 Across Maryland, the Maryland Association of Counties Emergency Management Affiliate Emergency Communications Committee, and the Metropolitan Washington Council of Governments PSAP Directors' Group;
- Working with PSAP personnel, Verizon and other carrier representatives to review circumstances surrounding 9-1-1 service disruptions, augment notification procedures, improve customer service issues, and seek enhancements that will improve Maryland's 9-1-1 Systems;
- Provided new funding opportunities for certain recurring maintenance and 9-1-1 service charges;
- Providing funding to upgrade and refresh 9-1-1 enhanced IP enabled phone systems or equipment for eight (8) primary & backup PSAPs;

- Provided funding and conditional approval for two (2) counties to migrate to an Emergency Services IP Network (ESInet) and Next Generation Core Services (NCGS);
- Providing back-up power equipment (generator and/or UPS) for one (1) backup PSAP;
- Providing ongoing training on new 9-1-1 technologies and evolving 9-1-1 service delivery techniques by providing training via remote opportunities;
- Securing statewide regulatory compliance through annual PSAP inspections;
- Interacting with federal agencies and national organizations to study evolving 9-1-1 issues, develop service standards, understand the impact of social media, and explore funding resources; and
- Assisting Maryland counties to update and maintain the accuracy of their mapping capacity by providing new ortho-photography, which is renewed on a three-year cycle.

To further facilitate the execution of the mission of the Maryland 9-1-1 Board, the Board established several sub-committees comprised of Board members and supporting consultative membership from outside the Board. These subcommittees include:

- **Training and Exercises** – to provide and enhance entrance level and in-service training opportunities for 9-1-1 call takers;
- **Cybersecurity** – to recommend policy for cybersecurity standards for PSAP equipment and operations
- **Policy/Standards** – to recommend policy and funding guidance for Maryland 9-1-1 Board membership and PSAP Directors and to make recommendations for Legislative changes;
- **Investigations** – to investigate, as needed, 9-1-1 affecting issues and recommend best practices to be adopted by the Board and PSAPs to prevent future occurrences; and
- **Technology** – to investigate and educate the Board on current and future technological advancements impacting the delivery of 9-1-1 services.

By statutory requirement, the Board also enjoys membership and actively participates on the following Maryland Boards:

- **The Commission to Advance Next Generation 9-1-1 Across Maryland** – to examine funding, staffing, governance and other issues with the goal of migrating all Maryland PSAPs to Next Generation 9-1-1; and
- **Statewide Emergency Medical Systems Advisory Council (SEMSAC)** – to assist the SEMSAC Board, comprised of representatives from organizations involved in providing emergency medical care services.

The Board remains committed to enhancing Maryland's 9-1-1 system and taking advantage of proven technological advances in service delivery. Maryland continues to be a national leader in providing enhanced emergency wireline, wireless and VoIP services. With the advancements made in IP based telephony equipment, Maryland is again poised to embrace

new technology, and work towards a smooth transition as Next Generation 9-1-1 system and related service is realized.

## ***PUBLIC SAFETY ARTICLE***

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The Maryland Public Safety Article (Title-1, Subtitle-3) is the enabling legislation that established the 9-1-1 Trust Fund and the Maryland 9-1-1 Board. It was originally crafted to create a funding mechanism and oversight Board to provide for the orderly installation, maintenance and operation of 9-1-1 systems in Maryland, and to establish the three-digit number, 9-1-1, as the primary emergency telephone number to summon emergency assistance. The Public Safety Article remains responsive to the needs of the Maryland's citizens.

The legislation established the Maryland 9-1-1 Surcharge, derived from a monthly surcharge levied on a customer's telephone bill for each 9-1-1 accessible service, to provide a constant funding source for enhancing and maintaining Maryland's 9-1-1 system. The 9-1-1 Surcharge was initially comprised of two separate fees designated to offset 9-1-1 related capital and operational costs. The first portion of the Maryland 9-1-1 Surcharge is the "9-1-1 State Fee." The State Fee is distributed to the Maryland counties at the discretion of the Board in response to county 9-1-1 system enhancement requests. The second portion of the Maryland 9-1-1 Surcharge is the "County 9-1-1 Fee." The level of the "County 9-1-1 Fee" is determined by each county through local resolution. In fiscal year 2020, the Public Safety Article limits the Additional Charge to a maximum of \$0.75. Legislation requires that the amount of the "County 9-1-1 Fee" received may not exceed a level necessary to cover the total eligible maintenance and operation costs of the county. The Public Safety Article further defines that maintenance and operation costs may include telephone company charges, equipment costs, equipment lease charges, repairs, utilities, personnel costs, and appropriate carryover costs from previous years. To ensure compliance, the Board provides for an audit of each county's expenditures for the maintenance and operation of the county's 9-1-1 system. All Maryland counties have taken advantage of this legislative authority and have passed local resolutions establishing a "County 9-1-1 Fee."

In 2003, the Public Safety Article was updated to provide the mandate and fiscal support for Maryland's 9-1-1 call takers to receive the callback phone number and location information of wireless callers (defined as "enhanced wireless 9-1-1"). This milestone was achieved in June 2005 when Maryland became only the eighth state in the nation to receive and display enhanced wireless information at all primary Maryland PSAPs when provided by a wireless carrier.

The 2003 revisions also expanded the definition of "9-1-1 accessible service" to include "telephone service or another communications service that connects an individual dialing the digits 9-1-1 to an established public safety answering point." This new definition expanded the communication service providers required to collect and remit the 9-1-1 surcharge to include carriers utilizing Voice over Internet Protocol (VoIP) technology for voice connectivity to 9-1-1 centers.

In 2008, this legislation was revised to increase the membership of the Board from 15 to 17 members. Responding to technological advancements in geographical information systems (GIS) and the integration of wireless location technology into the 9-1-1 system, this legislation established a new Board position to represent Maryland's GIS community. Since 2001, the role and capacity of local emergency management services (EMS) and nationwide homeland security efforts have increased significantly. Because 9-1-1 plays a vital role in identifying incidents where emergency management services are to be deployed, the Public Safety Article was amended to increase the emergency management services representation on the Board from one to two positions.

In 2012, this legislation was expanded to include a definition of Next Generation 9-1-1 services as an Internet Protocol (IP) based system comprised of hardware, software, data, and operational policies and procedures, that:

- provides standardized interfaces from emergency call and message services to support emergency communications;
- processes all types of emergency calls, including voice, text, data, and multimedia information;
- acquires and integrates additional emergency call data useful to call routing and handling;
- delivers the emergency calls, messages, and data to the appropriate public safety answering point and other appropriate emergency entities;
- supports data or video communications needs for coordinated incident response and management; and
- provides broadband service to public safety answering points or other first responder entities.

This legislative change also tasked the Board with establishing planning guidelines for next generation 9-1-1 services system plans and deployment of next generation 9-1-1 services in accordance with this subtitle.

In 2012, Senate Bill 1301 changed how 9-1-1 Trust Fund interest is to be accrued. The new language amended the State Finance and Procurement Article Section §6-226 to include that “net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.”

In 2013, Senate Bill 745 codified a third portion of the fee by extending the collection of the Maryland 9-1-1 Surcharge Fee (\$0.60 per transaction) to the sales of pre-paid wireless service to be collected at the point of sale (Maryland Pre-Paid Wireless E9-1-1 Fee). The amounts collected in this manner, minus a processing fee retained by retailers (3%), are deposited to the State's 9-1-1 Trust Fund. The Maryland Pre-Paid Wireless E9-1-1 Fees collected will be utilized to fund 9-1-1 enhancement projects and offset PSAP recurring operational and maintenance costs in the same fashion as currently collected 9-1-1 fees.

In 2015, Senate Bill 576 (cross-filed with House Bill 1080) required those who own or maintain a multi-line telephone system (MLTS) allow for the direct dialing of 9-1-1 without having to take an additional step to access the public switch telephone network (PSTN). According to the National Association of State 9-1-1 Administrators, Maryland is the first state to enact this legislation, which is known nationally as “Kari’s Law.”

In 2018, Senate Bill 285 (cross-filed with House Bill 634) created the Commission to Advance Next Generation 9-1-1 Across Maryland (Commission). The Commission’s legislative charge is to make recommendations to the Maryland General Assembly and the Governor regarding the implementation of Next Generation 9-1-1 technologies and service in Maryland, and how the transition to Next Generation 9-1-1 should be funded. The Commission has an interim report due in December 2018 and a final report due in December 2019. During the 2019 legislative session, the commission was extended for an additional two (2) years.

In 2019, Senate Bill 339, cross-filed with House Bill 397 and titled “Carl Henn’s Law,” changed the assessment of the 9-1-1 surcharge from “per bill” to “per accessible service (device or line)” and increased the state portion from \$0.25 to \$0.50 effective July 1, 2019. The legislation also increased the allowable uses for the fund, such as network charges, certain equipment maintenance and other services. Additionally, the Board was tasked with developing standards for cybersecurity, training and governance of the 9-1-1 system.

In 2020, Senate Bill 838, cross-filed with House Bill 934, changed the name of the Emergency Number Systems Board to the Maryland 9-1-1 Board to better represent the Board’s purpose. Legislation also added county responsibilities for standards-based protocol usage, to be audited by the Board annually. House Bill 6, cross-filed with Senate Bill 61, transferred the auditing authority of 9-1-1 surcharges collected by the carriers to the Comptroller of Maryland.

**The Board, through several members serving on the Commission to Advance Next Generation 9-1-1, has endorsed select legislative initiatives for the 2021 General Assembly session. It is understood that these changes will help to implement Next Generation 9-1-1 service throughout the state.**

# ***THE CODE OF MARYLAND REGULATIONS***

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The Code of Maryland Regulations (COMAR) Title 12, Subtitle 11, Chapter 03 further codifies the activities of the Board, and describes in detail its essential functions, responsibilities and training standards. Previous recommendations made by the Board's Policy Subcommittee for updating COMAR were adopted. Significant updates include:

- Redundant wording of items appearing in COMAR that were verbatim to the Public Safety Article were removed and language added to reference the reader back to the appropriate section of the Public Safety Article;
- The Board requires a majority of confirmed members to be present at a meeting to constitute a quorum;
- PSAPs shall provide access to services for individuals who do not speak or understand the English language<sup>1</sup>;
- PSAPs shall have sufficient call takers and equipment to consistently answer incoming calls on a daily average of 10 seconds or less<sup>2</sup>;
- Within six months of hiring a Public Safety Answering Point call taker, a county shall train the new call taker using a curriculum adopted or approved by the Board<sup>3</sup>;
- A county shall provide a Public Safety Answering Point call taker with yearly in-service training using a curriculum adopted or approved by the Board<sup>4</sup>; and
- In requesting funding from the Board, the county shall ensure that the county's procurement laws and policies are followed.

**COMAR is currently under review for revisions to be consistent with changes to the Public Safety Article effective July 1, 2020.**

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<sup>1</sup> All PSAPs provide immediate language assistance to persons who are limited in English proficiency through contractual translation services.

<sup>2</sup> Through the annual inspection process, all PSAPs were found to be compliant with this regulation.

<sup>3</sup> *ibid*

<sup>4</sup> *ibid*

# ***HISTORY OF 9-1-1 IN MARYLAND***

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## **1970s and 1980s**

- In March 1973, the White House's Office of Telecommunications issued a national policy statement that recognized the benefits of 9-1-1, encouraged the nationwide adoption of 9-1-1, and provided for the establishment of a Federal Information Center to assist units of government in planning and implementation.
- In 1972, Charles County was the first county in Maryland to adopt 9-1-1, followed by Prince George's County in 1973 and Montgomery County in 1974.
- In 1979, Maryland became the second state in the nation to adopt 9-1-1 as the statewide universal number for emergency services access. The Emergency Number Systems Board, the first of its kind in the nation, was established to coordinate 9-1-1 implementation efforts.
- The emergency communications industry established standards for automatic number information (ANI) and automatic location information (ALI) to be presented with each 9-1-1 call. This automatic ANI/ALI data delivery to 9-1-1 call takers was designed to streamline the information gathering/dispatch processes and allow locating persons who are unable to identify their location or to verbally communicate with the 9-1-1 call taker.
- Maryland established a \$0.10 phone bill surcharge to fund 9-1-1 development efforts.
- The statute enabling the Board was amended to include the authority for counties to charge an "Additional Fee" assessed on monthly phone bills to offset 9-1-1 operational expenses.

## **1990s**

- By 1995, all Maryland counties had implemented enhanced wireline 9-1-1 service with ANI/ALI displayed for each 9-1-1 call.
- The 9-1-1 Surcharge fee was modified to encompass wireless telecommunication services, and the Board was expanded to include a member of the wireless industry.

## 2000 - 2010

- In 2002, Anne Arundel County is selected as the State's test site for providing enhanced wireless service and becomes Wireless Phase I operational (call back number displayed).
- In 2003, the 9-1-1 Surcharge is increased to \$0.25 per bill per month and the County "Additional Fee" is increased from a maximum of \$0.50 per bill per month to \$0.75. Board membership increased to 15 by adding representatives from the Maryland Emergency Number Association (MENA), a large county (population greater than 200,000), and a small county (population less than 200,000), while eliminating a public-at-large position.
- By 2004, more than 50 percent of all 9-1-1 calls originated from wireless callers in most Maryland counties.
- By June 2005, all of Maryland's primary PSAPs are Wireless Phase II operational (ANI/ALI with all wireless calls), making Maryland the eighth state in the nation to reach this milestone<sup>5</sup>.
- In response to Homeland Security Core Goals established by the Governor, the Board established "back-up" PSAP criteria in the event that a primary PSAP is not able to fulfill its role due to power outages, telephone system interruptions, building evacuations, or other natural or manmade disasters. The Board began providing funding for each county PSAP to have a viable back-up facility to meet Board established standards.
- The Board encourages and funds the utilization of Emergency Dispatch Protocol Systems to provide a standardized means to consistently query and process information from 9-1-1 callers. Currently, all Maryland primary PSAPs utilize emergency medical dispatch protocols, while 96% of primary PSAPs use emergency fire and/or police dispatch protocols.
- In 2008, Board membership is increased to 17 members, adding a representative from the Geographical Information Systems (GIS) community, and an additional representative from Emergency Management Services.
- In 2009, Board established a policy to fund remote workstations at Maryland's secondary PSAPs, which receive transferred 9-1-1 calls. The Frederick City Police Department completed the first installation utilizing the Frederick County PSAP phone equipment and IP connectivity between the two facilities. Through this effort, the Board intends to advance the dissemination of enhanced 9-1-1 data to secondary PSAPs.

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<sup>5</sup> Source: The National Emergency Number Association (NENA).

- In 2009, the Harford County PSAP became the first PSAP in the nation to be recognized by the International Academies of Emergency Dispatch as an accredited “Center of Excellence” in all protocol disciplines (police, fire and medical).

