

1 09 NCAC 06C .0101 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

2

3

TITLE 09, CHAPTER 06, SUBCHAPTER C

4

911 BOARD

5

SECTION .0100 – FORMS, DEFINITIONS, ADMINISTRATION

6

09 NCAC 06C .0101 FORMS

8 (a) The 911 Board shall prescribe forms by or for use by Public Safety Answering Points (PSAPs), service providers,
9 and any other parties as may be needed to ensure uniformity in the operation of these Rules and policies adopted by
10 the Board.

11 (b) All forms referenced in this Subchapter are published on the Board’s website at <https://www.nc911.nc.gov> and
12 may be accessed free of charge.

13

14 *History Note: Authority: G.S. 62A-42;*

15 *Eff. July 1, 2016.*

1 09 NCAC 06C .0102 was published in 09 NCAC 06C .0107 and 09 NCAC 06C .0306 in 29:24 NCR 2766-2783,
2 and is adopted as 09 NCAC 06C .0102 with changes, as follows:

3

4 **09 NCAC 06C .0102 PHYSICAL ADDRESS OF 911 BOARD**

5 (a) The physical and mailing address of the 911 Board is:

6

911 Board

7

c/o NC Department of Information Technology

8

3700 Wake Forest Road

9

Raleigh, NC 27609

10 (b) Contact information for staff is located on the Board's website at <https://www.nc911.nc.gov>.

11

12 *History Note:* *Authority: G.S. 62A-42;*

13 *Eff. July 1, 2016.*

1 09 NCAC 06C .0103 was published in 09 NCAC 06C .0102 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC
2 06C .0103 with changes, as follows:

3

4 **09 NCAC 06C ~~.0102~~ .0103** **DEFINITIONS**

5 In addition to the terms defined in N.C.G.S. 62A-40, the following terms have the following definition when used in
6 this Subchapter:

7 ~~h~~(1) “911 Line/Trunk” means a telephone line/trunk which is dedicated to providing a caller with access
8 to the ~~appropriate~~ designated PSAP by dialing the digits 911.

9 ~~a~~(2) “Addressing” means the local government’s assigning of a numerical address and street name (the
10 street name may be numerical) to all locations within a local government’s geographical service area
11 for the purpose of providing Enhanced 911 service.

12 ~~e~~(3) “Back-up PSAP” means a facility equipped with automatic number identification, automatic
13 location identification ~~displays~~ displays, and all other features ~~common to~~ of a primary PSAPs PSAP
14 that it serves. A ~~Back-up~~ back-up PSAP shall receive 911 calls only when they are transferred from
15 the primary PSAP or on an alternate routing basis when calls cannot be completed to the primary
16 PSAP. A ~~Back-up~~ back-up PSAP facility may be ~~unattended~~, is unattended when not in use, remote
17 from the Public Safety Answering ~~Point~~ Point, and used to house equipment necessary for the
18 functioning of an emergency communications system.

19 ~~d~~(4) “Circuit” means the conductor or radio channel and associated equipment used to perform a specific
20 function in connection with a 911 call system.

21 ~~e~~(5) “CMRS” means a commercial mobile radio service.

22 ~~f~~(6) “CMRS Non-recurring cost (NRC)” means one-time costs incurred by CMRS service providers for
23 initial connection to selective routers and the wireless systems service provider (third party vendor
24 non-recurring) cost.

25 ~~g~~(7) “Communications System” means a combination of links or networks that serve a general function
26 such as a system made up of command, tactical, logistical, and administrative networks supporting
27 the operations of an individual PSAP.

28 ~~h~~(8) “Comprehensive Emergency Management Plan (CEMP)” means a disaster recovery plan that
29 conforms to guidelines established by the ~~Public Safety Answering Point~~ PSAP and is designed to
30 address natural, technological, and man-made disasters.

31 ~~i~~(9) “Computer-Aided Dispatch (CAD)” means a combination of hardware and software that provides
32 data entry, makes resource recommendations, and notifies and tracks those resources before, during,
33 and after 911 calls, and preserves records of those calls and status changes for later analysis by a
34 PSAP or the Board.

35 ~~j~~(10) “Computer-Aided Dispatch (CAD) Terminal” means an electronic device that combines a keyboard
36 and a display screen to allow the exchange of information between a telecommunicator and one or
37 more computers in the ~~system/network~~ system or network.

