

EMERGENCY NUMBER SYSTEMS BOARD

FISCAL YEAR 2000 - 2001

PARRIS N. GLENDENING
GOVERNOR

KATHLEEN KENNEDY TOWNSEND
LIEUTENANT GOVERNOR

STUART O. SIMMS
SECRETARY

ANTHONY MYERS
ACTING CHAIRMAN



STATE OF MARYLAND

DEPARTMENT OF PUBLIC SAFETY & CORRECTIONAL
SERVICES

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J. SCOTT WHITNEY
COORDINATOR

J. KENNEITH BATTLE
FISCAL COORDINATOR

November 20, 2001

Mr. Stuart O. Simms, Secretary
Department of Public Safety and Correctional Services
300 East Joppa Road Suite 1000
Baltimore, MD 21286

Dear Mr. Secretary:

On behalf of the membership of the Emergency Numbers Systems Board, the more than 400 9-1-1 Dispatchers of Maryland, the 24 dispatch centers and the communities they serve, I am pleased to transmit the 2001 Annual Report as required by Article 41, Title 18 of the Annotated Code of Maryland. I am certain you will find it informative and responsive to the needs of Maryland's citizens

On September 11, 2001, while the events of the terrorist attack on the United States were unfolding and the hijacked planes were still in the air, the National Emergency Numbers Association (NENA) was presenting a Report Card to the Nation on the effectiveness, accessibility and future of America's 9-1-1 Service. The presentation before Congress was interrupted as notice of the attack on the Pentagon reached the floor and the membership. The events that immediately followed have become an unfortunate part of our nation's history. American citizens have appropriately honored the emergency service personnel who answered the bell, responded to the call, and heroically gave of themselves. These fallen heroes shall not be forgotten.

What became lost in these tragic events was NENA's Report Card to the Nation and the appreciation of those who sounded the bell and brought together the resources and information necessary to get the job done. The Report Card, which you will find included in this report, gave the nation an "A-" in quality of service. This grade would likely be revised to an "A+", having the added insight of the events of September 11th. It would be fitting and proper to recognize those in the 9-1-1 centers across the country that are the first to see crisis, tragedy and disaster through initial contact with victims and witnesses. These individuals should be honored along with the first responders of September 11th, for these are also true heroes.

I am pleased to report that the State of Maryland enjoys excellent enhanced 9-1-1 services in all 24 jurisdictions. The Board continues to advance the cause of public safety through responsible stewardship of available resources and dedication to recognized best practices in the emergency communications industry.

Sincerely,

Anthony Myers, Acting Chairman

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I. Introduction

The Mission of the Emergency Numbers Systems Board, hereafter ENSB, is to provide advice, guidance, funding, as well as infrastructure and auditing support for Maryland's 9-1-1 and 3-1-1 systems. There are currently 24 such systems in Maryland, which are supported by revenues collected from phone service bills as of June 30, 2001 numbered twenty-seven wireline providers and twenty-one wireless providers.

The statute that enables and defines the ENSB and its functions is codified in Article 41 Sections 18-101 through 18-108. The specifications of this report are also defined in the statute and include the following six areas:

1.	Types of 9-1-1 Systems Operating	Page	9
2.	Total State and County Fee Charged	Page	14
3.	Funding Formula in Effect by County	Page	14
4.	Statutory or regulatory violations by a county		None
5.	Efforts to Establish an Enhanced 9-1-1 System	Page	6
6.	Any Suggested Changes to this Sub-Title	Page	7

You may note that this report goes beyond the statutory requirements by speaking to current industry challenges and future goals of the ENSB in making 9-1-1 even more capable and responsive to the interests of public safety.

II. Executive Summary

The membership of the ENSB as defined in the statute includes a diverse and technically astute group of professionals from the emergency services and communications industries. The members serve a four-year term upon appointment by the Governor and meet monthly to examine current trends and needs of the 24 Public Safety Answering Points, hereafter called PSAPs.

The mission of the ENSB is to provide guidance and direction with the goal of realizing “enhanced” service in all of our PSAPs. Enhanced is defined in the statute as having the capacity for the 9-1-1 call taker to view a displayed callback number and location information either in the form of an address or map indicator. This goal was achieved in 1998 and wireline enhanced 9-1-1 service became available to all Maryland communities.

The current direction of the Board is to evaluate and fund county plans for enhancements beyond that envisioned in 1979 when the statute was first signed into law. It is examining issues presented by the advent of wireless telephone communications as well as training standards and the national security issues presented by the events of September 11th.

In order to evaluate the soundness of Maryland’s 9-1-1 infrastructure and to provide coordination support, the University of Maryland through a grant from the Governor’s Office of Crime Control and Prevention funded the executive director’s position for one year. With the collaboration of the Department of Public Safety and Correctional Services, the new director was appointed in June of 2001. The evaluation is in conjunction with Lt. Governor Townsend’s initiative in evaluating emergency infrastructure preparedness.

In order to further facilitate the execution of the Mission of the ENSB, several sub committees were formed or in some cases re-activated, to include supporting consultative membership from outside the board. These include:

- **Training and Education** – to provide and enhance entrance level training for 9-1-1 dispatchers as well as in-service training for existing positions.
- **Standards** – to provide guidance on best practices in equipment, employee selection, policy, etc
- **Wireless Issues** – to deal with the technical and legislative aspects of the wireless industry impact on 9-1-1
- **Legislative and Public Affairs** – to deal with pending legislation and public affairs for the ENSB and 9-1-1 Services in Maryland

The ENSB remains committed to supporting 9-1-1 in Maryland and believes Maryland enjoys excellent service from each of its 9-1-1 centers and the emergency services they support. The Report Card to the Nation, which is appended to this report, speaks to the state of the Nation’s 9-1-1 system in terms of availability and customer satisfaction. Maryland’s experience is not atypical.

III. Article 41

Article 41 is the defining and enabling statute, which drives the functions of the ENSB. The applicable sections are found in their entirety in Appendix D

Suggested Changes to Article 41

- Amendment of fee collection protocol to reflect a more equitable strategy. Current per bill collection does not recognize multiple lines or instruments served by the 9-1-1 system.
- Amendment of the fee amount to more adequately meet systemic demand.
- Modification of the board membership to include PSAP representation. Candidates for this position(s) might be solicited from the Maryland Emergency Numbers Association
- Statutory provision for a wireless sub committee to examine wireless issues that require access to proprietary information. Would not include wireless industry representative to ensure confidentiality and protect competitive status of providers
- Statutory provision for independent audits of providers to ensure remissions of fees are appropriate to the numbers of customers
- A statutory strategy for wireless industry cost recovery which would facilitate Phase I and II compliance, avoid impact on current 9-1-1 funding levels, and ensure coverage throughout the state by each wireless provider trading in Maryland

IV. The Code of Maryland Regulations (COMAR)

The Code of Maryland Regulations (COMAR), which further codifies the Board and describes in detail its essential functions and responsibilities is found in Appendix E.

V. History Of 9-1-1 In Maryland - Synopsis

The early years – In the early 70s the Federal Law enforcement Assistance Administration provided funding for a number of local jurisdictions to implement 9-1-1. Charles County was the first in 1972 followed by Prince George's in 1973 and Montgomery in 1974.

1979 - Maryland became the second state in the Union to adopt 9-1-1 as the universal number for emergency services access. Since that time it has become a household icon for public safety access and information. This legislation became codified as Article 41 Title 18.

The standard of the industry was essentially a 24-hour answering service while automatic number information (ANI) and automatic location information (ALI), which displayed caller number and location information respectively, were on the drawing board

1980 - The ENSB published Local Government Planning guidelines for 9-1-1 Systems followed by a series of planning and implementation meetings with PSAP Directors.

- Ten Cent phone bill surcharge is established to fund development

1983 - The Statute enabling the ENSB was amended to include authority for Counties to charge a fee via monthly phone bills to offset operational expenses.

