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By: Senators Teitelbaum, Astle, Gladden, and Hafer

Introduced and read first time: January 31, 2003

Assigned to: Finance

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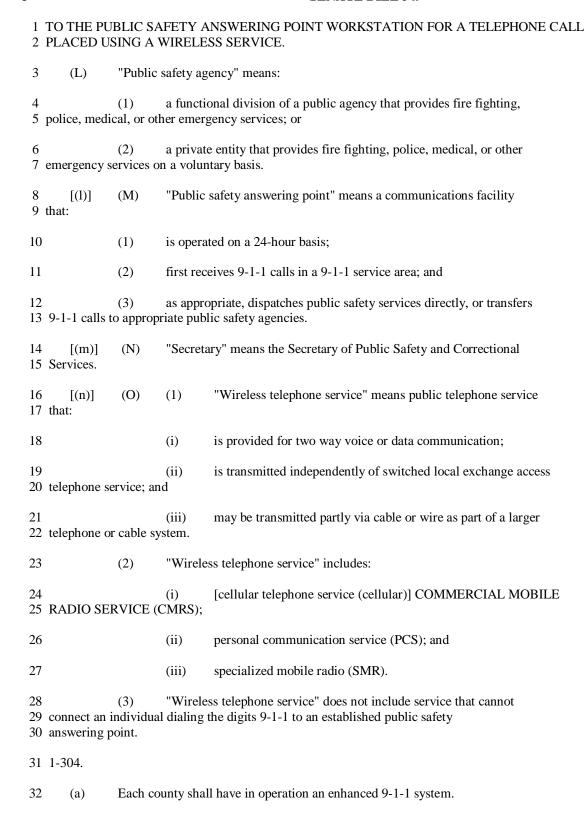
## A BILL ENTITLED

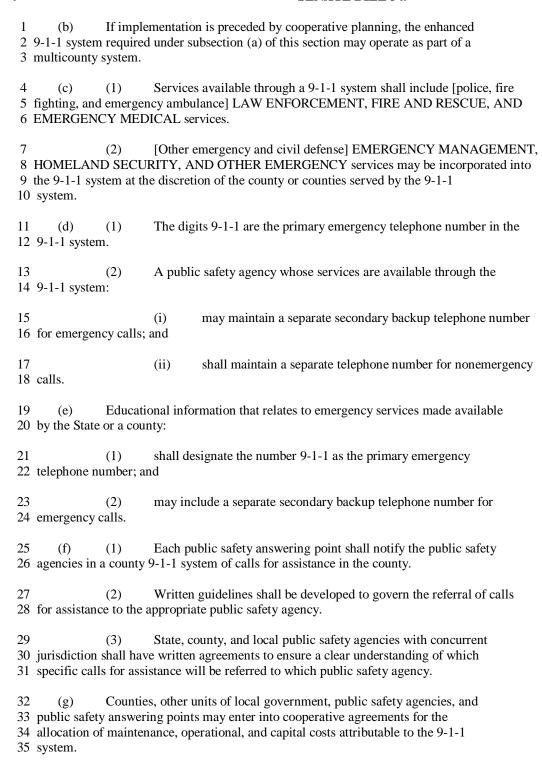
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1	$\Delta \mathbf{M}$	$\Lambda$ CI	CONCOMM

## 2 Public Safety - 9-1-1 Emergency Telephone Service

- 3 FOR the purpose of altering the types of services which must be available through a
- 4 9-1-1 system; altering the types of services which may be available through a
- 5 9-1-1 system at a county's discretion; altering the membership of the
- 6 Emergency Number Systems Board; requiring the Board to establish and
- 7 publish a certain plan for the deployment of certain wireless enhanced 9-1-1
- 8 services by a certain date; requiring the Board to review and approve or
- 9 disapprove a certain request from a certain county for a certain exemption;
- authorizing the Board to require a certain audit; authorizing a certain telephone
- 11 company or 9-1-1 service carrier to report certain information confidentially;
- requiring the Board to conduct a certain review; increasing a certain fee for
- 9-1-1 telephone service; increasing a certain additional charge a county may
- impose; requiring the Board to establish certain procedures regarding the use of
- certain money by certain counties; defining a certain term; altering a certain
- definition; and generally relating to 9-1-1 telephone services.
- 17 BY repealing and reenacting, with amendments,
- 18 Article Public Safety
- 19 Section 1-301, 1-304, 1-305(b), 1-306, 1-307, and 1-310 through 1-312
- 20 Annotated Code of Maryland
- 21 (As enacted by Chapter \_\_\_\_(S.B. 1) of the Acts of the General Assembly of
- 22 2003)
- 23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 24 MARYLAND, That the Laws of Maryland read as follows:
- 25 Article Public Safety
- 26 1-301.
- 27 (a) In this subtitle the following words have the meanings indicated.
- 28 (b) "Additional charge" means the charge imposed by a county in accordance
- 29 with § 1-311 of this subtitle.