- 1 ~~k~~(11) “Control Console” means a wall-mounted or desktop panel or cabinet containing controls to operate
2 communications equipment.
- 3 ~~l~~ “~~Coordinated Universal Time~~” means ~~a coordinated time scale, maintained by the Bureau~~
4 ~~International des Poids et Mesures (BIPM), which forms the basis of a coordinated dissemination~~
5 ~~of standard frequencies and time signals.~~
- 6 ~~b~~(12) “Appropriate Designated Public Safety Answering Point (PSAP)” means a Primary PSAP
7 determined pursuant to the FCC Order or a Board approved Back-up PSAP.
- 8 ~~m~~(13) “Dispatch Circuit” means a circuit over which a signal is transmitted from the ~~Public Safety~~
9 ~~Answering Point PSAP~~ to an Emergency Response Facility (ERF) or Emergency Response Unit
10 (ERU) to notify the Emergency Response Unit to respond to an emergency.
- 11 ~~n~~(14) “Emergency 911 Call Processing/Dispatching” means a process by which a 911 call answered at the
12 PSAP is transmitted to Emergency Response Facilities (ERFs) or to Emergency Response Units
13 (ERUs) in the field.
- 14 ~~o~~(15) “Emergency Response Facility (ERF)” means a structure or a portion of a structure that houses
15 PSAP equipment and personnel for receiving and dispatching 911 calls.
- 16 ~~p~~(16) “Emergency Response Unit (ERU)” means a first responder, such as a police vehicle, a fire truck,
17 ~~and~~ or an ambulance. It also includes personnel who respond to fire, medical, law enforcement, or
18 other emergency situations for the preservation of life and safety.
- 19 (17) “FCC Order” means the Order in FCC Docket 94-102 adopted by the Federal Communications
20 Commission on December 1, 1997, and subsequent Orders, decisions, consent decrees, rules, and
21 regulations including 47 C.F.R. 20.18 which are incorporated by reference in these rules. The FCC
22 Order and regulations may be obtained free of charge from the FCC website:
23 <http://transition.fcc.gov/pshs/services/911-services/>, [http://www.fcc.gov/encyclopedia/9-1-1-and-](http://www.fcc.gov/encyclopedia/9-1-1-and-e9-1-1-services)
24 [e9-1-1-services](http://www.fcc.gov/encyclopedia/rules-regulations-title-47) and <http://www.fcc.gov/encyclopedia/rules-regulations-title-47>.
- 25 ~~q~~(18) “Geographic Information Systems (GIS)” means computer programs linking features ~~commonly~~
26 seen on maps, such as roads, town boundaries, water bodies, with related information ~~not usually~~
27 ~~presented on maps, such as~~ including type of road surface, population, type of agriculture, type of
28 vegetation, or water quality information.
- 29 ~~r~~(19) “GIS Base Map” means a map comprising streets and centerlines used in a Geographic Information
30 System.
- 31 ~~s~~(19) “~~Local Exchange Carrier~~” or “~~LEC~~” has the same meaning as set forth in G.S. 62A-40.
- 32 ~~t~~(20) “Logging Voice Recorder” means a device that records voice conversations and automatically logs
33 the time and date of such conversations; normally, a multichannel device that keeps a semi-
34 permanent record of operations.
- 35 ~~u~~(21) “Notification” means the time at which a 911 call is received and acknowledged at a PSAP.
- 36 ~~v~~(22) “Operations Room” means the room in the PSAP where 911 calls are received and processed and
37 communications with emergency response personnel are conducted.