## **2011 - Present**

- In 2012, the enabling legislation was amended to include a definition of Next Generation 9-1-1 services and tasking the Board with developing guidelines for NG 9-1-1 deployment.
- In 2013, the enabling legislation was amended providing for the 9-1-1 Surcharge to be applied to the sale of pre-paid wireless service to be collected at the point of sale (Maryland Pre-Paid Wireless E9-1-1 Fee).
- In 2013, Frederick County participated in a national pilot and offered text-to-9-1-1 services to Verizon Wireless customers located within Frederick County. Texts were sent to the Frederick County PSAP via a web-portal system provided by TeleCommunication Systems (TCS), a Maryland based company.
- In 2015, Maryland became the first state to require those who own or maintain a MLTS allow for the direct dialing of 9-1-1 without having to take an additional step to access the PSTN.
- In 2016, Maryland, through Frederick County as part of a multi-county project, hired a consultant to guide the state through the NG 9-1-1 procurement process.
- In 2018, the Department of Public Safety and Correctional Services entered into a contract with Comtech/TCS to provide text-to-911 service across the state.
- In 2018, the Board approved and funded four (4) Maryland counties to implement Next Generation 9-1-1 services within their counties.
- In 2019, Carl Henn’s Law was passed, which changed the manner in which the 9-1-1 surcharge is assessed, and increased the State 9-1-1 surcharge to \$0.50. The added funding will assist the counties in the migration to Next Generation 9-1-1, and to offset certain recurring costs.
- In 2020, Maryland had implemented text-to-911 service in all 24 of its county PSAPs. The state also initiated a public service campaign to educate Marylanders in the use of text-to-911.
- In 2020, the Board’s name was changed from the Emergency Number Systems Board to the Maryland 9-1-1 Board.

## ***BOARD MEMBERSHIP***

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The membership of the Board includes a diverse and technically astute group of professionals from the emergency services, communications and public safety industries, as well as the public-at-large. The members serve a Governor appointed, Senate confirmed four-year term. While only required to meet quarterly, the Board meets at least monthly to examine current trends and needs of the twenty-four county managed PSAPs.

The Board enjoys the support of the Department of Public Safety and Correctional Services (DPSCS or Department) fiscal offices in providing auditing and accounting support. In recognition of time demands, the Board, through DPSCS, has employed a full time fiscal coordinator and an accountant to support the Board's efforts in administering the 9-1-1 Trust Fund.

The Board recognizes the need for entrance-level and in-service training for 9-1-1 call takers and supervisors. The Department established an administrative assistant position, working directly for the Office of the Executive Director, to advance the training efforts described in COMAR, and for handling special projects as assigned.

The following page outlines Board membership and the organization each member represents.

**DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES**

**Maryland 9-1-1 Board**

**Board Member Listings**

<b>Representing</b>	<b>Member Name</b>
Public Service Commission	Anthony Myers
MIEMSS <sup>6</sup>	Richard Berg
Volunteer Fire Service	Bryan C. Ebling
Career Fire Service	Vacant
Public-At-Large	Steve Souder
Emergency Management Systems	Scott Brillman
Telephone Utility	E. Colton O'Donoghue, Jr.
APCO <sup>7</sup>	Susan E. Greentree
Maryland State Police	Major Tawn Gregory
Police Services	Major Peter Lazich
Public-At-Large	Albert Kirchner
Large County	Randall Cunningham
Wireless Industry	Vacant
Small County	Anna Sierra <sup>8</sup>
NENA <sup>9</sup> – Maryland Chapter	William A. Frazier
Emergency Management Systems	John E. Markey
Geographical Information Systems	Julia Fischer

<sup>6</sup> Maryland Institute for Emergency Medical Services Systems

<sup>7</sup> Association of Public-Safety Communications Officials

<sup>8</sup> Ms. Sierra replaced Wayne Darrell on July 1, 2020

<sup>9</sup> National Emergency Number Association

## ***TYPES OF 9-1-1 SYSTEMS***

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In the mid-1990s, all Maryland PSAPs achieved “enhanced” capability when each became able to display Automatic Number Information (ANI) and Automatic Location Information (ALI) for wireline 9-1-1 calls. Prior to the adoption of 9-1-1 as the statewide emergency telephone number, emergency services were requested through unique local phone exchanges to police and fire service agencies, or by dialing “0” for the telephone company operator. The caller’s phone number and address were not displayed to the call taker.

The advent and proliferation of wireless communications caused the public safety community to demand the same “enhanced” capability provided by their wireline counterparts. The Federal Communications Commission (FCC) required the wireless industry to provide the ANI/ALI data of a wireless caller to the PSAP. Today, the wireless industry is in compliance with the FCC regulations and has been able to provide enhanced wireless service to technologically capable PSAPs. In June 2005, Maryland became only the eighth state in the nation to have all 24 primary PSAPs receive and display the ANI and ALI information from wireless 9-1-1 calls.

During 2020, the Board continued to approve county project funding requests to update various PSAP phone systems and mapping capacity to receive and display enhanced wireless data. The caller location information (ALI) provided through enhanced wireless service is received at the PSAP in measurements of latitude and longitude. Mapping of this information is required to facilitate meaningful application in processing the 9-1-1 call. The Board, working with the Maryland Department of Information Technology (DoIT) obtained statewide aerial-photography to assist Maryland counties to update and maintain the accuracy of their mapping capacity. This collaborative effort of providing current statewide aerial-photography to PSAPs is ongoing.

In coordination with the Board, Voice over Internet Protocol (VoIP) and Telematics emergency 9-1-1 services are now being directed through the Verizon selective router to the appropriate PSAP in the same fashion as traditional communication services, with caller related emergency information displayed to the call taker.

### **Next Generation 9-1-1**

In 2018, the Maryland 9-1-1 Board (Board) adopted a non-binding recommendation from its contracted consultant that each county utilize an existing contract for migrating to an IP network-based 9-1-1 system for receiving voice, data, text, pictures and video messaging; known as Next Generation 9-1-1 (NG 9-1-1). Each county should meet its procurement requirements for contracting for these services. NG 9-1-1 is a system that includes network, hardware, software, database services, and operational policies and procedures. Each of these parts needs to be fully vetted, established and, most importantly, funds need to be identified to provide for the initial capital expenditures and for the ongoing expenses.

In anticipation of this transition, all of the phone system hardware currently being funded by the Board is IP-enabled and ready for transitioning to an established NG 9-1-1 environment. These NG 9-1-1 phone systems provide the ability to geo-diversely locate core hardware connected to an IP network to share operational data and functionality with remotely connected workstations that can be located at multiple sites using a common network. These technologically advanced phone systems provide greater resiliency, redundancy and back-up facilities for Maryland's 9-1-1 System.

It is also the goal of the Board that as these new phone systems are locally implemented, the counties with secondary PSAPs that receive transferred 9-1-1 calls from a primary PSAP be eligible to receive funding for the purchase and installation of remote 9-1-1 workstations. These workstations will be connected via an IP network to the local 9-1-1 phone system core, and receive all the functionality and data that is available at the primary PSAP. Eventually, this local IP network connectivity from primary PSAPs to their local secondary PSAPs will be incorporated into the overall statewide Emergency Service IP Network (ESInet).

In March 2013, Frederick County was selected as part of a national pilot to provide texting-to-9-1-1 services. Frederick County worked with Verizon Wireless, TeleCommunication Systems (TCS) and the Board to become the first jurisdiction in the State of Maryland, and one of the first in the nation, to be able to provide text-to-9-1-1 service to county residents and visitors that subscribe to Verizon Wireless services. The pilot project's success helped the State of Maryland determine the impact of texting on a 9-1-1 center, identify operational "best practices," and provide the framework for other wireless carriers to implement text-to-9-1-1 solutions. This pilot has also discovered location accuracy issues surrounding 9-1-1 texting, and the impact of providing 9-1-1 texting services on the deaf community.

By May 2014, the FCC ordered that all major wireless carriers (Verizon, T-Mobile, Sprint and AT&T) be able to provide text-to-9-1-1 services for all of their customers and to provide delivery to those PSAPs requesting to receive text-to-9-1-1 messages. Although text-to-9-1-1 will be offered by the wireless carriers by May 2014, it will take some time for the wireless carriers to implement the service as it will need to be rolled out on a PSAP by PSAP basis to account for PSAP boundaries and the routing of the messages. In 2018, the Board, working with DPSCS and the Maryland Department of Information Technology (DoIT), awarded a statewide contract to implement consistent text-to-9-1-1 service in Maryland. In 2020, Maryland's 24 primary PSAPs can receive SMS messages via the four major wireless providers by using the number "911."

Efforts by the federal government to create a nationwide public safety network, identified as the FirstNet Project, are also being monitored. The Board has participated in regional FirstNet efforts.

NG 9-1-1 delivery of services will be geographically based and will require a transition from current address based data to new geo-based location technology. The Board and

local counties are working with DoIT and their respective GIS departments to coordinate the creation of this required geographic database. This process is on-going.

The Board is discovering that a significant impediment to implementing NG 9-1-1 in Maryland will be the recurring costs associated with securing an IP network with sufficient bandwidth, reliability and redundancy for transport of 9-1-1 calls and data. Because of its design, NG 9-1-1 will cause a significant shift in one-time up-front (capital) and recurring monthly (expense) costs. The estimated cost for Next Generation 9-1-1 service statewide is estimated to be between \$9 million to \$13 million, which is a significant increase to the cost of legacy service of \$7.2 million. The Public Safety Article was amended in 2019 to allow for more funding from the 9-1-1 surcharge to offset many of these costs. The Board also secured a federal grant to help offset certain eligible expenses.

Nationally, the standards and policies surrounding the transmission and delivery of pictures and video have not yet been established, nor has the FCC directed wireless carriers to provide that service by any identified date. Once available, PSAPs will need to interface this new data in their computer-aided dispatch (CAD) and recording systems before receiving photos and video. PSAPs will also need to develop policies on handling these ancillary call resources.

The Board will continue its strategy of adhering to standards adopted and recommended by the National Emergency Number Association (NENA) and the Association of Public Safety Communications Officials, International (APCO). Both organizations represent 9-1-1. It is expected that these organizations will continue their leadership role in defining NG 9-1-1 services. The Board's strict adherence to national standards will assist in the avoidance of unnecessary expenses that could be associated with the replacement of non-standard software and hardware when transitioning to a NG 9-1-1 environment.

In summary, the Board will continue to plan for NG 9-1-1. It is anticipated that we will be looking for opportunities to utilize the Maryland Broadband Cooperative for 9-1-1 network redundancy in select counties. The Board is participating in the efforts of the Metropolitan Washington Council of Governments (COG) as it moves forward with its deployment of an ESInet. Lessons learned and best practices identified through these efforts will better prepare Maryland as we migrate to NG 9-1-1 services.

## Maryland 2020 PSAP Statistics<sup>10</sup>

### 9-1-1 Calls

County	Director	Wireline	Wireless	Text	Total
Allegany	Roger Bennett	6,925	29,640	5	36,570
Anne Arundel	LT John McAndrew	98,490	271,695	702	370,887
Baltimore City	CPT Scott Brillman	428,638	814,161	2,445	1,245,244
Baltimore	Tammy Price	102,380	424,998	691	528,069
Calvert	Yvette Myers	6,678	27,616	0	34,294
Caroline	Bryan Ebling	2668	12478	34	15,180
Carroll	Jack Brown	10,214	47,480	96	57,790
Cecil	Richard Brooks	4,543	49,372	118	54,033
Charles	Tony Rose	13,795	58,454	0	72,249
Dorchester	Dozia Rahilly	2,997	15,973	30	19,000
Frederick	Phillip Lambert	22,615	69,829	417	92,861
Garrett	Kenneth Collins	26,359	9,582	46	35,987
Harford	Ross Coates	17,833	81,527	172	99,532
Howard	LT Jayson Janowich	24,901	95,735	213	120,849
Kent	Wayne Darrell	2,362	6,523	48	8,933
Montgomery	Cassandra Onley	78,111	349,934	2,023	430,068
Prince George's	Charlynn Flaherty	120,922	586,787	1,716	709,425
Queen Anne's	Scott Haas	4694	21293	52	26,039
Saint Mary's	Stephen Walker	2,668	19,949	0	22,617
Somerset	Yvette Cross	2,801	11,135	87	14,023
Talbot	Clay Stamp	3,017	12,221	18	15,256
Washington	Brian Albert	6,925	29,640	5	36,570
Wicomico	David Shipley	4,131	46,125	55	50,311
Worcester	Timothy Coale	5,550	45,109	85	50,744

**Maryland Total 9-1-1 Calls    1,000,217    3,137,256    9,058    4,146,531**

<sup>10</sup> As reported by each County's PSAP Director

## ***PSAP INSPECTIONS***

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The COVID-19 pandemic and the Governor's "Safer at Home" order presented challenges to the annual PSAP inspection process. In 2020, the Office of the Executive Director inspected each of Maryland's 24 PSAPs virtually by conference call. Inspections are conducted annually to ensure each county's compliance with the Public Safety Article and COMAR, to determine what areas need to be improved, and to learn about new trends in call handling that may have statewide implications.

Areas reviewed during the inspection process:

- The state of each county's mapping of wireless 9-1-1 calls;
- A review of each county's back-up power capabilities (uninterruptable power supply (UPS) and generator), electrical grounding and remote power monitoring/alarming;
- A review of each county's Continuity of Operations Plans;
- A review of Verizon service issues and concerns;
- A review of each county's Verizon *9-1-1 System Outage Notification List* to ensure that all contacts are up to date;
- A discussion of disaster planning exercises offered by Verizon;
- A discussion of 9-1-1 call delivery issues resulting from other service providers;
- A discussion of ongoing efforts to implement Next Generation 9-1-1 technologies, and each county's efforts to implement NG 9-1-1;
- Other sources of funding the counties may have used for communications related projects (radio, CAD, 9-1-1, mapping, etc.);
- A check of PSAP equipment at both the primary and back-up (if applicable) locations to make certain that the equipment at each site meets COMAR requirements;
- A discussion regarding each county's cybersecurity standards and training;
- A review of 9-1-1 call metrics to see if each county meets the COMAR requirement of answering 9-1-1 calls on a daily average of 10 seconds or less on a consistent basis;
- A discussion of staffing concerns;
- A review of each county's three-year plan;
- A review of training records to determine if each county meets the COMAR standards for entrance-level and annual in-service training;
- A review of Board funded Emergency Telecommunicator Course (ETC) certifications of 9-1-1 operators;
- Any suggestions by the county to improve Board processes and training offered.

**No deficiencies were observed at any of Maryland's PSAPs during the inspection process.**

## ***FUNDING***

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The Maryland Public Safety Article (§1-310 & §1-311) initially established two funding streams that support 9-1-1. The first is the State 9-1-1 Fee, which is \$0.50 per subscriber per month. The second is the County 9-1-1 Fee in an amount determined by each county, and set by local ordinance up to maximum of \$0.75 per bill per month. All Maryland counties and Baltimore City currently have passed local ordinances establishing the County 9-1-1 Fee at \$0.75. Telephone companies, wireless carriers, and other 9-1-1 accessible service providers, collect and remit both portions of the 9-1-1 Surcharge to the State Comptroller, monthly, for deposit into the 9-1-1 Trust Fund. A third funding source was codified, effective July 1, 2013, when the Maryland Public Safety Article was amended extending the collection of the Maryland 9-1-1 Surcharge Fee to the sales of pre-paid wireless service (\$0.60 per transaction), collected at the point of sale (Maryland Pre-Paid Wireless E9-1-1 Fee).