1 (c) "Board" means the Emergency Number Systems Board. 2 (d) "County plan" means a plan for a 9-1-1 system or enhanced 9-1-1 system, 3 or an amendment to the plan, developed by a county or several counties together under this subtitle. 5 (e) "Enhanced 9-1-1 system" means a 9-1-1 system that provides: 6 (1) automatic number identification; 7 (2) automatic location identification; and 8 (3) any other technological advancements that the Board requires. 9 (f) "9-1-1-accessible service" means telephone service or another 10 communications service that connects an individual dialing the digits 9-1-1 to an established public safety answering point. 12 "9-1-1 fee" means the fee imposed in accordance with § 1-310 of this (g) 13 subtitle. 14 "9-1-1 service carrier" means a provider of wireless telephone service (h) (1) 15 or other 9-1-1-accessible service. 16 "9-1-1 service carrier" does not include a telephone company. (2) 17 (i) (1) "9-1-1 system" means telephone service that: 18 meets the planning guidelines established under this subtitle; (i) 19 and 20 (ii) automatically connects an individual dialing the digits 9-1-1 to 21 an established public safety answering point. 22 "9-1-1 system" includes: (2) 23 (i) equipment for connecting and outswitching 9-1-1 calls within a 24 telephone central office; 25 trunking facilities from a telephone central office to a public (ii) 26 safety answering point; and 27 (iii) equipment to connect 9-1-1 calls to the appropriate public 28 safety agency. 29 "9-1-1 Trust Fund" means the Fund established under § 1-308 of this (j) 30 subtitle. "PHASE II WIRELESS ENHANCED 9-1-1" MEANS A SYSTEM IN WHICH (k) 32 AUTOMATIC NUMBER AND LOCATION INFORMATION IS DELIVERED AUTOMATICALLY