- 1 ~~w~~(23) “Phase I Wireless Enhanced 911 Service” has the same meaning as provided in the FCC Order and
2 FCC regulations. The FCC Order and regulations may be obtained free of charge from the FCC
3 website: [http://transition.fcc.gov/pshs/services/](http://transition.fcc.gov/pshs/services/911-services/), [http://www.fcc.gov/encyclopedia/9-](http://www.fcc.gov/encyclopedia/9-1-1-and-e9-1-1-services)
4 1-1-and-e9-1-1-services and <http://www.fcc.gov/encyclopedia/rules-regulations-title-47>.
- 5 ~~x~~(24) “Phase II Wireless Enhanced 911 Service” has the same meaning as provided in the FCC Order and
6 FCC ~~regulations~~, regulations, as defined in Item (16) of this Rule.
- 7 ~~y~~(25) “Place of Primary Use” has the same meaning as provided in the Mobile Telecommunications
8 Sourcing Act, 4 U.S.C. § 124(8), if applicable; and otherwise sourcing shall be determined pursuant
9 to G.S. 105-164.3 or G.S. 105-164.4B.
- 10 ~~bb~~(26) “PSAP Nonrecurring Costs” means non-repetitive charges incurred by a Primary PSAP to pay for
11 equipment or services ~~which~~ that do not occur on a fixed schedule. Examples include computer
12 equipment that has become functionally outdated, software upgrades, or repair costs that are not
13 covered by any maintenance agreement.
- 14 ~~ee~~(27) “PSAP Recurring Costs” means repetitive charges incurred by a primary PSAP, such as database
15 management, lease of access lines, lease of equipment, network access fees, and applicable
16 maintenance costs.
- 17 ~~z~~(28) “Public Safety Agency” means an organization that provides law enforcement, emergency medical,
18 fire, rescue, communications, or related support services.
- 19 ~~aa~~(29) “Public Safety Answering Point (PSAP)” means the public safety agency that receives incoming 911
20 calls.
- 21 ~~dd~~ ~~“Security Vestibule” means a compartment provided with two or more doors where the intended~~
22 ~~purpose is to prevent continuous and unobstructed passage by allowing the release of only one door~~
23 ~~at a time.~~
- 24 ~~ff~~(30) “Selective Routing” or “Tandem Routing” means routing a 911 call to the ~~appropriate~~ designated
25 PSAP based upon the caller’s location.
- 26 ~~jj~~(31) “Service provider” means an entity that provides voice communications service, including resellers
27 of such service.
- 28 ~~ee~~(32) “Standard” shall refer to and include such standards, policies, and procedures adopted by the Board
29 pursuant to authority found in Article 3 of Chapter 62A of the N.C. General Statutes.
- 30 (33) “Standard Operating Procedures (SOPs)” means written organizational directives that establish or
31 prescribe specific operational or administrative methods that are to be followed ~~regularly~~ regularly for the
32 performance of designated operations or actions.
- 33 ~~gg~~(34) “Stored Emergency Power Supply System (SEPSS)” means a system consisting of a ~~UPS~~
34 Uninterruptible Power Supply, or a motor generator, powered by a stored electrical energy source,
35 together with a transfer switch designed to monitor preferred and alternate load power source and
36 provide desired switching of the load, and all necessary control equipment to make the system
37 functional.

1 ~~hh~~(35) “Sworn Invoice” means an invoice prepared by a CMRS service provider’s vendor that describes
2 the goods or services and identifies the costs that the CMRS service provider submits for cost
3 recovery pursuant to an approved cost recovery plan, and that is accompanied by an affidavit that
4 ~~substantially~~ complies with a form provided by the Board.

5 ~~kk~~ “TDD/TTY” means a device that is used in conjunction with a telephone to communicate with persons
6 who are deaf, who are hard of hearing, or who have speech impairments, by typing and reading text.

7 ~~ll~~(36) “Telecommunicator” means any person engaged in or employed as a ~~full-time~~ full-time or ~~part-time~~
8 part-time 911 communications center call ~~take~~, taker, whether called by that or another term, such
9 as emergency communications specialist or emergency dispatcher.

10 ~~mm~~(37) “Uninterruptible Power Supply (UPS)” means a system designed to provide power, without delay
11 or transients, during any period when the primary power source is incapable of performing.

12 ~~nn~~(38) “Voice Communication Channel” means a single path for communication by spoken word that is
13 distinct from other parallel paths.