Quarterly, the County 9-1-1 Fee and the county portion of the Maryland Pre-Paid Wireless E9-1-1 Fee remittances are distributed to each county prorated in accordance with the level of fees collected in each jurisdiction (*Public Safety Article §1-309 & §1-313*). Annually, the Secretary of the Department of Public Safety and Correctional Services requests a budget appropriation from the 9-1-1 Trust Fund in an amount sufficient to carry out the purposes of the enabling legislation, pay administrative costs, and reimburse counties for the cost of enhancing their 9-1-1 system (*Public Safety Article §1-309*). Through this budget appropriation process, the State 9-1-1 Fee is distributed from the 9-1-1 Trust Fund to the Maryland counties at the discretion of the Maryland 9-1-1 Board in response to county 9-1-1 enhancement requests.

Maryland has established written criteria identifying the allowable uses of all 9-1-1 related funds collected. Money collected from the State 9-1-1 Fee and 25% of all collected Maryland Pre-Paid Wireless E9-1-1 Fee may be used to reimburse counties for the cost of enhancing Maryland's 9-1-1 system, or for select recurring and maintenance costs through payment to a third party contractor (*Public Safety Article §1-308*). COMAR (12.11.03.12) further defines equipment qualifying for funding or reimbursement. Money distributed quarterly to the counties from the collection of the County 9-1-1 Fee and Maryland Pre-Paid Wireless E9-1-1 Fee may be spent on the installation, enhancement, maintenance, and operation of a county or multi-county 9-1-1 system. Maintenance and operation costs may include telephone company charges, equipment costs, equipment lease charges, repairs, utilities, personnel costs, and appropriate carryover costs from previous years (*Public Safety Article §1-312*).

The following chart indicates the 9-1-1 Surcharge fees associated with each jurisdiction and the date of resolution modifying the county fee (i.e., additional fee).

### Maryland 9-1-1 Surcharge Fees

County	State Fee <sup>11</sup>	County Additional Fee <sup>12</sup>	Pre-Paid Wireless <sup>13</sup>	Effective Date <sup>14</sup>
Allegany	\$0.50	\$0.75	\$0.60	October 1, 2003
Anne Arundel	\$0.50	\$0.75	\$0.60	July 1, 2005
Baltimore City	\$0.50	\$0.75	\$0.60	June 23, 2004
Baltimore	\$0.50	\$0.75	\$0.60	April 23, 2004
Calvert	\$0.50	\$0.75	\$0.60	June 15, 2004
Caroline	\$0.50	\$0.75	\$0.60	November 9, 2004
Carroll	\$0.50	\$0.75	\$0.60	June 8, 2004
Cecil	\$0.50	\$0.75	\$0.60	October 1, 2003
Charles	\$0.50	\$0.75	\$0.60	January 1, 2004
Dorchester	\$0.50	\$0.75	\$0.60	October 1, 2003
Frederick	\$0.50	\$0.75	\$0.60	July 1, 2004
Garrett	\$0.50	\$0.75	\$0.60	October 1, 2003
Harford	\$0.50	\$0.75	\$0.60	May 4, 2004
Howard	\$0.50	\$0.75	\$0.60	July 1, 2007
Kent	\$0.50	\$0.75	\$0.60	January 30, 2004
Montgomery	\$0.50	\$0.75	\$0.60	October 1, 2003
Prince George's	\$0.50	\$0.75	\$0.60	March 5, 2004
Queen Anne's	\$0.50	\$0.75	\$0.60	October 1, 2003
Somerset	\$0.50	\$0.75	\$0.60	February 10, 2004
St. Mary's	\$0.50	\$0.75	\$0.60	July 1, 2004
Talbot	\$0.50	\$0.75	\$0.60	May 11, 2004
Washington	\$0.50	\$0.75	\$0.60	October 21, 2003
Wicomico	\$0.50	\$0.75	\$0.60	January 1, 2004
Worcester	\$0.50	\$0.75	\$0.60	October 1, 2003

<sup>11</sup> The State 9-1-1 fee is deposited to the State 9-1-1 Trust Fund for Board approved funding of capital projects

<sup>12</sup> The County 9-1-1 fee is disbursed quarterly to Counties to offset operational costs

<sup>13</sup> The Maryland Pre-Paid Wireless E9-1-1 Fee (enacted July 1, 2013) is disbursed 25% to the 9-1-1 Trust Fund and 75% to be disbursed quarterly in the same proportion as the County Charge fee to each County

<sup>14</sup> Effective date of the County 9-1-1 fee, passed by local ordinance

The chart below reflects the distribution of the Fiscal Year 2020 collected County 9-1-1 Fees and interest.

### FY 2020 County 9-1-1 Fee Collections and Interest by Jurisdiction

County	Population <sup>15</sup>	County 9-1-1 Fee FY2020	Percent of Total <sup>16</sup>
Allegany County	75,087	\$405,885.47	0.69%
Anne Arundel County	537,656	\$5,934,574.53	10.14%
Baltimore City	620,961	\$4,801,024.98	8.20%
Baltimore County	805,029	\$8,396,337.91	14.34%
Calvert County	88,737	\$936,189.42	1.60%
Caroline County	33,066	\$293,877.08	0.50%
Carroll County	167,134	\$1,646,838.79	2.81%
Cecil County	101,108	\$873,114.63	1.49%
Charles County	146,551	\$1,638,483.23	2.80%
Dorchester County	32,618	\$270,684.86	0.46%
Frederick County	233,385	\$2,608,028.68	4.46%
Garrett County	30,097	\$209,901.81	0.36%
Harford County	244,826	\$2,515,936.53	4.30%
Howard County	287,085	\$3,567,869.19	6.10%
Kent County	20,197	\$186,690.62	0.32%
Montgomery County	971,777	\$10,778,974.53	18.41%
Prince George's County	863,420	\$8,933,920.01	15.26%
Queen Anne's County	47,798	\$485,376.96	0.83%
Somerset County	26,470	\$152,381.59	0.26%
St. Mary's County	105,151	\$1,000,971.10	1.71%
Talbot County	37,782	\$397,067.99	0.68%
Washington County	147,430	\$1,008,761.31	1.72%
Wicomico County	98,733	\$861,697.65	1.47%
Worcester County	51,454	\$630,897.81	1.08%
<b>TOTALS</b>	<b>5,773,552</b>	<b>\$58,535,486.68</b>	<b>100.00%</b>

<sup>15</sup> 2010 Actual Census (Maryland Manual)

<sup>16</sup> Percent of total collection - used to calculate disbursement of Wireless Pre-Paid funds

## ***MARYLAND 9-1-1 BOARD EXPENDITURES***

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The Department of Public Safety and Correctional Services FY 2020 annual budget appropriation for the Maryland 9-1-1 Board is approximately \$56.9 Million, which includes the County 9-1-1 Additional Fee pass-through. A budget amendment in the amount of \$48 Million was approved to allow for the disbursement of additional revenue generated by changes to the 9-1-1 surcharge.

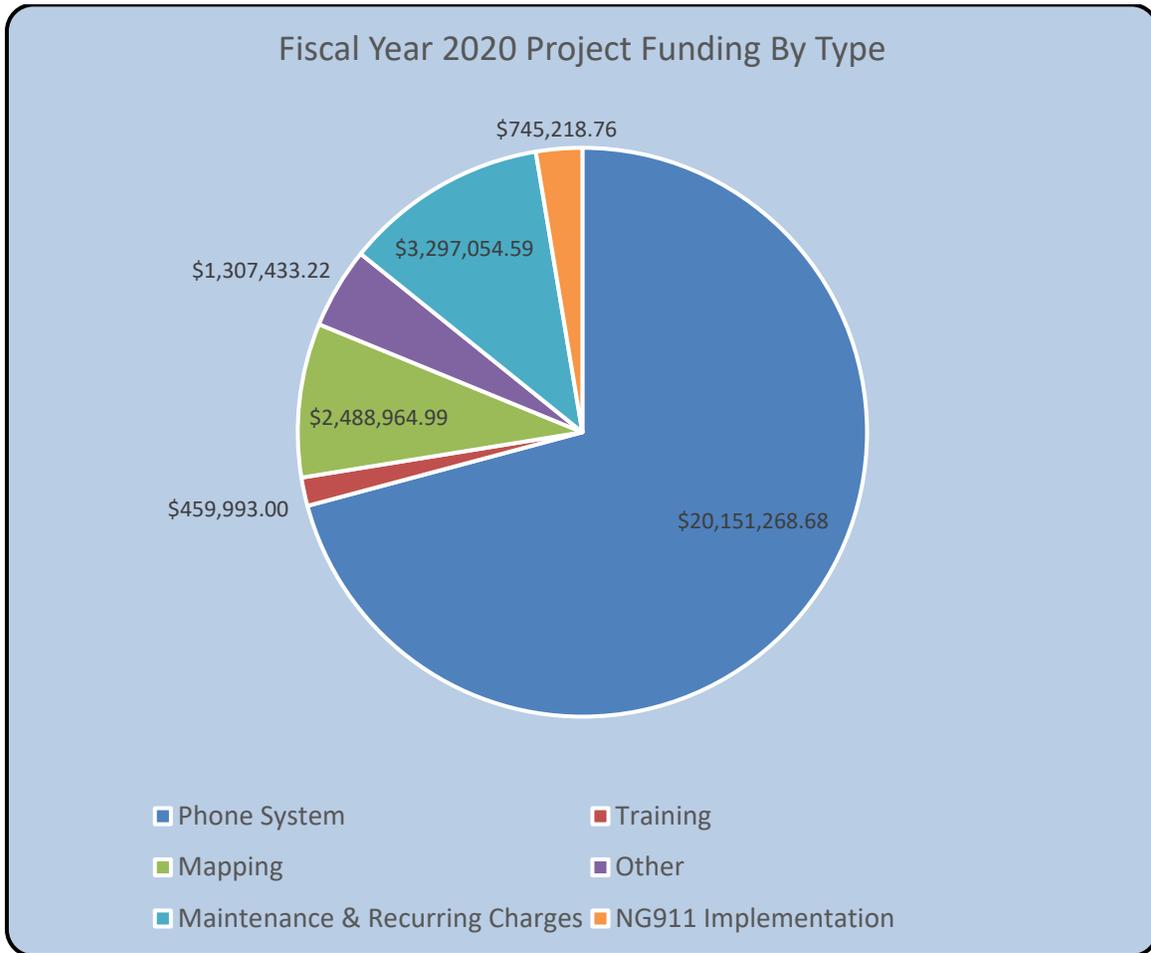
The technical nature of 9-1-1 communications has evolved over time to include the advent of computer-aided dispatch, multiple agencies providing emergency response, national standard setting organizations, wireless telephone communications, and most recently, IP based communication and telematics (automatic crash notification) services. These have brought about fundamental changes in the 9-1-1 infrastructure, and added training and equipment challenges.

Historically, the vast majority of funds are allocated to upgrading phone systems, keeping current with technological advances, providing adequate backup facilities, and enhancing mapping capacity. Current phone systems funded by the Board must be IP capable and ready to accept NG 9-1-1 data once national delivery and presentation standards have been established. All Maryland PSAPs now have the capability of mapping the location of 9-1-1 callers, when that information is received from the telecommunications provider.

Should circumstances arise that prevent a PSAP from receiving or processing emergency calls, it is critical that back-up 9-1-1 service and relocation strategies are in place and regularly exercised. During 2020, the Board funded several projects for PSAPs to enhance or establish capacity for back-up service and emergency relocation procedures. Referring to the Board's back-up PSAP guidelines, the Board works with noncompliant 9-1-1 Centers to establish approved back-up facilities with appropriate service functionality. The Board funded two multi-county project requests to provide for remote call taking capabilities to further safeguard PSAPs from COVID-19.

Utilizing technological advances in 9-1-1 phone systems and IP connectivity, the Board began the process of expanding the 9-1-1 system to encompass secondary PSAPs. Through the use of remote workstations, linked directly to the primary PSAP via IP network connectivity, secondary PSAP call takers experience the same functionality, mapping capacity and data delivery on all transferred 9-1-1 calls.

## The chart below reflects FY 2020 Board expenditures



### \*\* Other Funding:

Other funding is comprised of capital expenditures related to 9-1-1 call processing or its enhancement. Some examples of these expenditures are:

- 9-1-1 center security;
- Backup power systems;
- Training – entry-level, in-service and supervisory/administrative;
- Public Education;
- Lightning/surge protection; and
- Protocol-based call processing systems.

## **PHONE SYSTEM PROJECTS – FISCAL YEAR 2020**

Receiving and processing 9-1-1 calls requires specialized phone system equipment to optimize voice, data and location technologies. These complex phone systems leverage advances in communication equipment to provide responsive 9-1-1 call handling, data management and mapping capacity, while maintaining enhanced 9-1-1 services with legacy systems. The NG 9-1-1 phone systems the Board is currently funding provide the ability to geo-diversely locate core hardware, connect the cores via an IP network to share operational data and functionality, and remotely connect workstations at multiple sites to one system using a common IP network to answer 9-1-1 calls. In response to technological advances in the communication industry, the Board anticipates updating PSAP phone equipment in five to six year cycles. During FY 2020, the Board provided funding to upgrade and refresh 9-1-1 enhanced geo-diverse phone systems and workstations for eight (8) county PSAPS. The Board also provided conditional approval and funding for two (2) counties to implement NG 9-1-1.

### **HIGHLIGHTED FISCAL YEAR 2020 PHONE SYSTEM UPGRADES**

In fiscal year 2020, the Board funded geo-diverse IP enabled phone systems for **Anne Arundel County, Garrett County, Harford County, Montgomery County, Queen Anne's County, Somerset County, Washington County and Wicomico County**. In each of these installations, the A-Side of the core system was located at the primary PSAP while the B-Side of the core system was located at their back-up PSAP facilities. Each of these phone system cores (A & B) were connected via an IP network to provide real-time sharing of data and operations. Once linked and sharing data, the A or B Side can independently provide 9-1-1 service should the other core side fail or both sides can work in tandem, thus affording PSAPs with enhanced redundancy and increased capacity.

Should circumstances arise that prevents a PSAP from receiving or processing emergency calls, it is critical that back-up 9-1-1 service and relocation strategies are in place and regularly exercised. Each is exercised on a regular basis and can augment their primary PSAP to significantly increase call answering capacity during emergency conditions. The Board provided each county with portable laptop computer based call taking positions, and a statewide cloud-based phone system for disaster recovery and quarantined staff purposes.

Recognizing that county PSAPs may transfer 9-1-1 calls to secondary PSAPs, such as the Maryland State Police, and understanding that today's telephony technology creates a cost effective means to enhance secondary PSAPs with dynamic ANI and ALI data by placing remote call taking positions at these secondary PSAPs, the Board has been funding phone equipment for secondary PSAPs.

## ***COUNTY AUDITS***

The Public Safety Article requires each county to annually report to the Board how the monies received from the State 9-1-1 Trust Fund were spent. The Board is charged with the responsibility of evaluating the expenditures for compliance with applicable laws and regulations. To this end, the Board funds independent audits of county expenditures.

All of the audits for FY 2020 were received and auditors compensated. The audits were reviewed and each county found in compliance with the spending limits articulated in the Public Safety Article. Operational expenses typically include 9-1-1 related personnel salaries/benefits, recurring maintenance and service fees, mapping maintenance/updating, network associated fees, and capital expenditures not covered by the Board.

