HOUSE BILL 1078

Unofficial Copy 2001 Regular Session
E4 (1lr1369)

ENROLLED BILL

-- Commerce and Government Matters/Finance --

Introduced by **Delegates McIntosh and Wood**

Read and Examined by Proofreaders:

_____
Proofreader.

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Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____M.

_____
Speaker.

CHAPTER 521

AN ACT concerning

~~Wireless Enhanced~~ Task Force on Enhanced Wireless 911 Service

FOR the purpose of ~~authorizing the establishment of wireless enhanced 911 service in the State in accordance with certain orders; authorizing the Emergency Number Systems Board to review, approve or reject, and audit certain cost estimates submitted by certain commercial mobile radio service providers in a certain manner; authorizing the Board to authorize certain expenditures to certain persons for certain purposes; requiring certain CMRS providers to submit certain estimates and information to the Board; providing that certain information is confidential, privileged, and proprietary and may not be disclosed except in a certain manner; providing for the application of a certain fee to subscribers of certain commercial mobile radio services, calculated in a certain manner and to cover certain costs; requiring the Comptroller to pay certain amounts under certain circumstances for certain purposes; extending certain immunity from liability to certain providers of certain services; providing for the establishment of an Advisory Work Group on Wireless Enhanced 911 Service for certain purposes; altering and adding certain definitions; and generally relating~~

~~to wireless enhanced 911 service~~ creating the Task Force on Enhanced Wireless 911 Service; providing for the membership and co-chairmen of and staff for the Task Force; requiring the Task Force to perform certain duties; requiring the Task Force to make a certain report by a certain date to the General Assembly; providing for the termination of this Act; and generally relating to the Task Force on Enhanced Wireless 911 Service.

~~BY repealing and reenacting, with amendments,~~
~~Article 41 - Governor - Executive and Administrative Departments~~
~~Section 18-101(f), 18-103, 18-105, 18-106(c), and 18-107(f)~~
~~Annotated Code of Maryland~~
~~(1997 Replacement Volume and 2000 Supplement)~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That ~~the Laws of Maryland read as follows~~:

~~**Article 41 - Governor - Executive and Administrative Departments**~~

~~18-101.~~

~~(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) "Multicounty" 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.~~

~~[(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 911 to an established public safety answering point under the 911 system.~~

~~(15)] (14) "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)] (15) (i) "911 service carrier" means any provider of [a wireless telephone] COMMERCIAL MOBILE RADIO service or other 911-accessible service.~~

~~(ii) "911 service carrier" does not include a telephone company.~~

~~(16) "CMRS PROVIDER" MEANS A PERSON AUTHORIZED BY THE FEDERAL COMMUNICATIONS COMMISSION TO PROVIDE COMMERCIAL MOBILE RADIO SERVICE IN MARYLAND.~~

~~(17) "COMMERCIAL MOBILE RADIO SERVICE" OR "CMRS" HAS THE MEANING STATED IN 40 C.F.R. § 20.3.~~

~~(18) "FCC ORDER" MEANS THE ACCURACY AND OTHER TECHNICAL ASPECTS OF ORDERS ISSUED BY THE FEDERAL COMMUNICATIONS COMMISSION UNDER PROCEEDINGS REGARDING THE COMPATIBILITY OF ENHANCED 911 EMERGENCY CALLING SYSTEMS AND DELIVERY OF WIRELESS ENHANCED 911 SERVICE.~~

~~(19) "WIRELESS ENHANCED 911 SERVICE" MEANS ENHANCED 911 SERVICE THAT THE FEDERAL COMMUNICATIONS COMMISSION REQUIRES A CMRS PROVIDER TO PROVIDE UNDER THE FCC ORDER AND IMPLEMENTING REGULATIONS.~~

~~(20) "SUBSCRIBER BASE" MEANS THE TOTAL NUMBER OF TELEPHONE NUMBERS BILLED FOR AND PROVIDED BY A MARYLAND HOME SERVICE PROVIDER OF CMRS.~~