14

15 *History Note:* Authority G.S. 62A-42; 47 C.F.R. 20.18;
16 *Eff. July 1, 2016.*

1 09 NCAC 06C .0104 was published as 09 NCAC 06C .0104(f) of the Rule in 29:24 NCR 2766-2783, and is adopted
2 with changes, as follows:

3

4 **09 NCAC 06C .0104 FAILURE TO COMPLY WITH RULES**

5 ~~(f) If through the review process the Board determines that a PSAP or CMRS Service Provider service provider is~~
6 ~~not adhering to an approved plan or is not using funds in the manner prescribed in these rules Rules or G.S. 62A, the~~
7 ~~Board may, after notice and hearing, suspend take action authorized by G.S. 62A affecting distributions or~~
8 ~~reimbursements until satisfactory evidence of compliance is provided to the Board. A CMRS Service Provider is not~~
9 ~~eligible to receive or expend 911 Fund monies until such time as the Board determines that the Service Provider is in~~
10 ~~compliance with an approved plan and 911 Fund usage limitations.~~

11

12 *History Note: Authority G.S .62A-42; ~~62A-46~~, 62A-46; 62A-48;*

13 *Eff. July 1, 2016.*

1 09 NCAC 06C .0105 was published as 09 NCAC 06C .0104(a) through (e) in 29:24 NCR 2766-2783, and is adopted
2 as 09 NCAC 06C .0105 with changes, as follows:

3

4 **9 NCAC 6C ~~.0104~~ .0105 SERVICE PROVIDER FAILURE TO COMPLY WITH RULES**

5 (a) If the Board determines that a ~~Service Provider~~ service provider does not appear to have complied with N.C.
6 General Statutes Chapter 62A, these ~~rules~~ Rules, or the requirements of the FCC ~~Report and Order~~ Order, 94-102
7 (~~“Report and Order”~~) a certified, return receipt letter shall be mailed to the company representative known to the
8 Board. The letter shall request justification or an explanation from the service provider for the apparent non-
9 compliance. The service provider shall have 15 calendar days to respond to the letter.

10 (b) Board staff shall ~~initially assess the service provider’s response and send a~~ report to the Board. The Board shall
11 review the staff’s report. If it appears to the Board that the service provider has failed to comply with applicable law,
12 these ~~rules~~ Rules, or the FCC Order, the Board shall notify the service provider to that effect and to the consequences
13 arising from such failure, and shall provide an opportunity for the service provider to appear before the Board.

14 (c) If after notice to the service provider, and appearance before the Board or service provider’s failure to appear, the
15 Board determines that the service provider has offered no reasonable solution, the Board may, ~~at in~~ in its discretion file
16 a complaint with the FCC, the N.C. Utilities Commission or other regulatory body exercising jurisdiction over the
17 service ~~provider.~~ provider if necessary to achieve a reasonable solution. For the purposes of this Rule, a ~~reasonable~~
18 ~~solution~~ “reasonable solution” shall be defined as one that complies with applicable law, these ~~rules~~ Rules, or the FCC
19 Order within ~~thirty~~ 30 days or upon such other conditions as the Board may find reasonable.

20 (d) If the non-compliant service provider is a CMRS service provider eligible for reimbursement pursuant to G.S.
21 62A-45, all reimbursements shall be suspended until compliance with applicable law, these ~~rules~~ Rules, or the FCC
22 Order has been completed.

23 (e) If after notice and hearing, the Board determines that the service provider’s failure was caused by one or more
24 primary PSAPs, ~~rules~~ Rule .0106 and procedures regarding PSAP compliance shall be followed.

25

26 *History Note: Authority G.S .62A-42; 62A-48; Part 20 of Title 47 of the Code of Federal Regulations;*
27 *Eff. July 1, 2016.*

1 09 NCAC 06C .0106 was published as 09 NCAC 06C .0104(a) through (e) in 29:24 NCR 2766-2783, and is adopted
2 as 09 NCAC 06C .0106 with changes, as follows:

3

4 **09 NCAC 06C ~~.0104~~ .0106 PSAP FAILURE TO COMPLY WITH RULES**

5 ~~(b)~~ (a) If the Board determines that a Primary PSAP does not appear to have complied with N.C. General Statutes
6 ~~Chap. Chapter~~ 62A, these ~~rules~~ Rules, or the requirements of FCC ~~Report and Order~~ Order, 942-102 a certified, return
7 receipt letter shall be mailed to the PSAP representative known to the Board. The letter shall request justification or
8 an explanation from the Primary PSAP for the apparent non-compliance. The Primary PSAP shall have ~~fifteen~~ 15
9 calendar days to respond to the letter.

