

# **City of Hudson, Ohio**

## **Needs Assessment and Strategic Plan**



### **Prepared For:**

**City of Hudson, Ohio**

**March 6, 2019**

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## **Executive Summary**

Our PSAP visit and focus group interviews confirmed the PSAP operated by the City of Hudson is run professionally, but with largely outdated equipment. This hinders the ability to streamline operational efficiencies within the PSAP and does not permit future enhancements to raise situational awareness and sharing of data and technology costs with nearby PSAPs. Our recommendations will outline equipment replacement priorities that can be used to create a replacement schedule based upon costs and funding availability. Implementing these recommendations will improve the 911 call taking process, dispatching of emergency services and downstream data input such as report writing and analytics. It will also permit integrations with neighboring PSAP systems to facilitate increased operational awareness and data sharing to and from other systems.

The radio systems used by Hudson's public safety agencies are on different spectrum bands and it is time for them to once again operate on the same spectrum and system. May, 2014 the police department moved to the county-wide 800 MHz system owned and operated by Summit County. Since that time Hudson's fire and EMS agencies continued to improve their existing UHF systems. Most of the surrounding fire and EMS agencies have also moved to the county-wide 800 MHz system. The City of Macedonia is the last remaining UHF fire and EMS department aside from Hudson. Having recently passed a ballot issue for this purpose, they should be planning to move to the county-wide 800 MHz system in the near future. Planning in coordination with Macedonia Fire and EMS is recommended if at all possible.

Currently, daily operations that do not include Hudson PD or surrounding fire and EMS agencies communicate smoothly within the fire department. While this is the bulk of the communications need, the department does and must continue to plan for the bigger events that do happen and do require communication with Hudson PD and surrounding fire and EMS agencies.

There have been valid solutions put in place to accommodate being on these different spectrums, but several of them are not automatic and need human input and decisions each and every time they want to enact them. It can be easy to forget to enact the protocols for these solutions in the midst of an active emergency scene and communications will suffer until they are enacted. Daily operation on the same system will eliminate the need for these solutions.

It is the recommendation of MCM Consulting Group Inc. to plan and implement two separate projects. The first is for the equipment upgrades of the 911 PSAP. Several of these upgrades are not highly expensive and can be implemented in a phased approach.

The second project is moving Hudson Fire and EMS to the county-wide 800 MHz system. This project will require significant planning to ensure operational capabilities of the current communications system carry forward at an equal or greater capacity. For this reason, this project should move at a slower pace for proper planning, testing, cost-benefit analysis and ultimately implementation.

## **Introduction**

911 systems in Ohio are, by Ohio Revised Code (ORC) Chapter 128.03, defined as county-wide systems. Each of these systems are made up of one or more centers that answer 9-1-1 calls and dispatch the emergency services needed by the caller. These centers are called a Public Safety Answering Point (PSAP). The City of Hudson operates one primary PSAP that is a part of the Summit County Ohio 911 system as defined in the county's E911 Plan.

Legislatively within the State of Ohio there are PSAP Operations Rules that became effective in May of 2018. These PSAP rules are Appendix B of this report. These PSAP rules are based upon professional standards and best practices from across the nation and are mandatory for any PSAP eligible to receive wireless surcharge funding from the State of Ohio, even if restricted by their county E911 plan. The City of Hudson does not receive these funds, but is held to the same standard.

ORC 128 is due for an update. Ohio's ESINet Steering Committee has recommended language that would strengthen imposing the PSAP rules upon all PSAPs within the State of Ohio, regardless of funding. This is documented on page 10 of Appendix C in the recommended change to ORC 128.021(C). Should these recommendations become law, the grey area will be gone and there will be no valid argument to avoid any of the PSAP rules. It will become much more expensive to operate a small, independent PSAP in compliance with all of the PSAP rules.

Additionally, The City of Hudson operates various public safety radio systems across multiple spectrum bands. Taking into consideration the current systems, nearby mutual aid systems, current and potential operational upgrades and efficiencies; The City of Hudson seeks recommendations how best to plan their future communications investments.

For these reasons, The City of Hudson has retained MCM Consulting Group, Inc. (MCM) to analyze the public safety radio systems usage and interoperability as well as the operational efficiencies of the current 911 call answering and emergency services dispatching provided within their PSAP located at: 36 S. Oviatt Street, Hudson OH 44236.

In addition to analyzing the efficiencies our role is to provide a Needs Assessment and Strategic Plan to offer recommendations to best serve the community and end-users of these systems.

The MCM team goal is to provide our clients with informed, unbiased professional advice on communication system assessment, products, technology, strategic planning, design, implementation, performance testing and staff training. We work diligently to provide our clients insight into dealing with new technologies, products and managing relationships with vendors. We work to support the client's management team in identifying opportunities and products that enhance performance and increase reliability and cost efficiency in their network.

The MCM team has extensive experience in all of the key practical and technical components surrounding a critical project such as this. To deliver this type of project, the skills surrounding the management of the project are equally as important as the quality of the technical background the team possesses to produce a successful outcome.

Recommendations toward the end of this report are divided by timeline. Immediate Term recommendations should be accomplished within six months, Medium Term recommendations within two years, and Long Term recommendations within four years. Please review these recommendations carefully. Several of the short and medium-term recommendations can provide benefits within today's individual PSAP model while the longer-term goals are being planned and executed.

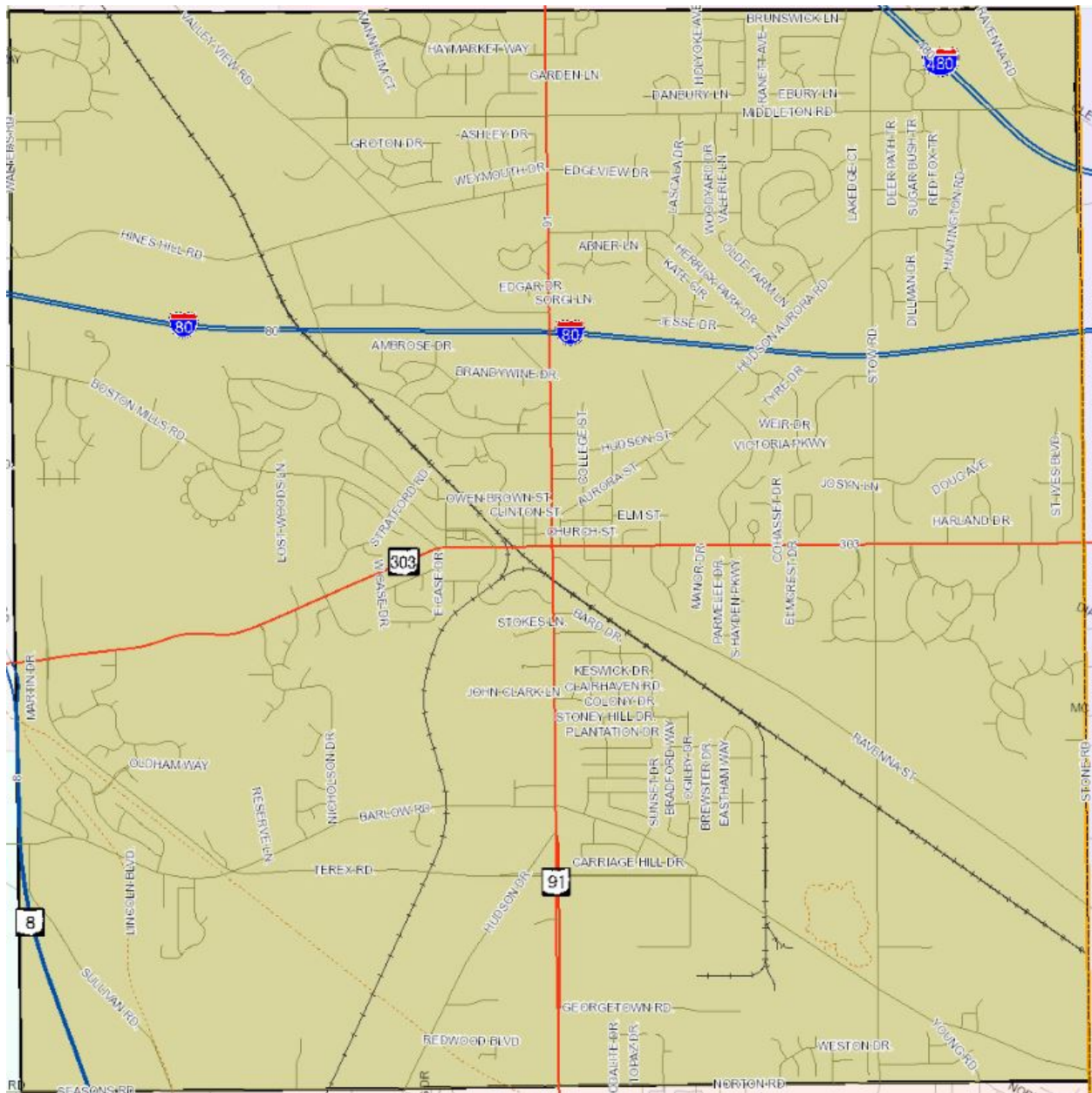


Figure 1 PSAP Area Map



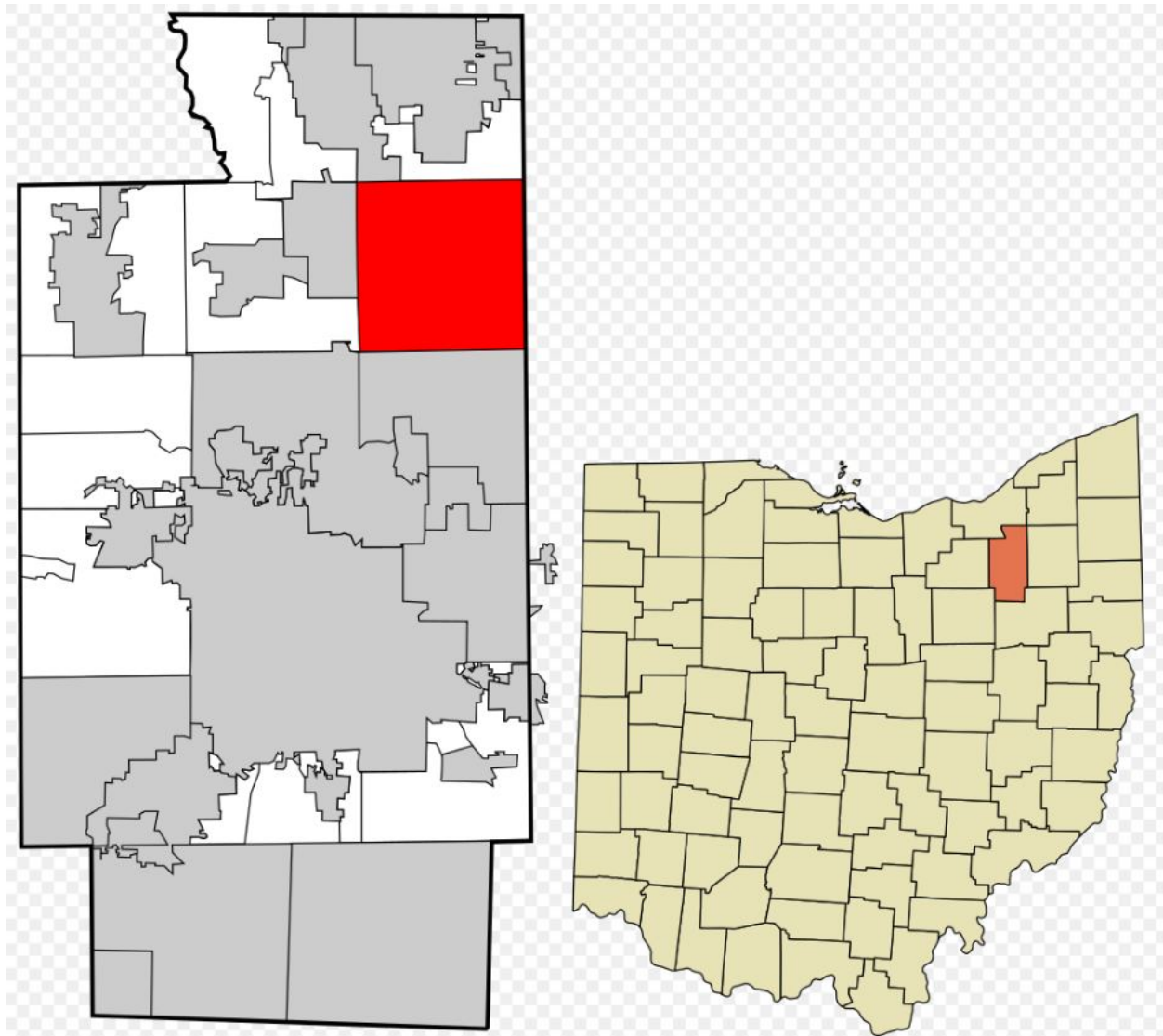


Figure 2, Hudson City Participating Jurisdiction Map

## **Methodology**

The project began with a kick-off meeting on November 15, 2018. MCM staff assigned to the project have experience in 9-1-1 PSAP operations, 9-1-1 equipment and/or public safety communications systems, design and engineering. Key individuals were identified to be a part of the project team. They were responsible for coordinating PSAP visits and providing information about their PSAP operations. These team members were:

- Jeff Knoblauch, Assistant City Manager, City of Hudson
- Perry Tabak, Police Chief, City of Hudson
- Jerry Varnes, Fire and EMS Chief, City of Hudson
- Jeff Graber, Lieutenant, City of Hudson, Fire Department

A project schedule was developed and presented for the team's review.

The initial PSAP visit focused on two priorities; focus group interviews of the field and PSAP personnel, and analysis of the technologies in use at the PSAP location. MCM developed focus group questions that allowed PSAP staff an opportunity to give honest and anonymous feedback on not only their current operations, but also their views, opinions and recommendations for a virtual consolidation effort. A summary of focus group questions and responses is attached as Appendix A.

Technologies within the PSAP that support the 9-1-1 call answering and dispatching of emergency services include 911 call handling equipment (CHE), GIS mapping, Computer Aided Dispatch (CAD), public safety radio systems, voice logging recorders, the administrative phone system and backup power systems. These were reviewed for their expected longevity in their current environments, workflow of the systems, interoperability with like systems within the environment and their potential usefulness in a virtually consolidated center.

MCM reviewed and analyzed each of these PSAP operations.

- PSAP access
- Generator and back-up power systems access
- Radio equipment room and tower access
- PSAP local budget
- Wireless surcharge funding
- Training programs and manuals
- Policies and procedures



- Employee handbook
- City of Hudson Ohio and Ohio Patrolman's Benevolent Association Bargaining Agreement
- Current staffing level of the PSAP
- Workflow of 9-1-1 call taking and dispatching
- Historic 9-1-1 call volumes
- Historic administrative call volumes
- Agencies and field units dispatched by the PSAP
- PSAP boundaries
- Current PSAP equipment supporting 9-1-1 operations
- Comprehensive services provided by the PSAP

All of the research, data analysis and recommendations that follow in this needs assessment and strategic plan are built upon the full participation of the PSAP, public safety officials and administration of The City of Hudson.

### **PSAP Information/Demographics**

The City of Hudson Police Department operates a PSAP at 36 S. Oviatt Street, Hudson OH. The PSAP serves the city population of approximately 22,262 residents and the city area of 25.8 square miles. The PSAP occupies dedicated space in the front, upper level of the building. It includes the 911 call taking and dispatching area, a lobby with security features and a "safe room" for public use and a large, well designed equipment room. Entrances to the building are maintained with access controls in place.

There are currently two answering positions with potential space for one additional position. The PSAP is typically staffed with two telecommunicators during daylight operations and typically one telecommunicators during night hours. The PSAP is supervised by a police lieutenant who is assisted by a police sergeant and serves the City of Hudson by receiving 911 calls and dispatching for the fire, EMS and police agencies.

911 call handling equipment (CHE) used within the PSAP is a Lifeline 100 system, version 2.2 made by Positron, which is past its useful life. The CAD system in use is a product from Sundance Systems running the latest version, 2018- 10.22.0. Emergency Medical Dispatch (EMD) is used within the PSAP, but is not integrated within the CAD system. This program is supplied by Power Phone Inc.

Radio console equipment at each of the two answering positions is a Zetron model 4024 and the audio logging equipment is an Eventide unit. Furniture within the PSAP was designed with this older style radio console in mind.

## **Call and Dispatch Summary**

Annual totals for Emergency 9-1-1 calls, non-emergency calls and incident totals from the Computer Aided Dispatch (CAD) system were provided and can be seen in the charts below.

These categories of work demand a significant amount of time from the dispatchers and can be used to help determine if changes in statistical volume support staffing level changes. Of note is a 12 percent increase in 9-1-1 call volume from 2017 into 2018.

In discussions with the dispatchers, we learned that Hudson's PSAP still receives emergency service requests from the public via non-emergency 10-digit phone lines within the center. While this is not uncommon across the country, an education campaign should be conducted to educate the public in the benefits of using the 911 system for all emergency requests.

Non-Emergency Phone Call Totals				
	Outbound	Inbound	Internal	Total
<b>2013</b>	4849	24014	7298	<b>36161</b>
<b>2014</b>	4474	23546	6408	<b>34446</b>
<b>2015</b>	4980	21991	6329	<b>33300</b>
<b>2016 (Jan-Nov)</b>	4201	18375	5144	<b>27720</b>
New phone system does not have call counts				

CAD Incident Totals by Department		
	2017	2018
<b>Police</b>	15102	15163
<b>EMS</b>	1440	1,557
<b>Fire</b>	610	614
<b>Total</b>	<b>17,152</b>	<b>17,334</b>

911 Call and Dispatch Totals			
	Total 9-1-1 Calls	Non-Emergency Calls (Estimate)	Total CAD Dispatches
<b>2017</b>	3324	34292	17152
<b>2018</b>	3720	34292	17334

## **Technology Summary**

Technologies used within PSAPs are essential for operational effectiveness. With the development of standards as well as the technological advances seen in the market, they have provided the telecommunicator with better tools to facilitate effective dispatch services within their community.

### **911 Call Taking**

To provide uniformity and consistency in the handling of 9-1-1, other emergency calls and administrative non-emergency calls, the following call-taking standards are recommended:

- Operational level of service
- Order of answering priority
- Answering protocol
- Information gathering
- Call transfer

### **Call Handling Equipment (CHE)**

The 911 CHE is a Positron, Lifeline 100 system, version 2.2 made by Positron. It is past its end of life, meaning that the manufacturer no longer supports the product. The 911 caller's location is displayed in text format on the 911 equipment screen, but export of this information into the city's GIS mapping for the dispatcher is limited. Due to the age of the 911 system, only physical addresses are sent to the GIS map. Since most 911 calls are now from a wireless device, the information needed is an X/Y coordinate that, while shown on the 911 screen, is not shared with the GIS mapping and must be hand entered to be used. This creates an artificial delay and an opportunity for human error on the data entry for wireless 911 calls. For this reason, update of the 911 equipment should be the highest priority in a technology replacement schedule.

The age of the system and lack of statistical reporting while not the primary reason for replacement are also noteworthy reasons it should be replaced. The typical lifespan of 911 equipment is between eight and twelve years. Statistical reporting is now required within Ohio's PSAP rules for PSAPs that receive wireless surcharge funding disbursements. Even if this PSAP will not receive this funding in the future, statistical reporting of call answer times broken down by shift or employee can be very useful tools for training, scheduling and quality assurance purposes.

### **Computer Aided Dispatch (CAD)**

Sundance, version 2018-10.22.0, purchased: October 2006, latest version installed during calendar year 2018, CAD maintenance provider Sundance, Active Networking, annual

Maintenance costs: \$10,880. Records Management System (RMS) Mobile Data Terminal (MDT) Geographic Information System (GIS) and Automatic Vehicle Location (AVL) Police Units Only. Interfaced with Crossmatch and EMS Charts.

The CAD system itself is modern, feature rich and has the potential to integrate to other technologies. It was observed and noted that several of the features may not be working as designed or refresher training on those features is needed. Text alert paging from the CAD system was a feature of major concern.

EMD usage/CAD integration:

Emergency Medical Dispatching (EMD) is provided by PowerPhone and is not integrated within CAD. This means that the medical information received and given to a 911 caller is logged within the EMD program and is not saved for future record keeping unless the PSAP telecommunicator performs a copy and paste function from EMD into the CAD record each and every time. Once the EMD incident is closed, the opportunity to do so is gone. This should be an automatic process.

Quotes with various options for comparison have been received from the current vendor, PowerPhone and from Priority Dispatch. Priority Dispatch is used by most of the other Summit County PSAPs and there are long-term efficiencies available. PSAP employees can and do work in more than one PSAP. Using only one EMD software, regardless of the location helps them remain proficient in its use, and learning/using one set of EMD protocols can prevent errors. This also holds true in the case of mis-routed or transferred 911 calls. Efficiencies can also be found when training employees if coordinated with the neighboring PSAPs using the same software.

The options requested in the quotes would provide an expansion of the software from solely EMD to also include police and fire protocols. Emergency Police Dispatching (EPD) and Emergency Fire Dispatching (EFD) would provide the same level of consistency for police and fire response as the EMD program does for medical response. This means the EPD and EFD software would be used instead of relying upon memory of written plans or referencing hard copy books while on an emergency police or fire call, thus reducing the chance of errors or delays.

### **Voice Logging Recorders**

Eventide 16 Channel, NexLog Version 2.7.3(216), purchased August of 2017, 16 channel capacity with 15 currently in use. Digital Capable, Maintenance provided by: Sound Communications for an annual maintenance cost of: \$2,925.86

### **Mass Notification**

One very significant ancillary duty of today's PSAPs is alerting their residents of life-threatening situations. Mass notification systems today can send phone calls, text message, emails, and social media posts rapidly to keep the public informed. They can also be very precise as to the geography or list of people that need to be contacted. In short, these software systems are a highly valuable tool in today's communications centers. These systems can also be used to notify groups of employees or to activate special response teams. Currently, Hudson's PSAP does not utilize a mass notification system for public alerting. Employee groups are alerted through the CAD system.

Hudson Fire does however perform mass notification to the public via CodeRed by OnSolve. This company is a market leader with a very stable and highly available product. PSAP employees need to be trained in the near future how to create and send public alerts.

### **Radio**

The Zetron Model 4024 radio console equipment in dispatch is past its end of life. There is a local vendor that has been supporting it with spare parts they have accumulated over the years, but the manufacturer is not making replacement parts any longer. While it is functional, it is outdated and experiences malfunctions periodically due to its age and wear. For these reasons, the radio console equipment should be positioned near the top of a technology replacement schedule, but not ahead of the 911 CHE.

To date, Hudson Fire and EMS has chosen to stay on a legacy narrowband analog 420MHz radio system, whereas the police department has migrated to the county 800MHz trunked system. The city's 420MHz radio system consists of two - single site repeaters located on the water tower at 85 Milford Rd., and voted auxiliary receivers at the Hudson High School, at JoAnn Fabric manufacturing plant, and at an AT&T cell tower off E. Hines Hill Rd. near Boston Heights. There are also backup repeaters at the JoAnn manufacturing site in a small shelter at the base of their water tower that can be activated when needed by DTMF commands. The combination of the three voting receivers along with the main site and a uni-directional amplified antenna system at the high school provides good coverage throughout the city and surrounding jurisdictional areas. The voting receivers' audio are transported back to the voting comparator by either internet or phone lines, which are out of the control of emergency services and can suffer from outages.

The county 800MHz trunked system used by the police department utilizes towers located in Twinsburg and Stow. Infrastructure maintenance and improvements are funded via a monthly charge per radio.

The fire and EMS vehicles also have vehicular repeaters in them which allow the 420MHz portable radios to transmit over the county 800MHz radio system, which enables cross-discipline communications. There is also an 800/UHF cross-band repeater system at the fire station that rebroadcasts 800MHz police traffic to the old PD UHF channel allowing fire and EMS units to inter-operate.

While entirely functional, the use of a mobile radio on a power supply as a voting receiver is not appropriate and in the opinion of MCM is not considered public safety grade. A “continuous duty” rated receiver or repeater is designed for this type of use. Mobile radio receiver circuits are not designed to withstand the large amount of input signals that can occur at a high-profile tower site. The typical mobile radio needs to be able to receive signals across a wide frequency range, and therefore is susceptible to interference from other high power signals in the vicinity of the receiver. The presence of a very strong off-frequency signal will cause desensitization of the receiver on the desired frequency, causing a portable radio transmission to be masked by the stronger signal. Purpose-built standalone receivers are designed with filtering and circuitry to mitigate off-frequency overloads to allow a weak portable signal to be received without interference.

The city recently deployed six (6) tornado warning sirens. While these may be activated on a UHF frequency, they do not use the tower site infrastructure. Assistant Fire Chief Alexander confirmed these siren sites will not require any modifications should the migration to the county-wide radio system proceed.

MCM conducted signal level and subjective comparative testing of the current 420MHz radio system and the county 800MHz trunked system, as well as executed propagation studies to validate the coverage levels recorded during the testing. The propagation studies were modeled using the power and antenna levels licensed to the respective agencies and assumed proper operation of the equipment. The field testing was done using a portable radio owned by the fire department and set up in a maintenance mode to display RSL (received signal level) in dBm, and a portable owned by the police department on the police 800MHz talk group, along with a spectrum analyzer monitoring the 800MHz system control channel, which is representative of a transmission from the trunked radio system. Signal levels were typical and as anticipated at the locations and buildings tested. Transmissions outdoors or outside a requested building were good on both systems. The difference between the two systems became more apparent when we moved inside a building. The 400MHz analog system began to display diminished transmission capabilities manifested by noise in the audio, where the digital 800MHz transmissions remained loud and clear. The attached studies confirm the field testing results for coverage outdoors, or to a portable inside a 10dB loss building. Once the received signal level approached the -90dBm level, noise levels increased and continued to increase as the signal level decreased (i.e. -100dBm to -120dBm). The 800MHz reception continued to be loud and clear even down to -125dBm. Below -125dBm, the digital radio will lose sync with the system and produce an “out-of-range” signal and will no longer function on the trunked system and must then be switched to a local direct channel.



Installing directional amplifiers in these buildings has been researched by Hudson Fire. Should they be on the same frequency band as Hudson PD, the investment will directly benefit both public safety agencies.

Date/Time/Location of Test			Police Frequency:		Fire Frequency:		EMS Frequency:	
Date	Time	Location	Police Signal Strength	City PD DAQ	Fire Signal Strength	Fire DAQ	EMS Signal Strength	EMS DAQ
1/8/2019	945	INSIDE HUDSON FIRE STATION	-100	4.0	-70	3.4	-75	3.4
	1000	HERITAGE BUILDING 1212 BARLOW RD.	-100	4.0	-73	4.0	-74	3.4
		HERITAGE BUILDING 1212 BARLOW RD. INSIDE	-110	4.0	-90	3.4	-83	3.4
	1015	SUMMA AKRON'S CHILDREN'S HOSPITAL	-95	4.0	-70	3.4	-70	3.4
		SUMMA AKRON'S CHILDREN'S HOSPITAL - INSIDE HOSPITAL ENTRANCE	-120	4.0	-95	3.4	-86	3.4
		SUMMA AKRON'S CHILDREN'S HOSPITAL - INSIDE SUMMA ENTRANCE	-125	4.0	-95	3.4	-95	3.4
	1030	HUDSON GRANDE SENIOR LIVING CENTER OUTSIDE	-90	4.0	-75	3.4	-75	3.4
		HUDSON GRANDE SENIOR LIVING CENTER INSIDE - MIDDLE	***	4.0	-85	3.4	-80	3.4
		HUDSON GRANDE SENIOR LIVING CENTER - LIBRARY	***	4.0	-75	3.4	-72	3.4
	1045	A PLACE FOR EVERYONE CHILD CARE - OUTSIDE	-85	4.0	-90	3.4	-75	3.4
		A PLACE FOR EVERYONE CHILD CARE - INSIDE	***	4.0	-90	3.4	-100	3.4
	1100	LIFE CENTER + OUTSIDE	-85	4.0	-85	3.4	-75	3.4
		LIFE CENTER + INTERIOR PUMP ROOM	***	4.0	-90	3.4	-80	3.4
		LIFE CENTER + MENS LOCKER ROOM	***	4.0	-118	2.0	-120	1.0
	1300	JOANN FACTORY NORTH END OUTSIDE	-95	4.5	-75	4.0	-70	3.4
		JOANN FACTORY NORTH END - INSIDE	-110	4.5	-85	4.0	-80	3.4
		JOANN FACTORY NORTH END - CASE GOODS AREA	-122	4.5	-100	3.4	-95	3.4
		JOANN FACTORY NORTH END - NORTH LOADING AREA	-110	4.5	-95	3.4	-90	3.4
		JOANN FACTORY - SOUTH WAREHOUSE	-105	4.0	-100	3.0	-90	3.4
		JOANN FACTORY FEDEX AREA	-110	4.5	-90	3.4	-90	3.4
	1400	RAMCO SPECIALTIES OUTSIDE	-85	4.0	-75	3.4	-75	3.4
		RAMCO SPECIALTIES INSIDE	-110	4.0	-94	3.4	-90	2.0
	1415	LITTLE TYKES OUTSIDE	-90	4.0	-77	3.4	-85	3.4
		LITTLE TYKES INSIDE H2	-125	4.0	-120	1.0	-100	2.0
		LITTLE TYKES INSIDE H3	-125	4.0	-100	2.0	-95	2.0
		LITTLE TYKES H1 FIRST AID AREA	-115	4.0	-105	2.0	-100	2.0
		LITTLE TYKES DISTRIBUTION CENTER	-120	4.0	-95	3.0	-95	2.5
	1500	HOPE COMMUNITY CHURCH OUTSIDE	-90	4.0	-75	3.4	-92	3.4
		HOPE COMMUNITY CHURCH INTERIOR KITCHEN AREA	-100	4.0	-94	3.4	-105	3.4
	1515	HUDSON HIGH SCHOOL INTERIOR SCHOOL OFFICE	-110	4.0	-100	3.4	-110	3.4
		HUDSON HIGH SCHOOL BASEMENT	-130	4.0	> -70	3.4	> -70	3.4
		HUDSON HIGH SCHOOL BASEMENT C-WING	-135	2.0	-73	3.4	-78	3.4
		HUDSON HIGH SCHOOL GYMNASIUM	-125	3.4	-100	3.4	-110	3.4
	1550	ALLSTATE INSURANCE COMPLEX LOADING DOCK AREA OUTSIDE	-90	4.0	-75	4.0	-75	3.4
		ALLSTATE INSURANCE COMPLEX INSIDE LOADING DOCK	-100	4.0	< -110	1.0	< -110	1.0
		ALLSTATE INSURANCE COMPLEX BASEMENT	-120	4.0	< -110	1.0	< -110	1.0
		ALLSTATE INSURANCE COMPLEX BASEMENT MAINTENANCE AREA	<-125	4.0	-110	3.0	< -110	2.0
		ALLSTATE INSURANCE COMPLEX UPS BATTERY AREA	< -135	0.0	<-120	0.0	<-120	0.0
		ALLSTATE INSURANCE COMPLEX CHILLER ROOM	***	4.0	-110	2.0	< -110	1.0
		ALLSTATE INSURANCE COMPLEX NORTHEAST GROUND FLOOR	***	4.0	-107	1.0	-110	3.0
		*** NO READING ON SPECTRUM ANALYZER - BATTERY TOO LOW						
		DAQ 2.0 OR LESS VERY NOISY - POOR TO NO RECEPTION						

## Radio Interoperability

Being able to communicate with other public safety agencies while on an emergency scene is critically important. Hudson Fire and EMS being on a different frequency band than their police department and their most common mutual aid agencies presents challenges to accomplishing this. They have implemented some creative solutions to permit communications with those agencies such as their in-vehicle repeaters and carrying multiple portable radios. Solutions like these can be effective, but include a human element. If someone forgets or decides not to turn on the in-vehicle repeater or take an 800MHz portable with them when exiting the vehicle, this interoperability cannot take place and it is a liability to all personnel on the scene. Operating daily on the same frequency band as your mutual aid eliminates the human element.

Likewise, surrounding dispatch centers utilize the county 800MHz radio system. Any virtual consolidation will require one of three things for a surrounding dispatch center to communicate with Hudson Fire and EMS.

1. Radio networking or connectivity between dispatch centers.
2. Radio equipment installation and FCC licensing to install Hudson Fire and EMS frequencies at the other PSAP.
3. Moving Hudson Fire and EMS daily operations to their already established 800 MHz county system talk groups.

For the reasons listed above, it is the recommendation of MCM that Hudson Fire and EMS plan and implement a migration of their daily radio traffic to the county 800 MHz system. A list of questions was submitted by Hudson Fire and EMS pertaining to a possible migration. Some have been answered, some remain and additional questions will be raised as the planning and testing processes moves forward. Below is a log of the documented questions.

### **1. Can we page on the county radio system?**

Paging does not currently exist with any agencies on the county system. In discussions with Mike Szabo, he is dedicated to providing this if any agency needs it. Ohio MARCS does have agencies that use paging and he is currently researching how it is provided. Paging can be tested from the Summit County Sheriff's Office MCC7500 radio consoles. A Unication G5 pager (model quoted by VASU Communications) will need to be secured for testing purposes. One-way devices such as pagers will not be charged the monthly usage system fee.

### **1a. Can we send pages from a portable radio as we do now?**

Hudson Fire and EMS currently have the ability to send pages from a portable radio. Does the same capability exist within the Summit County 800MHz system?

### **2. There are seven (7) different paging groups used by Hudson Fire and EMS. Will they be able to operate in the same manner with the same number of individually paged groups?**

Yes. The Unication G5 supports 2-tone decoding. This feature will allow multiple paging groups across any of the Hudson talk groups.

