

Chapter 379

(Senate Bill 714)

AN ACT concerning

Public Safety – 9–1–1 Emergency Telephone System – Alterations

FOR the purpose of requiring, under certain circumstances, that certain ~~commercial mobile radio service providers and 9–1–1 service carriers~~ providers of a 9–1–1-accessible service provide certain notice to a certain public safety answering point, the Maryland Joint Operations Center, and the Maryland 9–1–1 Board and submit a certain report to the Board; requiring certain providers of a 9–1–1-accessible service to make a certain calculation according to certain federal regulations; requiring the Board and the Center to adopt procedures and implement safeguards to ensure certain information is maintained confidentially; altering the composition of the Board; altering the responsibilities of the Board to include establishing certain training standards related to individual psychological well-being and resilience for public safety answering point personnel; requiring the Board to support certain 9–1–1 specialist recruitment activities; requiring the Board to establish certain onboarding standards for newly hired 9–1–1 specialists; altering the purposes of the 9–1–1 Trust Fund; prohibiting the Fund from being used for a certain purpose; prohibiting a county from spending certain funds distributed from a certain State 9–1–1 fee in a certain manner; requiring the designee of a county or municipality to be responsible for enforcing certain provisions of law relating to the installation and operation of certain multiple-line telephone systems; requiring the Office of the State Fire Marshal to be responsible for enforcing certain provisions of law relating to the installation and operation of certain multiple-line telephone systems under certain circumstances; requiring the terms of certain members of the Board to terminate on a certain date; specifying the terms of certain initial members of the Board; requiring the ~~Behavioral Health Administration in the Maryland Department of Health~~ University System of Maryland, in consultation with the Workers' Compensation Commission and the Board, to conduct a certain study; requiring the ~~Department~~ University System of Maryland, on or before a certain date, to report its findings and recommendations to the Governor, the Board, the Commission to Advance Next Generation 9–1–1 Across Maryland, and the General Assembly; requiring the Board to report certain information to the General Assembly on or before a certain date; repealing an obsolete provision of law; making a certain stylistic change; and generally relating to 9–1–1 emergency telephone systems.

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 1–301(a), (c), (d), (l), (m), and (t), 1–305(a), 1–306(a), and 1–308(a)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY adding to

Article – Public Safety
 Section 1–304.3 and 1–306(b)(17)
 Annotated Code of Maryland
 (2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety
 Section 1–305(b), 1–306(b)(15) and (16) and (e), 1–308(b), 1–309(c), 1–312(a), and
 1–314
 Annotated Code of Maryland
 (2018 Replacement Volume and 2020 Supplement)

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

Article – Public Safety

1–301.

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

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

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

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

(3) available to the public.

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

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

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

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

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

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

1-304.3.

(A) ~~IN SUBJECT TO SUBSECTIONS (B) AND (C) OF THIS SECTION, IN THE EVENT OF A PARTIAL OR TOTAL SINGLE COUNTY OR MULTICOUNTY 9-1-1-ACCESSIBLE SERVICE OUTAGE LASTING MORE THAN 30 MINUTES AND AFFECTING MORE THAN 600,000 USER MINUTES, A CMRS PROVIDER OR 9-1-1 SERVICE CARRIER PROVIDER OF A 9-1-1-ACCESSIBLE SERVICE, OTHER THAN A RESELLER, SHALL:~~

(1) AS SOON AS PRACTICABLE, NOTIFY ANY AFFECTED PUBLIC SAFETY ANSWERING POINT AND THE MARYLAND JOINT OPERATIONS CENTER OF THE 9-1-1-ACCESSIBLE SERVICE OUTAGE OCCURRING ON THE PROVIDER'S ~~OR CARRIER'S~~ NETWORK; ~~AND~~

(2) IN ADVANCE OF THE NEXT SCHEDULED MEETING OF THE BOARD, NOTIFY THE BOARD OF ANY 9-1-1-ACCESSIBLE SERVICE OUTAGE OCCURRING ON THE PROVIDER'S ~~OR CARRIER'S~~ NETWORK; ~~AND~~

(3) AT THE NEXT SCHEDULED MEETING OF THE BOARD, SUBMIT TO THE BOARD A REPORT DETAILING THE 9-1-1-ACCESSIBLE SERVICE OUTAGE OCCURRING ON THE PROVIDER'S NETWORK.