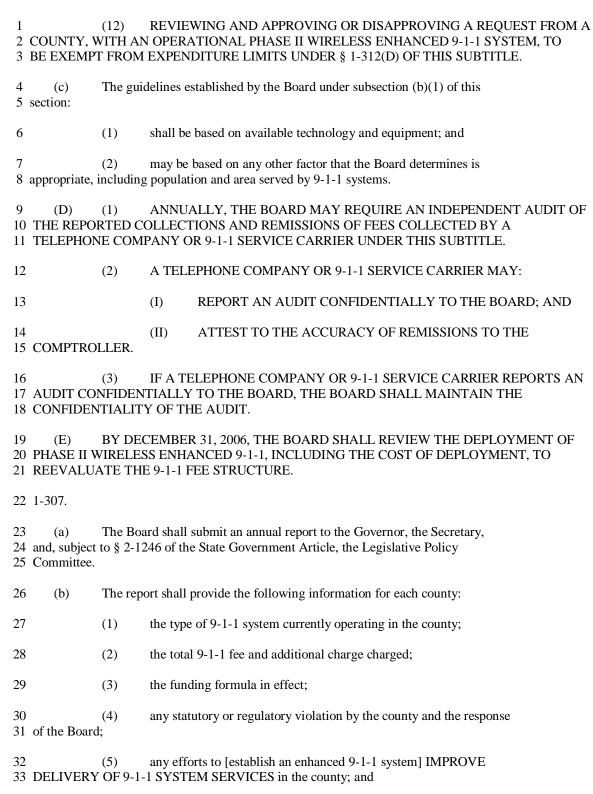




1	1-305.					
2	(b)	(1)	The Boa	ard consists	s of 13 members.	
3		(2)	Of the 1	3 members	s:	
4 5	the State;		(i)	one mem	ber shall represent a telephone company operating in	
6 7	the State;		(ii)	one mem	ber shall represent the wireless telephone industry in	
8 9	Emergency 1	Medical S	(iii) Services S		ber shall represent the Maryland Institute for	
10			(iv)	one mem	ber shall represent the Department of State Police;	
11			(v)	one mem	ber shall represent the Public Service Commission;	
12 13	12 (vi) one member shall represent the Association of Public-Safety 13 Communications Officials International, Inc.;					
15	14 (vii) two members shall represent county fire services in the State, 15 with one member representing career fire services and one member representing 16 volunteer fire services;					
17			(viii)	one mem	ber shall represent police services in the State;	
18 19	the State;		(ix)	one mem	ber shall represent emergency management services in	
20 21	THE NATIO	ONAL E	(X) MERGE		MBER SHALL REPRESENT THE MARYLAND CHAPTER OF IBERS ASSOCIATION; and	
22			[(x)]	(XI) [	[three] TWO members shall represent the public.	
23 24	of the Senat	(3) te.	The Go	vernor shal	Il appoint the members with the advice and consent	
25	1-306.					
26	(a)	The Boa	ard shall	coordinate	the enhancement of county 9-1-1 systems.	
27	(b)	The Boa	ard's resp	onsibilities	s include:	
30 31	28 (1) [establishing planning guidelines for enhanced 9-1-1 system plans 29 in accordance with this subtitle] ESTABLISHING, WITH INPUT FROM LOCAL 30 JURISDICTIONS, AND PUBLISHING, ON OR BEFORE JULY 1, 2004, AN 31 IMPLEMENTATION PLAN FOR DEPLOYMENT OF PHASE II WIRELESS ENHANCED 32 9-1-1;					

## SENATE BILL 549

	(2) plans and to evaluatestablished by the F	te requests		edures to review and approve or disapprove county tions from the planning guidelines
		a 9-1-1 sys	tem by a	redures for the request for reimbursement of the county or counties in which a 9-1-1 system is and approve or disapprove the request;
	(4) under this section, a county;			planning guidelines and procedures established s to them, to the governing body of each
	\ /	f county or	multicou	Secretary each year a schedule for implementing inty 9-1-1 systems, and an estimate of funding bunty plans;
	of the costs of enha	ancing 9-1-	1 system	oproving or disapproving requests for reimbursement s, and submitting to the Secretary each year a imate of funding requirements;
16	(7)	reviewi	ng the en	hancement of 9-1-1 systems;
17 18	(8) maintenance of 9-1			audit of county expenditures for the operation and
19	(9)	ensuring	g inspecti	ons of public safety answering points;
		ed 9-1-1 sy	stems to	proving or disapproving requests from counties with be exempted from the expenditure limitations
23	(11)	authoriz	zing expe	nditures from the 9-1-1 Trust Fund that:
24		(i)	are for e	enhancements of 9-1-1 systems that:
25			1.	are required by the Board;
26 27	and		2.	will be provided to a county by a third party contractor;
28 29		tract betwe	3. en the co	will incur costs that the Board has approved before the unty and the contractor; and
30		(ii)	are appi	roved by the Board for payment:
31			1.	from money collected under § 1-310 of this subtitle; and
32 33	AND		2.	directly to a third party contractor on behalf of a county;



,				SEINTE BIEL 54)
1		(6)	any sug	gested changes to this subtitle.
2	1-310.			
3	(a) telephone ser			to switched local exchange access service, wireless -1-accessible service shall pay a 9-1-1 fee.
5 6	(b) telephone ser		-	[10] 25 cents per month, payable when the bill for
	(c) to add the 9- service in the			olic Service Commission shall direct each telephone company ent bills rendered for switched local exchange access
10		(2)	Each tel	ephone company:
11 12	respect to th	e 9-1-1 fe	(i) ees;	shall act as a collection agent for the 9-1-1 Trust Fund with
13 14	basis; and		(ii)	shall remit all money collected to the Comptroller on a monthly
17				is entitled to credit, against the money from the 9-1-1 fees to be a amount equal to 0.75% of the 9-1-1 fees to cover the , and remitting the 9-1-1 fees and any additional
19 20	Fund.	(3)	The Cor	mptroller shall deposit the money remitted in the 9-1-1 Trust
21 22	(d) rendered for	(1) wireless		1-1 service carrier shall add the 9-1-1 fee to all current bills are service or other 9-1-1-accessible service in the State.
23		(2)	Each 9-	1-1 service carrier:
24 25	respect to th	e 9-1-1 fe	(i) ees;	shall act as a collection agent for the 9-1-1 Trust Fund with
26 27	basis; and		(ii)	shall remit all money collected to the Comptroller on a monthly
30				is entitled to credit, against the money from the 9-1-1 fees to be a amount equal to 0.75% of the 9-1-1 fees to cover the , and remitting the 9-1-1 fees and any additional
32 33	Fund.	(3)	The Cor	mptroller shall deposit the money remitted in the 9-1-1 Trust
34 35	(e) not apply to			any other provision of this subtitle, the 9-1-1 fee does ervice line used exclusively to connect a wireless

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(iii)