1995 - All counties were required to have enhanced systems in place, i.e. city style addresses vs. route and box numbers and ANI and ALI capability. County authority to extend fee to wireless providers was granted.

1995 - the ENSB was expanded to include a member of the wireless community

1996 - FCC regulation including milestones for ANI and ALI for the wireless industry was published. Phase I or ANI capable calling was to be complete by April 1, 1998 and Phase II or ALI capable wireless call identification was to be in place by October 1, 2001.

1998 - The training sub-committee developed a standardized 40-hour entrance level training course for 9-1-1 dispatchers. 25 trainers and 7 regional coordinators were identified to disseminate the curriculum.

2000 - Legislative initiative re-drafting Article 41 – sent to summer study

2001 - Governor's Office of Crime Control and Prevention authors a grant for coordination and evaluation

- Coordinator appointed 6/01
- Board membership augmented toward full strength 7/01
- Sub committees established for critical subjects 8/01 - 9/01
- PSAP Inspections resumed 8/01

- Fiscal Coordinator appointed 10/01

VI. Membership of the Board

The enabling legislation of 1979, amended in 1997, describes the membership of the board with thirteen members drawn from private and public sectors by Governor appointment. The members serve four-year terms without compensation and are required to meet at least quarterly. The current membership is described in Appendix A.

In the formative years of the early 80s, the board met monthly to address issues of marketing, deployment, equipment, training and other issues. As 9-1-1 became more institutionalized and availability widespread the board was able to reduce the meeting requirements.

The technical nature of 9-1-1 communications became more pronounced through the 80s and 90s with the advent of computer aided dispatch, 800 mh radio, multiple agencies providing emergency response, professional and fraternal employee organizations, and most recently wireless telephone communications. These have brought about fundamental changes in the 9-1-1 infrastructure and added personnel and equipment challenges. To this end, funding requests escalated exponentially and the board was met with the challenge of stewardship of insufficient dollars to meet need. The board currently meets monthly with odd months in general session and even months in executive session.

The Board has enjoyed the support of the Department of Public Safety and Correctional Services (DPSCS) fiscal offices in providing auditing and accounting support. In order to alleviate a further drain of their manpower, the ENSB through DPSCS has recently employed a full time accountant in support of the ENSB mission.

The Board has long recognized the need for entrance and in-service level training for dispatchers and supervisors. The vacancy created by the last training coordinator has been a source of concern both for the board and for PSAPS throughout Maryland. DPSCS is in the process of advertising and selecting a training coordinator working directly for the board in execution of the training mission.

Appendix A includes a chart of the board membership and the organizations each member represents.

VII. Types of 9-1-1 Systems in Maryland

Maryland has progressed toward all PSAPs having “enhanced” capability and successfully enabled each to have ANI/ALI display for wireline 9-1-1 calls. This met the intent of Article 41, which was originally authored prior to the advent of wireless. There have been no amendments, which specifically deal with ANI/ALI capacity for wireless although the Emergency Numbers Board recognizes the importance of this capacity and is advancing with all diligence in bringing it to Maryland.

The Federal Communications Commission has required the wireless industry by regulation, to be ALI compliant by October 2001. Obviously, this date has come and gone and the capacity is not yet in place. Some of this has to do with available technology, some with funding. The FCC is granting waivers to this regulation for those carriers who request it and with these waivers are requiring specific time lines of performance. 9-1-1 Centers are looking to ALI preparedness by including “mapping” in their equipment and infrastructure planning. Currently six jurisdictions have mapping capacity at the console,

The Board is aware of only one jurisdiction in the United States which currently has ALI capability in operation and which was showcased at the recent NENA (National Emergency Numbers Association) Conference held in late October 2001. This site is located in St. Clair County, IL.

PSAP Inspections in Maryland reveal a wide range of sizes and call volumes from as few as four dispatch positions to over 40 in higher population centers. Each has its unique advantages and problems as defined by the communities they serve. The Board is actively seeking to explore “best practices” to provide recommendations in answering the challenges that are faced by multiple centers and to provide economies of scale in procurement. Some of these include standards in mapping technology, logging recorders, and backup power supplies.

VIII. Funding

Maryland's PSAPs derive a significant portion of their funding from a surcharge levied on each telephone bill and remitted by the carriers to the Comptroller each month. There are currently two funding streams to include the ten-cent fee, which is distributed at the discretion of the ENSB to counties making enhancement requests. The second is an adjustable fee in an amount determined by each county up to \$.50 per month.

The intent of the 10-cent fee was to offset the disparity in fees collected in less populated counties yet is available to requests from any PSAP jurisdiction.

Appendix B is a chart of the formula applied by each county followed by the amount actually collected and remitted to that county during this fiscal year.

Appendix C is a chart of the awards granted and encumbered in FY 01 broken down by county. These include equipment, training, and auditing costs.

IX. County Audits

Article 41 Section 18-108 requires each county to report to the board how the monies received from the trust fund were spent. The board is charged with the responsibility of evaluating the expenditures for compliance with applicable law and regulation. To this end, the board funds independent audits of county expenditures.

All of the audits of FY 00 were received, and auditors compensated. The only county outstanding has received written notification of the audit delinquency. These audits will be examined for accuracy and compliance by the new ENSB fiscal coordinator.

As funding has been outdistanced by requests from the PSAPs, the board has requested an informal estimate of county anticipated budget requirements into the next three out years. This was to form the basis for any proposed legislative amendments regarding the fee, as well as provide the impetus to seek additional funding from other sources for 9-1-1 enhancements. The events of September 11th caused the Board to recognize that the original request may not have included county estimates of security and redundancy measures. A further solicitation of anticipated costs is being drafted to be forwarded to each County Executive for inclusion in the Board's FY 02 strategic plans.

X. MFR and PSAP Inspections

Managing Maryland for Results

Maryland's initiative of Managing for Results (MFR) requires an identification of mission accompanied by specified goals and performance measures. This is incorporated in the DPSCS Strategic Plan. The ENSB seeks to meet two significant goals in 2002 to include greatly increased readiness in the PSAPS for 9-1-1 wireless ALI display and for the board to assume its place in the world of e-business by conducting its business electronically.

PSAP Inspections

Article 41 requires board inspection of each of the PSAPs using a protocol devised by the board. In July of 01, the protocol was revised to include relevant inquiries into infrastructure security, access control, and existing published standard operating procedure. As of this writing, there have been six inspections of PSAPs including several smaller relatively rural jurisdictions as well as major metropolitan PSAPs. The remaining inspections should be completed by April of 2002.

In the course of inspection, the coordinator has the opportunity to meet some of the grass roots providers of emergency communications and to learn of their interests and concerns. Several of these remain common themes and have become the focus of the ENSB.

One of the bigger challenges facing the emergency communications industry is the proliferation of wireless communications. Cellular telephones specifically comprise 25 to 35% of calls taken at the 9-1-1 centers. A traffic accident of 1980 typically drew the calls of a few good Samaritans who took the time to pull off the road and find a pay phone. Now centers can be overwhelmed depending on the enormity of the incident. A second challenge is the center incapacity to locate a cell user. Currently ANI ALI information does not display for the cell phone. Since cell phone locations are not fixed, the 9-1-1 centers must have mapping capability to be ready for the wireless industry to be responsive to this shortcoming. A third challenge of the industry is the *perception* that 9-1-1 dispatching is not a commanding profession and some jurisdictions are having difficulty hiring and retaining qualified employees. A fourth is the concern that current events and expanding technology is outdistancing training and education in the workplace. In our litigious society this concern is not without merit.