### **3. Are there enough fire grounds (talk around) channels?**

There are currently four talk groups established for Hudson Fire and EMS. Mike Szabo stated these can be re-allocated for any purpose and he is willing to discuss the need for additional talk groups. There is also a simplex channel in each of the main zones, six additional simplex channels licensed to Summit County and Mutual Aid Channels (MAC) channels available for fire grounds use on larger or prolonged mutual aid incident scenes. These are requested through the Summit County Sheriff's Office PSAP.

**4. Are there options to activate our sirens on the county radio system?**

This will not be needed as the siren activation occurs locally without using the UHF repeater.

**5. How does scanning and firegrounds usage work on the county radio system? What options exist?**

A meeting will be scheduled with Mike Szabo to detail the workflow for scanning and fire grounds radio use from questions two through five, then document the current capabilities of the county radio system to meet the needs of the workflow.

### **Radio Equipment Purchase Priorities**

To facilitate the migration of fire and EMS radio systems to the county 800 Mhz system, the following purchases are needed. Depending on models selected, the total cost of the migration will range from \$262,660 to \$644,176.

Seventy-six (76) portable radios: The portable model selected will have the greatest impact on the overall cost of the migration. The EF Johnson radios previously quoted will perform very well and are a good value. For comparative purposes in the chart below, other Motorola models are provided with features listed that may be considered.

Two (2) mobile radios: Again, multiple models are in the chart below for a comparison of cost and features.

Ninety (90) pagers: The Unication G5 model is recommended for testing. After successful testing, ninety pagers are needed. Paging on the 800 spectrum is still fairly new and the number of vendors making these pagers is limited. The G5 model is feature rich, but thorough testing is needed before a public safety agency can rely upon them for daily usage.

Bi-Directional Amplification (BDA): BDA units increase the signal strength for communication into and out of buildings. The exact amount needed is unknown as further signal strength testing is recommended before purchases are prioritized and progress. Hudson Fire and EMS have taken the lead in identifying locations that would greatly benefit from these units. With their current UHF system in mind, they have identified fourteen (14) locations as priorities. If a migration to 800MHz is planned, the number of locations needed should decrease and further testing would be needed to prioritize the work. If the migration is implemented, these BDA systems on 800MHz would benefit all public safety agencies, not only from Hudson, but also from any mutual aid agencies also using the county-wide 800MHz system.

The cost of the hardware for each is just below \$10,000, but the installation of these systems in an existing building can encounter challenges that raise the overall cost dramatically on a case by case basis. \$25,000 per site where testing shows the need is a fair estimate for planning purposes.

These costs can be shared between the public agency and the business or building owner as the safety of the occupants and the safety of the first responders both benefit from the installation of these systems. Typically, locations that are willing to share costs will get implemented quickly, whereas those that are not get delayed or never get installed.

The amplification unit currently in place at the high school should be prioritized for upgrade from UHF only to UHF and 800MHz immediately at a budgeted cost of \$10,000. This will benefit the Hudson Police Department immediately. This cost is included in the price range at the top of this section.

The amplification costs should be budgeted over time. These are improvements that go beyond the current system's capabilities and should not delay a migration of the fire and EMS radio usage to the county-wide 800MHz system. As such, the cost of these BDA systems is not included in the price range at the top of this section.

		Unit Cost	Extended Cost	Unit Cost	Extended Cost	
Radio Type	QTY	EF Johnson		Motorola		Features/Notes
Portable	76			APX1000		Basic P25 radio, no encryption, no man down feature
				\$2,180.00	<b>\$165,680.00</b>	
		VP6430		APX4000		Enhanced P25 with encryption capability, bluetooth and man down
		\$2,493.20	<b>\$189,483.20</b>	\$2,817.00	<b>\$214,092.00</b>	
				APX600 XE		eXtreme Environment, firefighter friendly, waterproof, OTAR capable
				\$4,897.00	<b>\$372,172.00</b>	
				APX8000 XE		same as 6000 XE plus dual band 800/150 or 800/450 or 450/150
				\$7,275.00	<b>\$552,900.00</b>	
Mobile	2			APX1500		Basic P25 radio, no encryption, dash mount only
				\$2,600.00	<b>\$5,200.00</b>	
				APX4500 dash mount		Enhanced P25 with encryption capability, dash/remote mount capable
				\$2,968.00	<b>\$5,936.00</b>	
		VM5930		APX6500 dash mount		Dash/Remote mount with two control head capability
		\$2,338.16	<b>\$4,676.32</b>	\$3,967.00	<b>\$7,934.00</b>	
				APX8500 w/single head		Dash/Remote mount with four head capability and dual band capable
				\$5,888.00	<b>\$11,776.00</b>	
Pager	90	Unication		Unication		
		\$650.00	<b>\$58,500.00</b>	\$650.00	<b>\$58,500.00</b>	
Totals			<b>\$252,659.52</b>		<b>\$623,176.00</b>	
H.S.BDA Upgrade			<b>\$10,000.00</b>		<b>\$10,000.00</b>	
		Minimum Cost:	<b>\$262,659.52</b>	Maximum Cost:	<b>\$633,176.00</b>	
Future BDA	Up to 14	~\$25,000.00 ea.				Comprod units Further in-building testing is needed.



### Fire and EMS Costs to migrate to 800MHz system

	Qty	Cost per unit	Total Monthly Cost	Current Monthly Cost	Additional Monthly Costs	Annual Cost Increase	Annual Cost Total
<b>Fire</b>							
Portable	40	\$20	\$800	\$100	\$700		
Mobile	19	\$20	\$380	\$280	\$100		
Base (Station)	1	\$20	\$20	\$0	\$20		
Pagers	50	\$0	\$0	\$0	\$0		
			<b>\$1,200</b>	<b>\$380</b>	<b>\$820</b>	<b>\$9,840</b>	<b>\$14,400</b>
<b>EMS</b>							
Portable	36	\$20	\$720	\$0	\$720		
Mobile	7	\$20	\$140	\$140	\$0		
Base (Station)	1	\$20	\$20	\$0	\$20		
Pagers	40	\$0	\$0	\$0	\$0		
			<b>\$880</b>	<b>\$140</b>	<b>\$740</b>	<b>\$8,880</b>	<b>\$10,560</b>
<b>Police</b>							
Portable	34	\$20	\$680	\$680	\$0		
Mobile	10	\$20	\$200	\$200	\$0		
Base (Station)	0	\$20	\$0	\$0	\$0		
Dispatch	2	\$20	\$40	\$40	\$0		
School Emergency Radio	1	\$20	\$20	\$20	\$0		
			<b>\$940</b>	<b>\$940</b>	<b>\$0</b>	<b>\$0</b>	<b>\$11,280</b>
<b>All Agencies</b>			<b>\$3,020</b>	<b>\$1,460</b>	<b>\$1,560</b>	<b>\$18,720</b>	<b>\$36,240</b>

Monthly System Cost for 800MHz access; after migration

### Space Analysis

A comprehensive space analysis of the PSAP was not completed. Based upon the visit to the PSAP during the information gathering process, it is the opinion of the MCM that the space is sufficient for the current operations. It is also the opinion of MCM that there is room for minimal expansion of one additional answering position. A full architectural analysis would be recommended prior to the implementation of any expansion project.

The dispatch furniture appears to be specifically designed for the current dispatch radio consoles. Retrofitting the existing radio consoles within the confined space of the existing cabinets and furniture is not the best solution and should be avoided. For this reason, it is typical to implement new dispatch furniture and new radio console equipment at the same time. Please be

sure to include the dispatch supervisors and staff throughout the entire planning and implementation process. They have a wealth of knowledge that can be successfully leveraged for this phase of the project.

### **Ancillary Dispatch Services**

Most PSAPs have a similar set of ancillary duties that revolve around their nature as a 24/7 operation that can receive after hours calls on behalf of other departments. The police department PSAP also has some ancillary duties that are unique to their operation. Commonly these duties may include but are not limited to:

- Security camera monitoring
- Greet civilians at the window to identify their need for assistance
- Jail alarm monitoring
- Jail and holding facility door controls
- Activation of special response teams
- Handling after hours calls and call-outs for other city departments such as streets, water, and maintenance
- Enter vacation checks
- Enter traffic complaints
- Impounded vehicle release
- Accept deer hunting permits
- Processing legal documents for police personnel
- Processing on-line payments for parking tickets
- Activation of the Emergency Alerting System (EAS)
- Civil protection order entries into NCIC
- Arrange prisoner transports after regular business hours
- Serve as a pick-up point for items for the public and other law enforcement agencies
- Driver and criminal history checks for internal investigations
- Teletypes for other divisions
- Teletypes warrants to relay prisoner/holder information
- Warrant entries to LEADS and NCIC
- Point of contact agency-wide for employee call-offs
- Paging requests for internal communication
- Logging special details for officers' side jobs (security at events)
- Criminal history and background checks

- Statistics and reports for 911 and CAD activity for all agencies dispatched
- Panic alarm monitoring, both in buildings and radio panic buttons
- Fire alarm monitoring
- After hour call processing for various city and county services. These include street and water departments, children's services, and the dog warden
- State Emergency Response Plan activation for both law and fire plans

## PSAP Consolidation Definitions

There are several types of PSAP consolidation. Those defined in the scope of work are listed in this section. Currently, The City of Hudson PSAP operates as a standalone technology PSAP. There have been conversations with surrounding PSAPs to either share technologies or expand upon that and also share call taking duties for each other. These incremental consolidation steps would be a regionalization of technology or a regionalization of services (virtual dispatch).

If a regionalization of technology or regionalization of services (virtual dispatch) is planned, the current technologies with the PSAP are not capable of integration across multiple geographic regions, and again would need to be replaced. Updating these equipment types in coordination with all other PSAPs to be virtualized is needed in order for a virtual dispatch to be possible.

At the time of this report, a full consolidation of services into another location was not seen as a possibility. The City of Hudson needs to be certain this option is off the table before investing into the new technologies within their PSAP. Any funding of these technology upgrades now would provide a very temporary benefit if a full consolidation of services was to occur within the next few years.

**Standalone technology** is when all technology is owned, managed and operated by the single PSAP. This method provides the most direct oversight, but provides zero information sharing and zero cost sharing with surrounding PSAPs. This is the current status of the Hudson PSAP. It is recommended they plan a path forward to another model that leverages shared technology to become more interoperable with the surrounding communities.

**Regionalization of technology** is when technology costs are shared between more than one PSAP, but the operations of the PSAPs do not integrate in a meaningful way. This step can lead to more integrated methods of consolidation. There are a number of countywide technology initiatives currently underway that can help facilitate this step.

**Regionalization of services** is the next logical step from a technological sharing of systems. This is also known as a “virtual dispatch”. This step integrates the operations of more than one PSAP that share all major technologies. This can be done 24/7 or on a temporary basis when manpower is scheduled lighter.

**Consolidation of services** is when two or more PSAPs cease functioning on their own and fully integrate their operations into one physical location. This is the most complex form of PSAP consolidation and when implemented properly can provide the most benefit to the partnering agencies both operationally and in terms of long-term cost savings. With a larger geography served, there will be fewer transfers of 911 callers, thus reducing response times. A larger center has a larger staff and can more easily handle events requiring additional manpower. The pooled resources of the combined center can also provide additional staff for dedicated positions that often times are “other duties as assigned” for an employee that is already busy with their normal responsibilities. Shift Supervisors, Quality Assurance Officer, Training Officer, CAD Administrator, GIS and IT support are all positions that can be funded to support a combined PSAP when pooling resources.

There is currently a working group determining the feasibility of forming a Council of Governments (COG) to operate a consolidated PSAP. This working group contains The County of Summit and the cities of Stow, Cuyahoga Falls, Tallmadge, Green and Fairlawn. This process is at the PSAP design phase and is planning to include additional space should any other Summit County PSAPs decide to join. The City of Hudson should stay informed to benefit their long-term planning.

### **PSAP Equipment Replacement Priorities**

This recommended priority list for equipment replacement identifies critical systems that are mostly past their end of life now. It also identifies other efficiencies or training opportunities that should be considered.

The prices listed are from recent quotes or estimates. These numbers should be used as budgetary estimates. Responses to a Request for Proposal (RFP) should provide multiple vendors and prices for selection.

Lines that are in **boldface** should be seen as immediate needs. Lines not in boldface are recommendations that can be planned as optional upgrades or implemented after the immediate needs are met.

Annual maintenance costs, standard replacement intervals and replacement costs are also provided at the right of the sheet for future budgetary planning.

Priority	Component	Vendor	Quote	Average Annual Maintenance	Standard Replacement Interval	Replacement Cost
1	911 System	Vesta (formerly Airbus - now Motorola)	\$266,358	\$18,737 (5 year commitment)	CPE Refresh at 5 years	\$8000
2a	Radio Consoles	Motorola Solutions, Two Positions + Laptop Backup	\$439,791	\$5,613.20 (5 year commitment)	Hardware Refresh at 5 years	\$8000
2b	Microwave System	Aviat Networks	\$85,344		20+ years	N/A
2c	Voice Logger Integration	Sound Communications	\$6,000	N/A		
3a	CAD Training & Capability Gap Analysis	Sundance Systems	\$5,000	N/A		
3b	County-wide CAD Participation	Summit County DPS (Tyler)	\$299,241	\$41,971	20+ years	
3c	New PC's for CAD, RMS, etc.	T.B.D.	\$3,000			
4a	Upgrade to EMD, EFD & EPD with CAD interface	PowerPhone	\$49,330	\$4,785	N/A	
4b (option)	Upgrade to EMD, EFD & EPD with CAD interface	Priority Dispatch Medical Only (EMD) EMD, Fire and Police (used by most Summit County PSAPs)	\$35,504 \$79,472	\$2,400 \$5,850	N/A	

<b>4c</b>	<b>EMD/CAD interface</b>	<b>Sundance</b>	<b>\$7,600</b>			
<b>5</b>	<b>Dispatcher Training</b>	<b>In-House for CodeRed</b>	<b>\$0.00</b>			
6a	Dispatch Furniture	Eaton - Wright Line; Two Positions	\$41,849		12 years	\$41,849
6b	24/7 chairs	Two chairs	\$4,000			
	<b>Total</b>		<b>\$1,207,513</b>	<b>\$72,171.20</b>		

## **Focus Group Summary**

MCM visited the PSAP to discuss the various perspectives related to the project. The intent of the focus group meetings was to determine the practical needs and components for their operations. Further, MCM sought to determine any issues and priorities while obtaining input from city staff. Areas of focus included:

1. Center capacity
2. Features and functionality – current and future capabilities
3. Reliability
4. Ease of use in high call volume/stressful situations
5. Maintainability over the long term
6. Costs of acquiring and long-term availability of replacement components
7. Ingress and egress
8. Multiple use practicality
9. Statistical evaluation of incident growth patterns

Focus Group Questions, Appendix A contains a complete list of the questions. Below are the general responses.

- Dispatch staff feel there is a need to upgrade the current equipment, particularly the 911 call handling equipment.
- Current staff is very knowledgeable of the geography and locations within the area the PSAP dispatches for.
- Staff believes they could be more efficient with the CAD system. (Are there additional functions available?)



- The new city phone system was implemented with limited instructions.
- 800MHz radios seem to have better coverage especially within building.
- The ANI/ALI information is not integrated with CAD.
- The staff believes they are customer service focused and perceived well within the community.
- The chairs and office equipment could be upgraded.
- The fire service providers are confident in the services provided by the PSAP.
- The use of pagers versus the cell phone “I am responding” app have a difference in time of notification.
- Cannot undo the officer panic button alert.
- Policies and procedures as well as the training manual could be updated.
- Overall, the staff is pleased with the performance of their peers and interactions with management.
- Overall, staff is pleased with the manner in which they are compensated.

## **STAFFING ANALYSIS**

### **1. Understaffing**

While it may seem to be common sense and frequently suggested that lives are put at risk if communications center staffing is not adequate. Staffing a 911 center is a serious business.

Various forms of media have reported that 911 centers operate twenty-four hours a day, 365 days a year often times requiring telecommunicators to work mandatory overtime.

There are 911 centers across our country that have been forced to defend themselves through legal proceedings due to errors or omissions that have occurred often times due to various staffing issues which include lack of adequate staffing.

Best practices for 911 centers continue to evolve and *must* focus on staffing. The focus typically is centered on the number of calls a center must process, the amount of time it takes to process the calls and the amount of time it takes a dispatcher to perform all other functions.

A frequent analysis will help to avoid being the center of negative media coverage, legal action and aid to avoid an incident that undermines public confidence in your 911 center operations.

The purpose of this staffing review is to provide some guidance for the current staffing levels and to avoid potential pitfalls.

### *Human Capital*



As the field of human resources continues to advance, gone are the days of referring to the employees of an organization as: personnel.

While history continues to serve as a guide, advances have made it possible for us to understand that whatever it was that got us to where we are today is no longer sufficient to keep us there.

As you read through the forthcoming recommendations please remember your number one asset, your human capital.

You could take away all of the equipment necessary for your PSAP and you could rebuild it, however, without your human capital, you are left with nothing.

## **2. Change Management**

Considering the impending decisions to review and potentially upgrade the current infrastructure, now is the time to manage change. Instinctively, we as human beings are not programmed to handle change. Research suggests that with any change an organization should plan for a minimum of six (6) months for the staff to accept a change.

Anytime a change occurs, anxiety among staff increases, productivity may be affected as well as the likelihood of errors and or omissions. How do we avoid such pitfalls? The answer is simple, through ongoing training initiatives, quality assurance reviews, constant internal communications and a focus on providing a quality work environment.

## **3. Internal Communications.**

We pride ourselves on being “communications professionals” while this is expected for 911 telecommunicators it is sadly not the case with many organizations in any business that is dependent on their staff of employees to perform job functions. Through job descriptions, policies, procedures and standard operation guidelines it is expected that an employee will know how to perform a job function. This is not enough.

As we look at the basic human needs each of us possess, it is a known fact through the study of evolution, psychology and sociology that individuals need to feel as though they are a part of something. All human beings are a part of something and become advocates for the things that make them most comfortable, a few examples being affiliations with religion, sports, clubs, political parties, sororities, fraternities, charities and associations. In order to feel a part of something unique, an individual must be accepted.

In the public safety answering point (PSAP) environment, there are many opportunities to be advocates for our community as a whole. To simply feel a part of the organization one must be acknowledged, one must be praised and one must be provided with an environment that is consistent with their own individual needs and interests.

By suggesting that the previous reference to psychology is significant in our environment creates an opportunity to illustrate a significant issue, perception. If you were to ask an individual what the first thing that comes to mind is when they think of the word psychology, we would hear a majority of unique references such as: medications, depression, anxiety, mental health, crime, drugs, etc. If one was to simply place the word “positive” in front of the word, it changes the perception. What is positive psychology in the workplace? Let’s allow the leadership and employees of the organization to define it, our human capital.

Positive psychology in the workplace often includes praise and acknowledgement for a job well done. Within our society, we have been conditioned to focus on the negative, simply re-focusing our efforts on the positives creates a brand-new approach and overall a new environment. Open communication with the staff is imperative in creating a culture change.

A simple “thank you” is one of the best ways to provide staff with encouragement by recognizing them for the work that they do.

MCM recommends the following tasks to create more synergy among management and the PSAP staff:

- At the start of any meeting, begin by going around the room and asking each employee to: “Tell me something good”. Begin on time and end on time.
- Send feedback to employees each time they do something good, carbon copy all the leadership within the organization, and encourage others to follow up with them individually.
- Instill a new mission within the leadership to lead and inspire, which should be the primary focus of any leader. In fact, think of all of those that you would consider a quality leader. It is likely that they are leaders by your view because they have lead and inspired.
- Provide the employees with opportunities to be successful. Do they need more training?
- Hold the managers and supervisors accountable first, then the subordinates. After all, if an employee fails, so has the supervisor. A supervisor should be accountable for the success of their subordinates.
- Send frequent e-mail messages to all members of the staff suggesting monthly reports of call volumes, compare to previous years and months and conclude each message with a positive commend such as: Thank you for your continued efforts and constant contributions to each and every resident of our community.
- Hold impromptu meetings with employees. If the PSAP is experiencing a slow call volume, invite an employee to meet individually with a supervisor. Ask them open questions such as: What do you believe we do well as an organization? What do you believe we can do better? How can I make this a better place to work? Then, allow your actions to speak louder than words.

While many of the recommendations may seem simplistic, they are legitimate. Globoforce is a company that continues to capitalize and grow by deploying numerous initiatives that “make work human” and by celebrating the positive moments of every employee encounter has got it right. Boasting success by partnering with some of the biggest, best and most influential organizations in the world suggests their business works. So why not unlock each and every employee’s potential. If they win, we all win.

## 4. Turnover

Turnover within a PSAP environment has many implications. With the increase in demand for employees in a growing job market we've witnessed many separations due to the demand within the market. Often times, an employee will leave for more money to which MCM attributes the most cause for telecommunicator turnover.

Research suggests that the number one reason employees leave an organization is due to the lack of a quality working relationship with their supervisors.

Another reason is the fact that change often has a negative impact on employees if not managed properly.

With the impending changes that this project has focused on, MCM anticipates there will be an increase in turnover. With this projection stated, MCM recommends that each PSAP should diligently manage their staffing to assure the minimum staffing levels are maintained at all times with no exceptions.

Above all, the best way to avoid turnover is to focus on retention.

## 5. Recruiting and Retention

### *Planning for turnover makes sense:*

Some centers are very stable. For those that are not, monitoring the retention rate over time makes sense. An adjustment for predictable turnover, based on historical data that has been used to establish an average turnover rate, should be part of an estimate of the number of employees needed for adequate staffing. Centers that experience predictable turnover every year need to take a proactive approach, assuring that applicants and new recruits are in the pipeline, rather than waiting for resignations before initiating the lengthy process of finding and preparing replacements.

Some managers in large centers "over-hire" to accommodate routine turnover and/or unexpected employee absence due to disability, maternity leave, etc. Centers that "over-hired" were twice as likely to report they were able to "comfortably handle the workload."

The term "over-hire" is actually part of the problem. It is not "over hiring" so much as it is hiring proactively.

**Make recruiting a priority:**

Initiate a recruiting drive focused on filling all authorized positions. It is a big deal, so make it a big deal. Get employees involved, work with the city or county human resources office and make sure they take your request seriously. Educate them (in their language) and enlist their support. They can't help you if they don't know why they should, and they won't give you more resources just because you ask for them.

**Staff to authorized levels:**

Staffing to authorized levels is the best thing a manager can do to improve retention rates. Being fully staffed and having all authorized positions filled is the most effective strategy you can use to increase your retention rate. Centers that are not fully staffed have more difficulty keeping employees and use more overtime to fill the gaps in the schedule; productivity goes down as new employees are being prepared to fill the vacant positions, and the quality of service is compromised. The best strategy for positive media coverage is to provide high quality service. Every authorized position should be filled as quickly as possible.

**Keep the center fully staffed:**

The safety of the human capital in the field and the well-being of citizens depend on your ability to assure adequate staffing levels and keep all authorized positions filled. Positions that go unfilled for a period of time are viewed as expendable, especially when budgets are tight ("If you aren't staffing to authorized levels, then you obviously don't really need that many staff"). Even if the currently authorized full-time employees do not meet your needs, hire to authorized levels before asking for additional staffing. Build a case for appropriate staffing levels using detailed estimates and center performance on quality indicators.

**Hire so employees can comfortably handle the work load:**

Staffing that doesn't include room for a sudden influx of calls leaves the center vulnerable. Build a case to hire proactively so the communications center isn't always playing "catch up."

**Keep the staff you have:**

Use effective management practices to provide direction and support for employees. If salaries are not competitive, or not aligned with other public safety human capital, do something about it. Collect relevant data and use solid evidence to prepare your request. Don't give up if decision-makers don't give you what you request the first time you ask.



### **Hire to accommodate predictable turnover:**

Do a historical study of the turnover and retention rates in your center. Include turnover as a factor when determining hiring needs and build a case for hiring to accommodate predictable separations.

### **Consistently staff necessary positions:**

Assure that all necessary positions are staffed. Don't put the PSAP or agencies served in a situation that makes them legally vulnerable or undermines public confidence in the services provided. Consistently and adequately staffing necessary positions sends a powerful message to employees, field users, human capital and client agencies about the importance of the work and dedication to providing high quality services to the community.

<b>Effective Practices: Keeping the Center Fully Staffed</b>	
<b>Recommendations</b>	<b>RETAINS Research Results</b>
<ul style="list-style-type: none"> <li>• Calculate your staffing needs.</li> <li>• Know your numbers.</li> <li>• Do your homework.</li> <li>• Don't do it alone.</li> <li>• Request the authority to hire an appropriate number of employees.</li> <li>• Monitor the adequacy of authorized staffing levels.</li> <li>• Make recruiting a priority.</li> <li>• Staff to authorized levels.</li> <li>• Keep the center fully staffed.</li> <li>• Hire so employees can comfortably handle the workload.</li> <li>• Keep the staff you have.</li> <li>• Hire to accommodate predictable turnover.</li> <li>• Consistently staff necessary positions.</li> </ul>	<p><b>Characteristics of fully staffed centers:</b></p> <ul style="list-style-type: none"> <li>• Had higher retention rates (#1 predictor of center retention rate)</li> <li>• Had more employees who are satisfied.</li> <li>• Employees worked less overtime hours.</li> <li>• Were smaller in size. (i.e. fewer employees)</li> <li>• Employees who handled fewer calls per year had a higher percentage of staff fully trained and working independently.</li> </ul> <p><b>Characteristics of centers where “current staffing” allowed them to comfortably handle the workload:</b></p> <ul style="list-style-type: none"> <li>• Had higher retention rates.</li> <li>• Had more employees who are satisfied.</li> <li>• Employees worked fewer overtime hours.</li> </ul> <p><b>Characteristics of “chronically understaffed” centers and centers that had “a serious staffing problem”.</b></p> <ul style="list-style-type: none"> <li>• Had lower retention rates.</li> <li>• Had more employees who were dissatisfied.</li> <li>• Employees worked more overtime hours.</li> <li>• Employees handled more calls per year.</li> </ul>

## **6. Working Conditions**

A clear focus must be maintained to promote a respectful workplace free of hostility and discrimination. A constant analysis must provide a work environment where the distribution of work is fair. Tasks must be manageable with constant effort to reduce the stress levels within the PSAP. In addition, co-workers must strive to maintain a positive approach to their work while maintaining a positive relationship with their peers.

### **Build a sense of community:**

Promoting a positive culture and work environment for those that are required to work long hours in a small workspace is expected in our society. As stated previously, everyone wants to be a part of something. 911 telecommunicators are professionals and advocates for their entire community. In order to thrive, telecommunicators must feel they are not only an important part of the extended community but also the community contained within the environment they work.

## **7. Quality Assurance**

The role of a telecommunicator continues to grow every year. Telecommunicators are challenged daily by the type and nature of the calls they receive and process. The many factors that prompt change within the environment they work are related to technology by both the telecommunicator and the communities we serve. As an example, the use of wireless devices had prompted an increase in many call volumes. Next Generation 9-1-1 (NG911) has taken root and created even newer challenges.

Quality assurance (QA) provides an opportunity to ensure a high standard of performance and serves as a means to evaluate the high level of performance needed to protect and serve our communities. Arguably, a consistent program will assure call taking and radio dispatch actions are delivered at the highest possible standard.

APCO has released the APCO/NENA ANS 1.107.1.2015 Standard for the Establishment of a Quality Assurance and Quality Improvement Program for Public Safety Answering Points. The standard was written by the NENA Development Standards Committee Quality Assurance Workgroup with the Assistance of the APCO Communications Center Standards Committee on July 14, 2014 with a final approval and release on April 2, 2015. This standard contains invaluable information for establishing and administering a QA Program. It is highly recommended that all PSAP's utilize this information to enhance their existing QA programs.

## **8. Ongoing training**

### **Expect and support continuous learning for all employees:**

In addition to the local basic training classes specifically related to the job, develop ongoing training opportunities. Develop a learning approach for formal training and adapting it by inviting the agencies you serve to provide guest presentations for your PSAP's telecommunicator staff.

Research tells us that one of the characteristics of a "good boss" is paying attention to the fit between an employee's skills and personal interests and the job, and who encourages employee growth and career development. Effective managers embrace the fact that if their employees win they win.

### **Remember that learning is not just about classes and schools:**

Participation in local and regional training opportunities and active involvement in a professional organization is an excellent way to upgrade your own skills and find out about other centers while making a contribution to the field. This provides opportunities to talk with other managers to learn how they handle some of the routine tasks of training, mentoring and monitoring the progress of new recruits. You might be surprised at some of the unique solutions and approaches that are used elsewhere.

## **9. Staffing Overview**

While a comprehensive staffing analysis was not completed, MCM has formed an opinion based upon the limited call data provided, the responses from the employee focus groups and turnover and compensation data provided.

Currently, the PSAP operates three separate shifts. During each shift it is recommended that two telecommunicators are assigned. While it is common practice to utilize one telecommunicator during the third shift, the risk of utilizing one telecommunicator during a shift would suggest that should the telecommunicator suffer a medical emergency they would be unavailable to handle an emergency within the community.

Based upon the volume data provided it can be suggested that the PSAP is staffed appropriately.

The compensation information available exceeds current hourly rates in most PSAP environments. Based upon the current compensation MCM believes this is the direct variable to suggest the absence of turnover. The tenure of the current staff is remarkable.

MCM does recommend a comprehensive analysis to align the staffing with the national standards as suggested by the use of the APCO RETAINS formula.

## Resources

APCO/NENA ANS 1.107.1.2015 Standard for the Establishment of a Quality Assurance and Quality Improvement Program for Public Safety Answering Points. <http://www.apcointl.com>

Association for Public Safety Communications Officials (APCO), Project Retains, Staffing Workbook, August 2005. <http://www.apcointl.com>

NENA PSAP Staffing Survey Report, created under the auspices of the NENA SWAT initiative by L. Robert Kimball & Associates and 9-1-1 SME Consulting. Includes the results of a survey of 70PSAPs, serving populations less than 140,000 and a staffing formula worksheet. Available at:  
<http://www.nena.org>

Staffing and Retention Toolkit, available on the APCO website. Built as a companion to the Effective Practices Guide, the Toolkit contains three compartments: Staffing, Retention, and Survey. These tools are designed to make it easy for managers to either plug in their numbers or collect the data needed to assess employee satisfaction, calculate retention rates over time, and estimate staffing needs. The tools are free but registration is required. Follow the links to 9-1-1 Available at: <http://www.apcointl.com>

## **Recommendations**

### **Immediate Term..... 0 months to 6 months**

- Implement RapidSOS Light. This is a free web-based service that can provide additional location data for a wireless 911 caller.
- Schedule a demo with current CAD provider. Demo to include:
  - Gap analysis that assures all functionality is known. Plan implementation of functions that will further compliment the call taking and dispatching process performed by telecommunicators.
- Provide in-house training to dispatchers on the Code Red mass notification system.
- The city should adopt minimum training standards for all dispatchers. The current training manuals are good, but do not have a guidance document adopted by the city and built upon national standards. The creation of a minimum training standards document will also drive future training manual revisions.

Without a standardized training program for all dispatchers, a PSAP and by extension, a jurisdiction that operates it, assumes a large liability and is open to litigation if a call and dispatch are not processed in accordance with accepted national standards should there be a less than optimum outcome with the incident. The standards should not just meet the requirements in the adopted PSAP operation rules, but should, at a minimum, meet the national standards outlined in the “Recommended Minimum Training Guidelines for the Telecommunicator” as developed and adopted by the national working group - which includes representatives of the Association of Public-Safety Communications Officials International (APCO), Denise Amber Lee Foundation, International Academies of Emergency Dispatch (IAED), National Association of State 9-1-1 Administrators (NASNA), National Emergency Number Association (NENA), National Fire Protection Association (NFPA), PowerPhone, and industry professionals. For reference, the Recommended Minimum Training Guidelines for the Telecommunicator document can be found in Appendix D. In addition the APCO Recommended Minimum Training Standards for Public Safety Telecommunicators and the Implementation Guide for APCO ANS Recommended Minimum Training Standards for Public Safety Telecommunicators can be found at the APCO website:

<https://www.apcointl.org/standards/apco-standards-for-download.html#training>

Additionally, the city should adopt a standardized communications training officer (CTO) program, to ensure that trainers are presenting quality, standardized training to new hires. A comprehensive CTO program can help ensure successful caller outcomes and decreased liability for the PSAPs and city.

- Engage in discussions with neighboring PSAPs to determine if potential exists to partner on the use of a CHE system. This would potentially result in significant cost savings. In addition, it would provide as a source for back up functionality.
- Review and obtain additional information regarding the migration of fire and EMS services onto the 800MHz trunked Radio System.
  - Test Paging on 800MHz
  - Plan
    - Daily radio usage (include firegrounds)
    - Mutual Aid usage
- Plan PSAP strategy.

#### **Medium Term.....6 months through year 2**

- Revise 911 call taking procedures, dispatch procedures and MOU's between PSAPs to reduce call transfer delays.
  - Whether at the current PSAP or neighboring PSAP, the transfer of 911 calls will be needed. The inherent delay could be reduced through policy and procedure revisions.
- Train PSAP employees on revised 911 call taking procedures, dispatch procedures and MOU's between PSAPs.
  - Training of all employees should follow the acceptance of the revised standards.
- Call taking, dispatch and Emergency Medical Dispatching protocols should be integrated with CAD. Explore the potential to add Fire and Law Enforcement.
  - Explore switching EMD vendors to Priority Dispatch. Efficiencies exist in EMD program administration and training as many other PSAPs in Summit County use this vendor.
- Continue testing for migration of fire and EMS services to the 800MHz system.
- Provide training for migration of fire and EMS services to the 800MHz system.
  - Radio functionality
  - Operational policies, procedures and usage
  - Mutual aid policies and procedures

- After successful testing and training, migrate fire and EMS radio usage to the 800MHz system.
- Execute PSAP technology upgrades needed for the selected consolidation strategy

**Long Term.....Year 2 through year 4**

- Implement selected PSAP strategy.