~~(21) "CUSTOMER", "HOME SERVICE PROVIDER", AND "PLACE OF PRIMARY USE", WITH RESPECT TO CMRS, HAVE THE MEANINGS STATED IN 4 U.S.C. § 124.~~

~~18-103.~~

~~(a) There is an Emergency Number Systems Board in the Department of Public Safety and Correctional Services.~~

~~(b) The Board has 13 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 wireless telephone industry in Maryland;~~

~~(3) One member representing the Maryland Institute for Emergency Medical Services;~~

~~(4) One member representing the Department of State Police;~~

~~(5) One member representing the Maryland Public Service Commission;~~

~~(6) One member representing the Association of Public Safety Communications Officers;~~

~~(7) Two members representing the county fire services in Maryland; one shall represent the career fire services and one shall represent the volunteer fire services;~~

~~(8) One member representing police services in Maryland;~~

~~(9) One member representing emergency management services; and~~

~~(10) Three members representing the public at large.~~

~~(c) The Governor shall appoint a chairperson from among its membership.~~

~~(d) 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.~~

~~(e) 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) (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 of the Board shall be convened as necessary, but not less than once a quarter.~~

~~(h) 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 may be 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 multicounty 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 the 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 the 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 multicounty 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 annually a schedule for reimbursement and an estimate of funding requirements;~~

~~(7) To review the enhancement of 911 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 the expenditure limitations under the provisions of § 18-108(d) of this subtitle; and~~

~~(11) TO REVIEW, AND APPROVE OR REJECT, ESTIMATES OF RECURRING AND NONRECURRING COST SUBMITTED BY CMRS PROVIDERS FOR THE DEPLOYMENT OF WIRELESS ENHANCED 911 SERVICE;~~

~~(12) TO CONDUCT AN ANNUAL AUDIT OF APPROVED COST ESTIMATES OF CMRS PROVIDERS TO DETERMINE WHETHER THE COST ESTIMATES SUBMITTED DURING THE PRECEDING FISCAL YEAR WERE MORE OR LESS THAN THE ACTUAL COSTS OF WIRELESS ENHANCED 911 SERVICE;~~

~~(13) 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] CONTRACTOR, INCLUDING A CMRS PROVIDER OR AN AGENT OF A CMRS PROVIDER; 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] COUNTY, INCLUDING A CMRS PROVIDER AND AN AGENT OF A CMRS PROVIDER.~~

~~(i) (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 a 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) The 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. 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.~~

~~(K) (1) (I) EACH CMRS PROVIDER SHALL SUBMIT EACH YEAR TO THE BOARD AN ESTIMATE OF RECURRING COSTS OF DEPLOYING WIRELESS ENHANCED 911 SERVICE FOR EACH LINE OR NUMBER IN THE SUBSCRIBER BASE. THE CMRS~~

~~PROVIDER SHALL CALCULATE THE ESTIMATE BASED ON THE THEN CURRENT DEPLOYMENT OF WIRELESS ENHANCED 911 SERVICE IN ALL AREAS OF THE STATE IN WHICH THE CMRS PROVIDER PROVIDES WIRELESS SERVICE.~~

~~(II) A CMRS PROVIDER SHALL SUBMIT TO THE BOARD AN ESTIMATE OF NONRECURRING COSTS OF DEPLOYING WIRELESS ENHANCED 911 SERVICE IN ORDER TO OBTAIN APPROVAL OF THE COSTS.~~

~~(III) THE BOARD SHALL COMPLETE ITS REVIEW AND APPROVE OR REJECT THE ESTIMATED COSTS THAT A CMRS PROVIDER SUBMITS UNDER SUBSECTION (H)(11) OF THIS SECTION WITHIN 90 DAYS AFTER RECEIVING THE ESTIMATED COSTS FROM THE CMRS PROVIDER. IF THE BOARD REJECTS AN ESTIMATED COST, THE BOARD SHALL STATE ITS REASONS FOR THE REJECTION IN WRITING TO THE CMRS PROVIDER.~~