Appendix A - Board Membership

<u>Member Name</u>	<u>Representing</u>	<u>Term</u>
Anthony Myers	Public Service Commission	7/1/00 - 6/30/04
Thomas H. Miller	MIEMSS	7/1/99 - 6/30/03
Philip M. Hurlock	Volunteer Fire Service	7/1/00 - 6/30/04
Michael E. Schaal	Fire Career	7/1/01 - 6/30/05
William H. Walton	Public-At-Large	7/1/99 - 6/30/03
W. Edward Mullikin	Emergency Mgmt Systems	7/1/98 - 6/30/02
Roderick W. Hart	Telephone Utility	7/1/99 - 6/30/03
John C. Crabill	APCO	7/1/01 - 6/30/04
G. Thomas Steele	MD State Police	7/1/01 - 6/30/05
Vacant	Police Services	7/1/00 - 6/30/04
Jane Edwards	Public-At-Large	6/30/00 - 6/30/04
Vacant	Public-At-Large	7/1/98 - 6/30/02
Jay H. Chang	Wireless	7/1/00 - 6/30/04

APPENDIX B - County & State Rates

The purpose of this listing is to advise all incumbent, local and wireless carriers providing, or planning to provide, telephone service in Maryland of the applicable County and State 9-1-1 fees (rates) currently in effect. If you have any questions or need additional information, please contact the Emergency Number Systems Board Coordinator at (410) 585-3015.

County	Wireline Fee	Wireless Fee	Effective
	County + State	County + State	
Allegany	50 cents + 10 cents	50 cents + 10 cents	12/01/96
Anne Arundel	50 cents + 10 cents	50 cents + 10 cents	1/01/96
Baltimore County	50 cents + 10 cents	50 cents + 10 cents	5/01/96
Baltimore City	47 cents + 10 cents	47 cents + 10 cents	1/01/96
Calvert	40 cents + 10 cents	40 cents + 10 cents	1/01/96
Caroline	50 cents + 10 cents	50 cents + 10 cents	3/01/96
Carroll	50 cents + 10 cents	50 cents + 10 cents	3/01/96
Cecil	50 cents + 10 cents	50 cents + 10 cents	8/01/96
Charles	50 cents + 10 cents	50 cents + 10 cents	3/01/96
Dorchester	50 cents + 10 cents	50 cents + 10 cents	6/01/96
Frederick	50 cents + 10 cents	50 cents + 10 cents	4/01/96
Garrett	50 cents + 10 cents	50 cents + 10 cents	2/01/97
Harford	50 cents + 10 cents	50 cents + 10 cents	1/01/96
Howard	50 cents + 10 cents	50 cents + 10 cents	3/01/96
Kent	50 cents + 10 cents	50 cents + 10 cents	1/01/96
Montgomery	50 cents + 10 cents	50 cents + 10 cents	3/01/96
Prince George's	50 cents + 10 cents	50 cents + 10 cents	5/01/96
Queen Anne's	50 cents + 10 cents	50 cents + 10 cents	7/01/99
St. Mary's	50 cents + 10 cents	50 cents + 10 cents	5/29/01
Somerset	50 cents + 10 cents	50 cents + 10 cents	3/01/96
Talbot	50 cents + 10 cents	50 cents + 10 cents	1/01/96
Washington	50 cents + 10 cents	50 cents + 10 cents	1/01/97
Wicomico	50 cents + 10 cents	50 cents + 10 cents	1/01/96
Worcester	50 cents + 10 cents	50 cents + 10 cents	5/01/96

Appendix C

County 9-1-1 Fee Collections -- FY 2001

Jurisdiction Fee - set by county up to \$.50

Note: Figures represent collections from April 2000 -
March 2001

Allegany	\$	327,296.41
Arundel	\$	2,411,992.81
Baltimore County	\$	3,774,529.97
Baltimore City	\$	2,894,491.68
Calvert	\$	299,884.06
Caroline	\$	146,497.73
Carroll	\$	678,508.27
Cecil	\$	345,100.09
Charles	\$	547,784.59
Dorchester	\$	165,572.78
Frederick	\$	1,009,521.04
Garrett	\$	158,077.58
Harford	\$	1,005,242.69
Howard	\$	1,303,296.01
Kent	\$	140,162.56
Montgomery	\$	4,356,776.71
Prince George's	\$	3,770,731.71
Queen Anne's	\$	202,413.75
St. Mary's	\$	230,465.83
Somerset	\$	75,966.37
Talbot	\$	201,614.26
Washington	\$	642,458.01
Wicomico	\$	402,022.06
Worcester	\$	422,979.15
Unspecified County (county not identified by vendor spread sheets)	\$	286,585.47
	\$	<u>25,799,971.59</u>

Title 18.

MISCELLANEOUS PROVISIONS

Subtitle 1. 911 Emergency Telephone System.

Art. 18-101. Legislative findings and declaration; purpose of Subtitle; definitions

- (a) The General Assembly recognizes the paramount importance of the safety and well-being of the citizens of Maryland and further recognizes that when the lives or property of its citizens are in imminent danger, timely and appropriate assistance must be rendered.
- (b) Further, the General Assembly recognizes that such assistance is almost always summoned by telephone and that a multiplicity of emergency telephone numbers exist throughout the State and within any one county.
- (c) The General Assembly is concerned that avoidable delays in reaching appropriate emergency aid are occurring to the jeopardy of life and property.
- (d) The General Assembly acknowledges that the three digit number, 911, is a nationally recognize and applied telephone number which may be used to summon emergency aid and to eliminate delays caused by lack of familiarity with emergency numbers and by understandable confusion in circumstances of crisis.
- (e) It is the purpose of this subtitle to establish the three digit number, 911, as the primary emergency telephone number for the State of Maryland and to provide for the orderly installation, maintenance and operation of 911 systems within the State.
- (f) In this subtitle, the following words and terms have the meanings indicated:
 - (1) “**County**” means any of the 23 counties of Maryland and Baltimore City.
 - (2) “**Comptroller**” means the Comptroller of the State Treasury.
 - (3) “**Board**” means the Emergency Number Systems Board.
 - (4) “**Secretary**” means the Secretary of the State Department of Public Safety and Correctional Services.
 - (5) “**911 system**” means a telephone service which meets the planning guidelines established pursuant to § 18-103 of this subtitle, and which automatically connects a person dialing the digits 911 to an established public safety answering point. 911 system includes equipment for connecting and outswitching 911 calls within a telephone central office. Trunking facilities from the central office to a public safety answering point, and equipment to connect 911 calls to the appropriate public safety agency.
 - (6) “**enhanced 911**” means a 911 system that provides:
 - (i) Automatic number identification;
 - (ii) Automatic location identification; and
 - (iii) After July 1, 1995, other future technological advancements that the Board may require.
 - (7) “**Public safety answering point**” means a communications facility operated on a 24 hour basis which first receives 911 calls from persons in a 911 service area and which may, as appropriate, directly dispatch public safety services or extend, transfer, or relay 911 calls to appropriate public safety agencies.
 - (8) “**Public safety agency**” means a functional division of a public agency, which provides fire fighting, police, medical, or other emergency services or a private entity, which provides such services on a voluntary basis.
 - (9) “**County plan**” means a plan for a 911 system or enhanced 911 system or any amendment to the plan developed by a county or several counties together under the provisions of §18-103 and §18-104 of this subtitle.
 - (10) “**911 Trust Fund**” means the Fund established by § 18-105 of this subtitle.
 - (11) “**Multi-county**” means two or more counties, which are contiguous.
 - (12) “**911 fee**” means the fee imposed pursuant to § 18-105 (b) of this subtitle.
 - (13) “**Additional charge**” means the charge imposed by a county pursuant to § 18-105 (c) of this subtitle. (1979, ch. 730; 1980, ch. 625; 1983, chs. 67, 68, 1986, ch. 5, § 4; 1990, ch. 510.)
 - (14) (i) “**Wireless telephone service**” means public telephone services provided for two way voice or data communication which is transmitted independent of switched local exchange access telephone service and which may in part be transmitted via cable or wire as part of a larger telephone or cable system.
 - (ii) “**Wireless telephone service**” includes:

1. Cellular telephone service (cellular);
 2. Personal communication service (PCS); and
 3. Specialized mobile radio (SMR).
- (iii) “**Wireless telephone service**” does not include any service that cannot connect a person dialing the digits 9-1-1 to an established public safety answering point under the 9-1-1 system.
- (15) “**911-accessible service**” means any telephone or other communications service that connects a person dialing the digits 911 to an established public safety answering point under the 911 system.
- (16) (i) “**911 service carrier**” means any provider of a wireless telephone service or other 911-accessible service.
- (ii) “**911 service carrier**” does not include a telephone company. (1995, ch. 158.)