1 telephone service or other 9-1-1-accessible service, other than a switched local access 2 service, to another telephone system or switching device. 3 A cellular telephone company or personal communication company that 4 pays or collects 9-1-1 fees under this section has the same immunity from liability for 5 transmission failures as that approved by the Public Service Commission for local 6 exchange telephone companies that are subject to regulation by the Commission under the Public Utility Companies Article. 8 1-311. 9 In addition to the 9-1-1 fee, the governing body of each county, by (a) 10 ordinance or resolution enacted or adopted after a public hearing, may impose an 11 additional charge to be added to all current bills rendered for switched local exchange 12 access service, wireless telephone service, or other 9-1-1-accessible service in the 13 county. 14 (b) The additional charge imposed by a county may not exceed [50] 75 (1)15 cents per month per bill. The amount of the additional charges may not exceed a level 16 17 necessary to cover the total eligible maintenance and operation costs of the county. The additional charge continues in effect until repealed or modified by a 18 19 subsequent county ordinance or resolution. 20 After imposing, repealing, or modifying an additional charge, the county 21 shall certify the amount of the additional charge to the Public Service Commission. 22 (e) The Public Service Commission shall direct each telephone company that 23 provides service in a county that imposed an additional charge to add, within 60 days, 24 the full amount of the additional charge to all current bills rendered for switched local exchange access service in the county. 26 Within 60 days after a county enacts or adopts an ordinance or resolution that imposes, repeals, or modifies an additional charge, each 9-1-1 service carrier 27 28 that provides service in the county shall add the full amount of the additional charge 29 to all current bills rendered for wireless telephone service or other 9-1-1-accessible 30 service in the county. 31 Each telephone company and each 9-1-1 service carrier shall: (g) (1) 32 (i) act as a collection agent for the 9-1-1 Trust Fund with respect 33 to the additional charge imposed by each county; 34 (ii) collect the money from the additional charge on a county basis; 35 and

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

- 10 **SENATE BILL 549** 1 The Comptroller shall deposit the money remitted in the 9-1-1 Trust (2) 2 Fund account maintained for the county that imposed the additional charge. 3 1-312. During each county's fiscal year, the county may spend the amounts 4 (a) 5 distributed to it from 9-1-1 fee collections for the installation, enhancement, 6 maintenance, and operation of a county or multicounty 9-1-1 system. 7 Maintenance and operation costs may include telephone company charges. (b) 8 equipment costs, equipment lease charges, repairs, utilities, personnel costs, and appropriate carryover costs from previous years. 10 (c) The Board shall provide for an audit of each county's expenditures for the 11 maintenance and operation of the county's 9-1-1 system. 12 (D) (1) FOR A COUNTY WITHOUT AN OPERATIONAL PHASE II WIRELESS 13 ENHANCED 9-1-1 SYSTEM WITHIN THE TIME FRAMES ESTABLISHED BY THE BOARD 14 UNDER § 1-306(B)(12) OF THIS SUBTITLE, THE BOARD SHALL ADOPT PROCEDURES TO 15 ASSURE THAT: THE MONEY COLLECTED FROM THE ADDITIONAL CHARGE AND 16 17 DISTRIBUTED TO THE COUNTY ARE EXPENDED DURING THE COUNTY'S FISCAL YEAR 18 AS FOLLOWS: 19 FOR A 9-1-1 SYSTEM IN A COUNTY OR A MULTICOUNTY 1. 20 AREA WITH A POPULATION OF 100,000 INDIVIDUALS OR LESS, A MAXIMUM OF 85% 21 MAY BE SPENT FOR PERSONNEL COSTS; AND 22 2. FOR A 9-1-1 SYSTEM IN A COUNTY OR MULTICOUNTY 23 AREA WITH A POPULATION OF OVER 100,000 INDIVIDUALS, A MAXIMUM OF 70% MAY 24 BE SPENT FOR PERSONNEL COSTS: AND
- 25 THE TOTAL AMOUNT COLLECTED FROM THE 9-1-1 FEE AND (II)
- 26 THE ADDITIONAL CHARGE SHALL BE EXPENDED ONLY FOR THE INSTALLATION,
- 27 ENHANCEMENT, MAINTENANCE, AND OPERATION OF A COUNTY OR MULTICOUNTY
- 28 SYSTEM.
- THE BOARD MAY GRANT AN EXCEPTION TO THE PROVISIONS OF (2)30 PARAGRAPH (1) OF THIS SUBSECTION IN EXTENUATING CIRCUMSTANCES.
- A COUNTY WITH AN OPERATIONAL PHASE II WIRELESS ENHANCED 31
- 32 9-1-1 SYSTEM IS EXEMPT FROM THE PROVISIONS OF PARAGRAPH (1) OF THIS
- 33 SUBSECTION.
- 34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 35 October 1, 2003.