COUNTY	COUNTY 9-1-1 FEE REVENUES	COUNTY 9-1-1 EXPENSES <sup>17</sup>	% of 9-1-1 FEE OFFSET
Allegany County	\$416,452	\$2,770,506	15.03%
Anne Arundel County	\$5,821,194	\$8,101,307	71.85%
Baltimore City	\$3,788,564	\$8,581,885	44.15%
Baltimore County	\$8,878,671	\$13,577,099	65.39%
Calvert County	\$899,437	\$3,664,685	24.54%
Caroline County	\$275,751	\$1,194,099	23.09%
Carroll County	\$1,766,038	\$3,391,559	52.07%
Cecil County	\$852,792	\$2,218,183	38.45%
Charles County	\$1,657,872	\$2,608,685	63.55%
Dorchester County	\$334,128	\$1,566,336	21.33%
Frederick County	\$2,776,391	\$9,315,990	29.80%
Garrett County	\$224,132	\$1,585,279	14.14%
Harford County	\$2,472,064	\$7,229,058	34.20%
Howard County	\$3,462,367	\$6,541,421	52.93%
Kent County	\$179,308	\$1,106,184	16.21%
Montgomery County	\$10,621,575	\$29,639,365	35.84%
Prince George's County	\$9,646,031	\$18,021,485	53.53%
Queen Anne's County	\$460,372	\$1,798,551	25.60%
Somerset County	\$131,424	\$1,101,992	11.93%
St. Mary's County	\$939,980	\$3,223,268	29.16%
Talbot County	\$378,305	\$2,524,835	14.98%
Washington County	\$993,955	\$5,259,448	18.90%
Wicomico County	\$826,127	\$1,363,089	60.61%
Worcester County	\$618,996	\$3,805,732	16.26%

**Total Operational Cost Offset by 9-1-1 Fee** **41.67%<sup>18</sup>**

<sup>17</sup> 9-1-1 related operational costs as reported by county selected independent auditors

<sup>18</sup> This is an increase from 32.30 percent in Fiscal Year 2019

## ***MARYLAND 9-1-1 BOARD SPECIAL MEETINGS***

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**Metropolitan Washington Council of Governments (COG):** Following the June 2012 Derecho Storm, the COG established a PSAP Directors' Committee. The initial purpose of the committee was to understand the 9-1-1 network failures that occurred in Northern Virginia as a result of the Derecho, and to craft solutions to prevent a similar reoccurrence. The committee works collaboratively with partners from Virginia, Maryland, the District of Columbia, the federal government and corporate entities, such as Verizon, to strengthen the reliability and resiliency of the 9-1-1 network in the National Capital Region (NCR). This committee has evolved to discuss many issues of mutual interest to the regional PSAP directors, to include text-to-911, NG 9-1-1, network and service provider disruptions, and other operational issues.

Chairman Myers and members of the Office of the Executive Director have participated in the committee's quarterly meetings to discuss what is occurring within Maryland, to share Maryland's successes in strengthening the state's 9-1-1 System, and to learn what best practices have been successfully implemented in other jurisdictions so that they may be implemented in Maryland.

**Regional Emergency Communications Coordinator Work Group (RECCWG):** The RECCWG, facilitated by the Federal Emergency Management Agency (FEMA), incorporated state 9-1-1 coordinators into its work groups. The FEMA Region III RECCWG includes emergency communications representatives from the Federal Government, private industry, the District of Columbia and the following states: Delaware, Maryland, Pennsylvania, Virginia and West Virginia. The Board's Executive Director participates in the RECCWG semi-annual meetings and in its monthly conference calls.

**PSAP Directors' Group:** Maryland's PSAP Directors, acknowledging a lack of sustained statewide collaboration with their peers, formed a group under The Maryland Association of Counties (MACo) Emergency Management Affiliate to address some of the issues and concerns that do not fall strictly under the purview of the Board, but can benefit from statewide discussion and the sharing of "best practices." The Board's Executive Director participates in their meetings, and the Board has a place on its monthly meeting agenda for the PSAP Director's Group.

**The Commission to Advance Next Generation 9-1-1 Across Maryland:** The Board's Executive Director and several Board members participated in the Commission to Advance Next Generation 9-1-1 Across Maryland (Commission). The Commission met in person, and more frequently in subcommittee conference calls, to map out the needs of Maryland's PSAPs in migrating to Next Generation 9-1-1, and to make recommendations to the Governor and Maryland General Assembly. The Commission was formed to meet for two years, with reports submitted to the Governor and legislature in 2018 and 2019. In 2019, the Commission was extended for an additional two years.

## ***9-1-1 TRAINING IN MARYLAND***

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Maryland continues to be a national leader in its 9-1-1 training efforts and remains one of the few states to establish legislation mandating 9-1-1 personnel training standards. Telecommunicator training has recently received national media attention and improving 9-1-1 personnel training has become the focus of several organizations and foundations (e.g. The Denise Amber Lee Foundation). At the inception of 9-1-1 in the early 1980s, Maryland understood the importance of training and, through the Code of Maryland Regulations (COMAR), established mandatory 9-1-1 PSAP training standards for both entry-level and in-service programs under the purview of the Maryland 9-1-1 Board (Board). These mandates continue to be updated to maintain current relevance. Compliance is verified through a yearly inspection process conducted by Board staff. It is evident that the Board and the Public Safety Answering Points' leadership have taken the obligation of providing timely and pertinent training seriously.

In the early 2000's, to provide a consistent entry-level training program, the Board selected a nationally offered Emergency Telecommunicator Course (ETC) developed and kept current by the International Academies of Emergency Dispatch (IAED). The ETC curriculum and instruction was developed to deliver the information and educational experiences needed to prepare entry-level 9-1-1 call takers to begin their careers in public safety in a standardized and consistent manner. The Board funded ETC instructor training to provide each Maryland PSAP with certified ETC instructors. Today, Board funded ETC instructor and entry-level training programs continue to be the foundation for developing competent 9-1-1 call takers.

In response to COMAR, in-service training programs are provided by county jurisdictions and supplemented through training funded by the Board. Training officers develop programs specific to their agency, while the Board, at the recommendation of the Training Subcommittee with input from the PSAP directors, offers 9-1-1 related training courses on a statewide basis throughout the year (see chart on page 37). These training sessions are open to all Maryland PSAP personnel, and address disciplines designed to enhance the skills and abilities of new or veteran call takers, supervisors and administrators.

Locally developed training programs are reviewed by the Board's Training Subcommittee for content, relevance and statutory compliance. Also during the annual PSAP inspection process, each local jurisdiction's training program records are inspected by Board staff to validate that all 9-1-1 employees are receiving COMAR compliant training.

Maryland has been recognized nationally for its statewide utilization of police, fire, and medical protocol based call-processing systems. Nationally certified protocol systems provide a systematic methodology to query emergency response information from 9-1-1

callers that follows predetermined questioning guidelines and to provide standardized instructions to the caller prior to the first responder's arrival. Protocols offer a consistent 9-1-1 call handling process, and a quantifiable quality assurance review methodology. In 2020, the Public Safety Article was amended to require all 9-1-1 calls in Maryland be processed using standards-based protocols.

Embracing the value of continuing education, Maryland remains a national leader in the ongoing training of 9-1-1 personnel through the support of the Board. The Board's emphasis on entry-level training, with the ETC program, and support of utilizing emergency medical, fire, and police protocols has significantly enhanced the delivery 9-1-1 service. The evaluation of 9-1-1 personnel through a disciplined quality assurance process is also required of jurisdictions receiving Board funding for protocol programs. The International Academies of Emergency Dispatch (IAED) protocol quality assurance process identifies individual, unit, and overall center compliance scores. National standards have been established to recognize centers that achieve superior quality assurance scores. Harford County and Prince George's County are among the first PSAPs in the world to receive the Tri-ACE (Accredited Center of Excellence) Certification from IAED for superior quality assurance scores attained in all three disciplines (police, fire and medical).

## ***POLICY/STANDARDS SUBCOMMITTEE***

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The Policy/Standards Subcommittee<sup>19</sup> is tasked with developing the policy and guidelines to provide guidance to the Board and PSAPs with regard to requesting and encumbering funding from the 9-1-1 Trust Fund. They also craft and respond to recommendations for legislative changes affecting the Public Safety Article and the Code of Maryland Regulations (COMAR) as it relates to 9-1-1 service.

### **STRATEGIES**

- Develop written guidelines to be used by the Board in its consideration of the pricing, functionality, and quantities proposed for routine 9-1-1 equipment and service purchases.
- Develop procurement standards including equipment replacement cycles, spare/back-up equipment purchase guidelines, and minimum qualifications.
- Review the standards and procurement activities of national associations and efforts of other jurisdictions/states to adopt best practices in Maryland.
- Identify synergistic procurement opportunities in Maryland and foster the competitive bidding process.
- Develop statistical models to capture and reflect information relative to the Board's procurement activities and pricing trends.
- Work with the other subcommittees as needed to support the overall goals and objectives of the Board.

During 2020, the Policy and Standards Subcommittee reviewed current equipment improvements and associated pricing ranges of items commonly funded by the Board to establish more responsive fiscal guidelines to assist Board efforts. The Subcommittee made several recommendations for Board funding to further implement legislative changes to the Board's enabling legislation. Those recommendations were adopted by the Board.

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<sup>19</sup> Currently the Policy and Standards Subcommittee are acting together to achieve their missions.

## ***TECHNOLOGY SUBCOMMITTEE***

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The Technology Subcommittee is responsible for the investigation and research of technology related issues, and the dissemination of technical information to the membership of the Board. This subcommittee will be focused on issues that could impact the management, operation and maintenance of E9-1-1 systems serving the residents of the State of Maryland.

The Technology Subcommittee has developed the requirements of implementing a Next Generation 9-1-1 System (NG 9-1-1) in Maryland. The Technology Subcommittee is following NG 9-1-1 technological advancements and establishment of industry standards/regulations to better prepare the Board as to NG 9-1-1 implementation options.

During 2020, The Technology Subcommittee worked closely with PSAP personnel and the Board's consultant Mission Critical Partners to discuss migration to NG 9-1-1, and the training implications associated with that migration. The recurring funding required establishing and maintaining a NG 9-1-1 network was identified as a major element that will require a cost to benefit analysis to be conducted before committing the local funding necessary for this effort to advance.

## ***TRAINING AND EXERCISE SUBCOMMITTEE***

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The Training and Exercise Subcommittee is comprised of members of the Board and the PSAP community. In order to provide Maryland with a robust training program that will meet the requirements of the Code of Maryland Regulations (COMAR), the Training Subcommittee reviewed numerous training opportunities, programs and seminars before deciding which programs to offer in 2020.

The Code of Maryland Regulations (COMAR) provides specific guidance on the topical requirements for training, but does not address job relatedness, testing standards, or instructional methodologies for entrance level, in-service or supervisory training. The Board, through the recommendation of the Training Subcommittee, partnered with the International Academies of Emergency Dispatch (IAED) to provide an Emergency Telecommunicator Course (ETC) for Maryland's newly hired 9-1-1 call takers. This course provides a comprehensive review of the skills and abilities needed for successful handling of 9-1-1 emergency calls, and utilizes a curriculum designed for adult based learning. Trainers from each PSAP attend IAED sponsored classes to earn their ETC Instructor certification. For additional information of the program, the web address for IAED is <http://www.emergencydispatch.org/>. The Training Subcommittee recommended extending Board funding to secondary PSAPs to include ETC as part of their training curriculum in partnership with the counties. The funding request is to be submitted by the secondary PSAP's respective county, at the discretion of the county PSAP director. That policy was adopted by the Board in 2017.

As established in COMAR, in-service training is a requirement for all jurisdictions. Training programs can be provided by each local jurisdiction as well as on a statewide basis. Training officers at the local level develop agency specific training programs and evaluate individual training based on the needs for their center and county. A variety of educational resources is utilized by each jurisdiction to ensure local personnel are properly trained and prepared for any emergency requests they may receive. The Training Subcommittee annually reviews each PSAPs training program to ensure curricula meets established guidelines.

Throughout 2020, the Training Subcommittee reviewed new programs and local training requests to determine appropriateness to enhance 9-1-1 service in Maryland. Upon subcommittee recommendation, various training programs are offered to PSAP personnel and held at locations around the state to ensure accessibility to all jurisdictions. The Training Subcommittee will continue to look for training opportunities to take advantage technological advances in training media and presentation.

The COVID-19 pandemic and its implications for in-person training required the Board and the PSAPs to shift to more virtual and online training. During 2020, programs from nationally recognized training vendors including the National Emergency Number Association (NENA), Association of Public Safety Communications Officials -

International, Inc. (APCO), Public Safety Training Consultants, the Denise Amber Lee Foundation, the Healthy Dispatcher and Priority Dispatch were offered.

The Training Subcommittee continues to utilize the facilities of the Public Safety Training Center, located in Sykesville, Maryland. This facility, which is centrally located, provides a rich learning environment with state of the art technology and ample classroom space that can accommodate up to 75 students in one room.

The Board supports a variety of training programs and encourages the use of protocol systems throughout Maryland. Over 95 percent of the jurisdictions are currently using either Emergency Fire or Emergency Police Dispatch, in addition to Emergency Medical Dispatch protocols. In support of this effort, various protocol classes and protocol quality assurance training have been presented around the state.

The Training Subcommittee reviewed various training programs recommended by our 9-1-1 Centers. Course selections were made and offered throughout the year to best accommodate employee scheduling. Training programs were typically provided at least twice for geographic diversity to allow all counties across the state to attend.

## ***CYBERSECURITY SUBCOMMITTEE***

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Recognizing the needs of the Public Safety Article, the evolving nature of technology and the nature of threats to public safety infrastructure, the Board established a Cybersecurity Subcommittee in 2019. This Subcommittee will evaluate cybersecurity incidents, standards and best practices, and make recommendation to the Board for standards for PSAP equipment vendors and for the PSAPs themselves as the state moves forward with NG 9-1-1.

## ***INVESTIGATIONS SUBCOMMITTEE***

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The Board established an Investigations Subcommittee to be assembled on an ad hoc basis to examine 9-1-1 network and PSAP disrupting events. The purpose of these investigations is to learn lessons from the event to disseminate best practices to the PSAPs, and improve equipment, networks and processes, in order to strengthen the resiliency and reliability of the state's 9-1-1 system. In 2020, the Investigations Subcommittee examined three separate 9-1-1 affecting issues. The subcommittee made recommendations to the Board to enhance reliability and resiliency to improve 9-1-1 in Maryland.

## ***MENA DAY OF CELEBRATION***

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Due to COVID-19, an in-person Day of Celebration was not possible. The Board and the Maryland Emergency Number Association did recognize each PSAP's submitted *9-1-1 Specialist of the Year*.

*9-1-1 Specialist of the Year* awards were presented to exemplary 9-1-1 Specialists selected by their local 9-1-1 center directors for outstanding service and dedication to Public Safety through 9-1-1 communications.