Amendment effective January 1, 1996. –Chapter 158. Acts 1995, effective Jan. 1, 1996 adds (f) (14), (15) and (16). Editors note.—Section 2, ch. 158 Acts 1995, provides that “to the extent possible under other laws, the Comptroller and any other agency responsible for the collection, administration, or distribution of revenues from the 911 fee and additional charge under the provisions of this Act shall retain as confidential any information regarding the 911 service carriers and their remittance of revenues under the provisions of this Act. Recording of calls to 911 emergency telephone system are public records and subject to disclosure under the Public Information Act except for medical or psychological information about an individual, for recordings of calls for police assistance where disclosure would be contrary public interest and where a court order prevents disclosure. 71 Op. Att’y Gen 28& (1986)

§ 18-102. Systems required in all counties.

- (a) **In general.** - On or before July 1, 1995 all counties shall have in operation an enhanced 911 system.
- (b) **Multi-county system.** - This system may operate as part of a multi county system if that implementation is preceded by cooperative planning.
- (c) **Service available through system.** - Service available through a 911 system shall include police, fire fighting, and emergency ambulance services. Other emergency and civil defense services may be incorporated into the 911 system at the discretion of the county or counties being served by the system.
- (d) **Secondary backup number; separate number for non-emergency calls.** -The digits 911 shall be the primary emergency telephone number within the system, but a public safety agency whose services are available on the 911 system may maintain a separate secondary backup number for emergency calls and shall maintain a separate number for none-emergency telephone calls.
- (e) **Educational information.** - Any educational information relating to emergency services made available by the State or a county shall designate the number 911 as the primary emergency number. The information also may include a separate secondary backup number for emergency calls.

§18-103. Emergency Number Systems Board; withholding of county funds for violations.

- (a) **Creation.** - There is an Emergency Number Systems Board in the Department of Public Safety and Correctional Services.
- (b) **Composition.** - The Board has 11 members appointed by the Governor with the advice and consent of the Senate. The members of the Board serve for terms of 4 years each and are as follows:
 - (1) One member representing a telephone utility company operating in Maryland;
 - (2) One member representing the Maryland Institute for Emergency Medical Services;
 - (3) One member representing the Department of State Police;
 - (4) One member representing the Maryland Public Service Commission;
 - (5) One member representing the Association of Public Safety Communications Officers;
 - (6) Two members representing the county fire services in Maryland; one shall represent the career fire services and one shall represent the volunteer fire services;
 - (7) One member representing police services in Maryland;
 - (8) One member representing emergency management services, and
 - (9) Three members representing the public at large.
- (c) **Chairperson.** - The Governor shall appoint a chairperson from among its membership.
- (d) **Staff; coordinator** - The Secretary shall provide staff services to the Emergency Number Systems Board, which shall include a coordinator position which is responsible for the daily operation of the office of the Board. The position of the coordinator shall be funded from the 911 Trust Fund.

NOTE: Senate Bill 117 introduced and passed in the 1996 Session of the General Assembly increased the membership by adding ONE MEMBER REPRESENTING THE WIRELESS TELEPHONE INDUSTRY IN MARYLAND and increasing members representing the public at large to THREE. EFFECTIVE DATE: October 1, 1996

- (e) **Compensation and expenses.** - The Board shall serve without compensation except that members may be reimbursed for travel expenses incurred for Board meetings under the Standard State Travel Regulations.
- (f) **Terms; vacancies.**
- (1) The terms of the members are staggered as required by the terms provided for members of the Board on July 1, 1983. At the end of a term, a member continues to serve until a successor is appointed.
 - (2) In the event that a vacancy on the Board occurs after a term has begun, the Governor shall appoint a successor representing the organization or group where the vacancy occurs who serves for the rest of the term and until a successor is appointed.
- (g) **Meetings.** - Meetings of the Board shall be convened as necessary, but not less than once a quarter.
- (h) **Duties generally.** - The Board shall coordinate the enhancement of county 911 systems. The following responsibilities shall be included in this coordination role:
- (1) To establish planning guidelines for enhanced 911 system plans in accordance with §18-104. The guidelines shall be based upon available technology and equipment and maybe based upon other factors such as population and area served by 911 "systems as determined by the Board to be appropriate;
 - (2) To establish procedures to review and approve or disapprove county or multi-county plans and to evaluate requests for variations from the established guidelines.
 - (3) To establish criteria for the request for reimbursement of the costs of enhancing a 911 system by any county or counties in which a 911 system is in operation and for he procedures to review and approve or disapprove the request;
 - (4) To transmit the planning guidelines and the procedures established in accordance with this section. and any amendments to those guidelines and procedures, to he county executive and the county council or to the president of the board of county commissioners in each county;
 - (5) To present annually to the Secretary a schedule for implementing the enhancement of county or multi-county 911 systems and an estimate of funding requirements based upon the approved county plans;
 - (6) To review and approve or disapprove requests for reimbursement of the costs of enhancing 911 systems and to present to the Secretary annual a schedule for reimbursement and an estimate of funding requirements;
 - (7) To review the enhancement of 91-1 systems;
 - (8) To audit county expenditures for the operation and maintenance of 911 systems;
 - (9) To ensure inspections of public safety answering points;
 - (10) To review and approve or disapprove requests from counties with operational enhanced 911 systems to be exempted from counties with operational enhanced 911 systems to be exempted from the expenditure limitations under the provision of 18-108 (d) of this subtitle; and
 - (11) To authorize expenditures from the 911 Trust Fund that:
 - (i) Involve enhancements 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 prior to the formation of a contract between the county and the contractor; and
 - (ii) Are approved by the Board for payment:
 1. From proceeds collected in accordance with the provisions of §18-105 (b) of this subtitle; and
 2. Directly to a third party contractor on behalf of a county.
- (i) **Withholding funds for violations.** -
- (1) The Board may instruct the Comptroller to withhold funds provided to a county for 911 system expenditures for any violation of:
 - (i) The provisions of this subtitle; or
 - (ii) A regulation of the Board.
 - (2)(i) The Board shall state publicly in, writing Its reason for withholding the funds of a county and enter its reason in the minutes book of the Board.
 - (ii) Upon reaching its decision, the Board shall notify the county.
 - (iii) The county shall have 30 days from the date of notification to respond in writing to the Board.
 - (3)(i) Upon notification by the Board, the Comptroller shall hold county funds for county in that county's account within the 911 Trust Fund.
 - (ii) 1. Funds held by the comptroller under the provisions of subparagraph (i) of this paragraph shall not accrue interest for a county.
 2. Interest income earned on funds held by the Comptroller shall accrue to the 911 Trust Fund.
 - (4) County funds withheld by the Comptroller shall be held until the Board directs the Comptroller to release the funds.
- (j) **Annual reports.** - The Board shall submit an annual report to the Governor, the Secretary, and. subject to § 2-1312 of the State Government Article, the Legislative Policy Committee. The report shall set forth the following information for

each county:

- (1) The type of 911 system currently operating;
- (2) The total State and county fee charged;
- (3) The funding formula in effect;
- (4) Any statutory or regulatory violation by a county and the response of the Board;
- (5) Efforts to establish an enhanced 911 system: and
- (6) Any suggested changes to this subtitle. (1979, ch. 730; 1983, chs. 67, 68; 1986, ch. 5, § 4; 1990, ch. 510; 1991, ch. 55, §§ 1.6; 1992, ch. 500; 1994, ch. 165, § 3; ch. 166, § 3; 1995, ch. 3, § 2.)

Effect of amendments.