# Appendix A

## Focus Group Questions

### Focus Group Questions

These are the questions that were used to guide the facilitated focus group conversations. Not all questions were asked. They were used rather to assist in keeping the dialog on topic and free flowing.

### City of Hudson NA & SP – Interview Questions

#### **PSAP Staff**

Date:

Interviewer(s):

1. **Name:**
2. **What is your current role? (this may be answered by the interviewer)**
3. **What do you believe are important characteristics of a 911 Center or Public Safety Answering Point (PSAP)?**
4. **Do you have any experience with any technology used within a 911 Center?**
5. **What changes do you feel are necessary to improve the overall effectiveness of the city's 911 Center?**
6. **What does the city's 911 Center do well?**
7. **What do you believe can be improved?**
8. **Do you recall any specific incident that may have occurred that may suggest operational problems exist?**
9. **Are procedures well documented with regard to any/all interactions with the field staff?**
10. **What features are you aware of that could be implemented to make your job easier?**

11. **What obstacles and/or challenges exist with the city's 911 Center?**
12. **In your opinion, does your PSAP have the resources available to effectively operate into the future?**
13. **Do multiple agency responses occur that are coordinated between and among multiple dispatch centers?**
14. **Any recommendations to improve incident coordination and interoperability?**
15. **What is your opinion of the current radio system (include comments on radio's, coverage, capacity, reliability and availability)?**
16. **Is the radio system adequate in high volume/stressful situations?**
17. **What is your opinion of the current CAD?**
18. **What is your opinion of the current training provided to new and existing employees?**
19. **What is your opinion of the current Policies and Procedures?**
20. **Any other comments?**

# **City of Hudson, Ohio**

## **Needs Assessment and Strategic Plan**

### **Appendix B**

#### **Ohio PSAP Operations Rules**

5507-1-01

**Purpose.**

In the course of providing citizens with their most vital link to emergency response, 9-1-1 public safety answering points ("PSAP's") in the state of Ohio shall comply with technical and operational standards and recognize and promote best practices that will provide consistent, quality service by well trained personnel utilizing a high level of secure technology.

5507-1-02

**Scope.**

These operational standards apply to all public safety answering points (PSAP) eligible to receive disbursements through section 128.55 of the Revised Code.

5507-1-03

**Definitions.**

(A) Public safety answering point (PSAP), as defined in section 128.01 of the Revised Code, means a facility to which 9-1-1 calls for a specific territory are initially routed for response and where personnel respond to specific requests for emergency service by directly dispatching the appropriate emergency service provider, relaying a message to the appropriate provider, or transferring the call to the appropriate provider. For purposes of this chapter, PSAP's are divided into two types, primary PSAP and secondary PSAP.

(1) Primary PSAP: An abbreviation for a public safety answering point that operates on a twenty-four (24) hour basis; and whose primary function is to receive incoming wireless and wireline 9-1-1 request for emergency assistance and relay those requests to an appropriate responding public safety responder or agency.

(2) Secondary PSAP: An abbreviation for a public safety answering point that operates as a dispatch center for a public safety agency and receives rollover and/or transferred wireless, and direct or rollover and/or transferred wireline 9-1-1 requests.

(B) Telecommunicator: Anyone who answers 9-1-1 service requests for public assistance at both a primary or secondary PSAP.

5507-1-04

**Periodic review.**

The office of the 9-1-1 administrator, in partnership with the local 9-1-1 coordinators and PSAP managers, shall periodically review these standards and make recommendations for addition, deletion, and/or revision of these standards to the state ESINet steering committee.



5507-1-05

**Minimum staffing.**

A minimum of two telecommunicators must be on duty and available to receive and process calls at all times. For 9-1-1 systems with automatic rollover to a secondary PSAP, the secondary PSAP fulfills this obligation.

The PSAP shall ensure employment of a sufficient number of telecommunicators to allow for prompt receipt and processing of emergency calls in accordance with established call answering standards. The PSAP may participate in a virtual PSAP system where calls are automatically routed to one of multiple facilities within the system.

5507-1-06**Prioritization.**

The PSAP shall provide standard operating procedures that ensure telecommunicators prioritize emergency functions over non-emergency functions. Although each PSAP will have a variety of duties applicable to their specific local call responsibilities, all local operating procedures will list answering and processing 9-1-1 emergency calls as the top priority.

5507-1-07

**Minimum training standards.**

(A) The state ESINet steering committee shall oversee the development, implementation and revision of minimum training standards for telecommunicators in the state of Ohio and ensure they are kept up to date with industry standards. Resources to consult with include the national emergency number association, the association of public safety communication officials, the United States department of transportation and other industry resources.

(B) The office of the 9-1-1 administrator will establish a process for certifying that telecommunicators meet the minimum training requirements contained in this rule.

(C) Any person who answers 9-1-1 requests for service shall be trained to the minimum training standards within six months of employment and before handling such requests without direct oversight.

(D) The components of the minimum training program required are listed below. Agencies can utilize a commercially available program that contains these components, or develop a local training program that contains the required instructional components. Training will consist of a minimum of forty hours of instruction.

(1) Component 1 - General knowledge

(a) Knowledge and awareness of population and demographics

(b) Knowledge and awareness of geography

(c) Knowledge and awareness of first responder agencies and their jurisdictions

(d) Knowledge and awareness of the incident command system (ICS), national incident management system (NIMS), federal, state and local interoperable communication plans and federal, state and local emergency operations plans

(2) Component 2 - General skills

(a) Ability to quickly process information and make logical decisions

(b) Stress management

(c) Provide good customer service

(d) Multi-task in a fast-paced environment

(e) Work effectively with others to solve problems

- (f) Appropriate use of agency terminology
- (g) Communicate clearly in written and oral form, especially when relaying emergency information to first responders or communicating with the public requesting emergency assistance
- (h) Ability to operate and/or respond to emergency alerts
- (i) Ability to achieve and maintain certification and operate applications and databases necessary to perform assigned duties

(3) Component 3 - Agency skills

- (a) Ability to operate agency radio communication equipment
- (b) Ability to operate agency computer equipment
- (c) Ability to operate agency telecommunication equipment
- (d) Ability to operate agency computer applications and systems
- (e) Ability to process and document agency records and operate records system

(4) Component 4 - Policy and procedures

- (a) Ability to read, comprehend and apply agency policies and procedures
- (b) Ability to apply policy and procedures to situations encountered while on duty
- (c) Ability to recognize gaps in agency policy and procedure and recommend change

(5) Component 5 - Call taking skills

- (a) Ability to answer and process calls in accordance with established procedures
- (b) Ability to obtain complete information
- (c) Ability to properly classify and prioritize the request for service
- (d) Ability to process available information to identify conditions that may affect safety
- (e) Ability to document call details accurately

- (f) Ability to accurately verify, document and relay initial dispatch information
- (g) Ability to handle/control hostile, hysterical or difficult callers to obtain information

5507-1-08

**Continuing training standards.**

- (A) The state ESINet steering committee shall oversee the development, implementation and revision of continuing training standards for telecommunicators in the state of Ohio and ensure they are kept up to date with industry standards. Resources to consult will include the national emergency number association, the association of public safety communications officials, the United States department of transportation and other industry sources.
- (B) The office of the 9-1-1 administrator will establish a process to certify that telecommunicators meet the continuing training requirements established by the committee.
- (C) Any person working in a PSAP and receiving 9-1-1 requests for service shall be required to meet the continuing training standards as follows:
- (1) Annually, before the first day of February of each calendar year, the office of the 9-1-1 administrator will distribute subject matter of timely, industry standard educational information. The distribution will be in the form of an instructional video, curriculum package or train-the-trainer package to all county 9-1-1 coordinators. The training will constitute a two-hour training block to completed by all 9-1-1 telecommunicators subject to these rules.

5507-1-09

**Emergency medical dispatching.**

(A) The PSAP is required to provide emergency dispatching either:

- (1) By establishing an emergency medical dispatching protocol, that provides pre-arrival instruction, through a recognized training provider that meets the standards as set forth by the United States department of transportation, and includes certified emergency medical dispatchers; or
- (2) By establishing a local emergency medical dispatching protocol approved by the local medical authority, that provides pre-arrival instruction and includes specifically trained emergency medical dispatchers; or
- (3) By agreement with a third party emergency medical dispatch provider that can be conferenced on with the caller during an emergency.

(B) If the PSAP does not provide emergency medical services dispatching, the PSAP may meet this requirement by having an agreement in place to transfer the call to a center that provides emergency medial dispatching in compliance with paragraph (A)(1) or paragraph (A)(2) of this rule.

(C) Any person who answers 9-1-1 requests for service shall be trained in the agency's emergency medical dispatching protocol before handling such requests without direct oversight.



5507-1-10

**Emergency power.**

- (A) The PSAP shall have a minimum one alternate/emergency power supply capable of supporting (maintaining) 9-1-1 call handling/processing equipment and necessary related public safety (communications) services for a minimum of 24 hours.
- (B) An uninterrupted power supply (UPS) and battery system shall be installed and sufficient enough to prevent power surges and provide continuous power to essential 9-1-1 equipment until the generator or other backup power source can fully activate.

5507-1-11

**Security.**

- (A) 9-1-1 personnel and equipment shall be housed in a secure location with appropriate measures taken to allow access to authorized personnel only.
- (B) A facility housing a 9-1-1 answering point shall have an emergency operation plan (EOP), evacuation plan and a continuity of operation plan (COOP) that includes the 9-1-1 operation and staff.

5507-1-12

**Minimum capability.**

- (A) A 9-1-1 answering point shall have multiple methods of notification to response agencies.
- (B) A 9-1-1 answering point shall have a minimum of two 9-1-1 "lines" and two 9-1-1 answering devices in addition to a minimum of one "line" available for outbound dialing only.

5507-1-13

**Temporary PSAP.**

The temporary PSAP is a PSAP that has been established to provide 9-1-1 service for a defined geographic area for a limited time/duration under the following circumstances:

(A) A planned special event with a defined duration (example: convention, sporting event, state/county/local fair).

(B) An unplanned situation requiring a temporary relocation of an existing PSAP.

(C) Any natural or man-made disaster or public safety critical incident or special operation requiring localized incident management/command post operation where establishing a temporary PSAP would benefit citizens and/or public safety responders.

When a temporary PSAP is established for an unplanned event/emergency, mandated standards shall become best practices applicable to the temporary PSAP for the duration of the emergency.

5507-1-14

**Call processing software.**

The PSAP will provide telecommunicators with software, including mapping, to assist in initiating calls for service, dispatching, and maintaining the status of responding resources in the field and the archiving of incident information.

5507-1-15

**Logging/Recording.**

- (A) The PSAP will have the capability of logging/recording 9-1-1 requests for service including voice, data, video and other media used.
- (B) The PSAP will retain recordings in accordance with state law and local records retention requirements.
- (C) The PSAP will provide telecommunicators the capability to instantly play back recent 9-1-1 requests.

5507-1-16

**Graphical information systems.**

- (A) PSAP's should utilize map data that meets or exceeds the Ohio location based response system data specification for road center lines and addressable structures.
- (B) Graphical information systems should, at a minimum, include road center lines, emergency service zone and/or responding entity polygons, and PSAP boundary polygons.
- (C) The PSAP shall have the ability to automatically accept, display and plot caller location data on an electronic map display. Any application that allows the PSAP to automatically accept, display and plot caller location data on an electronic map display is acceptable.



5507-1-17**Statistical analysis.**

The PSAP will collect, analyze and report the following statistics:

(A) Total 9-1-1 call volume.

(B) 9-1-1 calls by hour of the day.

(C) 9-1-1 calls by day of week.

(D) 9-1-1 call ring/answer times.

(E) 9-1-1 call roll over counts.

(F) 9-1-1 abandoned call counts.

(G) 9-1-1 calls by type (wireline/wireless/VoIP/etc.).

(H) All other data a required by the ESINet Steering Committee or the state 9-1-1 administrator.

The PSAP will compile and review this data monthly and report it to their local 9-1-1 coordinator. The 9-1-1 coordinator will be responsible for reporting this data on an annual basis to the office of the state 9-1-1 administrator, due no later than the fifteenth day of February each year or at other times upon request of the office of the 9-1-1 administrator.

5507-1-18

**Minimum call answering standards.**

Ninety percent of 9-1-1 calls/requests received will be answered withing ten seconds; with ninety-five percent of 9-1-1 calls/requests received being answered withing twenty seconds.

5507-1-19

**Rules enforcement.**

- (A) When a PSAP is found out of compliance with any rule contained in this chapter, the office of the 9-1-1 administrator will make contact and offer assistance in complying with the rule and establishing a date of compliance.
- (B) When a PSAP is found not to meet the established rules by the date of compliance set from the office of the 9-1-1 administrator in paragraph (A) of this rule, the office of the 9-1-1 administrator will notify the ESINet steering committee and request enforcement action be initiated in the following sequence:
- (1) When a PSAP does not meet the date of compliance established in paragraph (A) of this rule, the PSAP will then be placed in non-compliance status and have thirty days to comply with the rule. Written notification of how the agency is in compliance will be sent to the office of the 9-1-1 administrator.
  - (2) When a PSAP does not meet the requirement to meet compliant status outlined in paragraph (B)(1) of this rule, the office of the 9-1-1 administrator will then notify the ESINet steering committee and request authority to notify the department of taxation to withhold all funds from the monthly fund disbursements from the wireless fund until the PSAP achieves compliant status.
- (C) For purpose of this chapter, the office of the 9-1-1 administrator has the exclusive authority to audit and review PSAP's for compliance.

# **City of Hudson, Ohio**

## **Needs Assessment and Strategic Plan**

### **Appendix C**

#### **Ohio ESINet Steering Committee**

#### **Final Revision of ORC 128 Recommendations**

## Chapter 128: EMERGENCY TELEPHONE NUMBER SYSTEM

### 128.01 Definitions.

As used in this chapter:

(A) "9-1-1 system" means a system through which individuals can request emergency service using the access number 9-1-1.

Deleted: telephone

(B) "Basic 9-1-1" means an emergency telephone system which automatically connects 9-1-1 callers to a designated answering point. Call routing is determined by originating central office only. Basic 9-1-1 may or may not support ANI and/or ALI.

Deleted: a 9-1-1 system in which a caller provides information on the nature of and the location of an emergency, and the personnel receiving the call must determine the appropriate emergency service provider to respond at that location.

(C) "Enhanced 9-1-1" means a telephone system which includes network switching, database and Public Safety Answering Point premise elements capable of providing automatic location identification data, selective routing, selective transfer, fixed transfer, and a call back number.

Deleted: a 9-1-1 system capable of providing both enhanced wireline 9-1-1 and wireless enhanced 9-1-1.

(D) "Enhanced wireline 9-1-1" means a 9-1-1 system in which the wireline telephone network, in providing wireline 9-1-1, automatically routes the call to emergency service providers that serve the location from which the call is made and immediately provides to personnel answering the 9-1-1 call information on the location and the telephone number from which the call is being made.

(E) "Wireless enhanced 9-1-1" means a 9-1-1 system that, in providing wireless 9-1-1, has the capabilities of phase I and, to the extent available, phase II enhanced 9-1-1 services as described in 47 C.F.R. 20.18 (d) to (h).

(F) "Next Generation 9-1-1" or "NG9-1-1" is an Internet Protocol (IP)-based system comprised of managed Emergency Services IP networks (ESINets), functional elements (applications), and databases that replicate traditional E9-1-1 features and functions and provides additional capabilities. NG9-1-1 is designed to provide access to emergency services from all connected communications sources, and provide multimedia data capabilities for Public Safety Answering Points (PSAPs) and other emergency service organizations.

(G) "Emergency Services Internet Protocol Network" or "ESINet" means a managed IP network that is used for emergency services communications, and which can be shared by all public safety agencies. It provides the IP transport infrastructure upon which independent application platforms and core services can be deployed, including, but not restricted to, those necessary for providing NG9-1-1 services. ESINet may be constructed from a mix of dedicated and shared facilities. ESINets may be interconnected at local, regional, state, federal, national and international levels to form an IP-based inter-network (network of networks). The term ESINet designates the network, not the services that ride on the network.

Deleted: ¶  
(F)

(H)(1) "Wireless service" means federally licensed commercial mobile service as defined in 47 U.S.C. 332(d) and further defined as commercial mobile radio service in 47 C.F.R. 20.3, and includes service provided by any wireless, two-way communications device, including a radio-telephone communications line used in cellular telephone service or personal communications service, a network radio access line, or any functional or competitive equivalent of such a radio-telephone communications or network radio access line, and any wireless communication device including, but not limited to, services for communicating voice, text, data, and video using various devices.

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(2) Nothing in this chapter applies to paging or any service that cannot be used to call 9-1-1.

(I) "Wireless service provider" means a facilities-based or mobile virtual network operator (MVNO), or virtual network operator (VNO), or mobile other licensed operator (MOLO) that provides wireless service to one or more end users in this state.

Deleted: (G)

Deleted: provider of wireless service to one or more end users in this state.

(J) "9-1-1 System Service Provider" means a company or entity engaged in the business of providing all or parts of the ESINet, software applications, hardware, databases, customer premises equipment components and operations and management procedures required to support Basic 9-1-1, Enhanced 9-1-1, Enhanced Wireline 9-1-1, Wireless Enhanced 9-1-1 or Next Generation 9-1-1 systems.

(K) "Wireless 9-1-1" means the emergency calling service provided by a 9-1-1 system pursuant to a call originating in the network of a wireless service provider.

Deleted: (H)

(L) "Wireline 9-1-1" means the emergency calling service provided by a 9-1-1 system pursuant to a call originating in the network of a wireline service provider.

Deleted: (I)

(M) "Wireline service provider" means a facilities-based provider of wireline service to one or more end-users in this state.

Deleted: (J)

(N) "Wireline service" means basic local exchange service, as defined in section 4927.01 of the Revised Code, that is transmitted by means of interconnected wires or cables by a wireline service provider authorized by the public utilities commission.

Deleted: (K)

(O) "Wireline telephone network" means the selective router and data base processing systems, trunking and data wiring cross connection points at the public safety answering point, and all other voice and data components of the 9-1-1 system.

Deleted: (L)

(P) "Subdivision" means a county, municipal corporation, township, township fire district, joint fire district, township police district, joint police district, joint ambulance district, or joint emergency medical services district that provides emergency service within its territory, or that contracts with another municipal corporation, township, or district or with a private entity to provide such service; and a state college or university, port authority, or park district of any kind that employs law enforcement officers that act as the primary police force on the grounds of the college or university or port authority or in the parks operated by the district.

Deleted: (M)

(Q) "Emergency service" means emergency law enforcement, firefighting, ambulance, rescue, and medical service.

Deleted: (N)

(R) "Emergency service provider" means the state highway patrol, county sheriff, and an emergency service department or unit of a subdivision or that provides emergency service to a subdivision under contract with the subdivision.

Deleted: (O)

(S) "Public safety answering point" (PSAP) means an entity responsible for receiving requests for emergency services sent by dialing 9-1-1 within a specified territory and processing those requests for emergency services according to a specific operational policy that includes directly dispatching the appropriate emergency service provider, relaying a message to the appropriate emergency service provider, or transferring the request for emergency services to the appropriate Emergency Service

Deleted: (P)

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Provider. A public safety answering point may be located in a specific facility or may be virtual, where telecommunicators are geographically dispersed rather than working from the same facility. The virtual work place may be a logical combination of physical facilities, or an alternate work environment such as a satellite facility, or any combination of the above. Workers are connected and interoperate via IP connectivity.

(T). "Customer premises equipment" means telecommunications equipment, including telephone instruments, on the premises of a public safety answering point that is used in answering and responding to 9-1-1 system calls.

(U). "Municipal corporation in the county" includes any municipal corporation that is wholly contained in the county and each municipal corporation located in more than one county that has a greater proportion of its territory in the county to which the term refers than in any other county.

(V). "Board of county commissioners" includes the legislative authority of a county established under Section 3 of Article X, Ohio Constitution, or Chapter 302. of the Revised Code.

(W). "Final plan" means a final plan adopted under division (B) of section 128.08 of the Revised Code and, except as otherwise expressly provided, an amended final plan adopted under section 128.12 of the Revised Code.

(X). "Subdivision served by a public safety answering point" means a subdivision that provides emergency service for any part of its territory that is located within the territory of a public safety answering point whether the subdivision provides the emergency service with its own employees or pursuant to a contract.

(Y). A township's population includes only population of the unincorporated portion of the township.

(Z). "Telephone company" means a company engaged in the business of providing local exchange telephone service by making available or furnishing access and a dial tone to persons within a local calling area for use in originating and receiving voice grade communications over a switched network operated by the provider of the service within the area and gaining access to other telecommunications services. "Telephone company" includes a wireline service provider and a wireless service provider unless otherwise expressly specified. For purposes of sections 128.25 and 128.26 of the Revised Code, "telephone company" means a wireline service provider.

(AA). "Prepaid wireless calling service" has the same meaning as in division (AA)(5) of section 5739.01 of the Revised Code.

(BB). "Provider of a prepaid wireless calling service" means a wireless service provider that provides a prepaid wireless calling service.

(CC). "Retail sale" has the same meaning as in section 5739.01 of the Revised Code.

(DD). "Seller" means a person that sells a prepaid wireless calling service to another person by retail sale.

Deleted: means a facility to which 9-1-1 system calls for a specific territory are initially routed for response and where personnel respond to specific requests for emergency service by directly dispatching the appropriate emergency service provider, relaying a message to the appropriate provider, or transferring the call to the appropriate provider.

Deleted: (Q)

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(EE) "Consumer" means the person for whom the prepaid wireless calling service is provided, to whom the transfer effected or license given by a sale is or is to be made or given, to whom the prepaid wireless calling service is charged, or to whom the admission is granted.

Deleted: (BB)

(FF) "Reseller" means a nonfacilities-based provider of wireless service that provides wireless service under its own name to one or more end users in this state using the network of a wireless service provider.

Deleted: (CC)

(GG) "Steering committee" means the statewide 9-1-1 steering committee established by division (A)(1) of section 128.02 of the Revised Code.

Deleted: (DD)

Deleted: emergency services internet protocol network

(HH) – "County 9-1-1 Coordinator" means an individual appointed by the county 9-1-1 authority to serve as the administrative coordinator for all PSAPs participating in the countywide final plan and serves as liaison with other county coordinators and the Ohio 9-1-1 Program Office.

(II) "Voice over Internet Protocol" means technologies for the delivery of voice communications and multimedia sessions over Internet Protocol (IP) networks, including private networks or the Internet.

(JJ) "Multi-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.

(KK) "Business service user" means a user of business service that provides telecommunications service, including 9-1-1 service, to end users through a publicly or privately owned or controlled telephone switch.

(LL) "Emergency Response Location" or "ERL" means an additional location identification that provides specific location. This may include information regarding specific location within a building, structure, complex or campus, including building name, floor number, wing name or number, unit name or number, room name or number, or office or cubicle name or number.

(MM) "Multi-line telephone system (MLTS) operator" means an entity that owns, leases, or rents and manages or operates a multi-line telephone system through which an end user may initiate communication using the 9-1-1 system.

#### **Cite as R.C. § 128.01**

Renumbered and amended from § 5507.01 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Amended by 129th General Assembly File No. 188, HB 472, §1, eff. 12/20/2012.



Renumbered from § 4931.40 and amended by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.

## **128.02 Statewide ~~9-1-1~~ steering committee.**

Deleted: ~~emergency services internet protocol network~~~~9-1-1~~

(A)

(1) There is hereby created the statewide ~~9-1-1~~ steering committee, consisting of the following ten members:

Deleted: emergency services internet protocol network

(a) The state chief information officer or the officer's designee;

(b) Two members of the house of representatives appointed by the speaker, one from the majority party and one from the minority party;

(c) Two members of the senate appointed by the president, one from the majority party and one from the minority party;

(d) Five members appointed by the governor.

(2) In appointing the five members under division (A)(1)(d) of this section, the governor shall appoint two representatives of the county commissioners' association of Ohio or a successor organization, two representatives of the Ohio municipal league or a successor organization, and one representative of the Ohio township association or a successor organization. For each of these appointments, the governor shall consider a nominee proposed by the association or successor organization. The governor may reject any of the nominees and may request that a nominating entity submit alternative nominees.

(B)

Deleted: (3) Initial appointments shall be made not later than ten days after September 28, 2012.¶

(1) The state chief information officer or the officer's designee shall serve as the chairperson of the steering committee and shall be a nonvoting member. All other members shall be voting members.

(2) A member of the steering committee appointed from the membership of the senate or the house of representatives shall serve during the member's term as a member of the general assembly and until a successor is appointed and qualified, notwithstanding adjournment of the general assembly or the expiration of the member's term as a member of the general assembly.

(3) The initial terms of one of the representatives of the county commissioners' association of Ohio, one of the representatives of the Ohio municipal league, and the representative of the Ohio township association shall all expire on December 31, 2016. The initial terms of the other representatives of the county commissioners' association of Ohio and the Ohio municipal league shall expire on December 31, 2014. Thereafter, terms of the members appointed by the governor shall be for four years, with each term ending on the same day of the same month as the term it succeeds. Each member appointed by the governor shall hold office from the date of the member's appointment until the end of the term for which the member was appointed, and may be reappointed. A member appointed by the governor shall continue in office after the expiration date of the member's term until the member's successor takes office or until a period of sixty days has elapsed, whichever occurs first. Members appointed by the governor shall serve without compensation and shall not be reimbursed for expenses.

(4) A vacancy in the position of any member of the steering committee shall be filled for the unexpired term in the same manner as the original appointment.

(C) The steering committee shall generally advise the state on the implementation, operation, and maintenance of a statewide **Next Generation 9-1-1 core services system and ESINet** and the dispatch of emergency service providers. The steering committee shall do all of the following:

**Deleted:** emergency services internet protocol network that would support state and local government next-generation 9-1-1

(1) On or before May 15, 2013, deliver an initial report to the speaker of the house of representatives, the president of the senate, and the governor providing recommendations for the state to address the development of a statewide emergency services internet protocol network, which recommendations shall include a review of the current funding model for this state's 9-1-1 systems and may include a recommendation for a reduction in **9-1-1 fees**;

**Deleted:** wireless 9-1-1 charge

(2) Examine the readiness of the state's current technology infrastructure for a statewide emergency services internet protocol network;

(3) Research legislative authority with regard to governance and funding of a statewide emergency services internet protocol network, and provide recommendations on best practices to limit duplicative efforts to ensure an effective transition to next-generation 9-1-1;

~~(5) Recommend policies, procedures, and statutory or regulatory authority to effectively govern a statewide **Next Generation 9-1-1 system**;~~

**Deleted:** (4) Make recommendations for consolidation of public-safety-answering-point operations in this state, including recommendations for accelerating the consolidation schedule established in section 128.571 of the Revised Code, to accommodate next-generation 9-1-1 technology and to facilitate a more efficient and effective emergency services system;¶

(6) Designate a next-generation 9-1-1 statewide coordinator to serve as the primary point of contact for federal initiatives;

**Deleted:** emergency services internet protocol network

(7) Coordinate with statewide initiatives and associations such as the state interoperable executive committee, the Ohio geographically referenced information program council, the Ohio multi-agency radio communications system steering committee, and other interested parties;

(8) Serve as the entity responsible for the administration of Chapter 128. of the Revised Code.

(D)

(1) A 9-1-1 service provider shall provide to the steering committee:

(a) The aggregate number of access lines that the provider maintains within the state of Ohio;

(b) The aggregate amount of costs and cost recovery associated with providing 9-1-1 service, including coverage under tariffs and bill and keep arrangements within this state;

(c) Any other information requested by the steering committee deemed necessary to support the transition to next generation 9-1-1.

(2) Any **entity operating a public safety answering point** shall provide to the steering committee:

**Deleted:** political subdivision or governmental

(a) The geographic location and population of the area for which the planning committee is responsible;

(b) Statistics detailing the number of 9-1-1 calls received;

(c) A report of expenditures made from disbursements for 9-1-1;

(d) An inventory of and the technical specifications for the current 9-1-1 network and equipment;

(e) Any other information requested by the steering committee that is deemed necessary to support the transition to next generation 9-1-1.

(3) The information requested under divisions (D)(1) and (2) of this section shall be provided by the 9-1-1 service provider, political subdivision, or governmental entity within forty-five days of the request of the steering committee.

(E) The steering committee shall hold its inaugural meeting not later than thirty days after September 28, 2012. Thereafter, the steering committee shall meet at least once a quarter, either in person or utilizing telecommunication-conferencing technology. A majority of the voting members shall constitute a quorum.

Deleted: month

(F)

(1) The steering committee shall have a permanent technical-standards subcommittee and a permanent public-safety-answering-point-operations subcommittee, and may, from time to time, establish additional subcommittees, to advise and assist the steering committee based upon the subcommittees' areas of expertise. The sub-committees may meet either in person or utilizing telecommunication-conferencing technology. A majority of the voting members shall constitute a quorum.

(2) The membership of subcommittees shall be determined by the steering committee.

(a) The technical-standards subcommittee shall include one member representing a wireline or wireless service provider that participates in the state's 9-1-1 system, one representative of the Ohio academic resources network, one representative of the Ohio multi-agency radio communications system steering committee, one representative of the Ohio geographically referenced information program, and one member representing each of the following associations selected by the steering committee from nominations received from that association:

(i) The Ohio telephone association;

(ii) The Ohio chapter of the association of public-safety communications officials;

(iii) The Ohio chapter of the national emergency number association.

(b) The public-safety-answering-point-operations subcommittee shall include one member representing the division of emergency management of the department of public safety, one member representing the state highway patrol, one member representing the division of EMS of the department of public safety, two members recommended by the county commissioners' association of Ohio who are managers of public safety answering points, two members recommended by the Ohio municipal league who are managers of public safety answering points, and one member from each of the following associations selected by the steering committee from nominations received from that association:

(i) The buckeye state sheriffs' association;

(ii) The Ohio association of chiefs of police;

(iii) The Ohio fire chiefs association;

Deleted: of fire chiefs

(iv) The Ohio chapter of the association of public-safety communications officials;

(v) The Ohio chapter of the national emergency number association.

(G) The committee is not an agency, as defined in section 101.82 of the Revised Code, for purposes of sections 101.82 to 101.87 of the Revised Code.

(H) As used in this section, "9-1-1 system," "wireless service provider," "wireline service provider," "emergency service provider," and "public safety answering point" have the same meanings as in section 128.01 of the Revised Code.

(I) As used in this section, "bill and keep arrangements" has the same meaning as in 47 C.F.R. 51.713.

**Cite as R.C. § 128.02**

Renumbered and amended from § 5507.02 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Amended by 129th General Assembly File No. 188, HB 472, §1, eff. 12/20/2012.

Renumbered from § 125.183 and amended by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.

**128.021 Adoption of rules establishing technical and operational standards for public safety answering points.**

(A) Not later than January 1, 2014, and in accordance with Chapter 119. of the Revised Code, the steering committee shall adopt rules that establish technical and operational standards for public safety answering points eligible to receive disbursements under section 128.55 of the Revised Code. The rules shall incorporate industry standards and best practices for 9-1-1 services. Public safety answering points shall comply with the standards not later than two years after the effective date of the rules adopting the standards.

Deleted: wireless

(B) Not later than one year after the effective date of this amendment, and in accordance with Chapter 119. of the Revised Code, the steering committee shall conduct an assessment of the operational standards for public safety answering points developed under division (A) of this section and revise the standards as necessary to ensure that the operational standards contain the following:

(1) Policies to ensure that public safety answering point personnel prioritize life-saving questions in responding to each call to a 9-1-1 system established under this chapter;

(2) A requirement that all public safety answering point personnel complete proper training or provide proof of prior training to give instructions regarding emergency situations.

(C) Upon the effective date of this section, all public safety answering points who answer 9-1-1 calls for service from communications devices and services, including but not limited to wired or wireless telecommunications, voice over internet protocol, multi-line telephone system, non-voice messaging devices, devices generating data-only messages, such as sensors, photo and video transmission, and unknown future services or devices capable of initiating a connection to 9-1-1 shall be subject to the public safety answering point operations rules. Public safety answering points not originally required to be compliant shall comply with the standards not later than two years after the effective date of this section.

**Cite as R.C. § 128.021**

Amended by 131st General Assembly File No. TBD, HB 64, §101.01, eff. 9/29/2015.

Renumbered and amended from § 5507.021 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Added by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.

### **128.022 Guidelines for disbursements.**

The steering committee shall establish guidelines for the tax commissioner to use when disbursing money from the 9-1-1 government assistance fund to countywide 9-1-1 systems in the state, as well as guidelines for use of funds from the next generation 9-1-1 fund. The guidelines shall be consistent with the standards adopted in section 128.021 of the Revised Code and shall specify that disbursements may be used for costs associated with the operation of and equipment for phase II wireless systems and for costs associated with a county's migration to next generation 9-1-1 systems and technology. The next generation 9-1-1 fund will be administered by the Department of Administrative Services to pay costs of installing, maintaining and operating a statewide next generation 9-1-1 system provided by the Department of Administrative Services.

**Commented [NL1]:** Tax: We would prefer to have the guidelines in the statute, if that is not desired, we would suggest a notification requirement.