10 ~~(+)~~ (b) Board staff shall ~~initially assess the Primary PSAP's response and send~~ a report to the Board. The Board shall
11 review the staff's report. If it appears to the Board that the PSAP has failed to comply with applicable law, these ~~rules~~
12 Rules, or the FCC Order, the Board shall notify the PSAP to that effect and to the consequences arising from such
13 failure, and shall provide an opportunity for the PSAP to appear before the Board.

14 ~~(2)~~ (c) If after notice to the Primary PSAP, and appearance before the Board or the PSAP's failure to appear, the Board
15 determines that the PSAP has offered no reasonable solution, the Board may, at its discretion file a complaint with
16 any other regulatory body exercising jurisdiction over the ~~PSAP~~. PSAP, if necessary to achieve a reasonable solution.
17 A ~~reasonable solution~~ "reasonable solution" shall be defined as one that ~~will comply~~ complies with applicable law,
18 these ~~rules~~ Rules, or the FCC Order within ~~thirty~~ 30 days or upon such other conditions as the Board may find
19 reasonable.

20 ~~(3)~~ (d) If the non-compliant Primary PSAP receives 911 Fund disbursements, such disbursements may be suspended
21 by the 911 Board until compliance with applicable law, these ~~rules~~ Rules, or the FCC Order has been completed.

22 ~~(4)~~ (e) If after notice and hearing, the Board determines that the Primary PSAP is not at fault, the Board shall ~~take~~
23 ~~additional action~~ investigate to determine the cause of failure, failure and take action to achieve a reasonable solution.

24 ~~(e)~~ If through the review process the Board determines that a PSAP or CMRS Service Provider is not adhering to an
25 approved plan or is not using funds in the manner prescribed in these rules or G.S. 62A, the Board may, after notice
26 and hearing, suspend distributions or reimbursements until satisfactory evidence of compliance is provided to the
27 Board.

28

29 *History Note: Authority G.S. 62A-46; 62A-48;*

30 *Eff. July 1, 2016.*

1 09 NCAC 06C .0107 was published as 09 NCAC 06C .0105 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC
2 06C .0107 with changes, as follows:

3

4 **09 NCAC 06C ~~.0105~~ .0107 REVIEW 911 FUNDS EXPENDITURES, DISBURSEMENTS AND**
5 **REIMBURSEMENTS**

6 (a) PSAPs shall maintain ~~detailed~~ books and records of 911 Funds received and use of such funds in accordance with
7 the Local Government Budget and Fiscal Control Act G.S. 159-7 et seq. ~~and generally accepted accounting principles.~~
8 PSAPs shall maintain these books and records to support Fund distributions, ~~reviews~~ reviews, or audits, in accordance
9 with the funding formula adopted by the Board pursuant to G.S. 62A-46(a)(3). All books and records shall be available
10 for review by the Board or its representatives, or audit by other governmental entities with such authority. If any
11 review or audit indicates excess distributions to a PSAP, the Board shall adjust future or final distributions otherwise
12 due. If no distributions are due and owed to a PSAP, or if the excess distribution exceeds the amount otherwise due
13 during that fiscal year, the PSAP shall refund all amounts due to the 911 Fund as requested by the Board.

14 (b) PSAPs shall provide copies of any audit reports to the Board if such audit reports include receipts or expenditures
15 for 911 systems.

16 (c) CMRS service providers ~~shall maintain detailed books and records consistent with~~ subject to G.S. 147-64.7 shall
17 maintain records related to service charges remitted, and records necessary to support requested reimbursements in
18 accordance with applicable law and generally accepted accounting principles. CMRS service providers shall maintain
19 these ~~books and records~~ for a ~~minimum of 5~~ five years. All ~~books and records~~ shall be available for review ~~or audit~~
20 by the ~~Board~~ Board, ~~or its representatives or audit by~~ and other governmental entities with such ~~authority.~~ authority
21 upon reasonable notice and during normal business hours. CMRS service providers shall cooperate ~~fully~~ with any
22 such review or audit. If any audit or review indicates ~~overpayment~~ excess distributions to a CMRS service provider,
23 or subcontractor, the Board shall adjust future or final ~~payment~~ distributions otherwise due. If no distributions are due
24 and owed to a CMRS service provider, or if the ~~overpayment~~ excess distribution exceeds the amount otherwise due
25 during that fiscal year, the CMRS service provider ~~shall immediately~~ shall refund all amounts that may be due to the 911
26 ~~Fund without delay.~~ Fund.