The 1995 amendment, approved Mar. 7, 1995, and effective from date of enactment, substitute "Department of State Police" for "Maryland State Police" in (b) (3).

Editors note—Section 3, chs. 165 and 166, Acts 1994, provides that "(a) The publishers of the Annotated code of Maryland, subject to the approval of the Department of Legislative Reference, shall propose the correction of any agency names and titles throughout the Code that are rendered incorrect by this Act. b)The Department of Legislative Reference, in conjunction with the publishers of the Annotated Code of Maryland, shall revise the Code to conform it to the transfer of the Maryland State Police to the Department of Maryland State Police under this Act, and this statutory revision shall be ratified by passage the Annual Corrective Bill of 1995 ; Pursuant to 3 of chs. 165 and 166, appropriate change have been made in (b)(3).

§ 18-104. 911 system plan.

- (a) **Submission of plan; contents.** - Any county or any several counties together which seek reimbursement for the enhancement of a 911 system shall submit to the Board a 911 system plan for that county or multi-county area. The county or the several counties shall submit plans for enhancement of a 911 system on or before July 1, 1993. The plan shall conform to the planning guidelines set by the Board and shall be designed to meet the requirements of those public safety agencies whose services are available through the 911 system. The plan shall include:
 - (1) The type of equipment to be used in enhancing the 911 system, including associated costs;
 - (2) The personnel necessary to operate and maintain the enhanced 911 system;
 - (3) The timetable for implementing the enhanced 911 system; and
 - (4) Any other information required by the Board.
- (b) **Report by county not submitting plan.** - Those counties which do not seek reimbursement for the cost of enhancing a 911 system shall submit a report to the Board by July 1, 1995 containing the same information required in the county plans described in subsection (a) of this section.
- (c) **Exemption.** - Those counties which are certified by the Board as having an operational enhanced 911 system in place by January 1, 1991 are exempt From the reporting requirements under this section. (1979, ch. 730; 1982, ch. 210; 1983, chs. 67, 68; 1986, ch. 5, § 4; 1990, ch. 510.)

Art. 41 § 18-105. 911 Trust Fund. Executive Department

- (a) **Established; purpose.** - (1) There is a 911 Trust Fund created for the purpose of
 - (i) Reimbursing the counties for enhancements to a 911 system; and
 - (ii) Paying contractors in accordance with the provisions of § 18-103 (h) (11) of this subtitle.(2) Moneys in the 911 Trust Fund shall be held in the State Treasury.
- (b) **911 fee.** - (1) For purposes of this subtitle, there is a 911 fee to be paid by the subscribers to switched local exchange access service, wireless telephone service, or other 911-accessible service. The 911 fee is 10 cents per month payable at the time when the bills for telephone service are due.
 - (2) The Public Service Commission shall direct the telephone companies to add the 911 fee to all current bills rendered for switched local exchange access service in the State. The telephone companies shall act as collection agents for the 911 Trust Fund with respect to the fee, and shall remit all proceeds to the Comptroller on a monthly basis. The telephone companies shall be entitled to credit against the proceeds of the 911 fee to be remitted an amount equal to 1^{1/2} percent of the 911 fee to cover the expenses of billing, collecting, and remitting the 911 fee and any additional charges. The Comptroller shall deposit the funds in the 911 Trust Fund.
 - (3) The 911 service carriers shall add the 911 fee to all current bills rendered for wireless telephone service or other 911-accessible service in the State. The 911 service carriers shall act as collection agents for the 911 Trust Fund with respect to the fee and shall remit all proceeds to the Comptroller on a monthly

basis. The 911 service carriers shall be entitled to credit against the proceeds of the 911 fee to be remitted an amount equal to 1^{1/2} percent of the 911 fee to cover the expenses of billing; collecting, and remitting the 911 fee and any additional charges. The Comptroller shall deposit the funds in the 911 Trust Fund.

- (4) Notwithstanding the provisions of paragraph (3) of this subsection, for calendar years 1996, 1997, and 1998 only, a 911 service carrier other than a telephone company shall be entitled to credit against the proceeds of the 911 fee to be remitted an amount equal to 2 1/2 percent of the 911 fee to cover the expenses of billing, collecting, and remitting the 911 fee and any additional charges.
- (c) **Charge in addition to 911 fee.** (1) In addition to the 911 fee imposed by subsection (b) of this section, the governing body of each county may by ordinance or resolution after public hearing enact or adopt an additional charge not to exceed 50 cents per month to be applied to all current bills rendered for switched local exchange access service, wireless telephone service, or other 911-accessible service within that county. The amount of the additional charge may not exceed a level necessary to cover the total amount of eligible operation and maintenance costs of the county.
- (2) The additional charge shall continue in effect until repealed or modified by a subsequent ordinance or resolution.
 - (3)(i) Upon adopting, repealing, or modifying an additional charge, the county shall certify the amount of the additional charge to the Public Service Commission which on 60 days' notice shall direct the telephone companies to add the full amount of the additional charge to all current bills rendered for switched local exchange access service in each county which imposed that additional charge.
 - (ii) Within 60 days of the enactment of a county ordinance or resolution that adopts, repeals, or modifies an additional charge, all 911 service carriers providing service within that county shall add the full amount of the additional charge to all current bills rendered for wireless telephone service or other 911-accessible service in each county that imposed that additional charge.
 - (4) The telephone companies and 911 service carriers shall act as collection agents for the 911 Trust Fund with respect to the additional charges imposed by each county. Revenues from the additional charge shall be collected by the telephone companies and 911 service carriers on a county basis and remitted monthly to the Comptroller for deposit to the 911 Trust Fund account maintained for the county which imposed the additional charge.
- (d) **Fee not applicable to intermediate service line.** - Notwithstanding any other provision of this subtitle, the 911 fee authorized under this subtitle does not apply to an intermediate service line used exclusively to connect a wireless telephone service or other 911-accessible service other than a switched local access service to another telephone system or switching device.
- (e) **Administration of Fund; separate accounts; investment income.** - The Secretary shall administer the 911 Trust Fund subject to the provisions for financial management and budgeting established by the Department of Budget and Fiscal Planning. The Secretary shall cause the Comptroller to establish separate accounts for the payment of administrative expenses and for each county within the 911 Trust Fund. The income derived from investment of money in the Fund shall accrue to the Fund and the Comptroller shall allocate investment income among the accounts in the Fund prorated on the basis of the total fees collected in each county.
- (f) **Disbursements.** - The Comptroller shall disburse the moneys in the 911 Trust Fund as provided in this subsection, subject to the limitations under §18-103 (i) of this subtitle.
- (1) Each July 1, the Comptroller shall allocate sufficient revenues from the 911 fee to pay the costs of administering the 911 Trust Fund as provided by law.
 - (2) As directed by the Secretary and as provided in the State budget, the Comptroller shall pay from the appropriate account the costs or:
 - (i) Reimbursing the costs of enhancing a 911 system by a county or several counties; and
 - (ii) Paying contractors in accordance with the provisions of §18-103 (h) (11) of this subtitle.
 - (3) If a 911 system is in operation in a county, the Comptroller shall pay to that county from the account of that county the amount of moneys requested by the county and as provided in the State budget to pay for the costs of maintaining and operating the 911 system. The Comptroller shall pay the moneys for maintaining and operating 911 systems on September 30, December 31, March 31, and June 30 of each year.
- (g) **Post-audits.** - The Legislative Auditor shall conduct post audits of a fiscal and compliance nature of the 911 Trust Fund and of the appropriations and expenditures made for purposes of this subtitle. The cost of the fiscal portion of the post-audit examination shall be paid from the 911 Trust Fund as an administrative cost.(1995, ch. 158.)

§ 18-106. Tariffs for service by Public Service Company.

- (a) Nothing in this subtitle requires a public service company to provide any equipment or service other than pursuant to tariffs approved by the Maryland Public Service Commission. Furthermore, the furnishing of services, the rates, and

the extent of any liabilities of a public service company shall be governed by those tariffs approved by the Maryland Public Service Commission.