**Deleted:**

**Deleted:** next generation 9-1-1 fund to countywide 9-1-1 systems in the state

#### **Cite as R.C. § 128.022**

Renumbered and amended from § 5507.022 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Added by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.

### 128.03 Countywide 9-1-1 system.

(A)

A countywide 9-1-1 system shall include all of the territory of the townships and municipal corporations in the county and any portion of such a municipal corporation that extends into an adjacent county.

Deleted: (1)

~~(B) A 9-1-1 system may be an enhanced or next generation 9-1-1 system, or a combination of the two, and shall be designed to provide access to emergency services from all connected communications sources.~~

Deleted: (2) The system shall exclude any territory served by a wireline service provider that is not capable of reasonably meeting the technical and economic requirements of providing the wireline telephone network portion of the countywide system for that territory. The system shall exclude from enhanced 9-1-1 any territory served by a wireline service provider that is not capable of reasonably meeting the technical and economic requirements of providing the wireline telephone network portion of enhanced 9-1-1 for that territory. If a 9-1-1 planning committee and a wireline service provider do not agree on whether the provider is so capable, the planning committee shall notify the steering committee, and the steering committee shall determine whether the wireline service provider is so capable. The planning committee shall ascertain whether such disagreement exists before making its implementation proposal under division (A) of section 128.07 of the Revised Code. The steering committee's determination shall be in the form of an order. No final plan shall require a wireline service provider to provide the wireline telephone network portion of a 9-1-1 system that the steering committee has determined the provider is not reasonably capable of providing.¶

(C)(1) Every emergency service provider that provides emergency service within the territory of a countywide 9-1-1 system shall participate in the countywide system.

~~(2) A countywide 9-1-1 system may be provided directly by the county, provided by a coordinated effort regionally with other counties through written agreements or a Council of Governments, or provided by connecting to the statewide NG 9-1-1 system for call routing and core services.~~

Deleted: A countywide 9-1-1 system may be a basic or enhanced 9-1-1 system, or a combination of the two, and shall be for the purpose of providing both wireline 9-1-1 and wireless 9-1-1.

(D)

(1) Each public safety answering point shall be operated by a subdivision or a regional council of governments and shall be operated constantly.

(2) A subdivision or a regional council of governments that operates a public safety answering point shall pay all of the costs associated with establishing, equipping, furnishing, operating, and maintaining that facility and shall allocate those costs among itself and the subdivisions served by the answering point based on the allocation formula in a final plan. The wireline service provider or other entity that provides or maintains the customer premises equipment shall bill the operating subdivision or the operating regional council of governments for the cost of providing such equipment, or its maintenance. A wireless service provider and a subdivision or regional council of governments operating a public safety answering point may enter into a service agreement for providing wireless enhanced 9-1-1 pursuant to a final plan adopted under this chapter.

(E) Except to the extent provided in a final plan that provides for funding of a 9-1-1 system in part through charges imposed under section 128.22 of the Revised Code, each subdivision served by a public safety answering point shall pay the subdivision or regional council of governments that operates the answering point the amount computed in accordance with the allocation formula set forth in the final plan.

(F) Notwithstanding any other provision of law, the purchase or other acquisition, installation, and maintenance of the telephone network for a 9-1-1 system and the purchase or other acquisition, installation, and maintenance of customer premises equipment at a public safety answering point made in compliance with a final plan, including customer premises equipment used to provide wireless enhanced 9-1-1, are not subject to any requirement of competitive bidding.

Deleted: or an agreement under section 128.09 of the Revised Code

(G) Each emergency service provider participating in a countywide 9-1-1 system shall maintain a telephone number in addition to 9-1-1.



~~(H)~~ If the public safety answering point personnel reasonably determine that a 9-1-1 call is not an emergency, the personnel shall provide the caller with the telephone number of an appropriate subdivision agency as applicable.

~~(I)~~ A final plan adopted under this chapter may provide that, by further agreement included in the plan or agreement, the state highway patrol or one or more public safety answering points of another 9-1-1 system is the public safety answering point or points for the provision of wireline or wireless 9-1-1 for all or part of the territory of the 9-1-1 system established under the plan or agreement. In that event, the subdivision for which the wireline or wireless 9-1-1 is provided as named in the agreement shall be deemed the subdivision operating the public safety answering point or points for purposes of this chapter, except that, for the purpose of division (D)(2) of this section, that subdivision shall pay only so much of the costs of establishing, equipping, furnishing, operating, or maintaining any such public safety answering point as are specified in the agreement with the patrol or other system.

~~(J)~~ A final plan for the provision of wireless enhanced 9-1-1 shall provide that any wireless 9-1-1 calls routed to a state highway patrol-operated public safety answering point by default, due to a wireless service provider so routing all such calls of its subscribers without prior permission, are instead to be routed as provided under the plan. Upon the implementation of countywide wireless enhanced 9-1-1 pursuant to a final plan, the state highway patrol shall cease any functioning as a public safety answering point providing wireless 9-1-1 within the territory covered by the countywide 9-1-1 system so established, unless the patrol functions as a public safety answering point providing wireless enhanced 9-1-1 pursuant to an agreement included in the plan as authorized under division (J) of this section.

**(K) All counties will file a copy of their current final plan with the Ohio 9-1-1 Program Office by January 1<sup>st</sup>, 2020. Any revisions or amendments will also be filed within 90 days of adoption.**

**Deleted: (H)** Whenever a final plan provides for the implementation of basic 9-1-1, the planning committee shall so notify the steering committee, which shall determine whether the wireline service providers serving the territory covered by the plan are capable of reasonably meeting the technical and economic requirements of providing the wireline telephone network portion of an enhanced 9-1-1 system. The determination shall be made solely for purposes of division (C)(2) of section 128.18 of the Revised Code.¶

**Deleted: (I)**

**Deleted: (J)**

**Deleted:** , or an agreement under section 128.09 of the Revised Code,

**Deleted: (K)**

#### **Cite as R.C. § 128.03**

Renumbered and amended from § 5507.03 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Renumbered from § 4931.41 and amended by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.

**Deleted: 128.04 Informing individuals calling about drug overdoses about immunity from prosecution for a minor drug possession offense.**<sup>¶</sup>

(A) Public safety answering point personnel who are certified as emergency service telecommunicators under section 4742.03 of the Revised Code shall receive training in informing individuals who call about an apparent drug overdose about the immunity from prosecution for a minor drug possession offense created by section 2925.11 of the Revised Code.<sup>¶</sup>

(B) Public safety answering point personnel who receive a call about an apparent drug overdose shall make reasonable efforts, upon the caller's inquiry, to inform the caller about the immunity from prosecution for a minor drug possession offense created by section 2925.11 of the Revised Code.<sup>¶</sup>

**Cite as R.C. § 128.04<sup>¶</sup>**

Added by 131st General Assembly File No. TBD, HB 110, §1, eff. 9/13/2016.<sup>¶</sup>

## 128.06 County 9-1-1 Program Review Committee

(A) A county shall maintain a 9-1-1 program review committee, which shall serve without compensation and shall consist of six members as follows:

(1) A member of the board of county commissioners, who shall serve as chairperson of the committee.

(2) The chief executive officer of the most populous municipal corporation in the county. When determining population under this division, population residing outside the county shall be excluded.

(3) A member of the board of township trustees of the most populous township in the county as selected by majority vote of the board of trustees.

(4) A member of a board of township trustees selected by the majority of boards of township trustees in the county pursuant to the resolutions they adopt.

(5) A member of the legislative authority of a municipal corporation in the county selected by the majority of the legislative authorities of municipal corporations in the county pursuant to resolutions they adopt.

(6) An elected official from within the county appointed by the board of County Commissioners

Members of the committee shall serve at the pleasure of their appointing authority.

(B) The County 9-1-1 Program Review Committee may add additional members. Any added members must be approved by a two-thirds vote of the committee.

(C) The committee shall maintain and amend a final plan for implementing and operating a countywide 9-1-1 system. The committee shall, not later than March 1 of each year, submit a report to the political subdivisions within the county and to the 9-1-1 program office detailing the sources and amounts of revenue expended to support and all costs incurred to operate the countywide 9-1-1 system and the PSAPs which are a part of that system for the previous calendar year. Any amendment to the final plan shall require a two-thirds vote of the committee. The county shall provide the committee with any clerical, legal, and other staff assistance necessary.

**Cite as R.C. § 128.06**

Renumbered and amended from § 5507.06 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Renumbered from § 4931.42 and amended by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.

**Deleted: (B)**

**Deleted: (A)** A board of county commissioners or the legislative authority of any municipal corporation in the county that contains at least thirty per cent of the county's population may adopt a resolution to convene a 9-1-1 planning committee, which shall serve without compensation and shall consist of three voting members as follows:¶

(1) The president or other presiding officer of the board of county commissioners, who shall serve as chairperson of the committee;¶

(2) The chief executive officer of the most populous municipal corporation in the county;¶

(3) From the more populous of the following, either the chief executive officer of the second most populous municipal corporation in the county or a member of the board of township trustees of the most populous township in the county as selected by majority vote of the board of trustees.¶

In counties with a population of one hundred seventy-five thousand or more, the planning committee shall consist of two additional voting members as follows: a member of a board of township trustees selected by the majority of boards of township trustees in the county pursuant to resolutions they adopt, and the chief executive officer of a municipal corporation in the county selected by the majority of the legislative authorities of municipal corporations in the county pursuant to resolutions they adopt.¶

When determining population under this division, population residing outside the county shall be excluded.¶

(B) Within thirty days after the adoption of a resolution to convene the committee under division (A) of this section, the committee shall convene for the sole purpose of developing a final plan for implementing a countywide 9-1-1 system. The county shall provide the committee with any clerical, legal, and other staff assistance necessary to develop the final plan and shall pay for copying, mailing, and any other such expenses incurred by the committee in developing the final plan and in meeting the requirements imposed by sections 128.06 to 128.08 of the Revised Code.¶

(C) The 9-1-1 planning committee shall appoint a 9-1-1 technical advisory committee to assist it in planning the countywide 9-1-1 system. The advisory committee shall include at least one fire chief and one police chief serving in the county, the county sheriff, a representative of the state highway patrol selected by the patrol, one representative of each telephone company in each case selected by the telephone company represented, the director/coordinator of emergency management appointed under section 5502.26, 5502.27, or 5502.271 of the Revised Code, as appropriate, and a member of a board of township trustees of a township in the county selected by a majority of boards of township trustees in the county pursuant to resolutions they adopt.¶

## **128.07 Proposal to implement system; final plan.**

(A) The 9-1-1 planning committee shall prepare a proposal on the implementation of a countywide 9-1-1 system and shall hold a public meeting on the proposal to explain the system to and receive comments from public officials. At least thirty but not more than sixty days before the meeting, the committee shall send a copy of the implementation proposal and written notice of the meeting:

(1) By certified mail, to the board of county commissioners, the legislative authority of each municipal corporation in the county, and to the board of trustees of each township in the county; and

(2) To the board of trustees, directors, or park commissioners of each subdivision that will be served by a public safety answering point under the plan.

(B) The proposal and the final plan adopted by the committee shall specify:

(1) Which telephone companies serving customers in the county and, as authorized in division (A)(1) of section 128.03 of the Revised Code, in an adjacent county will participate in the 9-1-1 system;

(2) The location and number of public safety answering points; how the PSAPs will be connected to the county's preferred NG9-1-1 system; from what geographic territory each PSAP will receive 9-1-1 calls; whether enhanced 9-1-1 or NG9-1-1 service will be provided within such territory; what subdivisions will be served by the PSAP; and whether a PSAP will respond to calls by directly dispatching an emergency service provider, by relaying a message to the appropriate provider, or by transferring the call to the appropriate provider. In addition, the plan must define how originating service providers must connect to the core 9-1-1 system identified by the county final plan, and what methods will be utilized by the originating service providers to provide 9-1-1 voice, text, and other forms of messaging media, and caller location to the core 9-1-1 system.

(3) In instances where a public safety answering point, even if capable, does not directly dispatch all entity(s) that provide the emergency service(s) potentially needed for an incident, without significant delay, that request shall be transferred or the information electronically relayed to the entity that directly dispatches the potentially needed emergency service(s).

(4) Which subdivision or regional council of governments will establish, equip, furnish, operate, and maintain a particular public safety answering point;

(5) A projection of the initial cost of establishing, equipping, and furnishing and of the annual cost of the first five years of operating and maintaining each public safety answering point;

(6) Whether the cost of establishing, equipping, furnishing, operating, or maintaining each public safety answering point should be funded through charges imposed under section 128.22 of the

**Deleted:** The location and number of public safety answering points; how they will be connected to a company's telephone network; from what geographic territory each will receive 9-1-1 calls; whether basic or enhanced 9-1-1 service will be provided within such territory; what subdivisions will be served by the answering point; and whether an answering point will respond to calls by directly dispatching an emergency service provider, by relaying a message to the appropriate provider, or by transferring the call to the appropriate provider;

**Deleted:** (3)

**Deleted:** (4)

**Deleted:** (5)

Revised Code or will be allocated among the subdivisions served by the answering point and, if any such cost is to be allocated, the formula for so allocating it;

(7) How each emergency service provider will respond to a misdirected call, or the provision of a caller location that is misrepresentative of the actual location which does not meet FCC requirements or other accepted national standards as they exist at the date of the call origination.

Deleted: (6)

(C) Following the meeting required by this section, the 9-1-1 planning committee may modify the implementation proposal and, no later than nine months after the resolution authorized by section 128.06 of the Revised Code is adopted, may adopt, by majority vote, a final plan for implementing a countywide 9-1-1 system. If a planning committee and wireline service provider do not agree on whether the wireline service provider is capable of providing the wireline telephone network as described under division (A) of section 128.03 of the Revised Code and the planning committee refers that question to the steering committee, the steering committee may extend the nine-month deadline established by this division to twelve months. Immediately on completion of the plan, the planning committee shall send a copy of the final plan:

(1) By certified mail to the board of county commissioners of the county, to the legislative authority of each municipal corporation in the county, and to the board of township trustees of each township in the county; and

(2) To the board of trustees, directors, or park commissioners of each subdivision that will be served by a public safety answering point under the plan.

#### **Cite as R.C. § 128.07**

Renumbered and amended from § 5507.07 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Renumbered from § 4931.43 and amended by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.

### **128.08 Resolution to approve or disapprove plan.**

(A) Within sixty days after receipt of the final plan pursuant to division (C) of section 128.07 of the Revised Code, the board of county commissioners of the county and the legislative authority of each municipal corporation in the county and of each township whose territory is proposed to be included in a countywide 9-1-1 system shall act by resolution to approve or disapprove the plan, except that, with respect to a final plan that provides for funding of the 9-1-1 system in part through charges imposed under section 128.22 of the Revised Code, the board of county commissioners shall not act by resolution to approve or disapprove the plan until after a resolution adopted under section 128.22 of the Revised Code has become effective as provided in division (D) of that section. A municipal corporation or township whose territory is proposed to be included in the system includes any municipal corporation or township in which a part of its territory is excluded pursuant to division (A)(2) of section 128.03 of the Revised Code. Each such authority immediately shall notify the board of county commissioners in writing of its approval or disapproval of the final plan. Failure by a board or legislative authority to notify the board of county commissioners of approval or disapproval within such sixty-day period shall be deemed disapproval by the board or authority.

(B) As used in this division, "county's population" excludes the population of any municipal corporation or township that, under the plan, is completely excluded from 9-1-1 service in the county's final plan. A countywide plan is effective if all of the following entities approve the plan in accordance with this section:

(1) The board of county commissioners;

(2) The legislative authority of a municipal corporation that contains at least thirty per cent of the county's population, if any;

(3) The legislative authorities of municipal corporations and townships that contain at least sixty per cent of the county's population or, if the plan has been approved by a municipal corporation that contains at least sixty per cent of the county's population, by the legislative authorities of municipal corporations and townships that contain at least seventy-five per cent of the county's population.

(C) After a countywide plan approved in accordance with this section is adopted, all of the telephone companies, subdivisions, and regional councils of governments included in the plan are subject to the specific requirements of the plan and to this chapter.

#### **Cite as R.C. § 128.08**

Renumbered from § [5507.08](#) by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Renumbered from § [4931.44](#) and amended by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.

**Deleted: 128.09 Municipal corporations or townships establishing own system.**<sup>¶</sup>

(A) If a final plan is disapproved under division (B) of section 128.08 of the Revised Code, by resolution, the legislative authority of a municipal corporation or township that contains at least thirty per cent of the county's population may establish within its boundaries, or the legislative authorities of a group of municipal corporations or townships each of which is contiguous with at least one other such municipal corporation or township in the group, together containing at least thirty per cent of the county's population, may jointly establish within their boundaries a 9-1-1 system. For that purpose, the municipal corporation or township may enter into an agreement, and the contiguous municipal corporations or townships may jointly enter into an agreement with one or more telephone companies.<sup>¶</sup>

(B) If no resolution has been adopted to convene a 9-1-1 planning committee under section 128.06 of the Revised Code, by resolution, the legislative authority of any municipal corporation in the county may establish within its boundaries, or the legislative authorities of a group of municipal corporations and townships each of which is contiguous to at least one of the other such municipal corporations or townships in the group may jointly establish within their boundaries, a 9-1-1 system. For that purpose, the municipal corporation, or contiguous municipal corporations and townships, may enter into an agreement with one or more telephone companies.<sup>¶</sup>

(C) Whenever a telephone company that is a wireline service provider and one or more municipal corporations and townships enter into an agreement under division (A) or (B) of this section to provide for the wireline telephone network portion of a basic 9-1-1 system, the telephone company shall so notify the steering committee, which shall determine whether the telephone company is capable of reasonably meeting the technical and economic requirements of providing the wireline telephone network for an enhanced system within the territory served by the company and covered by the agreement. The determination shall be made solely for the purposes of division (C)(2) of section 128.18 of the Revised Code.<sup>¶</sup>

(D) Within three years from the date of entering into an initial agreement described under division (C) of this section, the telephone company shall have installed the wireline telephone network portion of the 9-1-1 system according to the terms, conditions, requirements, and specifications set forth in the agreement.<sup>¶</sup>

(E) A telephone company that is a wireline service provider shall recover the cost of installing the wireline telephone network system pursuant to agreements made under this section as provided in sections 128.18 and 5733.55 of the Revised Code.<sup>¶</sup>

**Cite as R.C. § 128.09<sup>¶</sup>**

Renumbered and amended from § 5507.09 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.<sup>¶</sup>

Renumbered from § 4931.48 and amended by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.<sup>¶</sup>

## **128.12 Amendment of plan.**

(A) An amended final plan is required for any of the following purposes:

- (1) Expanding the territory included in the countywide 9-1-1 system;
- (2) Upgrading any part or all of the countywide 9-1-1 system;
- (3) Adjusting the territory served by a public safety answering point;
- (4) Permitting a regional council of governments to operate a public safety answering point;
- (5) Represcribing the funding of public safety answering points as between the alternatives set forth in division (B)(5) of section 128.07 of the Revised Code;
- (6) Providing for wireless enhanced 9-1-1;
- (7) Adding, changing, or removing a 9-1-1 system service provider as a participant in the countywide 9-1-1 system;
- (8) Providing that the state highway patrol or one or more public safety answering points of another 9-1-1 system function as a public safety answering point or points for the provision of wireline or wireless 9-1-1 for all or part of the territory of the system established under the final plan, as contemplated under division (J) of section 128.03 of the Revised Code;
- (9) Making any other necessary adjustments to the plan.

(B)

~~(1)~~ An amendment to a final plan for any other purpose set forth in division (A) of this section may be made by an addendum approved by a majority of the 9-1-1 planning committee. The board of county commissioners shall call a meeting of the 9-1-1 planning committee for the purpose of considering an addendum pursuant to this division.

~~(2)~~ Adoption of any resolution under section 128.22 of the Revised Code pursuant to a final plan that both has been adopted and provides for funding through charges imposed under that section is not an amendment of a final plan for the purpose of this division.

(C) When a final plan is amended for a purpose described in division (A)(1), (2), or (7) of this section, sections 128.18 and 5733.55 of the Revised Code apply with respect to the receipt of the nonrecurring and recurring rates and charges for the wireline telephone network portion of the 9-1-1 system.

### **Cite as R.C. § 128.12**

Renumbered and amended from § 5507.12 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Renumbered from § 4931.45 and amended by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.

**Deleted:** a system from basic to enhanced wireline 9-1-1;¶

**Deleted:**

**Deleted:** a telephone company as a participant in a countywide 9-1-1 system after the implementation of wireline 9-1-1 or wireless enhanced 9-1-1;

**Deleted:** (1) To amend a final plan for the purpose described in division (A)(7) of this section, an entity that wishes to be added as a participant in a 9-1-1 system shall file a written letter of that intent with the board of county commissioners of the county that approved the final plan. The final plan is deemed amended upon the filing of that letter. The entity that files the letter shall send written notice of that filing to all subdivisions, regional councils of governments, and telephone companies participating in the system.¶

**Deleted:** (2)

**Deleted:** (3)





### **128.15 Deadline for installation of 9-1-1 system.**

(A) Within five years from the date the statewide NG9-1-1 call routing and core services system is operationally available to all counties, a county must provide for NG9-1-1 services for all areas covered by their county final plan or a Council of Governments must provide for NG9-1-1 services for all areas covered by their agreement. **Cite as R.C. § 128.15**

Renumbered and amended from § 5507.15 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Renumbered from § 4931.46 and amended by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.

**Deleted:** (A) Within three years from the date an initial final plan becomes effective under division (B) of section 128.08 of the Revised Code, the wireline service providers designated in the plan shall have installed the wireline telephone network portion of the 9-1-1 system according to the terms, conditions, requirements, and specifications set forth in that plan.¶  
(B)¶

(1) Upon installation of a countywide 9-1-1 system, the board of county commissioners may direct the county engineer to erect and maintain at the county boundaries on county roads and state and interstate highways, signs indicating the availability of a countywide 9-1-1 system. Any sign erected by a county under this section shall be erected in accordance with and meet the specifications established under division (B)(2) of this section. All expenses incurred in erecting and maintaining the signs shall be paid by the county.¶

(2) The director of transportation shall develop design specifications for signs giving notice of the availability of a countywide 9-1-1 system. The director also shall establish standards for the erection of the signs and, in accordance with federal law and regulations and recognized engineering practices, specify those locations where the signs shall not be erected.¶

## **128.18 Determining rates and charges.**

(A) In accordance with this chapter and Chapters 4901., 4903., 4905., and 4909. of the Revised Code, the public utilities commission shall determine the just, reasonable, and compensatory rates, tolls, classifications, charges, or rentals to be observed and charged for the wireline telephone network portion of a basic or enhanced 9-1-1 system, and each telephone company that is a wireline service provider participating in the system shall be subject to those chapters, to the extent they apply, as to the service provided by its portion of the wireline telephone network for the system as described in the final plan, and as to the rates, tolls, classifications, charges, or rentals to be observed and charged for that service.

**Deleted:** or to be installed pursuant to agreements under section 128.09 of the Revised Code

(B) Only the customers of a participating telephone company described in division (A) of this section that are served within the area covered by a 9-1-1 system shall pay the recurring rates for the maintenance and operation of the company's portion of the wireline telephone network of the system. Such rates shall be computed by dividing the total monthly recurring rates set forth in the company's schedule as filed in accordance with section 4905.30 of the Revised Code, by the total number of residential and business customer access lines, or their equivalent, within the area served. Each residential and business customer within the area served shall pay the recurring rates based on the number of its residential and business customer access lines or their equivalent. No company shall include such amount on any customer's bill until the company has completed its portion of the wireline telephone network in accordance with the terms, conditions, requirements, and specifications of the final plan.

**Deleted:** or an agreement made under section 128.09 of the Revised Code

(C)

(1) Except as otherwise provided in division (C)(2) of this section, a participating telephone company described in division (A) of this section may receive through the credit authorized by section 5733.55 of the Revised Code the total nonrecurring charges for its portion of the wireline telephone network of the system and the total nonrecurring charges for any updating or modernization of that wireline telephone network in accordance with the terms, conditions, requirements, and specifications of the final plan, as such charges are set forth in the schedule filed by the telephone company in accordance with section 4905.30 of the Revised Code. However, that portion, updating, or modernization shall not be for or include the provision of wireless 9-1-1. As applicable, the receipt of permissible charges shall occur only upon the completion of the installation of the network or the completion of the updating or modernization.

**Deleted:** or pursuant to agreements under section 128.09 of the Revised Code

(2) The credit shall not be allowed under division (C)(1) of this section for the upgrading of a system from basic to enhanced wireline 9-1-1 if both of the following apply:

(a) The telephone company received the credit for the wireline telephone network portion of the basic 9-1-1 system now proposed to be upgraded.

(b) At the time the final plan of the Revised Code calling for the basic 9-1-1 system was agreed to, the telephone company was capable of reasonably meeting the technical and economic requirements of providing the wireline telephone network portion of an enhanced 9-1-1 system within the territory proposed to be upgraded, as determined by the steering committee under division (A) or (H) of section 128.03 of the Revised Code.

**Deleted:** or agreement pursuant to section 128.09

**Deleted:** or division (C) of section 128.09

(3) If the credit is not allowed under division (C)(2) of this section, the total nonrecurring charges for the wireline telephone network used in providing 9-1-1 service, as set forth in the schedule filed by a telephone company in accordance with section 4905.30 of the Revised Code, on completion of the installation of the network in accordance with the terms, conditions, requirements, and specifications of the final plan, shall be paid by the municipal corporations and

**Deleted:** or pursuant to section 128.09 of the Revised Code, shall be paid by the municipal corporations and

townships with any territory in the area in which such upgrade from basic to enhanced 9-1-1 is made.

(D) If customer premises equipment for a public safety answering point is supplied by a telephone company that is required to file a schedule under section 4905.30 of the Revised Code pertaining to customer premises equipment, the recurring and nonrecurring rates and charges for the installation and maintenance of the equipment specified in the schedule shall apply.

**Cite as R.C. § 128.18**

Renumbered and amended from § 5507.18 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Amended by 129th General Assembly File No. 188, HB 472, §1, eff. 12/20/2012.

Renumbered from § 4931.47 and amended by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.

## **128.22 Imposing charges on improved realty to pay for public safety answering points.**

(A)

(1) For the purpose of paying the costs of establishing, equipping, and furnishing one or more public safety answering points as part of a countywide 9-1-1 system effective under division (B) of section 128.08 of the Revised Code and paying the expense of administering and enforcing this section, the board of county commissioners of a county, in accordance with this section, may fix and impose, on each lot or parcel of real property in the county that is owned by a person, municipal corporation, township, or other political subdivision and is improved, or is in the process of being improved, reasonable charges to be paid by each such owner. The charges shall be sufficient to pay only the estimated allowed costs and shall be equal in amount for all such lots or parcels.

(2) For the purpose of paying the costs of operating and maintaining the answering points and paying the expense of administering and enforcing this section, the board, in accordance with this section, may fix and impose reasonable charges to be paid by each owner, as provided in division (A)(1) of this section, that shall be sufficient to pay only the estimated allowed costs and shall be equal in amount for all such lots or parcels. The board may fix and impose charges under this division pursuant to a resolution adopted for the purposes of both divisions (A)(1) and (2) of this section or pursuant to a resolution adopted solely for the purpose of division (A)(2) of this section, and charges imposed under division (A)(2) of this section may be separately imposed or combined with charges imposed under division (A)(1) of this section.

(B) Any board adopting a resolution under this section pursuant to a final plan initiating the establishment of a 9-1-1 system or pursuant to an amendment to a final plan shall adopt the resolution within sixty days after the board receives the final plan for the 9-1-1 system pursuant to division (C) of section 128.07 of the Revised Code. The board by resolution may change any charge imposed under this section whenever the board considers it advisable. Any resolution adopted under this section shall declare whether securities will be issued under Chapter 133 of the Revised Code in anticipation of the collection of unpaid special assessments levied under this section.

Deleted: .

(C) The board shall adopt a resolution under this section at a public meeting held in accordance with section 121.22 of the Revised Code. Additionally, the board, before adopting any such resolution, shall hold at least two public hearings on the proposed charges. Prior to the first hearing, the board shall publish notice of the hearings once a week for two consecutive weeks in a newspaper of general circulation in the county or as provided in section 7.16 of the Revised Code. The notice shall include a listing of the charges proposed in the resolution and the date, time, and location of each of the hearings. The board shall hear any person who wishes to testify on the charges or the resolution.

(D) No resolution adopted under this section shall be effective sooner than thirty days following its adoption nor shall any such resolution be adopted as an emergency measure. The resolution is subject to a referendum in accordance with sections 305.31 to 305.41 of the Revised Code unless, in the resolution, the board of county commissioners directs the board of elections of the county to submit the question of imposing the charges to the electors of the county at the next primary or general election in the county occurring not less than ninety days after the resolution is certified to the board. No resolution shall go into effect unless approved by a majority of those voting upon it in any election allowed under this division.

(E) To collect charges imposed under division (A) of this section, the board of county commissioners shall certify them to the county auditor of the county who then shall place them upon the real property duplicate against the properties to be assessed, as provided in division (A) of this section. Each assessment shall bear interest at the same rate that securities issued in anticipation of the collection of the assessments bear, is a lien on the property assessed from the date placed upon the real property duplicate by the auditor, and shall be collected in the same manner as other taxes.

(F) All money collected by or on behalf of a county under this section shall be paid to the county treasurer of the county and kept in a separate and distinct fund to the credit of the county. The fund shall be used to pay the costs allowed in division (A) of this section and specified in the resolution adopted under that division. In no case shall any surplus so collected be expended for other than the use and benefit of the county.

**Cite as R.C. § 128.22**

Renumbered and amended from § 5507.22 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Renumbered from § 4931.51 and amended by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.

### **128.25 Election on adding monthly charge to telephone bills to fund 9-1-1 system.**

(A) This section applies only to a county that meets both of the following conditions:

(1) A final plan for a countywide 9-1-1 system either has not been approved in the county under section 128.08 of the Revised Code or has been approved but has not been put into operation because of a lack of funding;

(2) The board of county commissioners, at least once, has submitted to the electors of the county the question of raising funds for a 9-1-1 system under section 128.22, 5705.19, or 5739.026 of the Revised Code, and a majority of the electors has disapproved the question each time it was submitted.

(B) A board of county commissioners may adopt a resolution imposing a monthly charge on telephone access lines to pay for the equipment costs of establishing and maintaining no more than three public safety answering points of a countywide 9-1-1 system, which public safety answering points shall be only twenty-four-hour dispatching points already existing in the county. The resolution shall state the amount of the charge, which shall not exceed fifty cents per month, and the month the charge will first be imposed, which shall be no earlier than four months after the special election held pursuant to this section. Each residential and business telephone company customer within the area served by the 9-1-1 system shall pay the monthly charge for each of its residential or business customer access lines or their equivalent.

Before adopting a resolution under this division, the board of county commissioners shall hold at least two public hearings on the proposed charge. Before the first hearing, the board shall publish notice of the hearings once a week for two consecutive weeks in a newspaper of general circulation in the county or as provided in section 7.16 of the Revised Code. The notice shall state the amount of the proposed charge, an explanation of the necessity for the charge, and the date, time, and location of each of the hearings.

(C) A resolution adopted under division (B) of this section shall direct the board of elections to submit the question of imposing the charge to the electors of the county at a special election on the day of the next primary or general election in the county. The board of county commissioners shall certify a copy of the resolution to the board of elections not less than ninety days before the day of the special election. No resolution adopted under division (B) of this section shall take effect unless approved by a majority of the electors voting upon the resolution at an election held pursuant to this section.

In any year, the board of county commissioners may impose a lesser charge than the amount originally approved by the electors. The board may change the amount of the charge no more than once a year. The board may not impose a charge greater than the amount approved by the electors without first holding an election on the question of the greater charge.

(D) Money raised from a monthly charge on telephone access lines under this section shall be deposited into a special fund created in the county treasury by the board of county commissioners pursuant to section 5705.12 of the Revised Code, to be used only for the necessary equipment costs of establishing and maintaining no more than three public safety answering points of a countywide 9-1-1 system pursuant to a resolution adopted under division (B) of this section. In complying with this division, any county may seek the assistance of the steering committee with regard to operating and maintaining a 9-1-1 system.

(E) Pursuant to the voter approval required by division (C) of this section, the final plan for a countywide 9-1-1 system that will be funded through a monthly charge imposed in accordance with this section shall be amended by the existing 9-1-1 planning committee, and the amendment of such a final plan is not an amendment of a final plan for the purpose of division (A) of section 128.12 of the Revised Code.

(F) As of the effective date of this section, counties that are currently collecting the monthly charge provided for in division (B), will be authorized to collect the same charge to all devices as described in Ohio Revised Code 128.42.

**Cite as R.C. § 128.25**

Renumbered and amended from § 5507.25 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Renumbered from § 4931.52 and amended by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.



### **128.26 Election on monthly charge on telephone access lines to fund certain systems.**

(A) This section applies only to a county that has a final plan for a countywide 9-1-1 system that either has not been approved in the county under section 128.08 of the Revised Code or has been approved but has not been put into operation because of a lack of funding.

(B) A board of county commissioners may adopt a resolution imposing a monthly charge on telephone access lines to pay for the operating and equipment costs of establishing and maintaining no more than one public safety answering point of a countywide 9-1-1 system. The resolution shall state the amount of the charge, which shall not exceed fifty cents per month, and the month the charge will first be imposed, which shall be no earlier than four months after the special election held pursuant to this section. Each residential and business telephone company customer within the area of the county served by the 9-1-1 system shall pay the monthly charge for each of its residential or business customer access lines or their equivalent.