~~(2) (I) IN CONNECTION WITH THE AUDIT OF ESTIMATED COSTS UNDER SUBSECTION (H)(12) OF THIS SECTION, EACH CMRS PROVIDER SHALL PROVIDE VERIFICATION OF ESTIMATED AND ACTUAL COSTS OF SERVICE AS THE BOARD REQUESTS.~~

~~(II) 1. IN THE CASE OF AN OVERPAYMENT OR UNDERPAYMENT OF NONRECURRING COSTS, THE BOARD MAY:~~

~~A. REQUIRE A REFUND OF AN OVERPAYMENT TO THE 911 TRUST FUND; OR~~

~~B. ADJUST THE FUNDS APPROVED OR REJECTED UNDER A SUBSEQUENT NONRECURRING COST ESTIMATE SUBMITTED BY THE CMRS PROVIDER.~~

~~2. IF THE CMRS PROVIDER DOES NOT ANTICIPATE SUBMITTING A SUBSEQUENT ESTIMATE OF NONRECURRING COSTS, THE BOARD SHALL ADOPT A SCHEDULE FOR CORRECTING ANY UNDERPAYMENT.~~

~~(III) IN THE CASE OF AN OVERPAYMENT OR UNDERPAYMENT OF RECURRING COSTS, THE BOARD SHALL ADJUST THE FUNDS TO BE APPROVED OR REJECTED UNDER A SUBSEQUENT RECURRING COST ESTIMATE SUBMITTED BY THE CMRS PROVIDER.~~

~~(3) EXPENDITURES FROM THE 911 TRUST FUND UNDER SUBSECTION (H)(13) OF THIS SECTION MAY INCLUDE DIRECT NONRECURRING COSTS INCURRED BY A CMRS PROVIDER OR ITS AGENT IN DESIGNING, UPGRADING, PURCHASING, PROGRAMMING, INSTALLING, TESTING, ADMINISTERING, OR DELIVERING ALL NECESSARY DATA, HARDWARE, SOFTWARE, AND LOCAL EXCHANGE TELEPHONE SERVICE THAT ARE REQUIRED TO PROVIDE WIRELESS ENHANCED 911 SERVICE UNDER THE FCC ORDER THROUGHOUT THE STATE.~~

~~(4) ON REQUEST OF THE CMRS PROVIDER, AND EXCEPT AS OTHERWISE REQUIRED BY LAW, THE INFORMATION THAT A CMRS PROVIDER REPORTS TO THE BOARD, INCLUDING VERIFICATION OF COSTS, SHALL BE CONSIDERED~~

~~CONFIDENTIAL, PRIVILEGED, AND PROPRIETARY, AND MAY NOT BE DISCLOSED OR REDISCLOSED TO ANY PERSON OTHER THAN THE CMRS PROVIDER, INCLUDING A COUNTY THAT REQUESTS WIRELESS ENHANCED 911 SERVICE, WITHOUT THE EXPRESS PERMISSION OF THE CMRS PROVIDER AND WITHOUT EXECUTION OF A NONDISCLOSURE AGREEMENT WITH THE CMRS PROVIDER AND THE BOARD.~~

~~8-105.~~

~~(a) (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) (1) (I) For purposes of this subtitle, there is a 911 fee to be paid by the subscribers to switched local exchange access service, [wireless telephone] COMMERCIAL MOBILE RADIO 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.~~

~~(II) FOR CMRS, THE ADDITIONAL CHARGE IMPOSED BY A COUNTY SHALL BE APPLIED BASED ON THE TELEPHONE NUMBER PROVIDED BY THE MARYLAND HOME SERVICE PROVIDER OF CMRS AND SHALL BE COLLECTED BASED ON THE PLACE OF PRIMARY USE OF THE CUSTOMER'S HOME SERVICE PROVIDER.~~

~~(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) (1) (I) 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, COMMERCIAL MOBILE RADIO SERVICE, or other 911-accessible service within that county. The amount of the additional [charge may] CHARGE:~~

~~1. MAY not exceed a level necessary to cover the total amount of eligible operation and maintenance costs of the [county]; AND~~