- (b) Nothing in this subtitle requires a 911 service carrier to provide any equipment or service other than the equivalent of that required of telephone companies under subsection (a) of this section. Furthermore, nothing in this subtitle shall be interpreted to extend any liability to a 911 carrier. (1995, ch. 158.)

Amendment effective January 1, 1996. --The 1995 amendment, effective Jan. 1, 1996, adds (b)

Editor's note. - Section 2, ch. 158, Acts 1995, provides that "to the extent possible under other laws, the Comptroller and any other agency responsible for the collection, and administration or distribution of revenues from the 911 fee and additional charge under the provisions of this Act shall retain as confidential any information regarding the 911 service carriers and their remittance of revenues under the provisions of this Act

§ 18-107. Funds to be placed in budget; maximum amount to one subdivision.

- a) **Amounts sufficient to carry out subtitle's purposes.** - As recommended by the Board, each year the Secretary shall request an appropriation from the 911 Trust Fund in an amount which is sufficient to carry out the purposes of this subtitle, including administrative costs chargeable to the 911 Trust Fund.
- (b) **Amounts sufficient to reimburse counties operating system.** - Upon the recommendation of the Board, each year the Secretary shall request an appropriation from the 911 Trust Fund in an amount which is sufficient to provide reimbursement for enhancement costs to those counties which are operating a 911 system.
- (1) Reimbursement shall be made only to the extent that county funds were used to enhance the 911 system.
 - (2) Reimbursement for the enhancement of 911 systems shall include the installation of equipment for a 911 system as described in §18-101 (f) (6) of this subtitle.
 - (3) Reimbursement from revenues collected from the 911 fee established under §18-105 (b) shall be used only for 911 system enhancements approved by the Board.
- (c) **Limitation on amount of maintenance and operating costs.** - The amount of maintenance and operating costs is subject to the limitation stated in this section and §18-108 of this subtitle.
- (d) **Allocation of moneys in 911 Trust Fund.** - The Secretary shall cause the Comptroller to allocate the balance of the funds in the 911 Trust Fund as of July 1, 1983 into the appropriate account established for each county within the 911 Trust Fund as follows:
- (1) For each county with a population of less than 100,000 persons -- \$50,000 minus the amounts previously disbursed to the county under this section;
 - (2) For each county with a population of 100,000 or more persons but less than 250,000 persons -- \$250,000 minus the amounts previously disbursed to the county under this section; and
 - (3) For each county with a population of 250,000 or more persons -- \$800,000 minus the amounts previously disbursed to the county under this section.
- (e) **Same-- Limit on amount disbursed.** -- The amount of money disbursed to any county from the 911 fee that was collected from July 1, 1980 through June 30, 1983 may not exceed the amount allocated from this fee to that county's account established within the 911 Trust Fund.
- (f) **Use of funds subsequently accruing to 911 Trust Fund.** Funds accruing to the 911 Trust Fund after January 1, 1991 may be used in the following manner:
- (1) Revenues collected from the 911 fee may be used to:
 - (i) Reimburse the counties for the cost of 911 system enhancements occurring after January 1, 1991; and
 - (ii) Pay contractors in accordance with the provisions of § 18-103(h) (11) of this subtitle.
 - (2) Revenues collected from the additional charge may be used by the counties for the cost of operating and maintaining a 911 system, subject to the limitations under § 18-108 of this subtitle. (1979, ch. 730; 1983, chs. 67, 68; 1984, ch. 255; 1986, ch. 5, § 4; 1990, ch. 510; 1991, ch. 324; 1992, ch. 500.)

Effect of amendments. - The 1992 (1) (i) inserted (f) (1) (ii); and made stylistic amendment, effective Oct. 1, 1992, divided former (f) (1) into introductory language and (f) (1) (ii); and made a stylistic change.

§ 18-108. Expenditures for maintenance and operation of 911 systems.

- (a) **Annual audit.** The Board shall provide for an audit of each county's expenditures for the maintenance and operation of 911 systems.

- (b) **Items included in maintenance and operation costs.** Maintenance and operation costs may include telephone company charges, equipment costs or equipment lease charges, repairs, utilities, personnel costs, and appropriate carryover costs from previous years.
- (c) **Expenditures authorized.** - During each county's fiscal year, the county may expend the amounts distributed to it from 911 fee collections for the installation, enhancement, maintenance, and operation of a county or a multi-county 911 system.
- (d) **Limitations on expenditures.** - For those counties without an operational enhanced 911 system, the Board shall adopt procedures to assure that:
 - (1) The moneys collected from the additional charge and distributed to the counties are expended in the following proportions during each county's fiscal year:
 - (i) For a 911 system in a county or a multi-county area with a population of 100,000 persons or less, a maximum of 85 percent for personnel costs;
 - (ii) For a 911 system in a county or multi-county area with a population in excess of 100,000 persons, a maximum of 70 percent for personnel costs;
 - (2) The total amount collected from the 911 fee and the additional charge shall be expended only for the installation, enhancement, maintenance, and operation of a county or multi-county system.
- (e) **Exemption.** If a county has an operational enhanced 911 system, it shall be exempt from the provisions of subsection (d) (1) of this section, subject to the annual approval of the board under §18-103 of this subtitle. (1983, ch. 67, 68, 1986, ch 5, §4; 1990, ch. 510.) In the 1996 Session of the Maryland General Assembly, Senate Bill 365 passed and was signed May 14, 1996. The bill amended Section 18-106 by adding the following as (C):
 - (c) A cellular telephone company or personal communication company that pays or collects 911 fees under § 18-105 of this subtitle shall 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 the regulations of the Commission under Article 78 of the Code.

This Act shall take effect October 1, 1996.

Appendix E - COMAR

Title 12 DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
Subtitle 11 OFFICE OF THE SECRETARY
Chapter 03 9-1-1 Emergency Telephone System
Authority: Article 41, 18-101-----18-108, Annotated Code of Maryland

12.11.03.01

.01 Emergency Number Systems Board.

The Emergency Number Systems Board shall coordinate the implementation 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) "Board" means the Emergency Number Systems Board.
- (2) 9-1-1 System.
 - (a) "9-1-1 system" means a telephone service that meets the planning guidelines under Article 41, §18-103, Annotated Code of Maryland, and automatically connects an individual dialing the digits 9-1-1 to a public safety answering point.
 - (b) "9-1-1 system" includes:
 - (i) Equipment for connecting and out-switching a 9-1-1 telephone call within a telephone central office;
 - (ii) Trunking facilities from the central office to a public safety answering point; and
 - (iii) Equipment to connect a 9-1-1 telephone call to the appropriate agency.
 - (c) "9-1-1 system" may include a 3-1-1 system.
- (3) "3-1-1 system" means a non-emergency telephone number, that is part of a 9-1-1 system, used to reduce 9-1-1 system congestion by diverting non-emergency telephone calls from the emergency telephone lines.

12.11.03.03

.03 Quorum and Voting of the Board.

Seven members of the Board constitute a quorum for acting upon matters before the Board. The vote of a majority of those present at a meeting is required for action to be taken by the Board.

12.11.03.04

.04 Implementation by County or Multicounty Area.

A county or multicounty area shall implement an enhanced 9-1-1 system containing the following elements:

- A. Establishment of the emergency telephone number 9-1-1;
- B. Establishment of public safety answering points to provide 24-hour public access and dispatch service where it is currently unavailable;
- C. Provisions for referral to related public safety services;
- D. Access to emergency services by 9-1-1 by any citizen in Maryland;
- E. Provision for all public safety answering points to have 24-hour access to the Maryland Interagency Law Enforcement System;
- F. Provisions for staffing all public safety answering points with personnel trained in accordance with these regulations;

- G. Provision for equipping all public safety answering points with adequate TTY equipment for access by a person with a speech or hearing impairment;
- H. Provision for all public safety answering points to have access to local emergency management centers;
- I. Procedures for a county to be covered by a public safety answering point using cooperative arrangements acceptable to the participating agencies;
- J. Procedures between public safety answering points to transfer or relay emergency calls received requiring services outside of political or jurisdictional boundaries; and
- K. Provisions for maintaining a current master street address guide and processing updated information to a telephone company.