Before adopting a resolution under this division, the board of county commissioners shall hold at least two public hearings on the proposed charge. Before the first hearing, the board shall publish notice of the hearings once a week for two consecutive weeks in a newspaper of general circulation in the county or as provided in section 7.16 of the Revised Code. The notice shall state the amount of the proposed charge, an explanation of the necessity for the charge, and the date, time, and location of each of the hearings.

(C) A resolution adopted under division (B) of this section shall direct the board of elections to submit the question of imposing the charge to the electors of the county at a special election on the day of the next primary or general election in the county. The board of county commissioners shall certify a copy of the resolution to the board of elections not less than ninety days before the day of the special election. No resolution adopted under division (B) of this section shall take effect unless approved by a majority of the electors voting upon the resolution at an election held pursuant to this section.

In any year, the board of county commissioners may impose a lesser charge than the amount originally approved by the electors. The board may change the amount of the charge no more than once a year. The board shall not impose a charge greater than the amount approved by the electors without first holding an election on the question of the greater charge.

(D) Money raised from a monthly charge on telephone access lines under this section shall be deposited into a special fund created in the county treasury by the board of county commissioners pursuant to section 5705.12 of the Revised Code, to be used only for the necessary operating and equipment costs of establishing and maintaining no more than one public safety answering point of a countywide 9-1-1 system pursuant to a resolution adopted under division (B) of this section. In complying with this division, any county may seek the assistance of the steering committee with regard to operating and maintaining a 9-1-1 system.

(E) Nothing in sections 128.01 to 128.34 of the Revised Code precludes a final plan adopted in accordance with those sections from being amended to provide that, by agreement included in the plan, a public safety answering point of another countywide 9-1-1 system is the public safety answering point of a countywide 9-1-1 system funded through a monthly charge imposed in accordance with this section. In that event, the county for which the public safety answering point is provided shall be deemed the subdivision operating the public safety answering point for purposes of sections 128.01 to 128.34 of the Revised Code, except that, for the purpose of division (D) of section 128.03 of the Revised Code, the county shall pay only so much of the

costs associated with establishing, equipping, furnishing, operating, or maintaining the public safety answering point specified in the agreement included in the final plan.

(F) Pursuant to the voter approval required by division (C) of this section, the final plan for a countywide 9-1-1 system that will be funded through a monthly charge imposed in accordance with this section, or that will be amended to include an agreement described in division (E) of this section, shall be amended by the existing 9-1-1 planning committee, and the amendment of such a final plan is not an amendment of a final plan for the purpose of division (A) of section 128.12 of the Revised Code.

(G) As of the effective date of this section, counties that are currently collecting the monthly charge provided for in division (B), will be authorized to collect the same charge to all devices as described in Ohio Revised Code 128.42.

**Cite as R.C. § 128.26**

Renumbered and amended from § 5507.26 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Renumbered from § 4931.53 and amended by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.

### **128.27 Billing and collection of charges.**

(A) As part of its normal monthly billing process, each telephone company with customers in the area served by a 9-1-1 system shall bill and collect from those customers any charge imposed under section 128.25 or 128.26 of the Revised Code. The company may list the charge as a separate entry on each bill and may indicate on the bill that the charge is made pursuant to approval of a ballot issue by county voters. Any customer billed by a company for a charge imposed under section 128.25 or 128.26 of the Revised Code is liable to the county for the amount billed. The company shall apply any partial payment of a customer's bill first to the amount the customer owes the company. The company shall keep complete records of charges it bills and collects, and such records shall be open during business hours for inspection by the county commissioners or their agents or employees. If a company fails to bill any customer for the charge, it is liable to the county for the amount that was not billed.

(B) A telephone company that collects charges under this section shall remit the money to the county on a quarterly basis. The company may retain three per cent of any charge it collects as compensation for the costs of such collection. If a company collects charges under this section and fails to remit the money to the county as prescribed, it is liable to the county for any amount collected and not remitted.

#### **Cite as R.C. § 128.27**

Renumbered and amended from § 5507.27 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Renumbered from § 4931.54 and amended by 129th General Assembly File No.166, HB 360, §1, eff. 12/20/2012.

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## 128.28 Third Party Auditing of Carriers

(A) Carriers or other companies, subject to the 9-1-1 ~~Universal access fee~~ imposed in revised code 128.42, making collections and remittances will be audited by an independent third party auditing service based on a system containing two tiers.

Deleted: Universal Service Fee

(1) In the first tier, carriers with more than \$1 million in annual assessable revenue shall be subject to annual remittance audits.

(2) In the second tier, carriers with annual assessable revenue of less than \$1 million will be subject to remittance audits once every three years. In order to qualify for the second tier, a carrier's revenue must be less than \$1 million for each of the preceding three (3) years.

(B) Notices of audits will be sent to carriers by the Ohio Department of Taxation no later than June 1<sup>st</sup>. Audits shall be due on December 31<sup>st</sup> or, the next following business day, if this falls on a weekend.

(C) Each non-annual remittance audit shall include a review of not less than one year of remittances; however, the Department of Taxation reserves the right to extend the scope of the audit to include other time periods when irregularities are observed.

(D) All remittance audits shall be conducted by an independent third party auditing service at the expense of the carrier or company.

(E) Carriers shall retain at least five years of remittance records.

## **128.32 Immunity; prohibited conduct.**

(A)

(1) The state, the state highway patrol, a subdivision, or a regional council of governments participating in a 9-1-1 system established under this chapter and any officer, agent, employee, or independent contractor of the state, the state highway patrol, or such a participating subdivision or regional council of governments is not liable in damages in a civil action for injuries, death, or loss to persons or property arising from any act or omission, except willful or wanton misconduct, in connection with developing, adopting, or approving any final plan or otherwise bringing into operation the 9-1-1 system pursuant to this chapter.

Deleted: or any agreement made under section 128.09 of the Revised Code

(2) The steering committee and any member of the steering committee are not liable in damages in a civil action for injuries, death, or loss to persons or property arising from any act or omission, except willful or wanton misconduct, in connection with the development or operation of a 9-1-1 system established under this chapter.

(B) Except as otherwise provided in this section, an individual who gives emergency instructions through a 9-1-1 system established under this chapter, and the principals for whom the person acts, including both employers and independent contractors, public and private, and an individual who follows emergency instructions and the principals for whom that person acts, including both employers and independent contractors, public and private, are not liable in damages in a civil action for injuries, death, or loss to persons or property arising from the issuance or following of emergency instructions, except where the issuance or following of the instructions constitutes willful or wanton misconduct.

(C) Except for willful or wanton misconduct, a telephone company, and any other installer, maintainer, or provider, through the sale or otherwise, of customer premises equipment, and their respective officers, directors, employees, agents, and suppliers are not liable in damages in a civil action for injuries, death, or loss to persons or property incurred by any person resulting from any of the following:

(1) Such an entity's or its officers', directors', employees', agents', or suppliers' participation in or acts or omissions in connection with participating in or developing, maintaining, or operating a 9-1-1 system;

(2) Such an entity's or its officers', directors', employees', agents', or suppliers' provision of assistance to a public utility, municipal utility, or state or local government as authorized by divisions (G)(4) and (5) of this section.

(D) Except for willful or wanton misconduct, a provider of and a seller of a prepaid wireless calling service and their respective officers, directors, employees, agents, and suppliers are not liable in damages in a civil action for injuries, death, or loss to persons or property incurred by any person resulting from anything described in division (C) of this section.

**(E) Except for willful or wanton misconduct, a 9-1-1 System Service Provider and their respective officers, directors, employees, agents and suppliers, are not liable for any damages in a civil action for injuries, death, or loss to persons or property incurred by any person resulting from developing, adopting, implementing, maintaining, or operating a 9-1-1 system, or from complying with emergency-related information requests from State or local government officials.**

~~(F)~~ No person shall knowingly use the telephone number of a 9-1-1 system established under this chapter to report an emergency if the person knows that no emergency exists.

Deleted: (E)

~~(G)~~ No person shall knowingly use a 9-1-1 system for a purpose other than obtaining emergency service.

Deleted: (F)

~~(H)~~ No person shall disclose or use any information concerning telephone numbers, addresses, or names obtained from the data base that serves the public safety answering point of a 9-1-1 system established under this chapter, except for any of the following purposes or under any of the following circumstances:

Deleted: (G)

(1) For the purpose of the 9-1-1 system;

(2) For the purpose of responding to an emergency call to an emergency service provider;

(3) In the circumstance of the inadvertent disclosure of such information due solely to technology of the wireline telephone network portion of the 9-1-1 system not allowing access to the data base to be restricted to 9-1-1 specific answering lines at a public safety answering point;

(4) In the circumstance of access to a data base being given by a telephone company that is a wireline service provider to a public utility or municipal utility in handling customer calls in times of public emergency or service outages. The charge, terms, and conditions for the disclosure or use of such information for the purpose of such access to a data base shall be subject to the jurisdiction of the steering committee.

(5) In the circumstance of access to a data base given by a telephone company that is a wireline service provider to a state and local government in warning of a public emergency, as determined by the steering committee. The charge, terms, and conditions for the disclosure or use of that information for the purpose of access to a data base is subject to the jurisdiction of the steering committee.

#### **Cite as R.C. § 128.32**

Renumbered and amended from § 5507.32 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Renumbered from § 4931.49 and amended by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.

### **128.34 Proceedings to enforce compliance.**

(A) The attorney general, upon request of the steering committee, or on the attorney general's own initiative, shall begin proceedings against a telephone company that is a wireline service provider to enforce compliance with this chapter or with the terms, conditions, requirements, or specifications of a final plan as to wireline or wireless 9-1-1.

**Deleted:** or of an agreement under section 128.09 of the Revised Code

(B) The attorney general, upon the attorney general's own initiative, or any prosecutor, upon the prosecutor's initiative, shall begin proceedings against a subdivision or a regional council of governments as to wireline or wireless 9-1-1 to enforce compliance with this chapter or with the terms, conditions, requirements, or specifications of a final plan as to wireline or wireless 9-1-1.

**Deleted:** or of an agreement under section 128.09 of the Revised Code

#### **Cite as R.C. § 128.34**

Renumbered and amended from § 5507.34 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Amended by 129th General Assembly File No. 188, HB 472, §1, eff. 12/20/2012.

Renumbered from § 4931.50 and amended by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.

## 128.40 9-1-1 program office.

(A) There is hereby created within the department of administrative services the 9-1-1 program office, headed by an administrator in the unclassified civil service pursuant to division (A)(9) of section 124.11 of the Revised Code. The administrator shall be appointed by and serve at the pleasure of the director of administrative services and shall report directly to the state chief information officer. The program office shall oversee administration of the 9-1-1 government assistance fund, the 9-1-1 program fund, and the next generation 9-1-1 fund. The 9-1-1 program office may expend funds from the 9-1-1 Program Fund for the purposes of 9-1-1 public education.

Deleted: wireless 9-1-1 government assistance fund

Commented [NL2]: Tax: The names of these funds need to remain consistent for us in other chapters.

Deleted: wireless 9-1-1 program fund

(B) The 9-1-1 program office is charged with administrative authority to manage the state operated next generation 9-1-1 system and the vendors supplying the equipment and service to the Department of Administrative Services.

(C) Data and information that contribute to more effective 9-1-1 services and emergency response may be accessed and shared among 9-1-1 and emergency response functions specifically for the purposes of effective emergency response, while ensuring the overall privacy/confidentiality of the data involved. The Ohio 9-1-1 program office, on behalf of the 9-1-1 steering committee, shall have the authority to coordinate, adopt, and communicate, all necessary technical and operational standards and requirements to ensure an effective model for a statewide interconnected 9-1-1 system.

(D) The 9-1-1 program office, on behalf of the 9-1-1 steering committee, shall have the authority to collect and distribute data from and to PSAPs, service providers and emergency services providers regarding the status and operation of the components of the statewide 9-1-1 system, including but not limited to: the aggregate number of access lines that the provider maintains within the state of Ohio; the aggregate amount of costs and cost recovery associated with providing 9-1-1 service, including coverage under tariffs and bill and keep arrangements within this state; any other information requested by the steering committee deemed necessary to support the transition to next generation 9-1-1.

(E) The 9-1-1 program office, on behalf of the 9-1-1 steering committee, shall have the authority to collect and distribute data from and to PSAPs, service providers and emergency services providers regarding location information necessary for the reconciliation and synchronization of NG9-1-1 location information including but not limited to: address location information (ALI), master street address guide (MSAG), service order inputs (SOI), geographic information system files (GIS), street centerlines, response boundaries, administrative boundaries and address points.

(F) The 9-1-1 program office, on behalf of the 9-1-1 steering committee, shall have the authority to require, coordinate, oversee, and limit data collection and data distribution, and to ensure that data collection and distribution meets legal privacy and confidentiality requirements. This data shall be protected in accordance with existing State statutes. Charges, terms, and conditions for the disclosure or use of such information provided by PSAPs, service providers and emergency services providers for the purpose of 9-1-1 shall be subject to the jurisdiction of the 9-1-1 steering committee.



(G) The 9-1-1 program office, with advice from the 9-1-1 steering committee, shall have the authority to enter into interlocal contracts, interstate contracts, intrastate contracts and Federal contracts for the purpose of implementing statewide 9-1-1 services. The 9-1-1 program office may enter into contracts with service providers, 9-1-1 authorities, experts, agents, employees, vendors, or consultants to carry out the purposes of this statute, and in accordance with existing State contracting practices.

(H) Within six months of the effective date of this section, the Ohio 9-1-1 program office will draft, submit or update an existing state of Ohio 9-1-1 Plan to the statewide 9-1-1 steering committee. The plan will include the following:

(1) Specific plan to address the enacted changes to ORC 128;

(2) Specific system details describing interoperability among counties, border states and Canada;

(3) A progression plan for the system and sustainability within the enacted funding method.

(I) The 9-1-1 Steering Committee will review and approve the Ohio 9-1-1 Plan within 6 months of submission by the Ohio 9-1-1 Program Office.

**Cite as R.C. § 128.40**

Amended by 131st General Assembly File No. TBD, HB 64, §101.01, eff. 9/29/2015.

Renumbered and amended from § 5507.40 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Amended by 130th General Assembly File No. 25, HB 59, §605.40, eff. 9/29/2013.

Repealed by 129th General Assembly File No. 188, HB 472, §4, eff. 1/1/2014.

Amended by 129th General Assembly File No. 188, HB 472, §1, eff. 12/20/2012.

Renumbered from § 4931.60 and amended by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.

### **128.41 Statewide Next Generation 9-1-1 core services.**

(A) The statewide next generation 9-1-1 core services system shall be able to provide services for all of the territory of all the counties within the State of Ohio, over both land and water.

(B) The Ohio 9-1-1 Program Office will be responsible to coordinate and interoperate the 9-1-1 core services with adjacent states and Canada.

(C)

(1) Every service provider able to generate 9-1-1 traffic within the state is required to register with the Ohio 9-1-1 Program Office.

(2) If a COUNTY or regional NG9-1-1 system is participating in the state next generation 9-1-1 core services, service providers must deliver the 9-1-1 traffic to the next generation 9-1-1 core for that geographic area.

(3) Every service provider able to generate 9-1-1 traffic within the state must provide location data with all 9-1-1 traffic to ensure proper routing to the most appropriate PSAP or regional NG9-1-1 system. Provisioning of this location data may include;

(a) Pre-provisioning of location data into a state operated database utilizing industry standard protocols.

(b) Providing routable location with the 9-1-1 traffic at call time, utilizing approved standards for both legacy and Next Generation 9-1-1.

(c) Each service provider is responsible for providing location data with the accuracy and validity to ensure proper routing to the appropriate PSAP or regional NG9-1-1 system. The service provider, once notified by the state, must correct any discrepancies in location data identified by the state within 1 business day.

(d) All data provided to the state under this section is considered private, and subject to the applicable existing privacy laws.

(e) Each service provider must provide a single point of contact to the Ohio 9-1-1 Program Office whom has the authority to assist in location data discrepancies, 9-1-1 traffic misroutes and no record found errors.

(D) The statewide next generation core services system will route all 9-1-1 traffic using location and/or policy based routing to legacy E9-1-1 PSAP's, Next Generation 9-1-1 PSAP's or regional NG9-1-1 systems.

(E) Each county must provide a single point of contact to the state whom has the authority to assist in location discrepancies, call misroutes and PSAP boundary disputes.

(F) Service providers and counties participating in the state system must adhere to standards defined by the Ohio 9-1-1 Program Office, which may include, but not limited to, standards created by the National Emergency Number Association (NENA) and the Internet Engineering Task Force (IETF).

## 128.42 Universal 9-1-1 Access Fee imposed on subscribers.

(A) Beginning January 1, 2020:

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(1) A 9-1-1 Universal Access Fee of \$0.25s is imposed on all communications devices and services, including but not limited to wired or wireless telecommunications, voice over internet protocol, multi-line telephone system, non-voice messaging devices, devices generating data-only messages, such as sensors, photo and video transmission, and unknown future services or devices sold in, or registered to, a service address or location within the State of Ohio that are capable of initiating a connection to 9-1-1. Where the location of a service and the location receiving the bill differ, the location of the service shall be used to determine whether the fee applies. In the case of mobile, internet or wireless services, the 9-1-1 Universal access fee is imposed when the customer's place of primary use is in Ohio. The subscriber shall pay the 9-1-1 Universal access fee for each device or service capable of directly contacting 9-1-1.

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(2) Each service provider and each reseller shall collect the 9-1-1 Universal Access Fee as a specific line item on each subscriber's monthly bill or point of sale invoice. The line item shall be expressly designated "Ohio 9-1-1 Universal Access Fee" (\$0.25/device or service/month). If a provider bills a subscriber for any other 9-1-1 costs that the provider may incur the charge or amount is not to appear in the same line item as the Ohio 9-1-1 Universal Access Fee line item. If the charge or amount is to appear on a separate line item on the bill, the charge or amount shall be expressly designated "[Name of Provider] [Description of fee]."

(3) In the case of multiline telephone system subscribers, the \$0.25 Ohio 9-1-1 Universal Access Fee will be assessed for each line.

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(4) In the case of a voice over internet-protocol system, the \$0.25 fee will be assessed for each call path available to the VoIP system to make an outside call.

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5) This universal access fee will be collected at a rate of \$0.25 as described in this section for an initial two-year period.

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6) After the initial twelve months of collection of the \$0.25 universal 9-1-1 access fee, the steering committee will issue a report to the general assembly on the effectiveness of the funding level of the current fee.

7) Following the completion of the initial two-year collection period, the 9-1-1 Steering Committee shall have the authority to increase on an annual basis the \$0.25 surcharge up no more than \$0.02 annually for a period of five years and will not exceed a fee cap of \$0.30 during this five year period. The steering committee will only increase the universal access fee as described to maintain current programs provided for in this chapter.

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8) At the end of the above five-year period, the fee shall revert back to the original \$0.25, and the steering committee shall provide a report to the General Assembly recommending an amount for the fee moving forward.

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9) Any increase in the 9-1-1 universal access fee above the original fee of \$0.25 shall be deposited in the 9-1-1 government assistance fund as outlined in ORC 128.54. The counties may use these funds exclusively for the transitional costs of NG9-1-1 or cost of connection to the statewide ESINet.

10) Any action to increase the 9-1-1 universal access fee by the steering committee will be reported to the Ohio General Assembly outlining the reason for the fee increase and the remaining amount of transitional cost in the counties.

(B) The 9-1-1 Universal access fee under this section shall not be imposed on a subscriber of wireless lifeline service or a provider of that service. The 9-1-1 Universal Access Fee shall not apply to wholesale transactions between telecommunications service providers where the service is a component part of a service provided to an end user. This exemption includes network access charges and interconnection charges paid to a local exchange carrier.

(C) Beginning January 1, 2020:

(1) There is hereby imposed a 9-1-1 Universal Access Fee of five-tenths of one per cent of the sale price on each retail sale of a prepaid wireless or internet calling services occurring in this state.

(2) For purposes of division (B)(1) of this section, a retail sale occurs in this state if it is effected by the consumer appearing in person at a seller's business location in this state, or if the sale is sourced to this state under division (E)(3) of section 5739.034 of the Revised Code, except that under that division, in lieu of sourcing a sale under division (C)(5) of section 5739.033 of the Revised Code, the seller, rather than the service provider, may elect to source the sale to the location associated with the mobile telephone number.

(3)

(a) Except as provided in division (B)(4)(c) of this section, the seller of the prepaid calling service shall collect the fee from the consumer at the time of each retail sale and disclose the amount of the fee to the consumer at the time of the sale by itemizing the fee on the receipt, invoice, or similar form of written documentation provided to the consumer.

(b) The seller shall comply with the reporting and remittance requirements under section 128.46 of the Revised Code.

(4) When a prepaid calling service is sold with one or more other products or services for a single, nonitemized price, the 9-1-1 fee imposed under division (B)(1) of this section shall apply to the entire nonitemized price, except as provided in divisions (B)(4)(a) to (c) of this section.

(a) If the amount of the prepaid calling service is disclosed to the consumer as a dollar amount, the seller may elect to apply the fee only to that dollar amount.

(b) If the seller can identify the portion of the nonitemized price that is attributable to the prepaid calling service, by reasonable and verifiable standards from the seller's books and records that are kept in the regular course of business for other purposes, including nontax purposes, the seller may elect to apply the fee only to that portion.

(c) If a minimal amount of a prepaid calling service is sold with a prepaid wireless calling device for the single, nonitemized price, the seller may elect not to collect the fee. As used in this division, "minimal" means either ten minutes or less or five dollars or less.

(D) The 9-1-1 Universal Access Fee shall be exempt from state or local taxation.

(E) A Company that collects fees under this section shall remit the money to the State on a monthly basis. The company may retain up to two percent of any fee it collects as compensation for the cost of such collection. If a company collects fees under this section and fails to remit the money to the State as prescribed, it is liable to the State for any amount collected and not remitted.

(F) After installation and operation for 12 months of the statewide next generation 9-1-1 system, the 9-1-1 Steering Committee shall monitor the accounts where funds are generated from the Ohio 9-1-1 Universal Access Fee. The 9-1-1 Steering Committee may reduce the Universal access fee if it is determined the obligations of the funds can still be met to avoid over-collection of fees. If the Ohio 9-1-1 Universal Access Fee is reduced, the 9-1-1 Steering Committee may increase the Ohio 9-1-1 Universal Access Fee, not to exceed the maximum rate of \$0.25, to ensure adequate funding exists to meet the obligations of the funds.

(G) The 9-1-1 Steering Committee will notify the tax commissioner their intent to adjust the Ohio 9-1-1 Universal Access Fee to determine the active dates of such changes.

(H) All funds generated from the Ohio 9-1-1 Universal Access Fee may only be used for 9-1-1 related expenses.

~~9-1-19-1-19-1-19-1-1~~ Cite as R.C. § 128.42

Renumbered and amended from § 5507.42 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Amended by 129th General Assembly File No. 188, HB 472, §1, eff. 12/20/2012.

Renumbered from § 4931.61 and amended by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.

**Deleted:** Department of Taxation Suggested Language for 128.421 ¶

(A) ThereBeginning on January 1, 2019, there is hereby imposed a wireless 9-1-1 charge of twenty-fivefifty cents per month as follows: ¶

¶  
(1) On each wireless telephone number of a wireless service subscriber who has a billing or service address in this state. The subscriber shall pay the wireless 9-1-1 charge for each such wireless telephone number assigned to the subscriber. ¶

¶  
(a) In the case of multiline telephone system subscribers, the charge will be measured by each line. ¶

¶  
(b) In the case of voice over internet protocol system, the charge will be measured by each path available to the voice over internet protocol system to make an outside call. ¶

¶  
(2) On each communication device that can initiate a direct connection to 9-1-1 and is sold in or registered with a billing or service address in this state. ¶

¶  
(3) Each wireless service provider and each reseller shall collect the wireless 9-1-1 charge as a specific line item on each subscriber's ...

**Deleted:** Costs (\$0.25\$0.50/billed number or device)." If a provider bills a subscriber for any wireless enhanced 9-1-1 costs that the provider may incur, the charge or amount is not to appear in the ¶  
same line item as the state/local line item. If the charge or amount is to appear in its own, separate line item on the bill, the charge or amount shall be expressly designated "[Name of Provider] Federal Wireless-E9119-1-1 Costs." ¶

**Deleted:** Costs." ¶

¶

(2) ¶

¶

(a) Prior to January 1, 2014, on each subscriber of prepaid wireless service. A wireless service provider or reseller shall collect the wireless 9-1-1 charge in either of the following manners: ¶

¶

(i) If the subscriber has a positive account balance on the last day of the month and has used the service during that month, by reducing that balance not later than the end of the first week of the ...

**Deleted:** Costs (\$0.25/billed number)." If a provider bills a subscriber for any wireless enhanced 9-1-1 costs that the provider may incur, the charge or amount is not to appear in the same line item as the state/local line item. If the charge or amount is to appear in its own, separate line item on the bill, the charge or amount shall be expressly designated "[Name of Provider] Federal Wireless-E911

**Deleted:** Costs." ¶

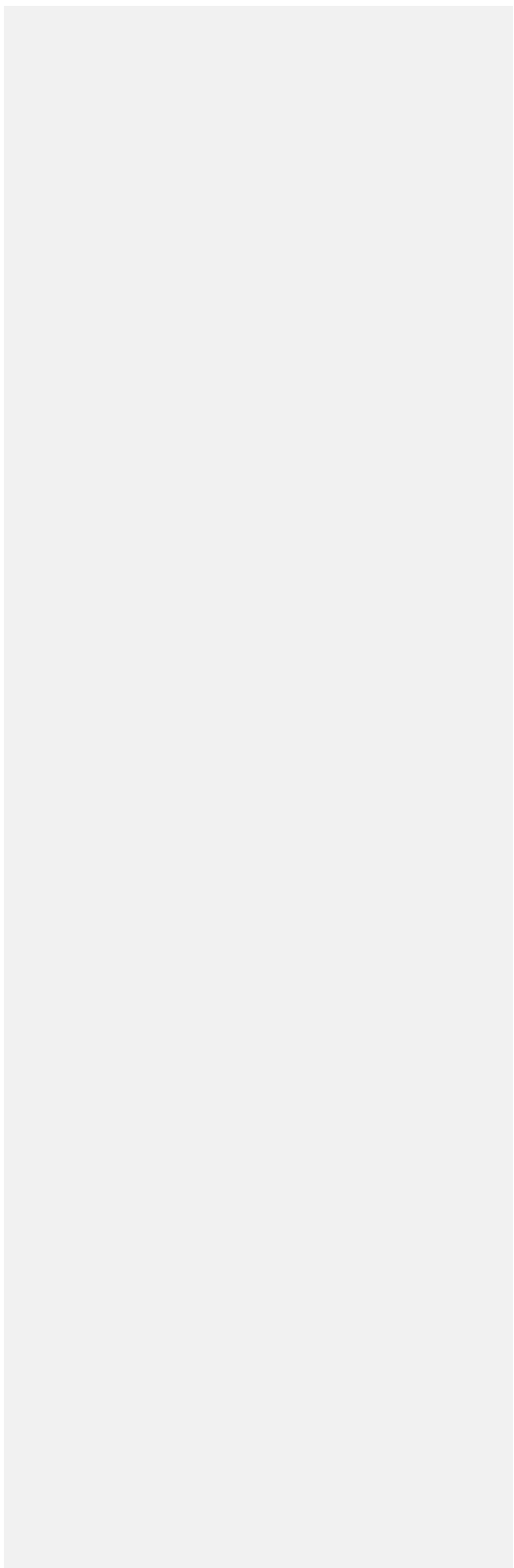
(2) ¶

(a) Prior to January 1, 2014, on each subscriber of prepaid wireless service. A wireless service provider or reseller shall collect the wireless 9-1-1 charge in either of the following manners: ¶

(i) If the subscriber has a positive account balance on the last day of the month and has used the service during that month, by reducing that balance not later than the end of the first week of the following month by twenty-five cents or an equivalent number of ...

|

|



## 128.43 - Requirements for MLTS Operators:

(A)

(1) Beginning July 1st 2018, all new or upgraded multi-line telephone systems shall provide to the end user the same level of 9-1-1 service that is provided to other end users of 9-1-1 within the state. The service shall include, but not be limited to, the provision of legacy ANI and ALI or NG9-1-1 location data that meets, at a minimum, the requirements set forth in part B of this section.

(2) Beginning July 1st 2018, all new or substantially renovated multi-line telephone system operators shall provide an Emergency Response Location (ERL) identifier as part of the location transmission to the PSAP, using either legacy PS/ALI or NG9-1-1 methodologies.

(B) Each operator of an MLTS shall identify the specific location of the caller using an ERL that must include the public street address of the building from which the call originated, a suite or room number, the building floor, and a building identifier, if applicable.

(C) All locations provided must be either MSAG or NG9-1-1 LVF valid.

(D) Exemptions –MLTS systems in existence prior to July 1<sup>st</sup>, 2018; MLTS systems in existence prior to July 1<sup>st</sup>, 2018 undergoing upgrades that are not being substantially renovated; or new MLTS systems in a workspace of less than 7,000 sq. ft. in a single building, on a single level of a structure, having a single public street address.

(E) Penalties – MLTS operators in violation of Section 128.43 may be assessed a fine of up to a maximum of \$5,000 per offense.

### Questions 128.43 (E):

1) Who determines violation?

2) Who assesses fine?

3) What fund does the \$5,000 fine go to?

4) What is the appeal process?

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**Deleted: 128.44 Notice of changes to wireless 9-1-1 charges.¶**

Beginning January 1, 2014, the tax commissioner shall provide notice to all known wireless service providers, resellers, and sellers of prepaid wireless calling services of any increase or decrease in either of the wireless 9-1-1 charges imposed under section 128.42 of the Revised Code. Each notice shall be provided not less than thirty days before the effective date of the increase or decrease.¶

**Cite as R.C. § 128.44¶**

Renumbered and amended from § 5507.44 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.¶

Amended by 129th General Assembly File No. 188, HB 472, §1, eff. 12/20/2012.¶

Added by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.¶

### **128.45 Recordkeeping.**

Beginning January 1, 2014:

(A) Each wireless service provider and reseller shall keep complete and accurate records of bills for wireless service, together with a record of the 9-1-1 fees collected under section 128.42 of the Revised Code, and shall keep all related invoices and other pertinent documents. Each seller shall keep complete and accurate records of retail sales of prepaid wireless calling services, together with a record of the 9-1-1 fees collected under section 128.42 of the Revised Code, and shall keep all related invoices and other pertinent documents.

Deleted: wireless 9-1-1 charge

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(B) Records, invoices, and documents required to be kept under this section shall be open during business hours to the inspection of the tax commissioner. They shall be preserved for a period of four years unless the tax commissioner, in writing, consents to their destruction within that period, or by order requires that they be kept longer.

**Cite as R.C. § 128.45**

Added by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

**128.46 9-1-1 fees remitted to coordinator; filing returns; subscriber liability; audit; collection.**

Deleted: **Wireless 9-1-1 charge**

(A) Prior to January 1, 2014:

(1) A wireless service provider or reseller, not later than the last day of each month, shall remit the full amount of all 9-1-1 fees it collected under division (A) of section 128.42 of the Revised Code for the second preceding calendar month to the administrator, with the exception of charges equivalent to the amount authorized as a billing and collection fee under division (A)(2) of this section. In doing so, the provider or reseller may remit the requisite amount in any reasonable manner consistent with its existing operating or technological capabilities, such as by customer address, location associated with the wireless telephone number, or another allocation method based on comparable, relevant data. If the wireless service provider or reseller receives a partial payment for a bill from a wireless service subscriber, the wireless service provider or reseller shall apply the payment first against the amount the subscriber owes the wireless service provider or reseller and shall remit to the administrator such lesser amount, if any, as results from that invoice.

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(2) A wireless service provider or reseller may retain as a billing and collection fee two per cent of the total 9-1-1 fees it collects in a month and shall account to the administrator for the amount retained.

Deleted: wireless 9-1-1 charge

(3) The administrator shall return to, or credit against the next month's remittance of, a wireless service provider or reseller the amount of any remittances the administrator determines were erroneously submitted by the provider or reseller.

(B) Beginning January 1, 2014:

(1) Each seller of a prepaid wireless calling service, wireless service provider, and reseller shall, on or before the twenty-third day of each month, except as provided in divisions (B)(2) and (3) of this section, do both of the following:

(a) Make and file a return for the preceding month, in the form prescribed by the tax commissioner, showing the amount of the 9-1-1 fees due under section 128.42 of the Revised Code for that month;

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(b) Remit the full amount due, as shown on the return, with the exception of charges equivalent to the amount authorized as a collection fee under division (B)(4) of this section.

(2) The commissioner may grant one or more thirty-day extensions for making and filing returns and remitting amounts due.

(3) If a seller is required to collect prepaid 9-1-1 fees in amounts that do not merit monthly returns, the commissioner may authorize the seller to make and file returns less frequently. The commissioner shall ascertain whether this authorization is warranted upon the basis of administrative costs to the state.

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(4) A wireless service provider, reseller, and seller may each retain as a collection fee three per cent of the total 9-1-1 fees required to be collected under section 128.42 of the Revised Code, and shall account to the tax commissioner for the amount retained.

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(5) The return required under division (B)(1)(a) of this section shall be filed electronically using the Ohio business gateway, as defined in section 718.01 of the Revised Code, the Ohio telefile system, or any other electronic means prescribed by the tax commissioner. Remittance of the amount due shall be made electronically in a manner approved by the commissioner. A wireless service provider, reseller, or seller may apply to the commissioner on a form prescribed by the commissioner to be excused from either electronic requirement of this division. For good cause shown, the commissioner may excuse the provider, reseller, or seller from either or both of the requirements and may permit the provider, reseller, or seller to file returns or make remittances by nonelectronic means.