### **Marilyn Farndon “Excellence in Training” Award**

Marilyn Farndon was the first Executive Director of the Emergency Number Systems Board. Marilyn played a critical role in establishing many of the Board's policies and guidelines. She understood the critical need of standardized training and one of her signature achievements was bringing the 9-1-1 community together to develop Maryland's first certified entry-level training program. In recognition of this, and Marilyn Farndon's many other accomplishments, the Board has established the *Marilyn Farndon Excellence in Training Award* to recognize Maryland's most deserving 9-1-1 Instructor that has demonstrated a superior commitment to training through the development and presentation of relevant training curricula that enhances 9-1-1 service in Maryland. The recipient is selected by the Board's Training Subcommittee and the presentation of this award is normally made each year as part of the MENA *9-1-1 Specialist of the Year* awards ceremony at the *9-1-1 Day of Celebration*.

The 2020 *Marilyn Farndon Excellence in Training Award* was presented to Christine Ray of Baltimore County.

## ***CONCLUSIONS AND NEXT STEPS***

As evidenced by this report, the Maryland 9-1-1 Board is continuing to identify, evaluate and develop strategies to embrace new 9-1-1 related technologies and public safety services. The Board also monitors local and national efforts to establish future standards surrounding the delivery, processing, sharing, and storing of 9-1-1 calls and data. To prepare for adopting proven technological advancements in public communications and migrating to a Next Generation 9-1-1 environment, the Board has identified the below listed action items to be addressed in the near future. Each action item has been assigned to one of the Board's subcommittees for follow up, and recommendations will be presented to the Board for further action.

### **BOARD ASSIGNED ACTION ITEMS**

**Future Funding Requirements:** The Board will continue to evaluate the evolving allocation of network, equipment, and services costs to determine whether the current 9-1-1 funding model in Maryland warrants modification. **Assigned to Policy and Standards Subcommittee**

- The current funding model for 9-1-1 related capital, maintenance, operational, and call delivery costs will continually be examined in a NG 9-1-1 environment, in which monthly recurring costs could significantly increase.
  - The Board will seek monthly recurring NG 9-1-1 network related cost estimates from local, state, and commercial network providers to determine local 9-1-1 fiscal impact.
  - The Board will facilitate increases in the additional local fee, which would be directed to offset NG 9-1-1 related expenses.
  - The Board will continue to work with MACo to identify specific funding needs and sources of funding for NG 9-1-1.

**Location Accuracy:** In a NG 9-1-1 environment, the current ANI/ALI database will be replaced. It will be critical to have the mapping capacity to locate callers via latitude and longitude in order to geo-route calls to the appropriate PSAP. The Board will continue to monitor technological and regulatory developments regarding location accuracy to ensure that counties are prepared to utilize advancements in geo-based routing. **Assigned to GIS Board Representative**

- The Board will continue to work with the Maryland State Geographic Information Systems Committee (MSGIC) to prepare and maintain county GIS data for NG 9-1-1.

**Next Generation 9-1-1:** The Board will work with Maryland's counties to ensure that Next Generation 9-1-1 networks and services are technically sufficient and interoperable. **Assigned to Technology Subcommittee**

- The Board will work with Maryland's 9-1-1 phone system providers to identify current efforts to integrate data reception through their phone premise equipment.
- The Board will monitor and identify local and regional partnership opportunities to secure NG 9-1-1 based network and gateway services.

**9-1-1 System Redundancy and Resiliency:** The Board will continue its practice of scheduling Verizon representatives to provide service and sales updates, and to also address unresolved county issues, as part of the monthly public meeting agenda. Working with Verizon, the PSAP community, and other 9-1-1 related service providers the Board will seek to ensure the reliability, resiliency, and responsiveness of Maryland's 9-1-1 System. **The Board will have Verizon provide monthly service reports and provide follow-up interaction with the 9-1-1 community (as needed):**

- The Board will continue to work with Verizon and the counties to schedule table-top disaster exercises with each PSAP, or joint exercises to be conducted on a regional basis to include multiple PSAPs.
- The Board, through its Investigations Subcommittee, will examine 9-1-1 affecting issues to mitigate future disruptions, and to strengthen the 9-1-1 network and the operations of the PSAP.

**Cybersecurity:** The Board will develop cybersecurity standards for both equipment and services vendors, and for the PSAPs. **Assigned to the Cybersecurity Subcommittee**

- The Cybersecurity Subcommittee will evaluate and recommend nationally adopted cybersecurity standards to serve as the basis of the Board's standards.
- The Cybersecurity Subcommittee will work with other entities to share lessons learned and best practices for cybersecurity.

# **APPENDIX**

## **MARYLAND - PUBLIC SAFETY ARTICLE**

### ***“9-1-1 Emergency Telephone System”***

Title 1 - Section 3

Effective October 1, 2020

#### **§ 1-301. Definitions**

In general

(a) In this subtitle the following words have the meanings indicated.

(b) “Board” means the Maryland 9-1-1 Board.

(c) “Commercial mobile radio service” or “CMRS” means mobile telecommunications service that is:

(1) provided for profit with the intent of receiving compensation or monetary gain;

(2) an interconnected, two-way voice service; and

(3) available to the public.

(d) “Commercial mobile radio service provider” or “CMRS provider” means a person authorized by the Federal Communications Commission to provide CMRS in the State.

County 9-1-1 fee

(e) “County 9-1-1 fee” means the fee imposed by a county in accordance with § 1-311 of this subtitle.

(f) “County plan” means a plan for a 9-1-1 system or enhanced 9-1-1 system, or an amendment to the plan, developed by a county or several counties together under this subtitle.

Customer

(g)(1) “Customer” means:

(i) the person that contracts with a home service provider for CMRS; or

(ii) the end user of the CMRS if the end user of the CMRS is not the contracting party.

(2) “Customer” does not include:

(i) a reseller of CMRS; or

(ii) a serving carrier under an arrangement to serve the customer outside the home service provider's licensed service area.

(h) “Enhanced 9-1-1 system” means a 9-1-1 system that provides:

(1) automatic number identification;

(2) automatic location identification; and

(3) any other technological advancements that the Board requires.

(i) “FCC order” means an order issued by the Federal Communications Commission under proceedings regarding the compatibility of enhanced 9-1-1 systems and delivery of wireless enhanced 9-1-1 service.

Home service provider

(j) “Home service provider” means the facilities-based carrier or reseller that contracts with a customer to provide CMRS.

(k) “Next Generation 9-1-1 services” means an Internet Protocol (IP)-based system, comprised of hardware, software, data, and operational policies and procedures, that:

- (1) provides standardized interfaces from emergency call and message services to support emergency communications;
- (2) processes all types of requests for emergency services, including voice, text, data, and multimedia information;
- (3) acquires and integrates additional emergency call data useful to routing and handling of requests for emergency services;
- (4) delivers the emergency calls, messages, and data to the appropriate public safety answering point and other appropriate emergency entities;
- (5) supports data or video communications needs for coordinated incident response and management; and
- (6) provides broadband service to public safety answering points or other first responder entities.

9-1-1-accessible service

(l) “9-1-1-accessible service” means telephone service or another communications service that connects an individual dialing the digits 9-1-1 to an established public safety answering point.

(m)(1) “9-1-1 service carrier” means a provider of CMRS or other 9-1-1-accessible service.

(2) “9-1-1 service carrier” does not include a telephone company.

(n) “9-1-1 specialist” means an employee of a county public safety answering point, or an employee working in a county public safety answering point, whose duties and responsibilities include:

- (1) receiving and processing 9-1-1 requests for emergency services;
- (2) other support functions directly related to 9-1-1 requests for emergency services; or
- (3) dispatching law enforcement officers, fire rescue services, emergency medical services, and other public safety services to the scene of an emergency.

9-1-1 system

(o)(1) “9-1-1 system” means telephone service that:

- (i) meets the planning guidelines established under this subtitle; and

(ii) automatically connects an individual dialing the digits 9-1-1 to an established public safety answering point.

(2) “9-1-1 system” includes:

- (i) equipment for connecting and outswitching 9-1-1 calls within a telephone central office;
- (ii) trunking facilities from a telephone central office to a public safety answering point; and
- (iii) equipment to connect 9-1-1 calls to the appropriate public safety agency.

(p) “9-1-1 Trust Fund” means the fund established under § 1-308 of this subtitle.

Prepaid wireless E 9-1-1 fee

(q) “Prepaid wireless E 9-1-1 fee” means the fee that is required to be collected by a seller from a consumer in the amount established under § 1-313 of this subtitle.

(r) “Prepaid wireless telecommunications service” means a commercial mobile radio service that:

- (1) allows a consumer to dial 9-1-1 to access the 9-1-1 system;
- (2) must be paid for in advance; and
- (3) is sold in predetermined units that decline with use in a known amount.

(s) “Public safety agency” means:

- (1) a functional division of a public agency that provides fire fighting, police, medical, or other emergency services; or
- (2) a private entity that provides fire fighting, police, medical, or other emergency services on a voluntary basis.

(t) “Public safety answering point” means a communications facility that:

- (1) is operated on a 24-hour basis;
- (2) first receives 9-1-1 requests for emergency services in a 9-1-1 service area; and
- (3) as appropriate:
  - (i) dispatches public safety services directly;
  - (ii) transmits incident data to appropriate public safety agencies within the State for the dispatch of public safety services; or
  - (iii) transfers 9-1-1 requests for emergency services or transmits incident data to:
    - 1. an appropriate federal emergency communication center responsible for the delivery of public safety services on a federal campus or federal reservation; or
    - 2. an appropriate public safety answering point located within or outside the State.

(u) “Secretary” means the Secretary of Public Safety and Correctional Services.

Seller

(v) “Seller” means a person that sells prepaid wireless telecommunications service to another person.

(w) “State 9-1-1 fee” means the fee imposed in accordance with § 1-310 of this subtitle.

(x) “Wireless enhanced 9-1-1 service” means enhanced 9-1-1 service under an FCC order.

**§ 1-302. Legislative findings and declarations; purposes of subtitle**

(a) The General Assembly:

(1) recognizes the paramount importance of the safety and well-being of the public;

(2) recognizes that timely and appropriate assistance must be provided when the lives or property of the public are in imminent danger;

(3) recognizes that emergency assistance usually is summoned by telephone, and that a multiplicity of emergency telephone numbers existed throughout the State and within each county;

(4) was concerned that avoidable delays in reaching appropriate emergency assistance were occurring to the jeopardy of life and property;

(5) acknowledges that the three digit number, 9-1-1, is a nationally recognized and applied telephone number that may be used to summon emergency assistance and to eliminate delays caused by lack of familiarity with emergency numbers and by confusion in circumstances of crisis; and

(6) recognizes that all end user customers of 9-1-1-accessible services, including consumers of prepaid wireless telecommunications service, should contribute in a fair and equitable manner to the 9-1-1 Trust Fund.

(b) The purposes of this subtitle are to:

(1) establish the three digit number, 9-1-1, as the primary emergency telephone number for the State; and

(2) provide for the orderly installation, maintenance, and operation of 9-1-1 systems in the State.

**§ 1-302.1. 9-1-1 specialists**

(a) The General Assembly finds that 9-1-1 specialists are key members of the team of public safety personnel responding to requests from the public for emergency assistance.

(b) It is the intent of the General Assembly that jurisdictions employing 9-1-1 specialists:

(1) appropriately classify 9-1-1 specialists in recognition of the training, knowledge, and skills that 9-1-1 specialists possess and demonstrate in answering and handling requests for emergency assistance; and

(2) compensate 9-1-1 specialists in a manner that:

(i) reflects their membership in the team of public safety personnel answering and responding to requests for emergency assistance; and

(ii) is commensurate with the training, knowledge, and skills they possess.

**§ 1-303. Effects of subtitle**

(a)(1) This subtitle does not require a public service company to provide any equipment or service other than in accordance with tariffs approved by the Public Service Commission.

(2) The provision of services, the rates, and the extent of liability of a public service company are governed by the tariffs approved by the Public Service Commission.

(b)(1) This subtitle does not require a 9-1-1 service carrier to provide any equipment or service other than the equivalent of the equipment and service required of a telephone company under subsection (a) of this section.

(2) This subtitle does not extend any liability to a 9-1-1 service carrier or seller of prepaid wireless telecommunications service.

**§ 1-304. Enhanced 9-1-1 system required**

(a) Each county shall have in operation an enhanced 9-1-1 system.

(b) If implementation is preceded by cooperative planning, the enhanced 9-1-1 system required under subsection (a) of this section may operate as part of a multicounty system.

(c)(1) Services available through a 9-1-1 system shall include police, fire fighting, and emergency ambulance services.

(2) Other emergency and civil defense services may be incorporated into the 9-1-1 system at the discretion of the county or counties served by the 9-1-1 system.

(d)(1) The digits 9-1-1 are the primary emergency telephone number in the 9-1-1 system.

(2) A public safety agency whose services are available through the 9-1-1 system:

(i) may maintain a separate secondary backup telephone number for emergency calls; and

(ii) shall maintain a separate telephone number for nonemergency calls.

(e) Educational information that relates to emergency services made available by the State or a county:

(1) shall designate the number 9-1-1 as the primary emergency telephone number;

(2) may include a separate secondary backup telephone number for emergency calls; and

(3) shall include information on the requirements of § 1-314 of this subtitle.

(f)(1) Each public safety answering point shall notify the public safety agencies in a county 9-1-1 system of requests for emergency services in the county.

(2) Written guidelines shall be developed to govern the referral of requests for emergency services to the appropriate public safety agency.

(3) State, county, and local public safety agencies with concurrent jurisdiction shall have written agreements to ensure a clear understanding of which specific requests for emergency services will be referred to which public safety agency.

(g) Counties, other units of local government, public safety agencies, and public safety answering points may enter into cooperative agreements for the allocation of maintenance, operational, and capital costs attributable to the 9-1-1 system.

**§ 1-304.1. Requirements for each public safety answering point**

(a)(1) Each public safety answering point shall employ standards-based protocols for the processing of 9-1-1 requests for emergency assistance.

(2) A public safety answering point shall ensure that each 9-1-1 specialist employed by the public safety answering point is certified in each discipline related to 9-1-1 requests for assistance for which the 9-1-1 specialist is responsible for receiving and processing.

(b) A public safety answering point may establish a telecommunicator emergency response team to respond to, relieve, assist, or augment other public safety answering points when those public safety answering points are affected by natural or human-made disasters.

**§ 1-305. Maryland 9-1-1 Board**

(a) There is a Maryland 9-1-1 Board in the Department of Public Safety and Correctional Services.

(b)(1) The Board consists of 17 members.

(2) Of the 17 members:

(i) one member shall represent a telephone company operating in the State;

(ii) one member shall represent the wireless telephone industry in the State;

(iii) one member shall represent the Maryland Institute for Emergency Medical Services Systems;

(iv) one member shall represent the Department of State Police;

(v) one member shall represent the Public Service Commission;

(vi) one member shall represent the Association of Public-Safety Communications Officials International, Inc.;

(vii) two members shall represent county fire services in the State, with one member representing career fire services and one member representing volunteer fire services;

(viii) one member shall represent police services in the State;

(ix) two members shall represent emergency management services in the State;

(x) one member shall represent a county with a population of 200,000 or more;

(xi) one member shall represent a county with a population of less than 200,000;

(xii) one member shall represent the Maryland chapter of the National Emergency Numbers Association;

(xiii) one member shall represent the geographical information systems in the State; and

(xiv) two members shall represent the public.