(B) A PROVIDER OF A 9-1-1-ACCESSIBLE SERVICE SHALL CALCULATE USER MINUTES UNDER THIS SECTION IN ACCORDANCE WITH THE APPLICABLE REGULATIONS OF THE FEDERAL COMMUNICATIONS COMMISSION.

(C) THE BOARD AND THE MARYLAND JOINT OPERATIONS CENTER SHALL ADOPT PROCEDURES AND IMPLEMENT SAFEGUARDS TO ENSURE THAT SENSITIVE INFORMATION SUBMITTED BY A PROVIDER OF A 9-1-1-ACCESSIBLE SERVICE UNDER THIS SECTION IS MAINTAINED CONFIDENTIALLY.

1-305.

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

(b) (1) The Board consists of [17] **24** members.

(2) Of the [17] **24** members:

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

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

(III) ONE NONVOTING MEMBER SHALL REPRESENT THE MARYLAND EMERGENCY MANAGEMENT AGENCY;

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

[(iv)] **(V)** one member shall represent the Department of State Police;

[(v)] **(VI)** one member shall represent the Public Service Commission;

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

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

[(viii)] **(IX)** one member shall represent [police services] **LAW ENFORCEMENT** in the State;

[(ix)] **(X)** [two members] **ONE MEMBER** shall represent emergency management services in the State;

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

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

(XI) ONE MEMBER SHALL REPRESENT 9-1-1 SPECIALISTS;

(XII) ONE MEMBER SHALL BE APPOINTED BY THE SECRETARY OF DISABILITIES AND REPRESENT INDIVIDUALS WITH ACCESSIBILITY NEEDS;

(XIII) ONE MEMBER SHALL REPRESENT THE EMERGENCY COMMUNICATIONS COMMITTEE OF THE MARYLAND ASSOCIATION OF COUNTIES;

(XIV) ONE MEMBER SHALL REPRESENT DIRECTORS OF PUBLIC SAFETY ANSWERING POINTS FOR ALLEGANY COUNTY, GARRETT COUNTY, AND WASHINGTON COUNTY;

(XV) ONE MEMBER SHALL REPRESENT DIRECTORS OF PUBLIC SAFETY ANSWERING POINTS FOR CALVERT COUNTY, CHARLES COUNTY, FREDERICK COUNTY, MONTGOMERY COUNTY, PRINCE GEORGE'S COUNTY, AND ST. MARY'S COUNTY;

(XVI) ONE MEMBER SHALL REPRESENT DIRECTORS OF PUBLIC SAFETY ANSWERING POINTS FOR ANNE ARUNDEL COUNTY, BALTIMORE CITY, BALTIMORE COUNTY, CARROLL COUNTY, HARFORD COUNTY, AND HOWARD COUNTY;

(XVII) ONE MEMBER SHALL REPRESENT DIRECTORS OF PUBLIC SAFETY ANSWERING POINTS FOR CAROLINE COUNTY, CECIL COUNTY, DORCHESTER COUNTY, KENT COUNTY, QUEEN ANNE'S COUNTY, SOMERSET COUNTY, TALBOT COUNTY, WICOMICO COUNTY, AND WORCESTER COUNTY;

(XVIII) ONE MEMBER SHALL REPRESENT THE CYBERSECURITY SYSTEMS IN THE STATE, PARTICULARLY IN THE FIELD OF EMERGENCY COMMUNICATION NETWORKS;

(XIX) ONE MEMBER SHALL REPRESENT A COUNTY FINANCE OFFICE IN THE STATE AND BE RECOMMENDED BY THE MARYLAND ASSOCIATION OF COUNTIES;

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

[(xiii)] **(XXI)** one member shall represent the geographical information systems in the State; and

[(xiv)] **(XXII)** two members shall represent the public.