(C)

(1) Prior to January 1, 2014, each subscriber on which a 9-1-1 fee is imposed under division (A) of section 128.42 of the Revised Code is liable to the state for the amount of the fee. If a wireless service provider or reseller fails to collect the fee under that division from a subscriber of prepaid wireless service, or fails to bill any other subscriber for the fee, the wireless service provider or reseller is liable to the state for the amount not collected or billed. If a wireless service provider or reseller collects fees under that division and fails to remit the money to the administrator, the wireless service provider or reseller is liable to the state for any amount collected and not remitted.

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(2) Beginning January 1, 2014:

(a) Each subscriber or consumer on which a 9-1-1 fee is imposed under section 128.42 of the Revised Code is liable to the state for the amount of the fee. If a wireless service provider or reseller fails to bill or collect the fee, or if a seller fails to collect the fee, the provider, reseller, or seller is liable to the state for the amount not billed or collected. If a provider, reseller, or seller fails to remit money to the tax commissioner as required under this section, the provider, reseller, or seller is liable to the state for the amount not remitted, regardless of whether the amount was collected.

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(b) No provider of a prepaid wireless calling service shall be liable to the state for any 9-1-1 fee imposed under division (B)(1) of section 128.42 of the Revised Code that was not collected or remitted.

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(D) Prior to January 1, 2014:

(1) If the steering committee has reason to believe that a wireless service provider or reseller has failed to bill, collect, or remit the 9-1-1 fee as required by divisions (A)(1) and (C)(1) of this section or has retained more than the amount authorized under division (A)(2) of this section, and after written notice to the provider or reseller, the steering committee may audit the provider or reseller for the sole purpose of making such a determination. The audit may include, but is not limited to, a sample of the provider's or reseller's billings, collections, remittances, or retentions for a representative period, and the steering committee shall make a good faith effort to reach agreement with the provider or reseller in selecting that sample.

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(2) Upon written notice to the wireless service provider or reseller, the steering committee, by order after completion of the audit, may make an assessment against the provider or reseller if, pursuant to the audit, the steering committee determines that the provider or reseller has failed to bill, collect, or remit the 9-1-1 fee as required by divisions (A)(1) and (C)(1) of this section or has retained more than the amount authorized under division (A)(2) of this section. The assessment shall be in the amount of any remittance that was due and unpaid on the date notice of the audit was sent by the steering committee to the provider or reseller or, as applicable, in

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the amount of the excess amount under division (A)(2) of this section retained by the provider or reseller as of that date.

(3) The portion of any assessment not paid within sixty days after the date of service by the steering committee of the assessment notice under division (D)(2) of this section shall bear interest from that date until paid at the rate per annum prescribed by section 5703.47 of the Revised Code. That interest may be collected by making an assessment under division (D)(2) of this section. An assessment under this division and any interest due shall be remitted in the same manner as the 9-1-1 fee imposed under division (A) of section 128.42 of the Revised Code.

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(4) Unless the provider, reseller, or seller assessed files with the steering committee within sixty days after service of the notice of assessment, either personally or by certified mail, a written petition for reassessment, signed by the party assessed or that party's authorized agent having knowledge of the facts, the assessment shall become final and the amount of the assessment shall be due and payable from the party assessed to the administrator. The petition shall indicate the objections of the party assessed, but additional objections may be raised in writing if received by the administrator or the steering committee prior to the date shown on the final determination.

(5) After an assessment becomes final, if any portion of the assessment remains unpaid, including accrued interest, a certified copy of the final assessment may be filed in the office of the clerk of the court of common pleas in the county in which the place of business of the assessed party is located. If the party assessed maintains no place of business in this state, the certified copy of the final assessment may be filed in the office of the clerk of the court of common pleas of Franklin county. Immediately upon the filing, the clerk shall enter a judgment for the state against the assessed party in the amount shown on the final assessment. The judgment may be filed by the clerk in a loose-leaf book entitled "special judgments for 9-1-1 fees" and shall have the same effect as other judgments. The judgment shall be executed upon the request of the steering committee.

Deleted: wireless 9-1-1 charge

(6) An assessment under this division does not discharge a subscriber's liability to reimburse the provider or reseller for the 9-1-1 fee imposed under division (A) of section 128.42 of the Revised Code. If, after the date of service of the audit notice under division (D)(1) of this section, a subscriber pays a 9-1-1 fee for the period covered by the assessment, the payment shall be credited against the assessment.

Deleted: wireless 9-1-1 charge

Deleted: wireless 9-1-1 charge

(7) All money collected by the administrator under division (D) of this section shall be paid to the treasurer of state, for deposit to the credit of the 9-1-1 government assistance fund.

Deleted: wireless 9-1-1 government assistance fund

(E) Beginning January 1, 2014:

(1) If the tax commissioner has reason to believe that a wireless service provider, reseller, or seller has failed to bill, collect, or remit the 9-1-1 fee as required by this section and section 128.42 of the Revised Code or has retained more than the amount authorized under division (B)(4) of this section, and after written notice to the provider, reseller, or seller, the tax commissioner may audit the provider, reseller, or seller for the sole purpose of making such a determination. The audit may include, but is not limited to, a sample of the provider's, reseller's, or seller's billings, collections, remittances, or retentions for a representative period, and the tax commissioner shall make a good faith effort to reach agreement with the provider, reseller, or seller in selecting that sample.

Deleted: wireless 9-1-1 charge

(2) Upon written notice to the wireless service provider, reseller, or seller, the tax commissioner, after completion of the audit, may make an assessment against the provider, reseller, or seller if, pursuant to the audit, the tax commissioner determines that the provider, reseller, or seller has

failed to bill, collect, or remit the 9-1-1 fee as required by this section and section 128.42 of the Revised Code or has retained more than the amount authorized under division (B)(4) of this section. The assessment shall be in the amount of any remittance that was due and unpaid on the date notice of the audit was sent by the tax commissioner to the provider, reseller, or seller or, as applicable, in the amount of the excess amount under division (B)(4) of this section retained by the provider, reseller, or seller as of that date.

Deleted: wireless 9-1-1 charge

(3) The portion of any assessment consisting of 9-1-1 fees due and not paid within sixty days after the date that the assessment was made under division (E)(2) of this section shall bear interest from that date until paid at the rate per annum prescribed by section 5703.47 of the Revised Code. That interest may be collected by making an assessment under division (E)(2) of this section.

Deleted: wireless 9-1-1 charge

(4) Unless the provider, reseller, or seller assessed files with the tax commissioner within sixty days after service of the notice of assessment, either personally or by certified mail, a written petition for reassessment, signed by the party assessed or that party's authorized agent having knowledge of the facts, the assessment shall become final and the amount of the assessment shall be due and payable from the party assessed to the treasurer of state, for deposit to the next generation 9-1-1 fund, which is created under section 128.54 of the Revised Code. The petition shall indicate the objections of the party assessed, but additional objections may be raised in writing if received by the commissioner prior to the date shown on the final determination. If the petition has been properly filed, the commissioner shall proceed under section 5703.60 of the Revised Code.

(5) After an assessment becomes final, if any portion of the assessment remains unpaid, including accrued interest, a certified copy of the final assessment may be filed in the office of the clerk of the court of common pleas in the county in which the business of the assessed party is conducted. If the party assessed maintains no place of business in this state, the certified copy of the final assessment may be filed in the office of the clerk of the court of common pleas of Franklin county. Immediately upon the filing, the clerk shall enter a judgment for the state against the assessed party in the amount shown on the final assessment. The judgment may be filed by the clerk in a loose-leaf book entitled "special judgments for 9-1-1 fees" and shall have the same effect as other judgments. The judgment shall be executed upon the request of the tax commissioner.

Deleted: wireless 9-1-1 charge

(6) If the commissioner determines that the commissioner erroneously has refunded a 9-1-1 fee to any person, the commissioner may make an assessment against that person for recovery of the erroneously refunded fee.

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Deleted: charge

(7) An assessment under division (E) of this section does not discharge a subscriber's or consumer's liability to reimburse the provider, reseller, or seller for a 9-1-1 fee. If, after the date of service of the audit notice under division (E)(1) of this section, a subscriber or consumer pays a 9-1-1 fee for the period covered by the assessment, the payment shall be credited against the assessment.

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#### Department of Taxation Suggested Language for 128.46.

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(A) Prior to January 1, 2014:

(1) A wireless service provider or reseller, not later than the last day of each month, shall remit the full amount of all wireless 9-1-1 charges it collected under division (A) of section 128.42 of the Revised Code for the second preceding calendar month to the administrator, with the exception of charges equivalent to the amount authorized as a billing and collection fee under division (A)(2) of this section. In doing so,

~~the provider or reseller may remit the requisite amount in any reasonable manner consistent with its existing operating or technological capabilities, such as by customer address, location associated with the wireless telephone number, or another allocation method based on comparable, relevant data. If the wireless service provider or reseller receives a partial payment for a bill from a wireless service subscriber, the wireless service provider or reseller shall apply the payment first against the amount the subscriber owes the wireless service provider or reseller and shall remit to the administrator such lesser amount, if any, as results from that invoice.~~

~~(2) A wireless service provider or reseller may retain as a billing and collection fee two per cent of the total wireless 9-1-1 charges it collects in a month and shall account to the administrator for the amount retained.~~

~~(3) The administrator shall return to, or credit against the next month's remittance of, a wireless service provider or reseller the amount of any remittances the administrator determines were erroneously submitted by the provider or reseller.~~

(B) Beginning ~~January 1, 2014~~ 2020,

(1) Each seller of a prepaid wireless calling service, wireless service provider, and reseller shall, on or before the twenty-third day of each month, except as provided in divisions (B)(2) and (3) of this section, do both of the following:

(a) Make and file a return for the preceding month, in the form prescribed by the tax commissioner, showing the amount of the ~~wireless~~ 9-1-1 charges due under section 128.42 of the Revised Code for that month;

(b) Remit the full amount due, as shown on the return, with the exception of charges equivalent to the amount authorized as a collection fee under division (B)(4) of this section.

(2) The commissioner may grant one or more thirty-day extensions for making and filing returns and remitting amounts due. The commissioner may require returns and payments to be made other than monthly.

(3) If a seller is required to collect prepaid ~~wireless~~ 9-1-1 charges in amounts that do not merit monthly returns, the commissioner may authorize the seller to make and file returns less frequently. The commissioner shall ascertain whether this authorization is warranted upon the basis of administrative costs to the state.

(4) A wireless service provider, reseller, and seller may each retain as a collection fee three per cent of the total ~~wireless~~ 9-1-1 charges required to be collected under section 128.42 of the Revised Code, and shall account to the tax commissioner for the amount retained.

(5) The return required under division (B)(1)(a) of this section shall be filed electronically using the Ohio business gateway, as defined in section 718.01 of the Revised Code, the Ohio telefile system, or any other electronic means prescribed by the tax commissioner. Remittance of the amount due shall be made electronically in a manner approved by the commissioner. A wireless service provider, reseller, or seller may apply to the commissioner on a form prescribed by the commissioner to be excused from either electronic requirement of this division. For good cause shown, the commissioner may excuse the

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provider, reseller, or seller from either or both of the requirements and may permit the provider, reseller, or seller to file returns or make remittances by nonelectronic means.

(C)

(1) Prior to January 1, 2014, each subscriber on which a ~~wireless~~ 9-1-1 charge is imposed under division (A) of section 128.42 of the Revised Code is liable to the state for the amount of the charge. If a wireless service provider or reseller fails to collect the charge under that division from a subscriber of prepaid wireless service, or fails to bill any other subscriber for the charge, the wireless service provider or reseller is liable to the state for the amount not collected or billed. If a wireless service provider or reseller collects charges under that division and fails to remit the money to the administrator, the wireless service provider or reseller is liable to the state for any amount collected and not remitted.

(2) Beginning January 1, ~~2014~~2020:

(a) Each subscriber or consumer on which a ~~wireless~~ 9-1-1 charge is imposed under section 128.42 of the Revised Code is liable to the state for the amount of the charge. If a wireless service provider or reseller fails to bill or collect the charge, or if a seller fails to collect the charge, the provider, reseller, or seller is liable to the state for the amount not billed or collected. If a provider, reseller, or seller fails to remit money to the tax commissioner as required under this section, the provider, reseller, or seller is liable to the state for the amount not remitted, regardless of whether the amount was collected.

(b) No provider of a prepaid wireless calling service shall be liable to the state for any ~~wireless~~ 9-1-1 charge imposed under division (B)(1) of section 128.42 of the Revised Code that was not collected or remitted.

(D)-Prior to January 1, 2014:

~~(1) If the steering committee has reason to believe that a wireless service provider or reseller has failed to bill, collect, or remit the wireless 9-1-1 charge as required by divisions (A)(1) and (C)(1) of this section or has retained more than the amount authorized under division (A)(2) of this section, and after written notice to the provider or reseller, the steering committee may audit the provider or reseller for the sole purpose of making such a determination. The audit may include, but is not limited to, a sample of the provider's or reseller's billings, collections, remittances, or retentions for a representative period, and the steering committee shall make a good faith effort to reach agreement with the provider or reseller in selecting that sample.~~

~~(2) Upon written notice to the wireless service provider or reseller, the steering committee, by order after completion of the audit, may make an assessment against the provider or reseller if, pursuant to the audit, the steering committee determines that the provider or reseller has failed to bill, collect, or remit the wireless 9-1-1 charge as required by divisions (A)(1) and (C)(1) of this section or has retained more than the amount authorized under division (A)(2) of this section. The assessment shall be in the amount of any remittance that was due and unpaid on the date notice of the audit was sent by the steering committee to the provider or reseller or, as applicable, in the amount of the excess amount under division (A)(2) of this section retained by the provider or reseller as of that date.~~

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~~(3) The portion of any assessment not paid within sixty days after the date of service by the steering committee of the assessment notice under division (D)(2) of this section shall bear interest from that date until paid at the rate per annum prescribed by section 5703.47 of the Revised Code. That interest may be collected by making an assessment under division (D)(2) of this section. An assessment under this division and any interest due shall be remitted in the same manner as the wireless 9-1-1 charge imposed under division (A) of section 128.42 of the Revised Code.~~

~~(4) Unless the provider, reseller, or seller assessed files with the steering committee within sixty days after service of the notice of assessment, either personally or by certified mail, a written petition for reassessment, signed by the party assessed or that party's authorized agent having knowledge of the facts, the assessment shall become final and the amount of the assessment shall be due and payable from the party assessed to the administrator. The petition shall indicate the objections of the party assessed, but additional objections may be raised in writing if received by the administrator or the steering committee prior to the date shown on the final determination.~~

~~(5) After an assessment becomes final, if any portion of the assessment remains unpaid, including accrued interest, a certified copy of the final assessment may be filed in the office of the clerk of the court of common pleas in the county in which the place of business of the assessed party is located. If the party assessed maintains no place of business in this state, the certified copy of the final assessment may be filed in the office of the clerk of the court of common pleas of Franklin county. Immediately upon the filing, the clerk shall enter a judgment for the state against the assessed party in the amount shown on the final assessment. The judgment may be filed by the clerk in a loose-leaf book entitled "special judgments for wireless 9-1-1 charges" and shall have the same effect as other judgments. The judgment shall be executed upon the request of the steering committee.~~

~~(6) An assessment under this division does not discharge a subscriber's liability to reimburse the provider or reseller for the wireless 9-1-1 charge imposed under division (A) of section 128.42 of the Revised Code. If, after the date of service of the audit notice under division (D)(1) of this section, a subscriber pays a wireless 9-1-1 charge for the period covered by the assessment, the payment shall be credited against the assessment.~~

~~(7) All money collected by the administrator under division (D) of this section shall be paid to the treasurer of state, for deposit to the credit of the wireless 9-1-1 government assistance fund.~~

(E) Beginning January 1, 2014:

(1) If the tax commissioner has reason to believe that a wireless service provider, reseller, or seller has failed to bill, collect, or remit the wireless 9-1-1 charge as required by this section and section 128.42 of the Revised Code or has retained more than the amount authorized under division (B)(4) of this section, and after written notice to the provider, reseller, or seller, the tax commissioner may audit the provider, reseller, or seller for the sole purpose of making such a determination. The audit may include, but is not limited to, a sample of the provider's, reseller's, or seller's billings, collections, remittances, or retentions for a representative period, and the tax commissioner shall make a good faith effort to reach agreement with the provider, reseller, or seller in selecting that sample.

(2) Upon written notice to the wireless service provider, reseller, or seller, the tax commissioner, after completion of the audit, may make an assessment against the provider, reseller, or seller if, pursuant to

the audit, the tax commissioner determines that the provider, reseller, or seller has failed to bill, collect, or remit the ~~wireless~~ 9-1-1 charge as required by this section and section 128.42 of the Revised Code or has retained more than the amount authorized under division (B)(4) of this section. The assessment shall be in the amount of any remittance that was due and unpaid on the date notice of the audit was sent by the tax commissioner to the provider, reseller, or seller or, as applicable, in the amount of the excess amount under division (B)(4) of this section retained by the provider, reseller, or seller as of that date.

(3) The portion of any assessment consisting of ~~wireless~~ 9-1-1 charges due and not paid within sixty days after the date that the assessment was made under division (E)(2) of this section shall bear interest from that date until paid at the rate per annum prescribed by section 5703.47 of the Revised Code. That interest may be collected by making an assessment under division (E)(2) of this section.

(4) Unless the provider, reseller, or seller assessed files with the tax commissioner within sixty days after service of the notice of assessment, either personally or by certified mail, a written petition for reassessment, signed by the party assessed or that party's authorized agent having knowledge of the facts, the assessment shall become final and the amount of the assessment shall be due and payable from the party assessed to the treasurer of state, for deposit to the next generation 9-1-1 fund, which is created under section 128.54 of the Revised Code. The petition shall indicate the objections of the party assessed, but additional objections may be raised in writing if received by the commissioner prior to the date shown on the final determination. If the petition has been properly filed, the commissioner shall proceed under section 5703.60 of the Revised Code.

(5) After an assessment becomes final, if any portion of the assessment remains unpaid, including accrued interest, a certified copy of the final assessment may be filed in the office of the clerk of the court of common pleas in the county in which the business of the assessed party is conducted. If the party assessed maintains no place of business in this state, the certified copy of the final assessment may be filed in the office of the clerk of the court of common pleas of Franklin county. Immediately upon the filing, the clerk shall enter a judgment for the state against the assessed party in the amount shown on the final assessment. The judgment may be filed by the clerk in a loose-leaf book entitled "special judgments for ~~wireless~~ 9-1-1 charges" and shall have the same effect as other judgments. The judgment shall be executed upon the request of the tax commissioner.

(6) If the commissioner determines that the commissioner erroneously has refunded a ~~wireless~~ 9-1-1 charge to any person, the commissioner may make an assessment against that person for recovery of the erroneously refunded charge.

(7) An assessment under division (E) of this section does not discharge a subscriber's or consumer's liability to reimburse the provider, reseller, or seller for a ~~wireless~~ 9-1-1 charge. If, after the date of service of the audit notice under division (E)(1) of this section, a subscriber or consumer pays a ~~wireless~~ 9-1-1 charge for the period covered by the assessment, the payment shall be credited against the assessment.

**Cite as R.C. § 128.46**

Amended by 130th General Assembly File No. TBD, HB 5, §1, eff. 3/23/2015, applicable to municipal taxable years beginning on or after 1/1/2016.

Renumbered and amended from § 5507.46 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Amended by 129th General Assembly File No. 188, HB 472, §1, eff. 12/20/2012.

Renumbered from § 4931.62 and amended by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.

### **128.461 Interest on remitted fees.**

Beginning January 1, 2014, any 9-1-1 fee required to be remitted under section 128.46 of the Revised Code shall be subject to interest as prescribed by section 5703.47 of the Revised Code, calculated from the date the 9-1-1 fee was due under section 128.46 of the Revised Code to the date the 9-1-1 fee is remitted or the date of assessment, whichever occurs first.

**Cite as R.C. § 128.461**

Added by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

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## **128.462 Limitations on assessments.**

Beginning January 1, 2014:

(A) Except as otherwise provided in this section, no assessment shall be made or issued against a wireless service provider, reseller, or seller for any 9-1-1 fee imposed by or pursuant to section 128.42 of the Revised Code more than four years after the return date for the period in which the sale or purchase was made, or more than four years after the return for such period is filed, whichever is later. This division does not bar an assessment:

Deleted: wireless 9-1-1 charge

(1) When the tax commissioner has substantial evidence of amounts of 9-1-1 fees collected by a provider, reseller, or seller from subscribers or consumers, which were not returned to the state;

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(2) When the provider, reseller, or seller assessed failed to file a return as required by section 128.46 of the Revised Code;

(3) When the provider, reseller, or seller and the commissioner waive in writing the time limitation.

(B) No assessment shall be made or issued against a wireless service provider, reseller, or seller for any 9-1-1 fee imposed by or pursuant to section 128.42 of the Revised Code for any period during which there was in full force and effect a rule of the tax commissioner under or by virtue of which the collection or payment of any such 9-1-1 fee was not required. This division does not bar an assessment when the tax commissioner has substantial evidence of amounts of 9-1-1 fees collected by a provider, reseller, or seller from subscribers or consumers, which were not returned to the state.

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**Cite as R.C. § 128.462**

Added by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

## **128.47 Refunds.**

Beginning January 1, 2014:

(A) A wireless service provider, reseller, seller, wireless service subscriber, or consumer of a prepaid wireless calling service may apply to the tax commissioner for a refund of 9-1-1 fees described in division (B) of this section. The application shall be made on the form prescribed by the tax commissioner. The application shall be made not later than four years after the date of the illegal or erroneous payment of the 9-1-1 fee by the subscriber or consumer, unless the wireless service provider, reseller, or seller waives the time limitation under division (A)(3) of section 128.462 of the Revised Code. If the time limitation is waived, the refund application period shall be extended for the same period as the waiver.

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Deleted: wireless 9-1-1 charge

(B)

(1) If a wireless service provider, reseller, or seller refunds to a subscriber or consumer the full amount of 9-1-1 fees that the subscriber or consumer paid illegally or erroneously, and if the provider, reseller, or seller remitted that amount under section 128.46 of the Revised Code, the tax commissioner shall refund that amount to the provider, reseller, or seller.

Deleted: wireless 9-1-1 charge

(2) If a wireless service provider, reseller, or seller has illegally or erroneously billed a subscriber or charged a consumer for a 9-1-1 fee, and if the provider, reseller, or seller has not collected the fee but has remitted that amount under section 128.46 of the Revised Code, the tax commissioner shall refund that amount to the provider, reseller, or seller.

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(C)

(1) The tax commissioner may refund to a subscriber or consumer 9-1-1 fees paid illegally or erroneously to a provider, reseller, or seller only if both of the following apply:

Deleted: wireless 9-1-1 charge

(a) The tax commissioner has not refunded the 9-1-1 fees to the provider, reseller, or seller.

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(b) The provider, reseller, or seller has not refunded the 9-1-1 fees to the subscriber or consumer.

Deleted: wireless 9-1-1 charge

(2) The tax commissioner may require the subscriber or consumer to obtain from the provider, reseller, or seller a written statement confirming that the provider, reseller, or seller has not refunded the 9-1-1 fees to the subscriber or consumer and that the provider, reseller, or seller has not filed an application for a refund under this section. The tax commissioner may also require the provider, reseller, or seller to provide this statement.

Deleted: wireless 9-1-1 charge

(D) On the filing of an application for a refund under this section, the tax commissioner shall determine the amount of refund to which the applicant is entitled. If the amount is not less than that claimed, the commissioner shall certify the determined amount to the director of budget and management and the treasurer of state for payment from the tax refund fund created under section 5703.052 of the Revised Code. If the amount is less than that claimed, the commissioner shall proceed in accordance with section 5703.70 of the Revised Code.

(E) Refunds granted under this section shall include interest as provided by section 5739.132 of the Revised Code.

**Cite as R.C. § 128.47**

Added by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

## **128.52 Sales subject to taxes on retail sales.**

(A) Beginning on July 1, 2013, each seller of a prepaid wireless calling service required to collect prepaid 9-1-1 fees under division (B) of section 128.42 of the Revised Code shall also be subject to the provisions of Chapter 5739. of the Revised Code regarding the excise tax on retail sales levied under section 5739.02 of the Revised Code, as those provisions apply to audits, assessments, appeals, enforcement, liability, and penalties.

Deleted: wireless 9-1-1 charge

(B) The tax commissioner shall establish procedures by which a person may document that a sale is not a retail sale of a prepaid wireless calling service. The procedures shall substantially coincide with similar procedures under Chapter 5739. of the Revised Code.

### **Cite as R.C. § 128.52**

Renumbered and amended from § 5507.52 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Added by 129th General Assembly File No.166, HB 360, §1, eff. 12/20/2012.



### **128.53 [Repealed].**

#### **Cite as R.C. § 128.53**

Renumbered and amended from § 5507.53 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Repealed by 129th General Assembly File No. 188, HB 472, §4, eff. 1/1/2014.

Amended by 129th General Assembly File No. 188, HB 472, §1, eff. 12/20/2012.

Renumbered from § 4931.63 and amended by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.

**128.54 Funds established for receipt, distribution, and accounting for amounts received from 9-1-1 fees.**

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(A)

(1) For the purpose of receiving, distributing, and accounting for amounts received from the 9-1-1 fees imposed under section 128.42 of the Revised Code, the following funds are created in the state treasury:

Deleted: wireless 9-1-1 charge

(a) The 9-1-1 government assistance fund;

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(b) The 9-1-1 administrative fund;

Deleted: wireless 9-1-1 administrative fund

(c) The 9-1-1 program fund;

Deleted: wireless 9-1-1 program fund

(d) The next generation 9-1-1 fund.

(2) Amounts remitted under section 128.46 of the Revised Code shall be paid to the treasurer of state for deposit as follows:

(a) 47 % to the 9-1-1 government assistance fund. All interest earned on the 9-1-1 government assistance fund shall be credited to the fund. All funds generated from any increase in the 9-1-1 universal access fee in years three through seven as provided for in 128.42 shall be credited to the 9-1-1 government assistance fund.

(b) 1 % to the 9-1-1 administrative fund;

(c) 2 % to the 9-1-1 program fund.

(d) 50 % to the next generation 9-1-1 fund.

(3) The tax commissioner shall use the 9-1-1 administrative fund to defray the costs incurred in carrying out this chapter.

Deleted: (a) Ninety-seven per cent to the wireless 9-1-1 government assistance fund. All interest earned on the wireless 9-1-1 government assistance fund shall be credited to the fund.¶

(4) The steering committee shall use the 9-1-1 program fund, through the Ohio 9-1-1 Program Office, to defray the costs incurred by the steering committee in carrying out this chapter.

(b) One per cent to the wireless 9-1-1 administrative fund;¶

(c) Two per cent to the 9-1-1 program fund.¶

(5) Annually, the tax commissioner, after paying administrative costs under division (A)(3) of this section, shall transfer any excess remaining in the 9-1-1 administrative fund to the next generation 9-1-1 fund, created under this section.

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(B) (B) At the direction of the steering committee, the tax commissioner shall transfer funds in the 9-1-1 government assistance fund to the credit of the next generation 9-1-1 fund if they determine a funding shortage exists to maintain the statewide next generation core services system. The steering committee may also direct the tax commissioner to transfer funds in the next generation 9-1-1 fund to the 9-1-1 government assistance fund if they determine there is a need to address a funding issue at the local level. Any such transfers will only be directed if it is determined there are excess funds

available that would not impact the specific function of the original fund. All interest earned on a specific fund shall be credited to the fund.

(C) The steering committee may determine the formula and amounts that are disbursed to the counties from the government assistance fund. Disbursements will be from the total funds available and there will be no cap or no minimum amount disbursed. Department of Taxation Suggested Language for 128.54.

(A)

(1) For the purpose of receiving, distributing, and accounting for amounts received from the wireless 9-1-1 charges imposed under section 128.42 of the Revised Code, the following funds are created in the state treasury:

(a) The 9-1-1 charge fund ;

(b) The wireless 9-1-1 government assistance fund;

~~(b)~~(c) The wireless 9-1-1 administrative fund;

~~(c)~~(d) The wireless 9-1-1 program fund;

~~(d)~~(e) The next generation 9-1-1 fund.

(2) Amounts remitted under section 128.46 of the Revised Code shall be paid into the 9-1-1 charge fund. From the 9-1-1 charge fund, the director of budget and management shall place a credit to the tax refund fund established under section 5703.052 of the Revised Code amounts equal to the refunds certified by the commissioner under division (D) of section 128.47 of the Revised code. to the treasurer of state for deposit as follows:

(3) Not later than the last day of each month, the director of budget and management shall provide for the transfer of the balance of the 9-1-1 charge fund as of the last day of the preceding month, excluding any amounts required to be transferred as provided in division (B)(2) of this section, as follows:

(a) Ninety-seven per cent to the wireless 9-1-1 government assistance fund. All interest earned on the wireless 9-1-1 government assistance fund shall be credited to the fund.

(b) One per cent to the wireless 9-1-1 administrative fund;

(c) Two per cent to the 9-1-1 program fund.

**Deleted:** At the direction of the steering committee, the tax commissioner shall transfer the funds remaining in the wireless 9-1-1 government assistance fund to the credit of the next generation 9-1-1 fund. All interest earned on the next generation 9-1-1 fund shall be credited to the fund.

**Deleted:** From the wireless 9-1-1 government assistance fund, the director of budget and management shall, as funds are available, transfer to the tax refund fund, created under section 5703.052 of the Revised Code, amounts equal to the refunds certified by the tax commissioner under division (D) of section 128.47 of the Revised Code.¶

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(3) The tax commissioner shall use the wireless 9-1-1 administrative fund to defray the costs incurred in carrying out this chapter.

(4) The steering committee shall use the 9-1-1 program fund to defray the costs incurred by the steering committee in carrying out this chapter.

(5) Annually, the tax commissioner , after paying administrative costs under division (A)(3) of this section, shall transfer any excess remaining in the wireless 9-1-1 administrative fund to the next generation 9-1-1 fund, created under this section.

(B) At the direction of the steering committee, the tax commissioner shall transfer the funds remaining in the wireless 9-1-1 government assistance fund to the credit of the next generation 9-1-1 fund. All interest earned on the next generation 9-1-1 fund shall be credited to the fund.

~~(C) From the wireless 9-1-1 government assistance fund, the director of budget and management shall, as funds are available, transfer to the tax refund fund, created under section 5703.052 of the Revised Code, amounts equal to the refunds certified by the tax commissioner under division (D) of section 128.47 of the Revised Code.~~

**Cite as R.C. § 128.54**

Amended by 131st General Assembly File No. TBD, HB 64, §101.01, eff. 9/29/2015.

Renumbered and amended from § 5507.54 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Added by 129th General Assembly File No. 188, HB 472, §1, eff. 12/20/2012.

## **128.55 Disbursement of government assistance fund monies.**

(A)

(1) The tax commissioner, not later than the tenth day of the succeeding month, shall disburse moneys from the 9-1-1 government assistance fund, plus any accrued interest on the fund, to each county treasurer.

(a) If there are sufficient funds in the 9-1-1 government assistance fund, each county treasurer shall receive the same amount determined by the 9-1-1 steering committee.

(2) The next generation 9-1-1 fund will be under the control of the Department of Administrative Services and used exclusively for the next generation 9-1-1 program to pay for building and maintaining the call routing and core services statewide next generation 9-1-1 system.

(B) Immediately upon receipt by a county treasurer of a disbursement under division (A) of this section, the county shall disburse, in accordance with the allocation formula set forth in the final plan, the amount the county so received to any other subdivisions in the county and any regional councils of governments in the county that pay the costs of a public safety answering point providing wireless enhanced 9-1-1 under the plan.

(C) Nothing in this chapter affects the authority of a subdivision operating or served by a public safety answering point of a 9-1-1 system or a regional council of governments operating a public safety answering point of a 9-1-1 system to use, as provided in the final plan for the system, any other authorized revenue of the subdivision or the regional council of governments for the purposes of providing basic or enhanced 9-1-1.

### **Cite as R.C. § 128.55**

Amended by 131st General Assembly File No. TBD, HB 64, §101.01, eff. 9/29/2015.

Renumbered and amended from § 5507.55 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Amended by 129th General Assembly File No. 188, HB 472, §1, eff. 12/20/2012.

Renumbered from § 4931.64 and amended by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.