12.11.03.05

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

Plans for more than one public safety answering point in a county shall be submitted to the Board for consideration subject to the following restrictions:

- A. Funding arrangements will be handled by the county administration involved and not by individual agencies within a county;
- B. Plans submitted shall meet the criteria of these regulations, unless the Board, by majority vote, approves a variation from them.

12.11.03.06

.06 Minimum Features of an Enhanced 9-1-1 System.

At a minimum, the 9-1-1 systems implemented in Maryland shall include the following features:

- A. A minimum of two incoming 9-1-1 lines for each telephone central office, and the objective grade of service shall be P.01, that is, sufficient lines to ensure not more than one busy signal per 100 call attempts;
- B. Connection to all police, fire protection, emergency medical, and rescue agencies within the boundaries of the system;
- C. Twenty-four hour per day operation of the public safety, answering point staffed with personnel trained in accordance with 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 of adjacent public safety answering points by private lines when there is a telephone exchange and political boundary not covered by selective routing;
- H. Adequate physical security to minimize the possibility of 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 non-emergency calls;
- K. Written operational procedures;
- L. Automatic location identification (ALI), which automatically displays the address of the calling telephone at the public safety answering point;
- M. Automatic number identification (ANI), which automatically displays the calling number at the public safety answering point;
- 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 flashing signal, or both, which alerts a public safety answering point emergency call taker to a calling party disconnect; and
- P. Other technical advances approved by the Board after July 1, 1995.

12.11.03.07

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

- A. A 9-1-1 system is an integrated network comprised of various components that perform a variety of functions and includes system enhancements approved by the Board acting under Article 41, §18-103, Annotated Code of Maryland. These enhancements are based upon available technology and equipment, and may take into consideration such factors as population, demands on 9-1-1 systems caused by non-emergency telephone calls, and the area served by a 9-1-1 system. A 3-1-1 system for a county may be established under Article 41, §18-105, Annotated Code of Maryland.
- B. At a minimum, a 3-1-1 system implemented in Maryland shall include the following features:

- (1) A vendor shall provide switching or programming to direct a 3-1-1 call to a non-emergency answering position;
- (2) A 3-1-1 answering position shall:
 - (a) Have the capability to expeditiously transfer an emergency call to a 9-1-1 answering position or an adjoining public safety answering point,
 - (b) Have the capability to transfer a non-emergency call to an adjoining jurisdiction or appropriate agency, and
 - (c) Provide TTY services; and
- (3) At a minimum, a 3-1-1 call taker who is trained to handle non-emergency calls and transfer emergency calls to a 9-1-1 call taker, as necessary.

12.11.03.08

.08 Written Operational Plan.

- A. An applicant county or multicounty shall include a written operational plan for public safety services signed by police, fire, emergency medical, and rescue agencies included within the public safety answering point area.
- B. A public safety agency, under the respective public safety answering point, shall be familiar with the operational procedures of the other public safety agencies affected.
- C. An applicant shall address the potential need for handling calls received from foreign-speaking, deaf, and handicapped citizens.
- D. Uniform methods and procedures shall be developed to ensure effective interagency communications.

12.11.03.09

.09 Public Safety Answering Point Telephone Service.

- A. A 9-1-1 line shall have visual and audible indication of incoming calls.
- B. A call should be answered within a maximum of 10 seconds. To meet this standard, a county shall consider such system elements as the number of 9-1-1 lines and answering positions, and call-processing time.
- C. The primary published emergency number shall be 9-1-1.
- D. The date and time of receipt for a 9-1-1 emergency call shall be documented.
- E. A transferred call shall be monitored by the public safety answering point operator to ensure the call has been properly transferred.
- F. A telephone company shall take periodic service measurements, at least once annually, to determine the actual grade of service being experienced on the 9-1-1 incoming trunk route. These service measurements should provide a basis for corrective action, which would achieve the objective grade of service of not more than one busy signal per 100 attempts. As necessary, a telephone company will provide the involved agencies with an appropriate report on the grade of service for the terminating lines/trunks.

12.11.03.10

.10 Safeguarding of Telephone Circuits by Telephone Companies.

- A. A facility associated with 9-1-1 service shall be equipped at all exposed terminations, including central office distributing frames, with protective devices that prevent accidental worker contact. A protected termination shall be marked to make it easy to distinguish circuit identity.
- B. A safeguarded circuit may not be opened, grounded, short-circuited, or manipulated in any way by a telephone company worker until the local test desk obtains prior circuit release from the appropriate public safety answering point.
- C. Supervision shall assure that telephone company employees whose normal activities may involve contact with facilities associated with the 9-1-1 service are familiar with safeguarding of facilities procedures.

12.11.03.11

.11 Public Safety Answering Point Training.

- A. A public safety answering point shall be staffed with personnel who:
 - (1) Are able to recognize the tone that is generated by an incoming call from a TTY machine when the caller activates the tone; and
 - (2) Understand how to process a call from a TTY machine, according to the 9-1-1 system installed, with the accuracy and diligence that applies to 9-1-1 calls.

- B. Personnel hired after a date to be established shall be trained using curriculum developed through the Board Training Standards Committee. This training shall occur within 1 year of the date hired.
- C. Personnel are to receive in-service training using curriculum developed through the Board Training Standards Committee at intervals established by the Board and communicated to all public safety answering points.
- 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.

12.11.03.12

.12 9-1-1 Fees.

A. Fees Collected after December 31, 1990.

- (1) Collection of 10-Cent Fee.
 - (a) The 10-cent fee collected after December 31, 1990, and credited to the 9-1-1 Trust Fund, shall be disbursed by the State Comptroller, as allocated by the Secretary of Public Safety and Correctional Services and approved by the Board, for reimbursement of costs a county or counties may incur for:
 - (i) Enhancing a 9-1-1 system;
 - (ii) Establishing a 3-1-1 system;
 - (iii) Mandated equipment; and
 - (iv) Other technical equipment the Board may require.
 - (b) The expenditures listed in §A(1)(a)(i)----(iv) of this regulation are subject to periodic audit by the Secretary.
- (2) Audit of Expenditures.
 - (a) A jurisdiction with an operational 9-1-1 system shall be subject to an audit of expenditures for the maintenance and operation of the 9-1-1 system. An audit shall be performed, at a minimum, every 3 years by the Secretary.
 - (b) The audit report shall be used to determine whether the funds received from the 9-1-1 Trust Fund by the affected jurisdiction were used in compliance with applicable laws and regulations.
 - (c) The audit shall be conducted by the Department of Public Safety and Correctional Services or by a qualified auditing firm.
 - (d) If the audit determines that the jurisdiction failed to use the funds in compliance with applicable laws and regulations, the audit shall contain recommendations for compliance.
 - (e) The Board and the jurisdiction shall be given a copy of the audit.
- (3) At the end of each fiscal year, a jurisdiction being reimbursed from the 9-1-1 Trust Fund shall complete an actual expenditures report on forms provided by the Board. This report shall note with sufficient detail the use and disposition of funds received from the 9-1-1 Trust Fund for maintenance and operational expenditures, and shall be submitted to the Board not later than September 30 following the end of the preceding fiscal year.

B. Additional Charges and Their Use.

- (1) In addition to the 10-cent fee, the governing body of a county with an operational system may, by ordinance or resolution after public hearing, enact or adopt an additional charge not to exceed 50 cents per month to be applied to current bills rendered, within that county, for:
 - (a) Switched local exchange access service; and
 - (b) Wireless telephone service or other 9-1-1 accessible service.
- (2) These funds, allocated by the Secretary, shall be credited to the appropriate 9-1-1 Trust Fund account and paid by the State Comptroller quarterly to each county with an operational system.
- (3) A county certified by the Board as having operational an enhanced 9-1-1 system may request annually the Board's approval for an exemption from the expenditure limitations for personnel funds under Article 41, §18-108(d), Annotated Code of Maryland.