~~2. WHERE WIRELESS ENHANCED 911 SERVICE HAS BEEN REQUESTED, SHALL COVER ALL REASONABLE DIRECT RECURRING OPERATING EXPENSES INCURRED BY CMRS PROVIDERS IN LEASING, ADMINISTERING, DELIVERING, OR MAINTAINING ALL NECESSARY DATA, HARDWARE, SOFTWARE, AND LOCAL EXCHANGE TELEPHONE SERVICE THAT ARE REQUIRED TO PROVIDE WIRELESS ENHANCED 911 SERVICE UNDER THE FCC ORDER IN THAT COUNTY.~~

~~(II) FOR CMRS, THE ADDITIONAL CHARGE IMPOSED BY A COUNTY SHALL BE APPLIED BASED ON THE TELEPHONE NUMBER PROVIDED BY THE MARYLAND HOME SERVICE PROVIDER OF CMRS AND SHALL BE COLLECTED BASED ON THE PLACE OF PRIMARY USE OF THE CUSTOMER'S HOME SERVICE PROVIDER.~~

~~(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) 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) The Secretary shall administer the 911 Trust Fund subject to the provisions for financial management and budgeting established by the Department of Budget and Management. 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) 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 of:~~

~~(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] SYSTEM, INCLUDING COSTS OF DEPLOYING AND MAINTAINING WIRELESS ENHANCED 911 SERVICE. 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) The Legislative Auditor shall conduct postaudits 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 postaudit examination shall be paid from the 911 Trust Fund as an administrative cost.~~

~~18-106.~~

~~(c) A [cellular telephone company or personal communication company] CMRS PROVIDER 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 regulation of the Commission under the Public Utility Companies Article.~~

~~18-107.~~

~~(f) 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)] § 18-103(H)(13) 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.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That the State Emergency Numbers System Board shall establish an Advisory Work Group on Wireless Enhanced 911 Service to assist the Board in implementing this Act. The Work Group shall include appropriate representation from Maryland local emergency number systems operators, wireless and land-based communications companies, and other sources as the Board considers appropriate. The Work Group shall present to the Board, in a timely manner as established by the Board, suggested guidelines and standards for costs involved with implementation of wireless enhanced 911 service appropriate for reimbursement under this Act. Companies participating in this Work Group shall provide appropriate customer and cost data necessary for the Work Group's efforts, but any data involved that are not derived from public sources shall be considered confidential, privileged, and proprietary, to the membership of the Work Group and the Board, and shall be accorded the same protection as information disclosed to the Board under Article 41, § 18-103(k)(4) of the Code, as enacted by this Act.~~

(a) There is a Task Force on Enhanced Wireless 911 Service.

(b) The Task Force shall consist of the following ~~11~~ *8* members:

(1) ~~Three members~~ *One member* of the Senate of Maryland, appointed by the President of the Senate;

(2) ~~Three~~ *Two* members of the House of Delegates, appointed by the Speaker of the House;

(3) Two representatives of wireless carriers, appointed jointly by the President and the Speaker;

(4) Two representatives of the Maryland Association of Counties, appointed jointly by the President and the Speaker; and

(5) One representative of the Maryland Emergency Number Systems Board, appointed jointly by the President and the Speaker.

(c) The President and the Speaker shall designate the co-chairmen of the Task Force.

(d) The Department of Legislative Services shall provide staff for the Task Force.

(e) The Task Force shall:

(1) Examine existing State law concerning enhanced wireless 911 service;

(2) Receive testimony, as the Task Force considers appropriate;

(3) Propose any appropriate statutory changes to State law concerning enhanced wireless 911 service; and

(4) Report its findings and recommendations, subject to the provisions of § 2-1246 of the State Government Article, to the General Assembly on or before December 1, 2001.

SECTION ~~3.~~ *2.* AND BE IT FURTHER ENACTED, That this Act shall take effect ~~July~~ June 1, 2001. It shall remain effective for a period of 7 months and, at the end of December 31, 2001, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.