

Chapter 425

(House Bill 1235)

AN ACT concerning

Public Safety – Emergency Number System – Next Generation 9–1–1 Services

FOR the purpose of altering the responsibilities of the Emergency Number Systems Board to include establishing planning guidelines for next generation 9–1–1 services system plans and deployment of next generation 9–1–1 service services; ~~authorizing the Board to limit a request for reimbursement to counties for the cost of enhancing a 9–1–1 system;~~ defining a certain term; and generally relating to emergency number systems and next generation 9–1–1 services.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 1–301 and 1–306

Annotated Code of Maryland

(2011 Replacement Volume)

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.
- (b) “Additional charge” means the charge imposed by a county in accordance with § 1–311 of this subtitle.
- (c) “Board” means the Emergency Number Systems Board.
- (d) “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.

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

(f) “County plan” means a plan for a 9–1–1 system or enhanced 9–1–1 system, or an amendment to the plan, developed by a county or several counties together under this subtitle.

(g) (1) “Customer” means:

(i) the person that contracts with a home service provider for CMRS; or

(ii) the end user of the CMRS if the end user of the CMRS is not the contracting party.

(2) “Customer” does not include:

(i) a reseller of CMRS; or

(ii) a serving carrier under an arrangement to serve the customer outside the home service provider’s licensed service area.

(h) “Enhanced 9–1–1 system” means a 9–1–1 system that provides:

(1) automatic number identification;

(2) automatic location identification; and

(3) any other technological advancements that the Board requires.

(i) “FCC order” means an order issued by the Federal Communications Commission under proceedings regarding the compatibility of enhanced 9–1–1 systems and delivery of wireless enhanced 9–1–1 service.

(j) “Home service provider” means the facilities-based carrier or reseller that contracts with a customer to provide CMRS.

(k) **“NEXT GENERATION 9–1–1 SERVICES” MEANS AN INTERNET PROTOCOL (IP)–BASED SYSTEM, COMPRISED OF HARDWARE, SOFTWARE, DATA, AND OPERATIONAL POLICIES AND PROCEDURES, THAT:**

(1) PROVIDES STANDARDIZED INTERFACES FROM EMERGENCY CALL AND MESSAGE SERVICES TO SUPPORT EMERGENCY COMMUNICATIONS;

(2) PROCESSES ALL TYPES OF EMERGENCY CALLS, INCLUDING VOICE, TEXT, DATA, AND MULTIMEDIA INFORMATION;

(3) ACQUIRES AND INTEGRATES ADDITIONAL EMERGENCY CALL DATA USEFUL TO CALL ROUTING AND HANDLING;

(4) DELIVERS THE EMERGENCY CALLS, MESSAGES, AND DATA TO THE APPROPRIATE PUBLIC SAFETY ANSWERING POINT AND OTHER APPROPRIATE ~~PUBLIC SAFETY AGENCIES~~ EMERGENCY ENTITIES;

(5) SUPPORTS DATA OR VIDEO COMMUNICATIONS NEEDS FOR COORDINATED INCIDENT RESPONSE AND MANAGEMENT; ~~OR~~ AND

(6) PROVIDES BROADBAND SERVICE TO PUBLIC SAFETY ANSWERING POINTS OR OTHER ~~PUBLIC SAFETY AGENCIES~~ FIRST RESPONDER ENTITIES.

(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.

[(l)] (M) “9–1–1 fee” means the fee imposed in accordance with § 1–310 of this subtitle.

[(m)] (N) (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.

[(n)] (O) (1) “9–1–1 system” means telephone service that:

(i) meets the planning guidelines established under this subtitle; and

(ii) automatically connects an individual dialing the digits 9–1–1 to an established public safety answering point.

(2) “9–1–1 system” includes:

(i) equipment for connecting and outswitching 9–1–1 calls within a telephone central office;

(ii) trunking facilities from a telephone central office to a public safety answering point; and

(iii) equipment to connect 9–1–1 calls to the appropriate public safety agency.

[(o)] (P) “9–1–1 Trust Fund” means the fund established under § 1–308 of this subtitle.

[(p)] (Q) “Public safety agency” means:

(1) a functional division of a public agency that provides fire fighting, police, medical, or other emergency services; or

(2) a private entity that provides fire fighting, police, medical, or other emergency services on a voluntary basis.

[(q)] (R) “Public safety answering point” means a communications facility that:

(1) is operated on a 24–hour basis;

(2) first receives 9–1–1 calls in a 9–1–1 service area; and

(3) as appropriate, dispatches public safety services directly, or transfers 9–1–1 calls to appropriate public safety agencies.

[(r)] (S) “Secretary” means the Secretary of Public Safety and Correctional Services.

[(s)] (T) “Wireless enhanced 9–1–1 service” means enhanced 9–1–1 service under an FCC order.

1–306.

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

(b) The Board’s responsibilities include:

(1) establishing planning guidelines for enhanced 9–1–1 system plans and deployment of wireless enhanced 9–1–1 service in accordance with this subtitle;

(2) establishing procedures to review and approve or disapprove county plans and to evaluate requests for variations from the planning guidelines established by the Board;

(3) establishing procedures for the request for reimbursement of the costs of enhancing a 9–1–1 system by a county or counties in which a 9–1–1 system is in operation, and procedures to review and approve, ~~LIMIT~~, or disapprove the request;

(4) transmitting the planning guidelines and procedures established under this section, and any amendments to them, to the governing body of each county;

(5) submitting to the Secretary each year a schedule for implementing the enhancement of county or multicounty 9-1-1 systems, and an estimate of funding requirements based on the approved county plans;

(6) developing, with input from counties, and publishing on or before July 1, 2004, an implementation schedule for deployment of wireless enhanced 9-1-1 service;

(7) reviewing and approving or disapproving requests for reimbursement of the costs of enhancing 9-1-1 systems, and submitting to the Secretary each year a schedule for reimbursement and an estimate of funding requirements;

(8) reviewing the enhancement of 9-1-1 systems;

(9) providing for an audit of county expenditures for the operation and maintenance of 9-1-1 systems;

(10) ensuring inspections of public safety answering points;

(11) reviewing and approving or disapproving requests from counties with operational enhanced 9-1-1 systems to be exempted from the expenditure limitations under § 1-312 of this subtitle; [and]

(12) authorizing expenditures from the 9-1-1 Trust Fund that:

(i) are for enhancements of 9-1-1 systems 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 before the formation of a contract between the county and the contractor; and

(ii) are approved by the Board for payment:

1. from money collected under § 1-310 of this subtitle;

and

2. directly to a third party contractor on behalf of a county; AND

(13) ESTABLISHING PLANNING GUIDELINES FOR NEXT GENERATION 9-1-1 SERVICES SYSTEM PLANS AND DEPLOYMENT OF NEXT GENERATION 9-1-1 SERVICE SERVICES IN ACCORDANCE WITH THIS SUBTITLE.

(c) The guidelines established by the Board under subsection (b)(1) AND **(13)** of this section:

(1) shall be based on available technology and equipment; and

(2) may be based on any other factor that the Board determines is appropriate, including population and area served by 9-1-1 systems.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2012.

Approved by the Governor, May 2, 2012.