~~Deleted: last~~

~~Deleted: each~~

~~Deleted: wireless 9-1-1 government assistance fund~~

~~Deleted: wireless 9-1-1 government assistance fund~~

~~Deleted:~~

~~Deleted: distributed to that county by the public utilities commission in the corresponding calendar month in 2013.~~

~~Deleted: (b) If the funds available are insufficient to make the distributions as provided in division (A)(1)(a) of this section, each county's share shall be reduced in proportion to the amounts received in the corresponding calendar month in 2013, until the total amount to be distributed to the counties is equivalent to the amount available in the wireless 9-1-1 government assistance fund. Any shortfall in distributions resulting from insufficient funds from a previous month shall be remedied in the following month.¶~~

~~Deleted: The tax commissioner shall disburse moneys from the next generation 9-1-1 fund in accordance with the guidelines established under section 128.022 of the Revised Code.~~

~~Deleted: or in an agreement under section 128.09 of the Revised Code~~

~~Deleted: Department of Taxation Suggested Language for 128.55.¶~~

~~¶~~

~~(A) ¶~~

~~¶~~

~~(1) The tax commissioner, not later than the last tenth day of each the succeeding month, shall disburse moneys from the wireless 9-1-1 government assistance fund, plus any accrued interest on the fund, to each county treasurer. ¶~~

~~¶~~

~~(a) If there are sufficient funds in the wireless 9-1-1 government assistance fund, each county treasurer shall receive the same amount distributed to that county by the public utilities commission in the corresponding calendar month in 2013 as determined by the 9-1-1 steering committee. ¶~~

~~¶~~

~~(b) If the funds available are insufficient to make the distributions as provided in division (A)(1)(a) of this section, each county's share shall be reduced in proportion to the amounts received in the corresponding calendar month in 2013, until the total amount to be distributed to the counties is equivalent to the amount available in the wireless 9-1-1 government assistance fund. Any shortfall in distributions resulting from insufficient funds from a previous month shall be remedied in the following month. ¶~~

~~¶~~

~~(2) The tax commissioner shall disburse moneys from the next generation 9-1-1 fund in accordance with the guidelines established under section 128.022 of the Revised Code will be under the control of the department of administrative services and used exclusively for the next generation 9-1-1 program to pay for building and maintaining the call routing and core services statewide next generation 9-1-1 system. ¶~~

~~¶~~

~~(B) Immediately upon receipt by a county treasurer of a disbursement under division (A) of this section, the county shall~~

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## **128.57 County systems receiving disbursements to provide wireless 9-1-1 service.**

(A) A countywide 9-1-1 system receiving a disbursement under section 128.55 of the Revised Code shall provide countywide wireless enhanced 9-1-1 in accordance with this chapter beginning as soon as reasonably possible after receipt of the first disbursement or, if that service is already implemented, shall continue to provide such service. Except as provided in divisions (B), (C), and (E) of this section, a disbursement shall be used solely for the purpose of paying either or both of the following:

**Deleted:** Except as otherwise provided in section 128.571 of the Revised Code:¶

### **(1) Any costs associated with:**

**(a) Designing, upgrading, purchasing, leasing, programming, installing, testing, or maintaining the necessary data, hardware, software, and trunking required for the public safety answering point or points of the 9-1-1 system to provide wireless, enhanced, or Next Generation 9-1-1 service.**

**(b) Processing 9-1-1 emergency calls from the point of origin to include any expense for interoperable bidirectional computer aided dispatch data transfers with other public safety answering points or emergency services organizations and transferring and receiving law enforcement, fire, and emergency medical service data via wireless or internet connections from public safety answering points or emergency services organizations to all applicable emergency responders.**

(2) Any costs of training the staff of the public safety answering point or points to provide wireless enhanced 9-1-1, which costs are incurred before or on or after May 6, 2005.

**Deleted:** (1) Any costs of designing, upgrading, purchasing, leasing, programming, installing, testing, or maintaining the necessary data, hardware, software, and trunking required for the public safety answering point or points of the 9-1-1 system to provide wireless enhanced 9-1-1, which costs are incurred before or on or after May 6, 2005, and consist of such additional costs of the 9-1-1 system over and above any costs incurred to provide wireline 9-1-1 or to otherwise provide wireless enhanced 9-1-1. Annually, up to twenty-five thousand dollars of the disbursements received on or after January 1, 2009, may be applied to data, hardware, and software that automatically alerts personnel receiving a 9-1-1 call that a person at the subscriber's address or telephone number may have a mental or physical disability, of which that personnel shall inform the appropriate emergency service provider. On or after the provision of technical and operational standards pursuant to section 128.021 of the Revised Code, a regional council of governments operating a public safety answering point or a subdivision shall consider the standards before incurring any costs described in this division.¶

(B) A subdivision or a regional council of governments that certifies to the steering committee that it has paid the costs described in divisions (A)(1) and (2) of this section and is providing countywide wireless enhanced 9-1-1 may use disbursements received under section 128.55 of the Revised Code to pay any of its personnel costs of one or more public safety answering points providing countywide wireless enhanced 9-1-1.

(C) After receiving its July 2013 disbursement under division (A) of section 128.55 of the Revised Code as that division existed prior to the amendments to that division by H. B. 64 of the 131st general assembly, a regional council of governments operating a public safety answering point or a subdivision may use any remaining balance of disbursements it received under that division, as it existed prior to the amendments to it by H. B. 64 of the 131st general assembly, to pay any of its costs of providing countywide wireless 9-1-1, including the personnel costs of one or more public safety answering points providing that service.

(D) The costs described in divisions (A), (B), (C), and (E) of this section may include any such costs payable pursuant to an agreement under division (J) of section 128.03 of the Revised Code.

(E)

(1) No disbursement to a countywide 9-1-1 system for costs of a public safety answering point shall be made from the 9-1-1 government assistance fund or the next generation 9-1-1 fund unless the public safety answering point meets the standards set by rule of the steering committee under section 128.021 of the Revised Code.

**Deleted:** wireless 9-1-1 government assistance fund

(2) The steering committee shall monitor compliance with the standards and shall notify the tax commissioner to suspend disbursements to a countywide 9-1-1 system that fails to meet the standards. Upon receipt of this notification, the commissioner shall suspend disbursements until the commissioner is notified of compliance with the standards.

(F) The auditor of state may audit and review each county's expenditures of funds received from the 9-1-1 government assistance fund to verify that the funds were used in accordance with the requirements of this chapter.

Deleted: wireless 9-1-1 government assistance fund

**Cite as R.C. § 128.57**

Amended by 131st General Assembly File No. TBD, HB 64, §101.01, eff. 9/29/2015.

Renumbered and amended from § 5507.57 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Amended by 129th General Assembly File No. 188, HB 472, §1, eff. 12/20/2012.

Renumbered from § 4931.65 and amended by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.

**Deleted: 128.571 Limitation on use of RC 128.57 payments.¶**

(A) Payment of costs specified in divisions (A) to (D) of section 128.57 of the Revised Code from a disbursement under section 128.55 of the Revised Code shall be limited to those specified and payable costs incurred for a specified number of public safety answering points of the particular 9-1-1 system as follows:¶

(1) For the period beginning on March 1, 2009, and ending on December 31, 2015, a countywide 9-1-1 system may use disbursements for not more than five public safety answering points per calendar year.¶

(2) Except as provided in division (B) of this section:¶

(a) For the period beginning on January 1, 2016, and ending on December 31, 2017, a countywide 9-1-1 system may use disbursements for not more than four public safety answering points per calendar year.¶

(b) For the period beginning on January 1, 2018, and thereafter a countywide 9-1-1 system may use disbursements for not more than three public safety answering points per calendar year.¶

(B) If within a county there is a municipal corporation with a population of over one hundred seventy-five thousand according to the most recent federal decennial census, that county may use disbursements for one public safety answering point in addition to the number of public safety answering points allowed under division (A)(2) of this section.¶

(C) If a county exceeds the allowable number of public safety answering points under this section, disbursements to countywide 9-1-1 systems made to the county from the wireless 9-1-1 government assistance fund and the next generation 9-1-1 fund shall be reduced by fifty per cent until the county complies with the public safety answering point limitations established under this section.¶

**Cite as R.C. § 128.571¶**

Renumbered and amended from § 5507.571 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.¶

Renumbered from § 4931.651 and amended by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.¶



## **128.60 Service providers to supply information; confidentiality.**

### **(A)**

(1) A telephone company, the state highway patrol as described in division (J) of section 128.03 of the Revised Code, and each subdivision or regional council of governments operating one or more public safety answering points for a countywide system providing wireless 9-1-1, shall provide the steering committee and the tax commissioner with such information as the steering committee and tax commissioner request for the purposes of carrying out their duties under this chapter, including, but not limited to, duties regarding the collection of the 9-1-1 fees imposed under section 128.42 of the Revised Code.

Deleted: wireless 9-1-1 charge

(2) A wireless service provider shall provide an official, employee, agent, or representative of a subdivision or regional council of governments operating a public safety answering point, or of the state highway patrol as described in division (J) of section 128.03 of the Revised Code, with such technical, service, and location information as the official, employee, agent, or representative requests for the purpose of providing wireless 9-1-1.

(3) A subdivision or regional council of governments operating one or more public safety answering points of a 9-1-1 system, and a telephone company, shall provide to the steering committee such information as the steering committee requires for the purpose of carrying out its duties under Chapter 128: of the Revised Code.

### **(B)**

(1) Any information provided under division (A) of this section that consists of trade secrets as defined in section 1333.61 of the Revised Code or of information regarding the customers, revenues, expenses, or network information of a telephone company shall be confidential and does not constitute a public record for the purpose of section 149.43 of the Revised Code.

(2) The steering committee, tax commissioner, and any official, employee, agent, or representative of the steering committee, of the tax commissioner, of the state highway patrol as described in division (J) of section 128.03 of the Revised Code, or of a subdivision or regional council of governments operating a public safety answering point, while acting or claiming to act in the capacity of the steering committee or tax commissioner or such official, employee, agent, or representative, shall not disclose any information provided under division (A) of this section regarding a telephone company's customers, revenues, expenses, or network information. Nothing in division (B)(2) of this section precludes any such information from being aggregated and included in any report of the steering committee, tax commissioner, or any official, employee, agent, or representative of the steering committee or tax commissioner, provided the aggregated information does not identify the number of any particular company's customers or the amount of its revenues or expenses or identify a particular company as to any network information.

### **Cite as R.C. § 128.60**

Renumbered and amended from § 5507.60 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Renumbered from § 4931.66 and amended by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.

**128.63 Adoption of rules; fee prescribed by general assembly.**

Deleted: charge

(A) The tax commissioner may adopt rules in accordance with Chapter 119. of the Revised Code to carry out this chapter, including rules prescribing the necessary accounting for the collection fee under division (B)(4) of section 128.46 of the Revised Code.

(B) Notwithstanding 128.42, the amounts of the 9-1-1 fees shall be prescribed only by act of the general assembly.

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Deleted: wireless 9-1-1 charge

**Cite as R.C. § 128.63**

Renumbered and amended from § 5507.63 by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Amended by 129th General Assembly File No. 188, HB 472, §1, eff. 12/20/2012.

Renumbered from § 4931.67 and amended by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.

## **128.71 – Direct Access to 9-1-1 from MLTS**

Not later than one year after the effective date of this section, a business service user that provides residential or business facilities, owns or controls a multi-line telephone system or voice over internet-protocol system in those facilities, and provides outbound dialing capacity from those facilities shall ensure the following:

(A) In the case of a multi-line telephone system that is capable of initiating a 9-1-1 call, 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 additional digit or code.

(B) The system shall be configured to provide notification of any 9-1-1 call made through the system to a centralized location on the same site as the system. The business service user is not required to have a person available at the location to receive a notification.

## **128.72 – Waiver**

The 9-1-1 steering committee shall grant a one-year waiver of the requirements under section 128.71 of the Revised Code to a business service user that satisfies all of the following:

(A) The requirements would be unduly and unreasonably burdensome.

(B) The business service user provides an affidavit stating: \_\_\_\_\_

(1) The manufacturer and model number of the multi-line telephone system, voice over internet-protocol system or equivalent system that needs to be reprogrammed or replaced;

(2) That the business service user made a good faith attempt to reprogram or replace the system;

(3) That the business service user agrees to place an instructional sticker next to the telephone in compliance with section 128.73 of the Revised Code.

(C) It provides instructions for accessing 9-1-1 in case of emergency and provides the specific location where the device is installed and reminds the caller to give the location information to the 9-1-1 call-taker.

(D) It is printed in at least 16-point boldface type in a contrasting color using a font that is easily readable.

## **Sec. 128.74 – Failure to Comply**

If a business service user fails to comply with section 128.71 of the Revised Code without being granted a waiver under section 128.72 of the Revised Code, the statewide 9-1-1 steering committee shall request the attorney general to bring an action to recover one of the following amounts from the user:

(A) One thousand dollars for an initial failure.

(B) Up to five thousand dollars for each subsequent failure within each continuing six-month period in which the entity remains noncompliant.

The funds recovered by such action shall be deposited into the Next Generation 9-1-1 fund created under division (A)(2)(d) of section 128.54 of the Revised Code.

### **Sec. 128.75 - Conflicts**

The requirements of sections 128.70 to 128.74 of the Revised Code shall not apply to the extent they are preempted by, or in conflict with, federal law.

## **128.76 – Deconfliction and coordination of 9-1-1 grants**

(A)

(1) Any county, municipal corporation, council of governments or any other entity in this state that operates a regional, countywide or local 9-1-1 system, regional, countywide or local emergency services internet-protocol network or regional, countywide or local public safety answering point that pursues a 9-1-1 grant from the state or federal government, must present a letter of coordination from the Ohio 9-1-1 Program Office.

(2) The letter of coordination will state the following:

(a) entity described in (A)(1) of this section,

(b) the specific grantor identification,

(c) the dollar amount of the grant,

(d) the intended use of the grant, and

(e) the purpose, system, equipment, software or any component to be procured with the grant does not inhibit, conflict, or reduce the interoperability with the statewide next generation 9-1-1 core services system and **ESINet** and is within the state of Ohio 9-1-1 plan.

## **128.99 Penalties.**

(A) Whoever violates division (E) of section 128.32 of the Revised Code is guilty of a misdemeanor of the fourth degree.

(B) Whoever violates division (F) or (G) of section 128.32 or division (B)(2) of section 128.60 of the Revised Code is guilty of a misdemeanor of the fourth degree on a first offense and a felony of the fifth degree on each subsequent offense.

(C) If a wireless service provider, reseller, or seller violates division (B)(1)(a) of section 128.46 of the Revised Code, and does not comply with any extensions granted under division (B)(2) of that section, the tax commissioner may impose a late-filing penalty of not more than the greater of fifty dollars or five per cent of the amount required to be remitted as described in division (B)(1)(b) of that section.

(D) If a wireless service provider, reseller, or seller fails to comply with division (B)(1)(b) of section 128.46 of the Revised Code, the tax commissioner may impose a late-payment penalty of not more than the greater of fifty dollars or five per cent of the ~~9-1-1 fee~~ required to be remitted for the reporting period minus any partial remittance made on or before the due date, including any extensions granted under division (B)(2) of section 128.46 of the Revised Code.

Deleted: wireless 9-1-1 charge

(E) The tax commissioner may impose an assessment penalty of not more than the greater of one hundred dollars or thirty-five per cent of the ~~9-1-1 fees~~ due after the tax commissioner notifies the person of an audit, an examination, a delinquency, assessment, or other notice that additional ~~9-1-1 fees~~ are due.

Deleted: wireless 9-1-1 charge

Deleted: wireless 9-1-1 charge

(F) If a wireless service provider, reseller, or seller fails to comply with either electronic requirement of division (B)(5) of section 128.46 of the Revised Code, the tax commissioner may impose an electronic penalty, for either or both failures to comply, of not more than the lesser of the following:

(1) The greater of one hundred dollars or ten per cent of the amount required to be, but not, remitted electronically;

(2) Five thousand dollars.

(G) Each penalty described in divisions (C) to (F) of this section is in addition to any other penalty described in those divisions. The tax commissioner may abate all or any portion of any penalty described in those divisions.

**Cite as R.C. § 128.99**

Renumbered and amended from § ~~5507.99~~ by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Renumbered from § ~~4931.99~~ and amended by 129th General Assembly File No. 166, HB 360, §1, eff. 12/20/2012.

**Repeal ORC Section 4742**

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Department of Taxation Suggested Language for 5703.052.

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(A) There is hereby created in the state treasury the tax refund fund, from which refunds shall be paid for taxes illegally or erroneously assessed or collected, or for any other reason overpaid, that are levied by Chapter 4301., 4305., 5726., 5728., 5729., 5731., 5733., 5735., 5736., 5739., 5741., 5743., 5747., 5748., 5749., 5751., or 5753. and sections 3737.71, 3905.35, 3905.36, 4303.33, 5707.03, 5725.18, 5727.28, 5727.38, 5727.81, and 5727.811 of the Revised Code. Refunds for fees or wireless 9-1-1 charges illegally or erroneously assessed or collected, or for any other reason overpaid, that are levied by sections 128.42 or 3734.90 to 3734.9014 of the Revised Code also shall be paid from the fund. Refunds for amounts illegally or erroneously assessed or collected by the tax commissioner, or for any other reason overpaid, that are due under section 1509.50 of the Revised Code shall be paid from the fund. Refunds for amounts illegally or erroneously assessed or collected by the commissioner, or for any other reason overpaid to the commissioner, under sections 718.80 to 718.95 of the Revised Code shall be paid from the fund. However, refunds for taxes levied under section 5739.101 of the Revised Code shall not be paid from the tax refund fund, but shall be paid as provided in section 5739.104 of the Revised Code.

(B)

(1) Upon certification by the tax commissioner to the treasurer of state of a tax refund, a wireless 9-1-1 charge refund, or another amount refunded, or by the superintendent of insurance of a domestic or foreign insurance tax refund, the treasurer of state shall place the amount certified to the credit of the fund. The certified amount transferred shall be derived from the receipts of the same tax, fee, wireless 9-1-1 charge, or other amount from which the refund arose.

(2) When a refund is for a tax, fee, wireless 9-1-1 charge, or other amount that is not levied by the state or that was illegally or erroneously distributed to a taxing jurisdiction, the tax commissioner shall recover the amount of that refund from the next distribution of that tax, fee, wireless 9-1-1 charge, or other amount that otherwise would be made to the taxing jurisdiction. If the amount to be recovered would exceed twenty-five per cent of the next distribution of that tax, fee, wireless 9-1-1 charge, or other amount, the commissioner may spread the recovery over more than one future distribution, taking into account the amount to be recovered and the amount of the anticipated future distributions. In no event may the commissioner spread the recovery over a period to exceed thirty-six months.

# **City of Hudson, Ohio**

## **Needs Assessment and Strategic Plan**

### **Appendix D**

#### **APCO Minimum Training Standards for Public Safety Telecommunicators**

**APCO ANS 3.103.2.2015**

**Minimum Training Standards for  
Public Safety Telecommunicators**



### APCO ANS 3.103.2-2015

This standard was revised by The APCO International Communications Center Standards Committee (CCSC) and approved by the APCO International Standards Development Committee on June 12, 2015. Final approval was received from the American National Standards Institute (ANSI) on July 14, 2015.

**Abstract:** This standard identifies minimum training requirements for both new and veteran Public Safety Telecommunicators. This position is typically tasked with receiving, processing, transmitting, and conveying public safety information to dispatchers, law enforcement officers, firefighters, emergency medical and emergency management personnel. This document seeks to define training in certain knowledge and skills for the Agency to provide to Telecommunicators.

**Keywords:** Calltaker, telecommunicator, dispatcher, communications officer, communications operator, public safety communications, training, 9-1-1, and emergency services.

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*\*Informative material and not a part of this American National Standard (ANS)*

## Foreword\*

APCO International is the world's largest organization of public safety communications professionals. It serves the needs of public safety communications practitioners worldwide - and the welfare of the general public as a whole - by providing complete expertise, professional development, technical assistance, advocacy and outreach.

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## **A Letter from the APCO International Communications Center Standards Committee Chair\***

The Communications Center Standards Committee has worked diligently for the last year to review, revise, and update the APCO ANSI Minimum Training Standards for Public Safety Telecommunicators, often referred to as PST.

The responsibilities of the telecommunicator make up the most important job within our industry and critical in support of emergency responses. Because Calltakers, Law Enforcement Dispatchers, Fire Dispatchers, and EMS Dispatchers know their job the best, the APCO Communications Center Standards Committee continues to use the Occupational Analysis process (OA) or a Process Analysis (PA) process, to gather from high-performing incumbent workers, the information used to create and revise the standard. We take the best from the best to assist in the development of standards. We thank all of the individuals who participated in these processes for their expertise, knowledge, and dedication to their profession. We equally thank our high-performing panel members' agencies for supporting them and their involvement.

The Committee would like to take this opportunity to also thank members of the subcommittees: The Occupational Analysis Subcommittee that conducts Occupational Analyses and Process Analyses around the U.S., the Review Subcommittee that takes the time and energy to review documents to ensure accuracy and clarity, and to the P33 Training Program Certification subcommittee whose dedicated member's efforts support the certification process of agency training programs around the country. The efforts of these individuals cannot be underestimated. Their work lives within these documents and certifications.

We also wish to thank the APCO staff members who support these efforts with their dedication and hard work.

We highly encourage agencies to review the standard. Our goal is to weave a fabric of professional training for public safety communications organizations.

Respectfully,

Cory Ahrens

APCO International Communications Center Standards Committee Chair

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## Acknowledgements\*

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## Acronyms and Abbreviations\*

**For the purposes of this ANS, the following definitions of acronyms apply:**

<b>ADA</b>	Americans with Disabilities Act
<b>AED</b>	Automated External Defibrillator
<b>AHJ</b>	Authority Having Jurisdiction
<b>ANS</b>	American National Standard
<b>ANSI</b>	American National Standard Institute
<b>APCO</b>	Association of Public-Safety Communications Officials
<b>CALEA</b>	Commission on Accreditation for law Enforcement Agencies
<b>CISM</b>	Critical Incident Stress Management
<b>CTO</b>	Public Safety Communications Training Officer
<b>EAP</b>	Employee Assistance Program
<b>EMD</b>	Emergency Medical Dispatch
<b>FLSA</b>	Fair Labor Standards Act
<b>FMLA</b>	Family Medical and Leave Act
<b>HIPPA</b>	Health Insurance Portability and Accountability Act
<b>ICS</b>	Incident Command System
<b>NFPA</b>	National Fire Protection Association
<b>NIMS</b>	National Incident Management System
<b>OSHA</b>	Occupational Health and Safety Administration
<b>PSAP</b>	Public Safety Answering Point
<b>QA/QI</b>	Quality Assurance (QA) and Quality Improvement (QI) Program
<b>SDC</b>	Standards Development Committee
<b>TTY/TDD</b>	Teletypewriters / Telecommunications Device for the Deaf

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## Chapter 1: Introduction

### 1.0 Scope

This APCO standard identifies the minimum training requirements for both new and veteran Public Safety Telecommunicators. This position is typically tasked with receiving, processing, transmitting, and conveying public safety information to dispatchers, law enforcement officers, fire fighters, emergency medical, and emergency management personnel. This document seeks to define training in certain knowledge and skills for the Agency to provide to Telecommunicators.

### 1.1 Purpose

To identify minimum training requirements of all personnel assigned to any public safety communication function; this APCO standard recognizes the need to supplement these core competencies with Agency-specific information. This standard should be accepted as independent and stand-alone from standards addressed elsewhere. Supervisors should be cognizant of other APCO standards and other relevant standards such as The National Fire Protection Association's (NFPA) standards, The Commission on Accreditation for Law Enforcement Agencies (CALEA) standards, etc.

### 1.2 Definitions

Definitions of terms used throughout this document.

**1.2.1 Affective Domain:** This is the learning domain that deals with a person and how they act and feel. Emotions, feelings, and different behaviors, such as a person's attitude, are characteristics of this domain<sup>1</sup>.

**1.2.2 Agency:** The hiring authority or also referred to as the Authority Having Jurisdiction (AHJ). The Agency or body that defines the roles, responsibilities, policies and procedures, and performance standards that direct the activity of the Public Safety Telecommunicator. In multi-discipline centers, the Agency governs the operation providing call taking/dispatch and related services to customer agencies; in single discipline centers, a single Agency may direct these services for one or more departments within a service area. Both have the duty to define training appropriateness, content, format, and continuing education requirements.

**1.2.3 The Americans With Disabilities Act (ADA):** A Federal law that requires all Public Safety Answering Points (PSAPs) to provide direct and equal access to emergency telephone services to individuals with disabilities who use teletypewriters (TTYs) and other communication devices or services.

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<sup>1</sup> Taxonomy of Education and Objectives, Benjamin Bloom

**1.2.4 Core Competency:** The unique traits, requisite knowledge, comprehension and application of skills, and situational analysis leading to the appropriate response to the caller, co-worker, other public safety stakeholders<sup>2</sup>, or event(s) consistent with general practices and locally defined parameters.

**1.2.5 Calls for Service or Request for Service:** A call that results in the provision of a public safety service or response.

**1.2.6 Calltaker:** A Telecommunicator who processes incoming calls through the analyzing, prioritizing, and disseminating of information to aid in the safety of the public and responders.

**1.2.7 Cognitive Domain:** This is a learning domain that involves knowledge and the development of intellectual skills. This includes the recall or recognition of specific facts, procedural patterns, and concepts that serve in the development of intellectual abilities and skills. There are six major categories: knowledge, comprehension, application, analysis, synthesis, and evaluation.<sup>3</sup>

**1.2.8 Criminal Justice Information Systems:** This is a system, automated or manual, operated by local, state, regional, federal, tribal, or international governments or governmental organizations for collecting, processing, preserving, or disseminating criminal justice information.

**1.2.9 Emergency Medical Services Dispatcher :** A Telecommunicator who provides dispatch services by analyzing, prioritizing, and processing calls while maintaining radio contact with responders to ensure safe, efficient, and effective responses to calls for emergency medical services, in accordance with local, state, tribal, or national standards.

**1.2.10 Fire Service Dispatcher:** A Telecommunicator who provides dispatch services by analyzing, prioritizing, and processing calls while maintaining radio contact with responders to ensure safe, efficient, and effective responses to requests for fire services, in accordance with local, state, tribal, or national standards.

**1.2.11 Knowledge:** Fundamental understanding one must have in order to perform a specific task.

**1.2.13 Law Enforcement Dispatcher:** A Telecommunicator who provides dispatch services by analyzing, prioritizing, and processing calls, while maintaining radio

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<sup>2</sup> May include, but is not limited to: law enforcement officers, fire fighters, emergency medical technicians, paramedics, emergency management personnel.

<sup>3</sup> Taxonomy of Education and Objectives, Benjamin Bloom

contact with responders to ensure safe, efficient, and effective responses to requests for law enforcement services, in accordance with local, state, tribal, or national standards.

**1.2.14 National Incident Management System/Incident Command System (NIMS/ICS):** An organized method to define roles, responsibilities, and standard operating procedures used to unify multiple disciplines in order to manage emergency operations under one functional organization.<sup>4</sup>

**1.2.15 Psychomotor Domain:** This is a learning domain that pertains to the physical realm, manual skills, actions, and physical skills.<sup>5</sup>

**1.2.16 Public Safety Answering Point (PSAP):** A facility equipped and staffed to receive emergency and non-emergency calls requesting public safety services via telephone and other communication devices. Emergency calls are first answered, assessed, classified, and prioritized. The FCC further defines a primary PSAP as a facility to which 9-1-1 calls are routed directly from the 9-1-1 Control Office. A secondary PSAP is defined as a facility to which 9-1-1 calls are transferred from a primary PSAP.

**1.2.17 Public Safety Communications Center:** A public safety entity (which may include a PSAP or be referred to as an Emergency Communications Center or communications center) where emergency calls for service or 9-1-1 phone calls culminate, and/or where calls for service are dispatched to public safety service providers.

**1.2.18 Public Safety Communications Supervisor (Supervisor):** The first-level public safety communications professional who provides leadership to employees through experience and training in order to achieve the agency's mission, standards, and goals.

**1.2.19 Public Safety Telecommunicator (Telecommunicator):** The individual employed by a public safety agency as the first of the first responders whose primary responsibility is to receive, process, transmit, and/or dispatch emergency and non-emergency calls for law enforcement, fire, emergency medical, and other public safety services via telephone, radio, and other communication devices.

**1.2.20 Records Management System (RMS):** It is an automated system used to manage public safety records.

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<sup>4</sup> Homeland Security Presidential Directive (HSPD)- 5

<sup>5</sup> Taxonomy of Education and Objectives, Benjamin Bloom



**1.2.21 Quality Assurance (QA):** All actions taken to ensure that standards and procedures are adhered to and that delivered products or services meet performance requirements.<sup>6</sup>

**1.2.22 Quality Assurance and Improvement Program:** An on-going program providing at a minimum, the random case review evaluating emergency dispatch performance, feedback of protocol compliance, commendation, retraining and remediation as appropriate, and submission of compliance data to the Agency.

**1.2.23 Quality Assurance / Improvement Process:** A formal assessment process by which actual performance, behavior, and outcomes are compared against established standards to ensure compliance, consistency, and accuracy in the delivery of quality service.

**1.2.24 Shall:** Within the context of this standard, “shall” indicates a mandatory requirement.

**1.2.25 Should:** Within the context of this standard, “should” indicates a recommendation.

**1.2.26 System:** An integrated set of elements that are combined in an operational or support environment to accomplish a defined objective. These elements may include people, hardware, software, firmware, information, procedures, facilities, services, and environment.

**1.2.27 Telematics:** A technology that uses two-way wireless communications between a vehicle and a processing center to transmit voice and data information from the vehicle and the driver. Also used to describe the industry that uses this technology to deliver services to consumers (consumer telematics) and to commercial fleet owners and managers (commercial telematics).

**1.2.28 Trainee:** A Telecommunicator being trained in any one of the disciplines covered by this document.

**1.2.29 Written Directives:** A set of agency specific policies, procedures, rules, regulations, and guidelines.

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<sup>6</sup> Institute for Telecommunications Services, the research and engineering branch of National Telecommunications and Information Administration a part of the US Dept of Commerce.



## Chapter 2: Agency Responsibilities

### 2.1 Scope

While the majority of this document addresses the training of Telecommunicator trainees, this chapter outlines the agency's responsibilities for providing training to both new and veteran Telecommunicators in accordance with this standard.

### 2.2 General Agency Responsibilities

- 2.2.1 The Agency shall establish no less than these minimum training requirements while complying with all local, state, tribal, or federal laws.<sup>7</sup>
- 2.2.2 The Agency shall provide to the Telecommunicator any existing or, values, and mission statements.
- 2.2.3 The Agency shall provide the Telecommunicator with information regarding the Agency's organizational structure and chain of command.
- 2.2.4 The Agency shall provide the Telecommunicator with information that clearly defines the Telecommunicator's scope of authority.
- 2.2.5 The Agency shall provide the Telecommunicator with a list of essential job duties and functions.
- 2.2.6 The Agency shall define the baseline literacy requirements in addition to requisite cognitive, affective, and psychomotor skills to achieve compliance with this standard.
- 2.2.7 The Agency shall provide the Telecommunicator with information on cultural diversity (e.g. culture, sexual orientation, and special needs customers).
- 2.2.8 The Agency shall provide the Telecommunicator with information, in both verbal and written formats, during an initial orientation to include, but not limited to:
  - 2.2.8.1 Break areas,
  - 2.2.8.2 Building layout,
  - 2.2.8.3 Emergency evacuation routes and plans,
  - 2.2.8.4 Location of first-aid supplies including Automated External Defibrillator (AED) if available,
  - 2.2.8.5 Location of facilities,
  - 2.2.8.6 Time keeping procedures, and

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<sup>7</sup> To include, but not limited to: the ADA, Fair Labor Standards Act, and Equal Employment Opportunity laws.

2.2.8.7 Work hours.

- 2.2.9 The Agency shall provide the Telecommunicator with information regarding response agency resources<sup>8</sup>, including location of public safety service buildings<sup>9</sup>, apparatus and equipment.
- 2.2.10 The Agency shall provide the Telecommunicator with information on their role in National Incident Management System (NIMS), Incident Command System (ICS), Tactical Interoperable Communications Plan (TICP), and state and local emergency operations plans.
- 2.2.11 The Agency shall provide a detailed overview to the Telecommunicator outlining disaster plans and recovery processes to ensure the continuity of operations.
- 2.2.12 The Agency shall provide the Telecommunicator with expectations regarding customer service, personal conduct and behavior, courtroom demeanor, and ethical rules.
- 2.2.13 The Agency shall provide the Telecommunicator with information regarding access to and participation in such programs as:
- 2.2.13.1 Critical Incident Stress Management (CISM),
  - 2.2.13.2 Employee Assistance Program (EAP),
  - 2.2.13.3 Health and Wellness Programs,
  - 2.2.13.4 Safety/Risk Management Programs, and
  - 2.2.13.5 Stress Management.
- 2.2.14 The Agency shall provide the Telecommunicator with appropriate state safety regulations and, if applicable, rules of the Occupational Safety and Health Administration (OSHA).
- 2.2.15 The Agency shall provide the opportunity for the Telecommunicator to obtain and attend necessary training in order to receive and maintain required certifications or licenses.
- 2.2.15.1 The Agency shall identify misconduct of the Telecommunicator that could result in disciplinary actions, including the loss of certification, licenses or employment.
- 2.2.16 The Agency shall provide the Telecommunicator with an overview of its quality assurance and/or quality improvement process(es) used to recognize

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<sup>8</sup> SWAT, K9, Dive, Search and Rescue, HAZMAT and other specialized responses.

<sup>9</sup> Refers to fire stations, precincts, landing zones, and/or hospitals.

excellence, identify areas needing improvement, and ensure performance measures are met.

2.2.17 The Agency shall have an established performance appraisal process by which the job performance is regularly reviewed and evaluated.

2.2.17.1 The Agency shall provide an environment where the Telecommunicator is encouraged to participate regularly in performance reviews.

2.2.17.2 The Agency shall provide a mechanism during the performance review wherein the Telecommunicator can identify goals and objectives to be accomplished in the course of employment.

2.2.18 The Agency shall provide Telecommunicators with written information regarding disciplinary and grievance processes and policies.

2.2.18.1 The Agency shall make known its expectation that the disciplinary process will be administered in a fair and consistent manner

2.2.18.2 The Agency shall ensure performance objectives are met by the Telecommunicator-to prevent negligent retention.

2.2.18.3 The Agency shall document and address unacceptable performance with the Telecommunicator in a timely manner.

2.2.19 The Agency shall provide a comprehensive overview and instruction to the Telecommunicator in the use of appropriate tools, equipment, resources, and technology Telecommunicators may be expected to operate within the communications center.

## **2.3 Training Program Administration**

2.3.1 The Agency shall plan for and provide a detailed training curriculum to meet agency needs as well as local, state, tribal, or federal requirements.

