

Article - Public Safety

§1-311.

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

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

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

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

(3) Except as provided in paragraphs (4) through (6) of this subsection, if a service provider provisions to the same individual or person the voice channel capacity to make more than one simultaneous outbound call from a 9-1-1-accessible service, each separate outbound call voice channel capacity, regardless of the technology, shall constitute a separate 9-1-1-accessible service for purposes of calculating the county 9-1-1 fees due under paragraphs (1) and (2) of this subsection.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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