- (3) The Governor shall appoint the members with the advice and consent of the Senate.
- (c)(1) The term of a member is 4 years and begins on July 1.
- (2) The terms of the members are staggered as required by the terms provided for members of the Board on October 1, 2003.
- (3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.
- (4) If a vacancy occurs after a term has begun, the Governor shall appoint a successor to represent the organization or group in which the vacancy occurs.
- (5) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.
- (d) The Governor shall appoint a chairperson from among the Board members.
- Meetings; availability of agenda, minutes, and live streaming of open meetings
- (e)(1) The Board shall meet as necessary, but at least once each quarter.
- (2) The Board shall make publicly available on its website:
- (i) each open meeting agenda:
1. at least 48 hours in advance of each meeting; or
  2. if the meeting is being held due to an emergency, a natural disaster, or any other unanticipated situation, as far in advance of the meeting as practicable;
- (ii) meeting minutes from the portions of a meeting that were held in open session, not more than 2 business days after the minutes are approved; and
- (iii) live video streaming of each portion of a meeting that is held in open session.
- (3) The Board shall maintain on its website:
- (i) meeting minutes made available under paragraph (2) of this subsection for a minimum of 5 years after the date of the meeting; and
- (ii) a complete and unedited archived video recording of each open meeting for which live video streaming was made available under paragraph (2) of this subsection for a minimum of 1 year after the date of the meeting.
- (f) A member of the Board:
- (1) may not receive compensation as a member of the Board; but
  - (2) is entitled to reimbursement for expenses under the Standard State Travel Regulations,<sup>1</sup> as provided in the State budget.
- (g) The Secretary shall provide staff to the Board, including:
- (1) a coordinator who is responsible for the daily operation of the office of the Board; and
  - (2) staff to handle the increased duties related to enhanced 9-1-1 service.

**§ 1-306. Responsibilities of Board--Coordination of enhancement of 9-1-1 systems**

- (a) The Board shall coordinate the enhancement of county 9-1-1 systems.
- (b) The Board's responsibilities include:
  - (1) establishing planning guidelines for enhanced 9-1-1 system plans and deployment of wireless enhanced 9-1-1 service in accordance with this subtitle;
  - (2) establishing procedures to review and approve or disapprove county plans and to evaluate requests for variations from the planning guidelines established by the Board;
  - (3) establishing procedures for the request for reimbursement of the costs of enhancing a 9-1-1 system by a county or counties in which a 9-1-1 system is in operation, and procedures to review and approve or disapprove the request;
  - (4) transmitting the planning guidelines and procedures established under this section, and any amendments to them, to the governing body of each county;
  - (5) submitting to the Secretary each year a schedule for implementing the enhancement of county or multicounty 9-1-1 systems, and an estimate of funding requirements based on the approved county plans;
  - (6) developing, with input from counties, and publishing on or before July 1, 2004, an implementation schedule for deployment of wireless enhanced 9-1-1 service;
  - (7) reviewing and approving or disapproving requests for reimbursement of the costs of enhancing 9-1-1 systems, and submitting to the Secretary each year a schedule for reimbursement and an estimate of funding requirements;
  - (8) reviewing the enhancement of 9-1-1 systems;
  - (9) providing for an audit of county expenditures for the operation and maintenance of 9-1-1 systems;
  - (10) ensuring inspections of public safety answering points;
  - (11) reviewing and approving or disapproving requests from counties with operational enhanced 9-1-1 systems to be exempted from the expenditure limitations under § 1-312 of this subtitle;
  - (12) authorizing expenditures from the 9-1-1 Trust Fund that:
    - (i) are for enhancements of 9-1-1 systems that:
      - 1. are required by the Board;
      - 2. will be provided to a county by a third party contractor; and
      - 3. will incur costs that the Board has approved before the formation of a contract between the county and the contractor; and
    - (ii) are approved by the Board for payment:
      - 1. from money collected under § 1-310 of this subtitle; and

- 2. directly to a third party contractor on behalf of a county;
  - (13) establishing planning guidelines for Next Generation 9-1-1 services system plans and deployment of Next Generation 9-1-1 services in accordance with this subtitle;
  - (14) establishing minimum standards for records retention guidelines for 9-1-1 audio, pictures, video, text messages, and data;
  - (15) establishing training standards for public safety answering point personnel based on national best practices, including training concerning Next Generation 9-1-1 topics; and
  - (16) establishing minimum standards for cybersecurity, oversight, and accountability of service level agreements between counties and core service providers of Next Generation 9-1-1 services.
- (c) The guidelines established by the Board under subsection (b)(1) and (13) of this section:
- (1) shall be based on available technology and equipment;
  - (2) shall require Next Generation 9-1-1 services systems to be interconnected and interoperable, as determined by the Board; and
  - (3) may be based on any other factor that the Board determines is appropriate, including population and area served by 9-1-1 systems.

Procedures to include in record retention standards

- (d) The standards established by the Board under subsection (b)(14) of this section shall include procedures for:
- (1) the security of the records;
  - (2) the establishment and revision, in accordance with the regulations, of record retention and disposal schedules to ensure the prompt and orderly disposition of records, including electronic records, that are no longer needed for operation; and
  - (3) the maintenance of inventories of records series that are accurate and complete.

Continuing education for 9-1-1 specialists; annual audit to ensure training requirements are met

- (e)(1) The standards established by the Board under subsection (b)(15) of this section shall include minimum continuing education standards for 9-1-1 specialists.
- (2)(i) At least once each year, the Board shall provide for an audit of each public safety answering point in order to ensure that 9-1-1 specialists and other personnel employed by the public safety answering point have satisfied the training requirements established in accordance with subsection (b)(15) of this section.
  - (ii) The audit described under subparagraph (i) of this paragraph may be conducted concurrently with an inspection of the public safety answering point in accordance with subsection (b)(10) of this section.

(f) The Board shall establish standards governing the processing of 9-1-1 requests for assistance that:

(1) minimize the transfer of those requests from the public safety answering point that received the request to other public safety answering points within or outside the State or federal emergency communication centers; and

(2) follow best practices for transferring requests to public safety agencies to ensure the optimal public safety response.

(g) The Board shall:

(1) establish minimum standards for 9-1-1 systems, enhanced 9-1-1 systems, and Next Generation 9-1-1 services that ensure improved access for individuals with disabilities and individuals who use assistive technologies, including mandatory connectivity requirements for core service providers for Next Generation 9-1-1 services to device-based and cloud-based data repositories; and

(2) update the standards adopted in accordance with item (1) of this subsection based on available technology and equipment.

**§ 1-307. Responsibilities of Board--Annual report**

(a) The Board shall submit an annual report to the Governor, the Secretary, and, subject to § 2-1257 of the State Government Article, the Legislative Policy Committee.

(b) The report shall provide the following information for each county:

(1) the type of 9-1-1 system currently operating in the county;

(2) the total State 9-1-1 fee and county 9-1-1 fee charged;

(3) the funding formula in effect;

(4) any statutory or regulatory violation by the county and the response of the Board;

(5) any efforts to establish an enhanced 9-1-1 system in the county; and

(6) any suggested changes to this subtitle.

**§ 1-308. 9-1-1 Trust Fund**

(a) There is a 9-1-1 Trust Fund.

(b)(1) Except as provided in paragraph (2) of this subsection and subject to § 1-309.1 of this subtitle, the purposes of the 9-1-1 Trust Fund are to:

(i) reimburse counties for the cost of enhancing a 9-1-1 system;

(ii) pay contractors in accordance with § 1-306(b)(12) of this subtitle; and

(iii) fund the coordinator position and staff to handle the increased duties related to wireless enhanced 9-1-1 service under § 1-305 of this subtitle, as an administrative cost.

(2) Subject to paragraph (3) of this subsection and beginning January 1, 2020, in addition to the purposes described under paragraph (1) of this subsection, the purposes of the 9-1-1 Trust Fund include:

(i) funding the operation and maintenance of 9-1-1 systems, enhanced 9-1-1 systems, and Next Generation 9-1-1 services, including:

1. equipment and software utilized directly for providing 9-1-1 services by a public safety answering point;
2. protocol systems and software utilized directly for providing 9-1-1 services by a public safety answering point;
3. interpretation services provided for a public safety answering point;
4. services provided for a public safety answering point to ensure improved access to individuals with disabilities and other individuals who use assistive technology; and
5. voice, data, and call log recorders utilized to capture information from 9-1-1 systems, enhanced 9-1-1 systems, and Next Generation 9-1-1 services;

(ii) funding the operation and maintenance of 9-1-1 systems, enhanced 9-1-1 systems, and Next Generation 9-1-1 services connectivity and infrastructure equipment, including:

1. automatic number and location identification; and
2. Primary Rate Interface and Session Initiation Protocol trunking for 10-digit emergency and nonemergency lines;

(iii) funding geographical information systems hardware, software, data development, and data management costs incurred for the effective operation of 9-1-1 systems, enhanced 9-1-1 systems, and Next Generation 9-1-1 services, including:

1. mapping equipment;
2. interfaces to computer-aided dispatch; and
3. geographical information systems base layer development and management;

(iv) funding public safety answering point facilities costs, including access control, security systems, and standby power;

(v) funding costs for public education materials;

(vi) funding the training of county personnel working in or directly supporting a public safety answering point;

(vii) funding the provision of tuition reimbursement for 9-1-1 specialists for educational programs related to the 9-1-1 specialist career field; and

(viii) funding costs to maintain the cybersecurity of 9-1-1 systems, enhanced 9-1-1 systems, and

(3) Funding allocated in accordance with paragraph (2) of this subsection may not be utilized for the payment of the salary of public safety answering point personnel or county personnel.

#### Composition

(c) The 9-1-1 Trust Fund consists of:

- (1) money from the 9-1-1 fee collected and remitted to the Comptroller under § 1-310 of this subtitle;
- (2) money from the additional charge collected and remitted to the Comptroller under § 1-311 of this subtitle;
- (3) money from the prepaid wireless E 9-1-1 fee collected and remitted to the Comptroller under § 1-313 of this subtitle; and
- (4) investment earnings of the 9-1-1 Trust Fund.

(d) Money in the 9-1-1 Trust Fund shall be held in the State Treasury.

#### Administration

(e) The Secretary shall administer the 9-1-1 Trust Fund, subject to the guidelines for financial management and budgeting established by the Department of Budget and Management.

(f) The Secretary shall direct the Comptroller to establish separate accounts in the 9-1-1 Trust Fund for the payment of administrative expenses and for each county.

(g)(1) Any investment earnings shall be credited to the 9-1-1 Trust Fund.

(2) The Comptroller shall allocate the investment income among the accounts in the 9-1-1 Trust Fund, prorated on the basis of the total fees collected in each county.

#### **§ 1-309. Appropriations and disbursements from 9-1-1 Trust Fund**

(a) On recommendation of the Board, each year the Secretary shall request an appropriation from the 9-1-1 Trust Fund in an amount sufficient to:

- (1) carry out the purposes of this subtitle;
- (2) pay the administrative costs chargeable to the 9-1-1 Trust Fund; and
- (3) reimburse counties for the cost of enhancing a 9-1-1 system.

(b)(1) Subject to the limitations under subsection (e) of this section, the Comptroller shall disburse the money in the 9-1-1 Trust Fund as provided in this subsection.

(2) Each July 1, the Comptroller shall allocate sufficient money from the State 9-1-1 fee to pay the costs of administering the 9-1-1 Trust Fund.

(3) As directed by the Secretary and in accordance with the State budget, the Comptroller, from the appropriate account, shall:

- (i) reimburse counties for the cost of enhancing a 9-1-1 system;
- (ii) pay contractors in accordance with § 1-306(b)(12) of this subtitle; and

(iii) pay the costs associated with maintenance, operations, and programs approved by the Board in accordance with § 1-308(b) of this subtitle.

(4)(i) The Comptroller shall pay to each county from its account the money requested by the county to pay the maintenance and operation costs of the county's 9-1-1 system in accordance with the State budget.

(ii) The Comptroller shall pay the money for maintenance and operation costs on September 30, December 31, March 31, and June 30 of each year.

(c)(1) Money accruing to the 9-1-1 Trust Fund may be used as provided in this subsection.

(2) Money collected from the State 9-1-1 fee may be used only to:

(i) pay the administrative costs chargeable to the 9-1-1 Trust Fund;

(ii) reimburse counties for the cost of enhancing a 9-1-1 system;

(iii) pay contractors in accordance with § 1-306(b)(12) of this subtitle; and

(iv) pay the costs associated with maintenance, operations, and programs approved by the Board in accordance with § 1-308(b) of this subtitle.

(3) Money collected from the county 9-1-1 fee may be used by the counties only for the maintenance and operation costs of the 9-1-1 system.

(4) Money collected from the prepaid wireless E 9-1-1 fee shall be used as follows:

(i) 25% for the same purpose as the 9-1-1 fee under paragraph (2) of this subsection; and

(ii) 75% for the same purpose as the county 9-1-1 fee under paragraph (3) of this subsection, prorated on the basis of the total fees collected in each county.

(5) Money accruing to the 9-1-1 Trust Fund may not be used for the maintenance or operation of communications centers other than public safety answering points.

(d)(1) Reimbursement may be made only to the extent that county money was used to enhance the 9-1-1 system.

(2) Reimbursement for the enhancement of 9-1-1 systems shall include the installation of equipment for automatic number identification, automatic location identification, and other technological advancements that the Board requires.

(3) Reimbursement from money collected from the State 9-1-1 fee may be used only for 9-1-1 system enhancements approved by the Board.

(e)(1) The Board may direct the Comptroller to withhold from a county money for 9-1-1 system expenditures if the county violates this subtitle or a regulation of the Board.

(2)(i) The Board shall state publicly in writing its reason for withholding money from a county and shall record its reason in the minutes of the Board.

(ii) On reaching its decision to withhold money, the Board shall notify the county.

- (iii) The county has 30 days after the date of notification to respond in writing to the Board.
- (3)(i) On notification by the Board, the Comptroller shall hold money for the county in the county's account in the 9-1-1 Trust Fund.
- (ii) Money held by the Comptroller under subparagraph (i) of this paragraph does not accrue interest for the county.
- (iii) Interest income earned on money held by the Comptroller under subparagraph (i) of this paragraph accrues to the 9-1-1 Trust Fund.
- (4) County money withheld by the Comptroller shall be withheld until the Board directs the Comptroller to release the money.
- (f)(1) The Legislative Auditor may conduct fiscal/compliance audits of the 9-1-1 Trust Fund and of the appropriations and disbursements made for purposes of this subtitle.
- (2) The cost of the fiscal portion of the audits shall be paid from the 9-1-1 Trust Fund as an administrative cost.

**§ 1-309.1. Cybersecurity standards for public safety answering points**

- (a) In consultation with the Maryland Cybersecurity Council established under § 9-2901 of the State Government Article, the Board shall establish cybersecurity standards for public safety answering points based on national industry and 9-1-1 system trade association best practices, including standards concerning response protocols in the event of a cybersecurity attack on a public safety answering point.
- (b) At least once each year on a date determined by the Board and in advance of submitting a request for or receiving any money from the 9-1-1 Trust Fund, the director of each public safety answering point shall examine the cybersecurity of the public safety answering point to determine whether the cybersecurity defenses employed by the public safety answering point satisfy the standards established by the Board under subsection (a) of this section and submit to the Board a report detailing the results of that exercise.
- (c) If a director of a public safety answering point fails to submit a report required under subsection (b) of this section, the Board may not authorize any money from the 9-1-1 Trust Fund to be paid to a county serviced by the public safety answering point until that report has been submitted.