2.3.1.1 The Agency shall provide a written description of the training program, benchmarks, timelines, and available learning support tools and methods.

2.3.1.2 The Agency shall establish detailed and defined performance expectations, providing an explanation, and ensuring a clear understanding of those expectations.

2.3.2 The Agency shall use a standard set of written guidelines that clearly identify and explain specific expectations to evaluate the Telecommunicator's performance.

2.3.3 The Agency shall monitor the performance of all Telecommunicators, to ensure that daily efforts are consistent with Agency expectations.

- 2.3.4 The Agency shall ensure deficient performance is documented and addressed with the Telecommunicator in a timely manner.
- 2.3.5 The Agency shall maintain a complete training record for all Telecommunicators according to applicable retention guidelines.
- 2.3.6 The Agency shall provide the Telecommunicator with information on how and to whom they may address training issues and concerns.
- 2.3.7 The Agency shall require and ensure no less than twenty-four hours of continuing education or recurrent training for each Telecommunicator annually.<sup>10</sup>
- 2.3.8 The Agency shall encourage and support, to the extent possible, personal development and growth of the Telecommunicator through the identification and provision of networking opportunities both within the public safety community and within the community for which they provide service.
- 2.3.9 The Agency should, when possible, subscribe to professional publications and make those publications available to its Telecommunicators.
  - 2.3.9.1 The Agency shall make readily available professional publications that identify regulations, recommendations, or mandates within the public safety communications industry (i.e. National Emergency Response Plan, OSHA, APCO Standards, Public Safety Communications, etc.).
- 2.4 Compliance with Written Directives**
  - 2.4.1 The Agency shall ensure all policies and guidelines are updated promptly and that the most current operating and administrative policies are readily available to the Telecommunicator at all times.
  - 2.4.2 The Agency shall ensure policies and guidelines are readily available to the Telecommunicator for reference and are reviewed as necessary.

## Chapter 3: Organizational Integrity

### 3.1 Scope

This chapter discusses the issues related to organizational integrity. Topics include the mission and values of the profession in general and the Agency specifically, as well as the scope of the Telecommunicator's authority, confidentiality, and liability.

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<sup>10</sup> This twenty-four hour requirement is inclusive applicable local, state, tribal, or federal requirements.

- 3.2** As applicable, the Telecommunicator shall be able to articulate the Agency's stated vision, values, and mission statement.
- 3.3** The Telecommunicator shall be able to articulate the Agency's expectations of professional conduct.
- 3.4** The Telecommunicator shall demonstrate a comprehension of duties and essential functions of the position.
- 3.5** The Telecommunicator shall demonstrate a comprehension of their scope of authority within the position.
- 3.6** The Telecommunicator shall demonstrate proper application of the Agency's written directives.
- 3.7** The Telecommunicator shall demonstrate an understanding of the Agency's Chain of Command.
- 3.8** The Telecommunicator shall adhere to applicable local, state, tribal or federal statutes or codes as appropriate.
- 3.9** The Telecommunicator shall demonstrate the ability to comply with governmental or industry professional requirements.<sup>11</sup>
- 3.10** The Telecommunicator shall demonstrate comprehension and application of the Agency's confidentiality policies and rules regarding the discussion or release of information acquired in the workplace to the public, the media, or others. Such information should include, but is not limited to:
  - 3.10.1** Data systems accessible through local, state, regional, federal, tribal, or international networks,<sup>12</sup>
  - 3.10.2** Information contained in calls for service,<sup>13</sup>
  - 3.10.3** Information gained through the 9-1-1 or E9-1-1 system, and/or
  - 3.10.4** Records management systems.
- 3.11** The Telecommunicator shall demonstrate comprehension of general liability concepts and terms as well as a comprehension of specific liability issues associated with the position including the most notable areas of litigation in public safety communications.

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<sup>11</sup> Applies to information regarding states' certifications, standards, etc

<sup>12</sup> NCIC, NLETS, criminal justice information systems, CPIC, Interpol, etc.

<sup>13</sup> Medical (HIPAA), juvenile and other calls of a sensitive nature.

## Chapter 4: General Knowledge and Skills

### 4.1 Scope

This chapter provides an overview of the general knowledge and skills that are common among high-performing incumbent Telecommunicators.

### 4.2 General Knowledge of the Telecommunicator

The following general areas of knowledge have been identified for the Telecommunicator regardless of their area of public safety expertise:

- 4.2.1 An awareness of and respect for diverse populations,
- 4.2.2 Comprehension of jurisdictional boundaries and geography,
- 4.2.3 Proper application of Agency terminology,
- 4.2.4 The ability to identify and properly utilize Agency resources, and
- 4.2.5 Comprehension of their role in:
  - 4.2.5.1 Incident Command Systems (ICS),
  - 4.2.5.2 National Incident Management Systems (NIMS), including, but not limited to required training, Tactical Interoperable Communication Plan (TICP), and
  - 4.2.5.3 State or local emergency operations plans.

### 4.3 General Skills of the Telecommunicator

High-performing incumbent Telecommunicators have been identified as demonstrating the ability to:

- 4.3.1 Make quick workable decisions,
- 4.3.2 Manage stress,
- 4.3.3 Multi-task,
- 4.3.4 Provide effective customer service,
- 4.3.5 Solve problems,
- 4.3.6 Think critically,
- 4.3.7 Work effectively with others, and
- 4.3.8 Effectively communicate both verbally and in writing, examples may include the ability to:
  - 4.3.8.1 Actively listen,
  - 4.3.8.2 Appropriate use of agency terminology, codes and signals, plain speech/language techniques, and phonetic alphabet and,
  - 4.3.8.4 Clearly enunciate.

## Chapter 5: Tools, Equipment, and Technology

### 5.1 Scope

This chapter addresses the need for all Telecommunicators (both new and veteran workers) to demonstrate proficiency on all appropriate tools, equipment, and

technology they may be expected to operate within the public safety communications center.

- 5.2** The Telecommunicator shall demonstrate the ability to create, access, and update incident data in accordance with Agency directives.
- 5.3** The Telecommunicator shall demonstrate the ability to utilize existing communication tools, and/or available technologies to meet operational needs in both normal and back-up modes (i.e., radio intra/interoperability, telephone, and/or electronic relay system patches, local and state resources/networks, mapping and wireless communications, etc.) in accordance with agency policy and procedures, local, state, tribal, or federal laws.
  - 5.3.1** The Telecommunicator shall demonstrate the ability to operate Agency radio systems.
  - 5.3.2** The Telecommunicator shall demonstrate the ability to operate Agency computer systems.
  - 5.3.3** The Telecommunicator shall demonstrate the ability to operate Agency records management systems.
  - 5.3.4** The Telecommunicator shall demonstrate the ability to operate Agency telephone systems (including TTY/TDD).
- 5.4** The Telecommunicator shall demonstrate the ability to maintain Agency equipment functionality within established parameters.
- 5.5** The Telecommunicator shall demonstrate the ability to activate emergency alert systems according to agency parameters.
- 5.6** The Telecommunicator shall demonstrate the ability to use evolving and emerging technologies; (e.g. telematics, NG9-1-1, Broadband, etc.), when applicable.

## Chapter 6: Professional Competence

### 6.1 Scope

This chapter identifies those components within Public Safety Communications that are critical for enhancing the professional competence of all Telecommunicators (both new and veteran workers). Some of these components have been outlined



within this document while others have been identified as being necessary for developing, maintaining, and enhancing the knowledge and skills of Telecommunicators. While the Agency has some responsibility for supporting and facilitating the development of the Telecommunicator's professional competence, this chapter places primary accountability on the Telecommunicator.

## **6.2 General**

6.2.1 The Telecommunicator is responsible for their own learning in the course of training.

6.2.2 The Telecommunicator is responsible for asking clarifying questions to ensure a thorough knowledge and understanding of the curriculum.

6.2.3 The Telecommunicator is responsible for providing honest and specific feedback to trainers regarding learning style preferences or issues that impact their learning.

6.2.4 The Telecommunicator is responsible for providing input to improve or enhance the curriculum in an effort to ensure current information is taught.

6.2.5 The Telecommunicator is responsible for always presenting themselves in a professional manner, being on time, being prepared, ready to learn and actively participate in their own learning.

6.2.6 The Telecommunicator shall comply with the requirements and rules of the learning environment or training facility.

6.2.7 The Telecommunicator is responsible for the application of stress management principles.

**6.3** The Telecommunicator shall demonstrate the ability to meet and/or exceed performance standards set by the Agency.

6.3.1 The Telecommunicator shall demonstrate job proficiency in assigned job tasks.

6.3.2 The Telecommunicator shall demonstrate compliance with Agency expectations of interpersonal communications, personal conduct and ethical behavior.

6.3.3 The Telecommunicator shall comply with department, local, state, tribal, or federal regulations.



- 6.3.4 The Telecommunicator shall actively seek and be receptive to feedback and review of their performance, including during the agency's established quality assurance or quality improvement process.
- 6.3.5 The Telecommunicator shall identify professional goals that can be supported by the Agency.
- 6.3.6 The Telecommunicator shall take responsibility for their own professional career development by actively seeking developmental opportunities to enhance their job knowledge and skills.
- 6.3.7 The Telecommunicator shall demonstrate improvement of performance deficiencies.
- 6.4** The Telecommunicator shall demonstrate the ability to operate within all written directives and plans established by the Agency.
  - 6.4.1 The Telecommunicator shall remain current and informed of all policies, guidelines, and plans.
  - 6.4.2 The Telecommunicator shall demonstrate the appropriate application of policies, guidelines, or plans.
  - 6.4.3 The Telecommunicator shall recommend updates to policies, guidelines, and plans when appropriate.
- 6.5** The Telecommunicator should demonstrate the ability to utilize networking opportunities when appropriate.
  - 6.5.1 The Telecommunicator should take advantage of opportunities to network both within the public safety community and within the community for which they provide service.
  - 6.5.2 The Telecommunicator should recognize networking opportunities presented in concert with training, professional affiliations, and community outreach.
- 6.6** The Telecommunicator should review professional publications in order to enhance professional competence and remain up-to-date on developments within the profession.

- 6.6.1 The Telecommunicator should read professional publications, when possible, to remain up-to-date on current events affecting the public safety communications industry.
- 6.6.2 The Telecommunicator should have an awareness of professional publications that identify, regulate or mandate activities associated with public safety emergency communications.

## Chapter 7: Public Safety Calltaker

### 7.1 Scope

This chapter identifies the minimum training requirements for a Telecommunicator who serves as a Public Safety Calltaker (within this chapter referred to as Calltaker). The function of a calltaker is to process incoming calls through the analyzing, prioritizing, and disseminating of information to aid in the safety of the public and responders.

### 7.2 The Calltaker shall demonstrate the ability to answer calls within Agency expectations.

- 7.2.1 The Calltaker shall demonstrate the ability to apply procedures to answer calls within Agency parameters while projecting a professional demeanor.
- 7.2.2 The Calltaker shall demonstrate the ability to obtain, verify, and analyze incident information to include, location, reporting party contact information, nature, and severity of the incident while applying effective communication skills to control the call.
- 7.2.3 The Calltaker shall demonstrate the ability to synthesize available information to identify conditions that may affect public and responder safety.
- 7.2.4 The Calltaker shall demonstrate the ability to ascertain whether the caller is in an unsafe location and then take appropriate protective actions in compliance with agency directives.

### 7.3 The Calltaker shall demonstrate the ability to accurately document incident information including, but not limited to incident urgency details, establish call priority, and appropriately label call types.

### 7.4 The Calltaker shall demonstrate the ability to manage challenging calls and callers including, but not limited to: missing, abducted and sexually exploited children,

child callers, communications impaired callers, and callers with limited English language proficiency.

- 7.5** The Calltaker shall verify, document and relay initial dispatch information, and provide updates as necessary to process calls for service.

7.5.1 The Calltaker shall provide callers with any agency approved pre-arrival instructions<sup>14</sup> and inform callers of actions being taken to respond to the requests for service according to written directives.

- 7.6** The Calltaker shall demonstrate the ability to complete telephone reports, provide appropriate referrals, transfer and terminate calls, or place outgoing calls in accordance with Agency written directives.

- 7.7** The Calltaker shall demonstrate the ability to fulfill their role in ICS, NIMS and state and local emergency operations plans.

- 7.8** The Calltaker shall participate in Agency defined post-incident activities.

## **Chapter 8: Law Enforcement Dispatcher**

### **8.1 Scope**

This chapter identifies the minimum training requirements for a Telecommunicator who serves as a Law Enforcement Dispatcher (within this chapter referred to as Law Enforcement Dispatcher). The function of a law enforcement dispatcher is to provide dispatch services by analyzing, prioritizing, and processing calls, while maintaining radio contact with responders to ensure safe, efficient, and effective responses to requests for law enforcement services, in accordance with local, state, tribal, or national standards. A law enforcement dispatcher may receive calls for service by incoming telephone calls, Computer-Aided Dispatch (CAD) incidents, radio traffic, and other methods or developing technologies.

- 8.2** The Law Enforcement Dispatcher shall demonstrate the ability to analyze calls for service and determine the appropriate response action.

8.2.1 The Law Enforcement Dispatcher shall demonstrate the comprehension of agency documentation requirements and the ability to create and update the

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<sup>14</sup> Instructions given to the caller before the arrival of responders as defined by the Agency's approved protocols.

CAD record or incident log, and maintain accurate call narrative or documentation.

- 8.2.2 The Law Enforcement Dispatcher shall demonstrate the ability to determine the nature and priority of incidents and assign available resources in accordance with written directives.
- 8.2.3 The Law Enforcement Dispatcher shall demonstrate proficiency in tracking and documenting radioactivity, incident, and unit status within written directives.
- 8.3** The Law Enforcement Dispatcher shall demonstrate proficiency in assigning and coordinating responders to incidents based on the nature of the incident, the priority of the incident, available resources, and written directives.
  - 8.3.1 The Law Enforcement Dispatcher shall demonstrate the ability to consistently identify, analyze, and relay initial pertinent incident information to field units as appropriate.
  - 8.3.2 The Law Enforcement Dispatcher shall demonstrate the ability to obtain acknowledgement of calls for service from responders as per written directives.
  - 8.3.3 The Law Enforcement Dispatcher shall demonstrate the ability to evaluate information and relay updates to responding units as appropriate.
  - 8.3.4 The Law Enforcement Dispatcher shall demonstrate the ability to analyze and disseminate information to additional responders and resources including, but not limited to Hazmat teams, the Forest Service, Fire and EMS Units, etc.
- 8.4** The Law Enforcement Dispatcher shall demonstrate the ability to analyze and evaluate all available information in order to identify the potential for escalation of the incident and perform status checks to determine scene and responder safety.
- 8.5** The Law Enforcement Dispatcher shall demonstrate the ability to evaluate and synthesize information, relay updates and broadcast BOLO (Be On the Look-Out)

and attempt to locate information to responders, supervisors, and other resources as appropriate.

- 8.6** The Law Enforcement Dispatcher shall demonstrate the proper application of Agency notification guidelines to daily operations and special events.
- 8.7** The Law Enforcement Dispatcher shall demonstrate the ability to coordinate with other entities in accordance with written directives.
- 8.8** The Law Enforcement Dispatcher shall demonstrate the proper application of Agency defined mutual or automatic aid procedures.
- 8.9** The Law Enforcement Dispatcher shall demonstrate the ability to identify and relay pertinent shift activities to a relief dispatcher at shift or position change.
- 8.10** The Law Enforcement Dispatcher shall demonstrate the ability to coordinate assigned radio channels and/or talk groups.
- 8.11** The Law Enforcement Dispatcher shall demonstrate the ability to monitor and acknowledge radio traffic in accordance with Agency requirements.
- 8.12** The Law Enforcement Dispatcher shall comply with regulations of the Federal Communications Commission (FCC) that directly apply to public safety radio.
- 8.13** The Law Enforcement Dispatcher shall comply with regulations and requirements for the use of any data systems accessible through local, state, regional, federal, tribal, or international networks; (e.g. RMS, DOL/DMV, any criminal justice information systems, NCIC, Interpol, CPIC).
- 8.14** The Law Enforcement Dispatcher shall demonstrate the ability to fulfill their role in ICS, NIMS and state and local emergency operations plans.
- 8.15** The Law Enforcement Dispatcher shall participate in Agency defined post-incident activities.

## **Chapter 9: Fire Service Dispatcher**

### **9.1 Scope**

This chapter identifies the minimum training requirements for a Telecommunicator who serves as a Fire Service Dispatcher (within this chapter referred to Fire Service Dispatcher). The function of a Fire Service Dispatcher is to provide dispatch services by analyzing, prioritizing, and processing calls while maintaining radio contact with

responders to ensure safe, efficient, and effective responses to requests for fire services, in accordance with local, state, tribal, or national standards. A fire service dispatcher may receive calls for service by incoming telephone calls, CAD incidents, radio traffic, and other methods or developing technologies.

**9.2** The Fire Service Dispatcher shall demonstrate the ability to analyze calls for service and determine the appropriate response action.

9.2.1 The Fire Service Dispatcher shall demonstrate the comprehension of agency documentation requirements and the ability to create and update the CAD record or incident log, and maintain accurate call narrative or documentation.

9.2.2 The Fire Service Dispatcher shall demonstrate the ability to determine the nature and priority of incidents and assign available resources in accordance with Agency written directives.

9.2.3 The Fire Service Dispatcher shall demonstrate proficiency in tracking and documenting radio activity, incident, and unit status within Agency written directives.

**9.3** The Fire Service Dispatcher shall demonstrate proficiency in assigning and coordinating responders to incidents based on the nature of the incident, the priority of the incident, available resources, and Agency written directives.

9.3.1 The Fire Service Dispatcher shall demonstrate the ability to consistently identify, analyze, and relay initial pertinent incident information to field units as appropriate.

9.3.2 The Fire Service Dispatcher shall demonstrate the ability to obtain acknowledgement of calls for service from responders as per written directives.

9.3.3 The Fire Service Dispatcher shall demonstrate the ability to evaluate information and relay updates to responding units as appropriate.

9.3.4 The Fire Service Dispatcher shall demonstrate the ability to analyze and disseminate information to additional responders and resources including, but not limited to: Hazmat teams, the Forest Service, EMS, Law Enforcement,

etc.

- 9.4** The Fire Service Dispatcher shall demonstrate the ability to analyze and evaluate all available information in order to identify the potential for escalation of the incident and perform status checks to determine scene and responder safety.
- 9.5** The Fire Service Dispatcher shall demonstrate the proper application of Agency notification guidelines to daily operations and special events.
- 9.6** The Fire Service Dispatcher shall demonstrate the ability to coordinate with other entities in accordance with written directives.
- 9.7** The Fire Service Dispatcher shall demonstrate the proper application of Agency defined mutual aid procedures.
- 9.8** The Fire Service Dispatcher shall demonstrate the ability to identify and relay pertinent shift activities to relief dispatchers at shift or position change.
- 9.9** The Fire Service Dispatcher shall demonstrate the ability to coordinate assigned radio channels and/or talk groups.
- 9.10** The Fire Service Dispatcher shall demonstrate the ability to monitor and acknowledge radio traffic on assigned channels.
- 9.11** The Fire Service Dispatcher shall comply with regulations of the Federal Communications Commission (FCC) that directly apply to public safety radio.
- 9.12** The Fire Service Dispatcher shall demonstrate proper application of written directives for processing alarm signals, tracking alarm activity, resolving alarm conflicts, maintaining alarm accounts, and generating alarm reports.
- 9.13** The Fire Service Dispatcher shall demonstrate the ability to fulfill their role in ICS, NIMS and state and local emergency operations plans.
- 9.14** The Fire Service Dispatcher shall participate in all Agency defined post-incident activities.

## Chapter 10:Emergency Medical Services Dispatcher

### 10.1 Scope

This chapter identifies the minimum training requirements for a Telecommunicator who serves as an Emergency Medical Services (EMS) Dispatcher (within this



chapter referred to as EMS Dispatcher). The function of an Emergency Medical Services Dispatcher is to provide dispatch services by analyzing, prioritizing, and processing calls while maintaining radio contact with responders to ensure safe, efficient, and effective responses to calls for emergency medical services, in accordance with local, state, tribal, or national standards. An EMS Dispatcher may receive calls for service by incoming telephone calls, CAD incidents, radio traffic, and other methods or developing technologies.

**10.2** The EMS Dispatcher shall demonstrate the ability to analyze calls for service and determine the appropriate response action.

10.2.1 The EMS Dispatcher shall demonstrate the comprehension of agency documentation requirements and the ability to create and update the CAD record or incident log, maintain accurate call narrative or documentation.

10.2.2 The EMS Dispatcher shall demonstrate the ability to determine the nature and priority of incidents and assign available resources in accordance with Agency written directives.

10.2.3 The EMS Dispatcher shall demonstrate proficiency in tracking and documenting radio activity, incident, and unit status within written directives.

**10.3** The EMS Dispatcher shall demonstrate proficiency in assigning and coordinating responders to incidents based on the nature of the incident, the priority of the incident, available resources, and Agency written directives.

10.3.1 The EMS Dispatcher shall demonstrate the ability to consistently identify, analyze, and relay initial pertinent incident information to field units as appropriate.

10.3.2 The EMS Dispatcher shall demonstrate the ability to obtain acknowledgement of calls for service from responders as per written directives.

10.3.3 The EMS Dispatcher shall demonstrate the ability to evaluate information and relay updates to responding units as appropriate.

10.3.4 The EMS Dispatcher shall demonstrate the ability to analyze and disseminate information to additional responders and resources including, but not limited to Hazmat teams, the Forest Service, Fire Services, Law Enforcement, etc.



- 10.3.5 The EMS Dispatcher shall apply agency procedures for monitoring and documenting hospital diversion status and emergency facility availability.
- 10.4** The EMS Dispatcher shall demonstrate the ability to analyze and evaluate all available information in order to identify the potential for escalation of the incident and perform status checks to determine scene and responder safety.
- 10.5** The EMS Dispatcher shall demonstrate the proper application of Agency notification guidelines to daily operations and special events.
- 10.6** The EMS Dispatcher shall demonstrate the ability to coordinate with other entities in accordance with written directives.
- 10.7** The EMS Dispatcher shall demonstrate the proper application of Agency defined mutual aid procedures.
- 10.8** The EMS Dispatcher shall demonstrate the ability to identify and relay pertinent shift activities to relief dispatchers at shift or position change.
- 10.9** The EMS Dispatcher shall demonstrate the ability to coordinate assigned radio channels and/or talk groups.
- 10.10** The EMS Dispatcher shall demonstrate the ability to acknowledge and monitor radio traffic on assigned channels.
- 10.11** The EMS Dispatcher shall comply with regulations of the Federal Communications Commission (FCC) that directly apply to public safety radio.
- 10.12** The EMS Dispatcher shall demonstrate the ability to fulfill their role in ICS, NIMS and state and local emergency operations plans.
- 10.13** The EMS Dispatcher shall participate in all Agency defined post-incident activities.

### Special Recognition\*

**APCO would like to acknowledge each panelist and hosting agency listed below that provided the pertinent research needed to successfully develop this standard\***

#### **Calltaker Occupational Analysis Validation Panel – North Carolina**

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## NOTES\*

*\*The "Notes" page is informative material and not a part of this American National Standard (ANS)*



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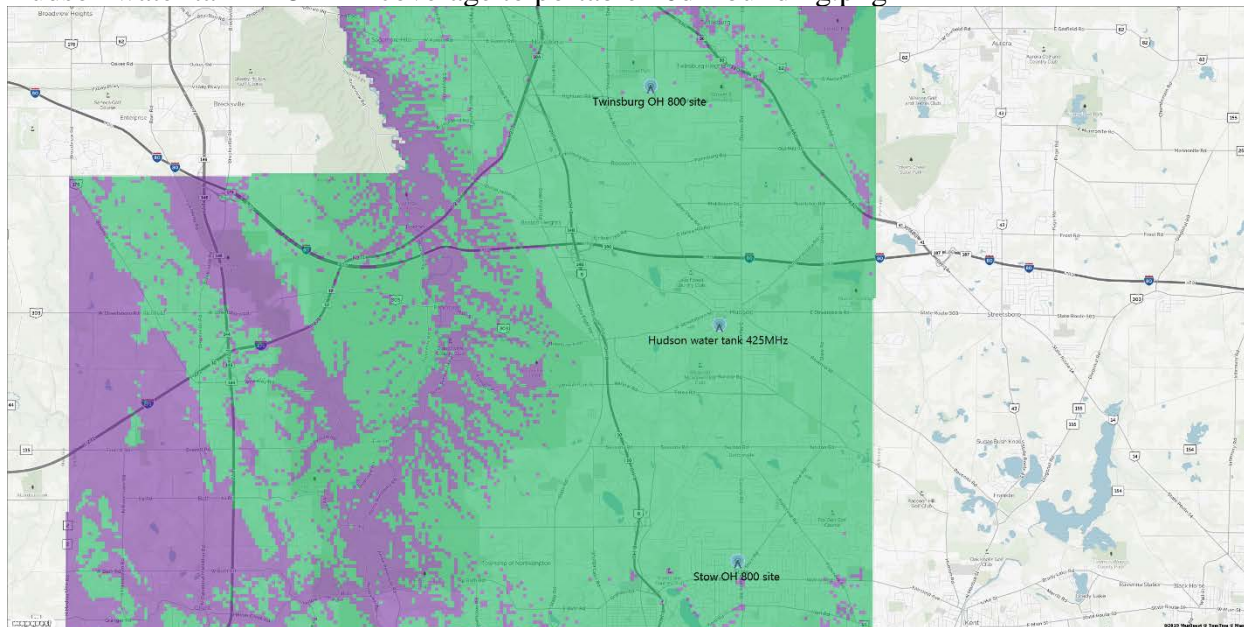
## **Needs Assessment and Strategic Plan**

### **Appendix E**

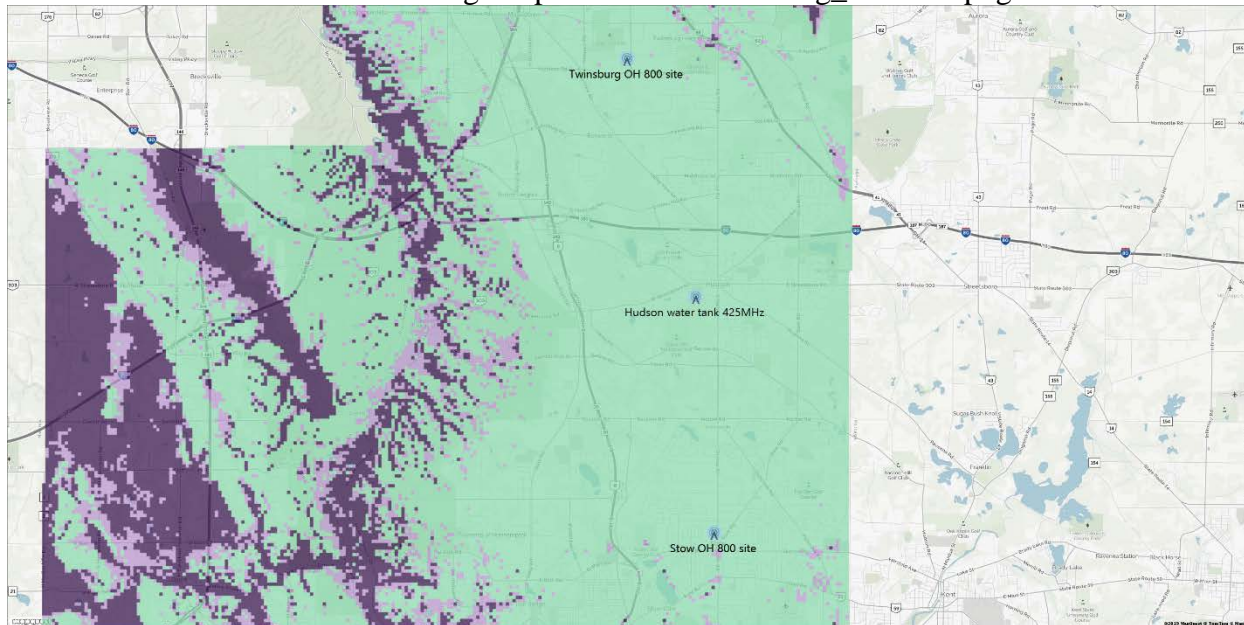
#### **Radio Propagation Studies**



Hudson water tank 425MHz coverage to portable 10dB building.png

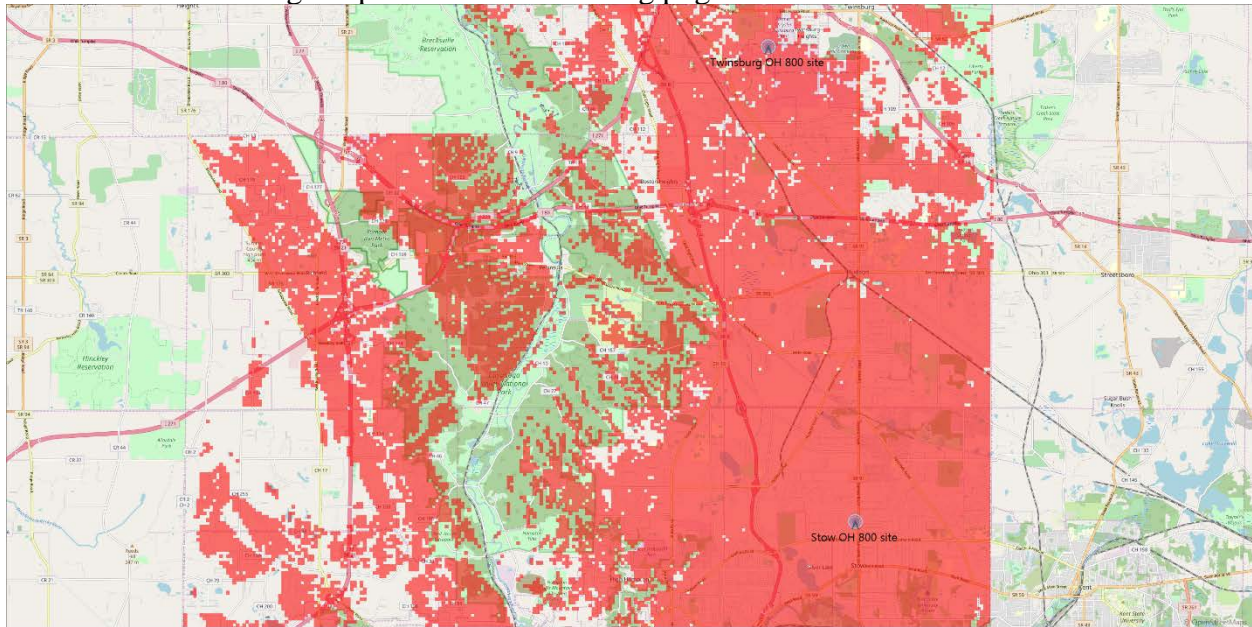


Hudson water tank 425MHz coverage to portable 10dB building\_talkback.png

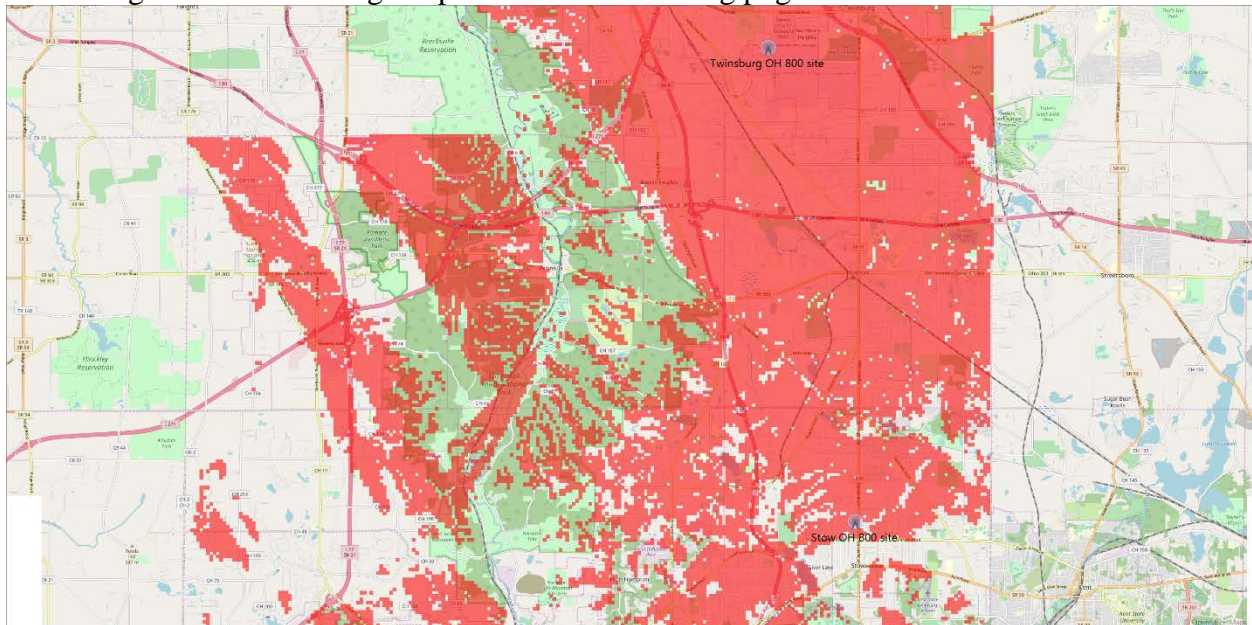




Stow 800MHz coverage to portable 10dB building.png



Twinsburg 800 MHz coverage to portable 10dB building.png



Twinsburg\_Stow combined 800MHz coverage to portable 10dB building.png