(3) The Governor shall appoint the members with the advice and consent of the Senate.

1-306.

(a) The Board shall coordinate the enhancement of county 9-1-1 systems.

(b) The Board's responsibilities include:

(15) establishing training standards for public safety answering point personnel based on national best practices, including training concerning Next Generation 9-1-1 topics **AND INDIVIDUAL PSYCHOLOGICAL WELL-BEING AND RESILIENCE;** [and]

(16) establishing minimum standards for cybersecurity, oversight, and accountability of service level agreements between counties and core service providers of Next Generation 9-1-1 services; **AND**

(17) SUPPORTING 9-1-1 SPECIALIST RECRUITMENT ACTIVITIES CONSISTING OF:

(I) A DATABASE THAT OFFERS INFORMATION ON RECRUITMENT GUIDANCE, BEST PRACTICES, AND STRATEGIES;

(II) RECRUITMENT PROJECTS, INCLUDING RECRUITMENT PROJECTS DESIGNED TO REACH MINORITIES; AND

(III) A WEBSITE THAT CONTAINS LINKS TO JOB OPPORTUNITIES THROUGHOUT THE STATE FOR 9-1-1 SPECIALISTS.

(e) (1) The standards established by the Board under subsection (b)(15) of this section shall include **ONBOARDING STANDARDS FOR NEWLY HIRED 9-1-1 SPECIALISTS AND** minimum continuing education standards for 9-1-1 specialists.

(2) (i) At least once each year, the Board shall provide for an audit of each public safety answering point in order to ensure that 9-1-1 specialists and other personnel employed by the public safety answering point have satisfied the training requirements established in accordance with subsection (b)(15) of this section.

(ii) The audit described under subparagraph (i) of this paragraph may be conducted concurrently with an inspection of the public safety answering point in accordance with subsection (b)(10) of this section.

1-308.

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

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

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

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

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

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

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

1. equipment and software utilized directly for providing 9-1-1 services by a public safety answering point;

2. protocol systems and software utilized directly for providing 9-1-1 services by a public safety answering point;

3. interpretation services provided for a public safety answering point;

4. services provided for a public safety answering point to ensure improved access to individuals with disabilities and other individuals who use assistive technology; and

5. voice, data, and call log recorders utilized to capture information from 9–1–1 systems, enhanced 9–1–1 systems, and Next Generation 9–1–1 services;

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

1. automatic number and location identification; and

2. Primary Rate Interface and Session Initiation Protocol trunking for 10–digit emergency and nonemergency lines;

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

1. mapping equipment;

2. interfaces to computer–aided dispatch; and

3. geographical information systems base layer development and management;

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

(v) [funding] costs for public education materials;

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

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

(viii) [funding] costs to maintain the cybersecurity of 9–1–1 systems, enhanced 9–1–1 systems, and Next Generation 9–1–1 services; **AND**

(IX) COSTS OF 9–1–1 SPECIALIST RECRUITMENT ACTIVITIES AS DESCRIBED IN § 1–306(B)(17) OF THIS SUBTITLE.

(3) Funding allocated in accordance with paragraph (2) of this subsection may not be utilized for:

(I) the payment of the salary of public safety answering point personnel or county personnel; **OR**

(II) ANY PURPOSE ASSOCIATED WITH THE 9-8-8 SUICIDE PREVENTION HOTLINE.

1-309.

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

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

- (i) pay the administrative costs chargeable to the 9-1-1 Trust Fund;
- (ii) reimburse counties for the cost of enhancing a 9-1-1 system;
- (iii) pay contractors in accordance with § 1-306(b)(12) of this subtitle;

and

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

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

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

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

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

(5) Money accruing to the 9-1-1 Trust Fund may not be used for:

(I) the maintenance or operation of communications centers other than public safety answering points; **OR**

(II) ANY PURPOSE ASSOCIATED WITH THE 9-8-8 SUICIDE PREVENTION HOTLINE.