- (4) If a request for an exemption from the expenditure limitations for personnel is not made or is not approved, the funds may be used for the installation, enhancement, maintenance, and operation of a 9-1-1 system under all of the following conditions:
 - (a) A maximum of 85 percent of these funds may be used for personnel costs by a county with a population of 100,000 or less;
 - (b) A maximum of 70 percent may be used for personnel costs by a county with a population greater than 100,000; and
 - (c) Use of these funds shall be subject to audit by the Secretary.

12.11.03.13

.13 Equipment Which Qualifies for Funding or Reimbursement.

- A. Equipment that constitutes a 9-1-1 system 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 system shall include automatic number identification and automatic location identification and, after July 1, 1995, shall also include any other technical equipment, the Board may require.
- C. Computer aided dispatch equipment is not a part of a 9-1-1 system, except to the extent that the Board determines that a portion of that equipment is necessary to connect 9-1-1 calls to the appropriate public safety agency.

12.11.03.14

.14 Requirements for Submission of 9-1-1 Plan.

- A. A request for reimbursement from the State-mandated 10-cent fee for mandated equipment, 9-1-1 enhancements, or technological advancements shall be submitted to the Board for approval.
- B. A plan or report required under this regulation shall include the information requested under Regulation .15 of this chapter.
- C. A plan, report, or question shall be submitted to: Chairman, Emergency Number Systems Board, c/o Department of Public Safety and Correctional Services, Suite 209, 6776 Reisterstown Road, Baltimore, MD 21215-2341.

12.11.03.15

.15 Application for Reimbursement from State-Mandated 10-Cent Fee.

- A. An application for reimbursement from the State-mandated 10-cent fee shall include the following:
 - (1) Name, address, and phone number of contact person;
 - (2) Total scope of improvement/enhancement project;
 - (3) Estimated total cost of project;
 - (4) Items for which the county seeks reimbursement;
 - (5) Estimated cost of reimbursable items;
 - (6) Award date of project;
 - (7) Estimated completion date of project;
 - (8) Changes in the number of personnel needed to operate the system, if any;
 - (9) Signature of the person preparing the application; and
 - (10) A preliminary price quote from at least one source, except as provided in §C of this regulation.
- B. An application under §A of this regulation by a county which has not achieved 95 percent addressing shall also include:
 - (1) Name of firm selected;
 - (2) Procedure firm will take to achieve 95 percent addressing;
 - (3) Time frame to begin/complete; and
 - (4) Cost.
- C. Steps To Be Followed When Applying for Reimbursement.
 - (1) A county seeking reimbursement shall submit to the Board a written request so that it is received at least 2 weeks before a scheduled Board meeting at which it is to be considered. The request shall be signed by the county's public safety answering point director or a 9-1-1 administrator.
 - (2) The county's public safety answering point director or 9-1-1 administrator shall attend the meeting at which the request is to be considered.

- (3) The Board shall review the request and, if the Board approves it, shall encumber funds up to the amount of the request.
 - (4) After the county receives the bids and evaluates them, the county shall forward at least three bids to the Board, unless less than three bids have been received, and identify the bid selected.
 - (5) If, in the Board's Judgment, the selected bid is close to the quote required under Regulation .15A(10) of this chapter, the Board may approve the request without further deliberation.
 - (6) The county shall ensure that its procurement laws and policies are followed.
- D. If the county is confident that the equipment being requested meets all Board criteria, the county may choose not to submit a preliminary price quote and immediately begin the bid solicitation process.

12.11.03.16

.16 Variations or Waivers of Guidelines and Regulations.

- A. The Board may grant a waiver or variance of this chapter for good and sufficient cause. One or more of the following conditions shall be stated in the request for waiver or variance:
- (1) Number of persons affected;
 - (2) Impact of variance or waiver;
 - (3) Alternative methods;
 - (4) Technical difficulties;
 - (5) Cost.
- B. In each case, all five conditions in §A of this regulation shall be considered before making a final decision.
- C. 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.
- D. Review of Request for Waiver or Variance.
- (1) Records or conditions of hearing concerning a request for waiver or variance shall be reviewed.
 - (2) Upon receipt of a written request from an applicant for waiver or variance, the Board shall open a file on the matter. Within 10 days from the receipt of the applicant's request, the Board shall direct a letter to the applicant which shall:
 - (a) Acknowledge receipt of the request;
 - (b) Notify the applicant that additional information may be submitted, within 30 days, to the Board and the Board shall consider the additional information in its review.
 - (3) After a file has been opened, the Board shall either review the record or, at the option of the Board, conduct a hearing.
 - (4) If the Board elects to review the record, the review shall be conducted by the Board at the Board's regular meeting within 60 days after the expiration of the 30-day period granted to the applicant to submit additional information.
 - (5) If the Board elects to conduct a hearing, the applicant and affected parties shall be notified at least 10 days before the hearing of the hearing's date, time, and place.
 - (6) When conducting a hearing or reviewing the record, the Board shall determine whether a waiver or variance of this chapter is justified, consistent with the interest of the affected parties and the applicant.
- E. A hearing held in accordance with this regulation shall be conducted in accordance with State Government Article, Title 10, Subtitle 2, Annotated Code of Maryland.

12.11.03.17

.17 9-1-1 System Violations.

- A. The Board may instruct the State Comptroller to withhold funds provided to a county for 9-1-1 system expenditures for a violation of:
- (1) Article 41, §18-103(i), Annotated Code of Maryland; or
 - (2) The regulations in this chapter.
- B. The Board shall state publicly, in writing, the Board's reason for withholding funds and enter the Board's reason in the minute's book of the Board. Upon reaching a decision, the Board shall notify the county. The county shall have 30 days from the date of notification to respond in writing to the Board.
- C. Upon notification by the Board, county funds shall be held by the State Comptroller, in that county's account within the 9-1-1 Trust Fund, until the Board advises the Comptroller that the funds may be released. Funds held by the Comptroller under these provisions may not accrue interest for a county. Interest income earned on funds held by the Comptroller shall accrue to the 9-1-1 Trust Fund.

12.11.03.18

.18 Decisions of the Board.

Each decision reached by the Board after a hearing or a review of the record shall be:

A. In writing and stated in the record; and

B. Accompanied by findings of fact and conclusions which shall be furnished to the applicant.

12.11.03

Administrative History

Effective date:

Regulations .01-----12 adopted as an emergency provision effective June 2, 1980 (7:12 Md. R. 1128); adopted permanently effective October 11, 1980 (7:20 Md. R. 1884) (Originally Promulgated as COMAR 12.11.02)

Regulation .03F amended effective May 15, 1981 (8:10 Md. R. 878)

Regulation .04 A amended effective August 13, 1984 (11:16 Md. R. 1393)

Regulation .09-1 adopted effective August 13, 1984 (11:16 Md. R. 1393)

Regulation .09-1B amended effective July 13, 1986 (13:14 Md. R. 1635)

Regulation .11A amended effective August 13, 1984 (11:16 Md. R. 1393)

Regulations .13 and .14 adopted effective August 2, 1982 (9:15 Md. R. 1515)

Chapter revised effective September 16, 1991 (18:18 Md. R. 2008)

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Regulation .01 amended effective July 15, 1996 (23:14 Md. R. 1010)

Regulation .02 amended effective February 24, 1997 (24:4 Md. R. 293)

Regulation .07D amended effective July 15, 1996 (23:14 Md. R. 1010)

Regulation .10B amended effective July 15, 1996 (23:14 Md. R. 1010)

Regulation .14D amended effective July 15, 1996 (23:14 Md. R. 1010)

Chapter revised effective March 9, 1998 (25:5 Md. R. 370)

Regulation .12A amended effective July 27, 1998 (25:15 Md. R. 1191)