**§ 1-310. State 9-1-1 fee**

- (a) This section does not apply to prepaid wireless telecommunications service.
- In general
- (b) Each subscriber to switched local exchange access service or CMRS or other 9-1-1-accessible service shall pay a State 9-1-1 fee.

(c)(1) Subject to paragraphs (2) through (5) of this subsection, the State 9-1-1 fee is 50 cents per month for each switched local exchange access service, CMRS, or other 9-1-1-accessible service provided, payable when the bill for the service is due.

(2) Except as provided in paragraphs (3) through (5) of this subsection, if a service provider provisions to the same individual or person the voice channel capacity to make more than one simultaneous outbound call from a 9-1-1-accessible service, each separate outbound call voice channel capacity, regardless of the technology, shall constitute a separate 9-1-1-accessible service for purposes of calculating the State 9-1-1 fee due under paragraph (1) of this subsection.

(3) CMRS provided to multiple devices that share a mobile telephone number shall be treated as a single 9-1-1-accessible service for purposes of calculating the State 9-1-1 fee due under paragraph (1) of this subsection.

(4) A broadband connection not used for telephone service may not constitute a separate voice channel capacity for purposes of calculating the State 9-1-1 fee due under paragraph (1) of this subsection.

(5)(i) For a telephone service that provides, to multiple locations, shared simultaneous outbound voice channel capacity configured to provide local dial in different states, the voice channel capacity to which the State 9-1-1 fee due under paragraph (1) of this subsection applies is only the portion of the shared voice channel capacity in the State identified by the service supplier's books and records.

(ii) In determining the portion of shared capacity in the State, a service supplier may rely on, among other factors, a customer's certification of the customer's allocation of capacity in the State, which may be based on:

1. each end user location;
2. the total number of end users; and
3. the number of end users at each end user location.

(d)(1) The Public Service Commission shall direct each telephone company to add the State 9-1-1 fee to all current bills rendered for switched local exchange access service in the State.

(2) Each telephone company:

(i) shall act as a collection agent for the 9-1-1 Trust Fund with respect to the 9-1-1 fees;

(ii) shall remit all money collected to the Comptroller on a monthly basis;

(iii) shall keep records of 9-1-1 fees collected and remitted under this paragraph for at least 4 years after the fee is remitted; and

(iv) is entitled to credit, against the money from the State 9-1-1 fees to be remitted to the Comptroller, an amount equal to 0.50% of the State 9-1-1 fees to cover the expenses of billing, collecting, remitting, and keeping records of the State 9-1-1 fees and county 9-1-1 fees.

(3) The Comptroller shall deposit the money remitted in the 9-1-1 Trust Fund.

#### Collection-By 9-1-1 service carriers

(e)(1) Each 9-1-1 service carrier shall add the State 9-1-1 fee to all current bills rendered for CMRS or other 9-1-1-accessible service in the State.

(2) Each 9-1-1 service carrier:

(i) shall act as a collection agent for the 9-1-1 Trust Fund with respect to the 9-1-1 fees;

(ii) shall remit all money collected to the Comptroller on a monthly basis;

(iii) shall keep records of 9-1-1 fees collected and remitted under this paragraph for at least 4 years after the fee is remitted; and

(iv) is entitled to credit, against the money from the State 9-1-1 fees to be remitted to the Comptroller, an amount equal to 0.50% of the State 9-1-1 fees to cover the expenses of billing, collecting, remitting, and keeping records of the State 9-1-1 fees and county 9-1-1 fees.

(3) The Comptroller shall deposit the money remitted in the 9-1-1 Trust Fund.

#### Procedures for auditing surcharge collection and remittance

(f)(1) The Comptroller, in consultation with the Board, shall adopt procedures for auditing surcharge collection and remittance by telephone companies and CMRS providers of 9-1-1 fees collected under this section and under § 1-311 of this subtitle.

(2) The procedures adopted under paragraph (1) of this subsection shall be consistent with the audit and appeal procedures established for the sales and use tax under Titles 11 and 13 of the Tax--General Article.

(3) The Comptroller may issue an administrative subpoena to compel compliance with an audit conducted under this subsection.

(4) The Comptroller shall develop and distribute informational materials to telephone companies and CMRS providers regarding:

(i) proper collection and remittance of 9-1-1 fees; and

(ii) the audit procedures adopted under paragraph (1) of this subsection.

(5) On request of a telephone company or CMRS provider, and except as otherwise required by law, the information that the telephone company or CMRS provider reports to the Comptroller shall be confidential, privileged, and proprietary and may not be disclosed to any person other than the telephone company or CMRS provider.

(6) The Comptroller is entitled to an amount equal to 0.5% of the 9-1-1 fees collected under this section to cover the expenses of conducting audits under this subsection.

(7) On or before December 1 each year, the Comptroller shall submit an annual report to the Board detailing the audits conducted during the immediately preceding year and the outcome of each audit.

(8) The Comptroller may adopt regulations necessary to carry out the requirements of this subsection.

(g) Notwithstanding any other provision of this subtitle, the State 9-1-1 fee does not apply to an intermediate service line used exclusively to connect a CMRS or other 9-1-1-accessible service, other than a switched local access service, to another telephone system or switching device.

(h) A CMRS provider that pays or collects State 9-1-1 fees under this section has the same immunity from liability for transmission failures as that approved by the Public Service Commission for local exchange telephone companies that are subject to regulation by the Commission under the Public Utilities Article.

**§ 1-311. County 9-1-1 fee**

(a) This section does not apply to prepaid wireless telecommunications service.

Authorized

(b) In addition to the State 9-1-1 fee, the governing body of each county, by ordinance or resolution enacted or adopted after a public hearing, may impose a county 9-1-1 fee to be added to all current bills rendered for switched local exchange access service or CMRS or other 9-1-1-accessible service in the county.

(c)(1) Except as provided in paragraph (2) of this subsection and subject to paragraphs (3) through (6) of this subsection, the county 9-1-1 fee imposed by a county may not exceed 75 cents per month for each switched local exchange access service, CMRS, or other 9-1-1-accessible service provided.

(2) If revenues attributable to the county 9-1-1 fee for a fiscal year do not provide the revenues necessary to cover a county's operational costs for the 9-1-1 system for that fiscal year, the county may, for the following fiscal year, impose a county 9-1-1 fee not exceeding \$1.50 per month for each switched local exchange access service, CMRS, or other 9-1-1-accessible service provided.

(3) Except as provided in paragraphs (4) through (6) of this subsection, if a service provider provisions to the same individual or person the voice channel capacity to make more than one simultaneous outbound call from a 9-1-1-accessible service, each separate outbound call voice channel capacity, regardless of the technology, shall constitute a separate 9-1-1-accessible service

for purposes of calculating the county 9-1-1 fees due under paragraphs (1) and (2) of this subsection.

(4) CMRS provided to multiple devices that share a mobile telephone number shall be treated as a single 9-1-1-accessible service for purposes of calculating the county 9-1-1 fees due under paragraphs (1) and (2) of this subsection.

(5) A broadband connection not used for telephone service may not constitute a separate voice channel capacity for purposes of calculating the county 9-1-1 fees due under paragraphs (1) and (2) of this subsection.

(6)(i) For a telephone service that provides, to multiple locations, shared simultaneous outbound voice channel capacity configured to provide local dial in different states or counties, the voice channel capacity to which the 9-1-1 fee due under paragraphs (1) and (2) of this subsection applies is only the portion of the shared voice channel capacity in the county identified by the service supplier's books and records.

(ii) In determining the portion of shared capacity in the county, a service supplier may rely on, among other factors, a customer's certification of the customer's allocation of capacity in the county, which may be based on:

1. each end user location;
2. the total number of end users; and
3. the number of end users at each end user location.

(7) The amount of the county 9-1-1 fees may not exceed a level necessary to cover the total eligible maintenance and operation costs of the county.

#### Duration

(d) The county 9-1-1 fee continues in effect until repealed or modified by a subsequent county ordinance or resolution.

(e) After imposing, repealing, or modifying a county 9-1-1 fee, the county shall certify the amount of the county 9-1-1 fee to the Public Service Commission.

(f) The Public Service Commission shall direct each telephone company that provides service in a county that imposed a county 9-1-1 fee to add, within 60 days, the full amount of the county 9-1-1 fee to all current bills rendered for switched local exchange access service in the county.

#### Addition to bills-By 9-1-1 service carriers

(g) Within 60 days after a county enacts or adopts an ordinance or resolution that imposes, repeals, or modifies a county 9-1-1 fee, each 9-1-1 service carrier that provides service in the county shall add the full amount of the county 9-1-1 fee to all current bills rendered for CMRS or other 9-1-1-accessible service in the county.

(h)(1) Each telephone company and each 9-1-1 service carrier shall:

(i) act as a collection agent for the 9-1-1 Trust Fund with respect to the county 9-1-1 fee imposed by each county;

(ii) collect the money from the county 9-1-1 fee on a county basis; and

(iii) remit all money collected to the Comptroller on a monthly basis.

(2) The Comptroller shall deposit the money remitted in the 9-1-1 Trust Fund account maintained for the county that imposed the county 9-1-1 fee.

**§ 1-312. Expenditures by counties for 9-1-1 systems**

(a) During each county's fiscal year, the county may spend the amounts distributed to it from State 9-1-1 fee collections for the installation, enhancement, maintenance, and operation of a county or multicounty 9-1-1 system.

(b) Subject to the provisions of subsection (c) of this section, maintenance and operation costs may include telephone company charges, equipment costs, equipment lease charges, repairs, utilities, personnel costs, and appropriate carryover costs from previous years.

(c) During a year in which a county raises its county 9-1-1 fee under § 1-311 of this subtitle, the county:

(1) may use 9-1-1 trust funds only to supplement levels of spending by the county for 9-1-1 maintenance or operations; and

(2) may not use 9-1-1 trust funds to supplant spending by the county for 9-1-1 maintenance or operations.

(d)(1) The Board shall provide for an audit of each county's expenditures for the maintenance and operation of the county's 9-1-1 system.

(2) If an audit performed in accordance with paragraph (1) of this subsection determines that a county has utilized 9-1-1 trust funds for purposes other than those authorized under this subtitle, the governing body of the county shall:

(i) submit to the Board a report that includes an explanation for the diversion of 9-1-1 trust funds for unauthorized purposes and details the steps taken by the county to ensure that the diversion of 9-1-1 trust funds does not occur in the future; and

(ii) restore the diverted funds to the county's 9-1-1 budget within that fiscal year.

(e)(1) For a county without an operational Phase II wireless enhanced 9-1-1 system within the time frames established by the Board under § 1-306(b)(6) of this subtitle, the Board shall adopt procedures, to take effect on or after January 1, 2006, to assure that:

(i) the money collected from the county 9-1-1 fee and distributed to the county is expended during the county's fiscal year as follows:

1. for a 9-1-1 system in a county or a multicounty area with a population of 100,000 individuals or fewer, a maximum of 85% may be spent for personnel costs; and
  2. for a 9-1-1 system in a county or multicounty area with a population of over 100,000 individuals, a maximum of 70% may be spent for personnel costs; and
- (ii) the total amount collected from the State 9-1-1 fee and the county 9-1-1 fee shall be expended only for the installation, enhancement, maintenance, and operation of a county or multicounty system.
- (2) The Board may grant an exception to the provisions of paragraph (1) of this subsection in extenuating circumstances.
- (3) A county with an operational Phase II wireless enhanced 9-1-1 system is exempt from the provisions of paragraph (1) of this subsection.

**§ 1-313. Determination and collection of prepaid wireless E 9-1-1 fees**

- (a)(1) In this section the following words have the meanings indicated.
- (2) “Consumer” means a person that purchases prepaid wireless telecommunications service in a retail transaction.
- (3) “Provider” means a person that provides prepaid wireless telecommunications service under a license issued by the Federal Communications Commission.
- (4) “Retail transaction” means the purchase of prepaid wireless telecommunications service from a seller for any purpose other than resale.
- (b) There is a prepaid wireless E 9-1-1 fee of 60 cents per retail transaction.
- (c)(1)(i) The prepaid wireless E 9-1-1 fee shall be collected by the seller from the consumer for each retail transaction in the State.
- (ii) The prepaid wireless E 9-1-1 fee collected by the seller under this section is not subject to the sales and use tax under the Tax--General Article.
- (2) A retail transaction occurs in the State if:
- (i) the sale or recharge takes place at the seller's place of business located in the State;
  - (ii) the consumer's shipping address is in the State; or
  - (iii) no item is shipped, but the consumer's billing address or the location associated with the consumer's mobile telephone number is in the State.
- (d) The amount of the prepaid wireless E 9-1-1 fee shall be disclosed to the consumer at the time of the retail transaction.
- (e)(1) Except as provided in paragraph (2) of this subsection, the prepaid wireless E 9-1-1 fee is the liability of the consumer and not of the seller or of any provider.

(2) The seller is liable for remitting all prepaid wireless E 9-1-1 fees that the seller collects from consumers as provided in this section.

(f)(1) Before December 28, 2013, a seller may deduct and retain 50% of prepaid wireless E 9-1-1 fees collected from consumers for direct start-up costs.

(2) On or after December 28, 2013, a seller may deduct and retain 3% of prepaid wireless E 9-1-1 fees collected from consumers.

(g) A seller shall report and remit to the Comptroller all prepaid wireless E 9-1-1 fees collected by the seller in the manner provided for the remitting of the sales and use tax under Titles 11 and 13 of the Tax--General Article.

(h) The Comptroller shall deposit all reported and remitted prepaid wireless E 9-1-1 fees into the 9-1-1 Trust Fund within 30 days of receipt.

(i) A seller may demonstrate that a sale is not a retail transaction in a manner established by the Comptroller that is substantially similar to the procedures for demonstrating a resale for exemption from the sales and use tax under Titles 11 and 13 of the Tax--General Article.

Audit and appeal procedures

(j) For the purpose of this section, the audit and appeal procedures established for the sales and use tax under Titles 11 and 13 of the Tax--General Article apply.

(k) A seller that is not a provider of prepaid wireless telecommunications service is not liable for damages in connection with:

(1) the provision of, or failure of, 9-1-1 or E 9-1-1 service;

(2) identifying, or failing to identify, the telephone number, address, location, or name associated with any person or device that is accessing or attempting to access 9-1-1 or E 9-1-1 service; or

(3) the provision of any lawful assistance to any investigative or law enforcement officer.

Immunity from liability

(l) Providers and sellers of prepaid wireless telecommunications service have the same immunity from liability for transmission failures as that approved by the Public Service Commission for local exchange telephone companies that are subject to regulation by the Commission under the Public Utilities Article.

(m) A tax, a fee, a surcharge, or any other charge may not be imposed by the State, any political subdivision of the State, or any intergovernmental agency, for E 9-1-1 funding purposes, on any provider, seller, or consumer with respect to the sale, purchase, use, or provision of prepaid wireless telecommunications service.

(n) The Comptroller shall adopt regulations to carry out the provisions of this section.

**§ 1-314. Connection of multiple-line telephone system to allow for direct dialing of 9-1-1**

(a) In this section, “multiple-line telephone system” means a system that:

(1) consists of common control units, telephone sets, control hardware and software, and adjunct systems, including network and premises-based systems; and

(2) is designed to aggregate more than one incoming voice communication channel for use by more than one telephone.