1-312.

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

(2) A COUNTY MAY NOT SPEND THE AMOUNTS DISTRIBUTED TO IT FROM STATE 9-1-1 FEE COLLECTIONS FOR ANY PURPOSE ASSOCIATED WITH THE 9-8-8 SUICIDE PREVENTION HOTLINE.

1-314.

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

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

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

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

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

(c) **(1)** Notwithstanding any other provision of this subtitle **AND EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION**, a [county] COUNTY'S or [municipality] MUNICIPALITY'S DESIGNEE shall be responsible for enforcing subsection (b) of this section.

(2) IN THE ABSENCE OF A COUNTY- OR MUNICIPALITY-DESIGNATED ENFORCEMENT UNIT, THE OFFICE OF THE STATE FIRE MARSHAL, INCLUDING THE STATE FIRE MARSHAL, AN ASSISTANT STATE FIRE MARSHAL, OR A SPECIAL ASSISTANT STATE FIRE MARSHAL, SHALL BE RESPONSIBLE FOR ENFORCING SUBSECTION (B) OF THIS SECTION.

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

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That, to implement the change in composition of the Maryland 9–1–1 Board under § 1–305(b)(2) of the Public Safety Article, as enacted by Section 1 of this Act:

(1) the terms of the members representing the emergency management services in the State serving on the Maryland 9–1–1 Board before the effective date of this Act shall terminate June 1, 2021; and

(2) the Governor may reappoint a member of the Maryland 9–1–1 Board who served before the effective date of this Act in order to ensure a level of continuity within the membership of the Board.

SECTION 3. AND BE IT FURTHER ENACTED, That the terms of the 11 initial members of the Maryland 9–1–1 Board provided for in § 1–305(b)(2) of the Public Safety Article, as enacted by Section 1 of this Act, shall expire as follows:

- (1) two members in 2021;
- (2) three members in 2022;
- (3) three members in 2023; and
- (4) three members in 2024.

SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) (1) ~~The Behavioral Health Administration in the Maryland Department of Health~~ University System of Maryland, in consultation with the State Workers' Compensation Commission and the Maryland 9–1–1 Board, shall study the State's workers' compensation laws and the effects of job-related audible or visual trauma experienced by 9–1–1 specialists, as defined in § 1–301 of the Public Safety Article, for the purpose of determining:

(i) whether audible or visual trauma, including trauma incurred through Next Generation 9–1–1 services, as defined in § 1–301 of the Public Safety Article, culminates in impaired mental wellness, emotional awareness, or cognitive function; and

(ii) whether the State's workers' compensation laws should be amended for the purpose of establishing benefit eligibility for 9–1–1 specialists who have been directly or indirectly exposed to job-related audible or visual trauma.

(2) The study shall include a survey of the workers' compensation laws of other states and a review of policy recommendations by advocacy groups with relevant subject matter expertise.

(b) On or before August 1, 2021, the ~~Behavioral Health Administration~~ University System of Maryland shall submit a report on its findings and recommendations to the Governor, the Maryland 9-1-1 Board, the Commission to Advance Next Generation 9-1-1 Across Maryland, and, in accordance with § 2-1257 of the State Government Article, the General Assembly.

(c) On or before December 31, 2021, the Commission to Advance Next Generation 9-1-1 Across Maryland shall report to the General Assembly, in accordance with § 2-1257 of the State Government Article:

(1) any available demographic information for 9-1-1 specialists, including race and gender, listed by county and statewide;

(2) prerequisites for employment as a 9-1-1 specialist, including certification and education requirements;

(3) the salary range and average salary of 9-1-1 specialists in the State;
and

(4) a plan to provide implicit bias training to 9-1-1 specialists.

SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2021.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 30, 2021.