(b)(1) Except as provided in paragraph (2) of this subsection, a person that installs or operates a multiple-line telephone system shall ensure that the system is connected to the public switched telephone network in such a way that when an individual using the system dials 9-1-1, the call connects to the public safety answering point without requiring the user to dial any other number or set of numbers.

(2) A unit of the Executive Branch of State government shall comply with paragraph (1) of this subsection on the date that the multiple-line telephone system of the unit is next upgraded.

(c) Notwithstanding any other provision of this subtitle, a county or municipality shall be responsible for enforcing subsection (b) of this section.

(d)(1) Each county or municipality may set a fine or series of fines to be issued to a person that violates subsection (b) of this section.

(2) Revenue collected under paragraph (1) of this subsection shall be returned to the county or municipality taking the enforcement action.

(e) When a county submits a request for disbursements from the 9-1-1 Trust Fund in accordance with § 1-309 of this subtitle, the county shall submit to the Board a certification of the enforcement actions taken by the county under this section.

**§ 1-315. Immunity from liability for transmission failures**

An emergency services Internet Protocol network provider and a core service provider of Next Generation 9-1-1 services have the same immunity from liability for transmission failures as that approved by the Public Service Commission for local exchange telephone companies, or for a provider of telecommunications services through evolving technology, that are subject to regulation by the Commission under the Public Utilities Article.

# CODE OF MARYLAND REGULATIONS

12.11.03.00

Title 12 DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

## ***Subtitle 11 OFFICE OF THE SECRETARY***

### **Chapter 03 9-1-1 Emergency Telephone System**

**Authority: Public Safety Article, Title 1, Subtitle 3, Correctional Services Article, §2-109; Annotated Code of Maryland**

12.11.03.01

#### **.01 Emergency Number Systems Board Authority.**

The Emergency Number Systems Board shall coordinate the implementation, enhancement, maintenance, and operation of county or multicounty 9-1-1 systems.

12.11.03.02

#### **.02 Definitions.**

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Additional charge" has the meaning stated in Public Safety Article, §1-301, Annotated Code of Maryland.

(2) "Board" means the Emergency Number Systems Board.

(3) "9-1-1 system" means a telephone service or any other communication service that meets the planning guidelines under Public Safety Article, §1-306, Annotated Code of Maryland, and automatically connects an individual dialing the digits 9-1-1 to a public safety answering point.

(4) "Public safety answering point" has the meaning stated in Public Safety Article, §1-301, Annotated Code of Maryland.

12.11.03.03

#### **.03 The Emergency Number Systems Board.**

A. The Emergency Number Systems Board is under the direction of the Secretary of Public Safety and Correctional Services.

B. Board membership shall be according to Public Safety Article, §1-305, Annotated Code of Maryland.

- C. The Board shall meet as necessary, but not less than quarterly each calendar year.
- D. The Board requires a majority of confirmed members present at a meeting to constitute a quorum.
- E. The Board requires a majority vote of members present at a meeting before taking action.
- F. The Board shall coordinate enhancement of county or multicounty 9-1-1 systems according to provisions under Public Safety Article, §1-306, Annotated Code of Maryland.

*12.11.03.04*

#### **.04 Implementation by County or Multicounty Area.**

A county or multicounty area shall maintain an enhanced 9-1-1 system that:

- A. Uses the digits 9-1-1 as the published emergency telephone number for access to emergency services;
- B. Has public safety answering points that provide 24-hour public access and dispatch service;
- C. Provides transfer and referrals to related public safety services;
- D. Provides for staffing all public safety answering points with personnel trained as required by this chapter;
- E. Provides for equipping all public safety answering points with adequate access to TTY equipment to facilitate use by an individual with a speech or hearing disability;
- F. Provides access to services for an individual who does not speak or understand the English language;
- G. May provide access to local emergency management centers for all public safety answering points;
- H. Permits a county to designate a public safety answering point using cooperative arrangements acceptable to the participating agencies;
- I. Permits public safety answering points to transfer or relay emergency calls received requiring services outside of the jurisdiction of the system receiving the call;
- J. Maintains a current master street address guide and communicates updated information to parties responsible for an automatic number identification (ANI) and automatic location identification (ALI) system;
- K. Uses telephone equipment and services that provide:
  - (1) A visual or audible indication, or both, of an incoming call;
  - (2) The capability for the call taker to monitor a transferred call to ensure that the call is properly transferred;
  - (3) Annual telephone company monitoring of service to determine the grade of service and, if appropriate, to make recommendations to ensure that not more than one busy signal in every 100 incoming calls during an average busy hour is maintained; and
  - (4) Documentation of the date and time a 9-1-1 call is received; and

L. Has a sufficient number of call takers and equipment to consistently answer incoming calls on a daily average of 10 seconds or less.

*12.11.03.05*

### **.05 Plans for More Than One Public Safety Answering Point in a County.**

A county with a plan for more than one public safety answering point in the county shall submit the plan to the Board for consideration subject to the following:

A. The county administration submitting the plan and not the individual agency within the county shall receive and distribute funding; and

B. The plan shall meet the criteria established under this chapter, unless the Board approves a variation.

*12.11.03.06*

### **.06 Minimum Enhanced 9-1-1 System Requirements.**

At a minimum, an enhanced 9-1-1 system implemented in Maryland shall include:

A. Sufficient incoming 9-1-1 lines for each telephone central office to ensure that not more than one in 100 call attempts during the average busy hour is blocked;

B. Connections to all public safety agencies covered by the system;

C. 24 hour, 7 day operation of the public safety answering point staffed with personnel trained as required under this chapter;

D. First priority to answering 9-1-1 calls;

E. Electronic recording of all 9-1-1 calls;

F. Playback capability of all 9-1-1 calls;

G. Connection to adjacent public safety answering points by private lines when there is a telephone exchange and jurisdictional boundary not covered by selective routing;

H. Security measures sufficient to minimize intentional disruption of the operation;

I. Standby emergency electrical power to keep the public safety answering point operating when commercial power fails;

J. At least one administrative line for nonemergency calls;

K. Written operational procedures;

L. Automatic location identification (ALI) which displays, at the public safety answering point, the address or location of the calling instrument;

M. Automatic number identification (ANI) which displays, at the public safety answering point, the calling telephone number;

N. Central office identification used to identify dedicated lines or trunks from a central office when a public safety answering point serves more than one central office;

O. A distinct tone, visible signal, or other process for:

- (1) Alerting the call taker that an incoming 9-1-1 call was disconnected; and
- (2) Receiving and displaying the telephone number with ANI and ALI information for a disconnected 9-1-1 call, when available;

P. Providing access to services for an individual:

- (1) With a speech or hearing disability; or
- (2) Who does not speak or understand the English language; and

Q. Other technical advances approved by the Board.

*12.11.03.07*

## **.07 Minimum Features of a 3-1-1 System.**

A. A county or multicounty system may establish a 3-1-1 system to reduce congestion on the 9-1-1 system operation.

B. At a minimum, a 3-1-1 system shall include the following:

- (1) Switching or programming to direct a 3-1-1 call to a nonemergency answering position;
- (2) A 3-1-1 answering position that shall be capable of:
  - (a) Immediately transferring an emergency call to a 9-1-1 answering position or an adjoining public safety answering point;
  - (b) Transferring a nonemergency call to an adjoining jurisdiction or appropriate agency; and
  - (c) Providing an individual:
    - (i) With a speech or hearing disability access to TTY services; or
    - (ii) Who does not speak or understand the English language access to alternative communication services; and
- (3) A 3-1-1 call taker trained to handle nonemergency calls and to transfer emergency calls to a 9-1-1 call taker.

*12.11.03.08*

## **.08 Operational Plan.**

A. A county or multicounty system shall have and maintain a written operational plan for public safety services signed by public safety agencies within the public safety answering point area of responsibility.

B. A public safety agency included in an operational plan under §A of this regulation shall be familiar with the operational procedures of the other public safety agencies included in the same operational plan.

C. An operational plan shall provide for uniform methods and procedures to ensure effective interagency communications.

*12.11.03.09*

## **.09 Safeguarding Telephone Circuits by Telephone Companies.**

A. A facility housing 9-1-1 telephone equipment shall:

- (1) Be equipped at all exposed terminations, including central office distributing frames, with protective devices that prevent accidental worker contact; and
- (2) Include clearly identified protected terminations to distinguish protected terminations from other circuitry.

B. A protected circuit may not be opened, grounded, short-circuited, or manipulated in any way by a telephone company worker without the local telephone company first obtaining approval for circuit release from the appropriate public safety answering point.

C. A telephone company shall ensure that telephone company employees who work in facilities associated with the 9-1-1 service are familiar with procedures for safeguarding 9-1-1 system equipment.

*12.11.03.10*

## **.10 Public Safety Answering Point Training.**

A. A county shall staff a public safety answering point with personnel who can properly process a call from a machine used by an individual who has a speech or hearing impairment.

B. Within 6 months of hiring a public safety answering point call taker, a county shall train the new call taker using a curriculum adopted or approved by the Board.

C. A county shall provide a public safety answering point call taker with yearly in-service training using a curriculum adopted or approved by the Board.

D. Training shall include:

- (1) Public safety answering point orientation;
- (2) Communication skills;
- (3) Electronic systems;
- (4) Policies and procedures;
- (5) Call processing;
- (6) Documentation;
- (7) Dispatch procedures;

- (8) Stress management;
- (9) Public relations;
- (10) Administrative duties; and
- (11) Disaster and major incident training.

*12.11.03.11*

## **.11 9-1-1 Fees.**

A. The Board shall ensure that collection, maintenance, dispersal, and auditing of 9-1-1 fees is conducted according to Public Safety Article, §§1-308—1-312, Annotated Code of Maryland.

B. Additional Charges—Local Government.

(1) In addition to the fee charged under Public Safety Article, §1-310, Annotated Code of Maryland, a county with an operational 9-1-1 system under Public Safety Article, §1-304, Annotated Code of Maryland, may, by ordinance or resolution after public hearing, enact or adopt an additional monthly charge not to exceed the limits under Public Safety Article, §1-311, Annotated Code of Maryland, to be applied to current bills, within that county, for:

- (a) Switched local exchange access service; and
- (b) Wireless telephone service or other 9-1-1 accessible service.

(2) A county authorizing an additional charge under §B of this regulation and maintaining an enhanced 9-1-1 system shall be subject to an annual Board-authorized independent audit of authorized 9-1-1 expenditures pursuant to Public Safety Article, §1-312, Annotated Code of Maryland.

*12.11.03.12*

## **.12 Equipment Which Qualifies for Funding or Reimbursement.**

A. Equipment that qualifies for purchase with funds from the 9-1-1 Trust Fund includes:

- (1) Equipment for connecting and outswitching 9-1-1 calls within a telephone central office;
- (2) Trunking facilities from the central office to a public safety answering point;
- (3) Equipment to connect 9-1-1 calls to the appropriate public safety agency; and
- (4) Equipment for a 3-1-1 system.

B. Equipment necessary to constitute an enhanced 9-1-1 system shall be used for:

- (1) Automatic number identification (ANI);
- (2) Automatic location identification (ALI); or
- (3) Other technical equipment the Board may require.

C. Computer aided dispatch equipment is not a part of a 9-1-1 system, except when the Board determines that an interface is necessary to properly process 9-1-1 calls.

*12.11.03.13*

### **.13 Submission of 9-1-1 Plan.**

A. A county requesting reimbursement from the 9-1-1 Trust Fund for mandated equipment, 9-1-1 enhancements, or technological advancements shall submit the request to the Board for approval.

B. A county shall submit a plan, request, report, or question to the Chairman, Emergency Number Systems Board.

*12.11.03.14*

### **.14 Request for Reimbursement from the 9-1-1 Trust Fund.**

A. A county shall submit a request for reimbursement from the 9-1-1 Trust Fund to the Board in a format and according to procedures established by the Board.

B. Reimbursement Processing.

(1) A county public safety answering point director or a 9-1-1 administrator shall submit a written or electronic request for reimbursement to the Board so that it is received at least 2 weeks before a Board meeting at which it is to be considered.

(2) The county's public safety answering point director or 9-1-1 administrator, or a designee, shall attend the meeting at which the request is to be considered.

(3) The Board shall review the request and, if approved, encumber funds up to the amount of the request.

(4) The county shall ensure that the county's procurement laws and policies are followed.

*12.11.03.15*

### **.15 Variations or Waivers of Regulations.**

A. Upon request by a county, the Board may grant a waiver or variance of the regulations contained in this chapter.

B. A county may submit a written or electronic request for waiver or variance to the Board that includes:

- (1) Number of persons affected;
- (2) Impact of a variance or waiver;
- (3) Alternative methods;
- (4) Technical difficulties;
- (5) Cost.

C. The Board shall consider:

- (1) The information for each of the areas cited in §B of this regulation; and
- (2) The best interests of the affected parties, the applicant, and the Emergency Number Systems Board.

D. An affected party shall have the right to present, either in writing or through oral testimony, information which may bear on the Board's final decision.

E. Processing a Request for Waiver or Variance.

- (1) Upon receipt of a written request for waiver or variance, the Board shall:

(a) Within 10 days of receipt of the request, direct a letter to the applicant, which shall:

(i) Acknowledge receipt; and

(ii) Notify the applicant that additional information may be submitted, within 30 days, for the Board to consider during the review; and

(b) Review the documents or conduct a hearing.

(2) If the Board elects to review the documents, the review shall be conducted at a regular Board meeting within 60 days after the expiration of the 30-day period granted to the applicant to submit additional information.

(3) If the Board elects to conduct a hearing, the Board shall:

(a) Notify the applicant and affected parties of the hearing at least 10 days before the hearing and provide the hearing:

(i) Date;

(ii) Time; and

(iii) Location; and

(b) Conduct the hearing according to State Government Article, Title 10, Subtitle 2, Annotated Code of Maryland.

*12.11.03.16*

## **.16 9-1-1 System Violations.**

A. The Board may instruct the State Comptroller to withhold funds from a county for 9-1-1 system expenditures for a violation under:

(1) Public Safety Article, §1-312, Annotated Code of Maryland; or

(2) The regulations in this chapter.

B. Withholding Funds.

(1) If the Board decides to withhold funds, the Board shall:

(a) Identify, in writing, the reason or reasons for withholding funds;

(b) Record the reason or reasons in the minutes of the meeting;

(c) Notify the county that the county has 30 days from the date of notification to respond in writing to the Board; and

(d) Notify the State Comptroller to hold funds, in that county's account within the 9-1-1 Trust Fund, until the Board advises the Comptroller that the funds may be released.

(2) Funds held by the Comptroller under this section may not accrue interest for a county.

(3) Interest income earned on funds held by the Comptroller under this regulation shall be diverted to the 9-1-1 Trust Fund.

C. The Board shall notify the Secretary of action taken under §A or B of this regulation.

*12.11.03.17*

### **.17 Decisions of the Board.**

After the Board conducts a hearing or a review of a request under this chapter, the Board shall ensure that the Board's decision is:

A. In writing and stated in the record;

B. Accompanied by findings of fact and conclusions; and

C. Provided to the applicant with a copy of the written record containing the information noted under §§A and B of this regulation.