27

28 *History Note:* Authority G.S. 62A-42(a)(5); 62A-46(d); 62A-46(d); 62A-46(e); 62A-46(e); 62A-48; 62A-48; 62A-
29 50;
30 Eff. July 1, 2016.

1 09 NCAC 06C .0108 was published as 09 NCAC 06C .0106 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC
2 06C .0108 with changes, as follows:

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4 **09 NCAC 06C ~~.0106~~ .0108** **WAIVER OF RULES**

5 Upon ~~consideration~~ receipt of a written request to waive a rule, ~~and and after publishing notice of any waiver request,~~
6 the ~~The~~ Board ~~may~~ shall consider the request and may waive any rule in this ~~Chapter~~ Chapter, ~~after receiving a written~~
7 ~~request~~. The factors ~~which~~ the Board shall use in determining whether to grant a waiver are:

- 8 (a) Whether the requested waiver is consistent with Article 3 of Chapter 62A or other North Carolina
9 Statutes;
- 10 (b) Whether any applicable Rule should be ~~modified~~; amended;
- 11 (c) Costs to the 911 Fund if the waiver is granted;
- 12 (d) Costs to the party requesting a waiver if the waiver is not granted;
- 13 (e) Whether granting the waiver is consistent with the statewide 911 plan;
- 14 (f) The benefit to the public;
- 15 (g) Whether granting the waiver is consistent with the requirements and intent of the FCC Order;
- 16 (h) Prior, concurrent, or similar waiver requests; and
- 17 (i) Whether the waiver is supported or opposed by PSAPs or service providers.

18

19 *History Note: Authority G.S. 62A-42; 150B-19(6);*
20 *Eff. July, 1, 2016.*

1 09 NCAC 06C .0109 was published as 09 NCAC 06C .0107 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC
2 06C .0109 with changes, as follows:

3

4 **09 NCAC 06C ~~.0107~~ .0109 HEARINGS**

5 ~~(a) A PSAP or service provider~~ The following, if aggrieved pursuant to G.S. 62A in connection with any action by
6 the Board, may request a hearing before the Board:

7 (1) A PSAP; or

8 (2) A service provider.

9 (b) A request for a hearing shall be made in writing to the Executive Director of the Board and shall be filed within
10 30 calendar days after the aggrieved party knows or should have known of the facts giving rise to the request. A
11 request for hearing is considered filed when physically received by the Executive Director. Requests filed after the
12 30 calendar day period shall not be considered. To expedite handling of requests, the envelope shall be labeled “911
13 Funds Request for Hearing.” The written request shall include the following:

14 (1) The name and address of the party;

15 (2) The action of the Board;

16 (3) A statement of reasons for the hearing; and

17 (4) Supporting exhibits, evidence, or documents necessary to substantiate the party’s complaint.

18 ~~(5)~~ Requests for hearing shall be sent to the Executive Director at the address listed in .0102 of this Section.

19 Executive Director, 911 Board
20 c/o NC Office of Information Technology Services
21 P.O. Box 17209
22 Raleigh, NC 27609

23 (c) Following review of the information set forth in Paragraph (b) of this Rule, if the Board determines it needs
24 additional information, it shall request the information from the aggrieved party. Any additional information requested
25 by the Board shall be submitted at the address listed in .0102 of this Section within the time periods established by
26 this Paragraph in order to expedite consideration of the request. Failure of the aggrieved party to comply ~~expeditiously~~
27 with a request for information by the Board within 60 days shall result in resolution of the request without
28 consideration of that information.

29 (d) A decision on a request shall be made by the Board ~~as expeditiously as possible~~ within 120 days after receiving
30 all relevant requested information.

31 *History Note:* Authority G.S. 62A-42; 62A-48;
32 Eff. July 1, 2016.

1 09 NCAC 06C .0110 was published as 09 NCAC 06C .0108 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC
2 06C .0110 with changes, as follows:

3

4 **09 NCAC 06C ~~.0108~~ .0110 DECLARATORY RULINGS**

5 (a) Any request for a determination regarding the application of a ~~relevant~~ rule, ~~statute~~ statute, or ~~rule order~~ established
6 by the 911 Board to a specific factual situation shall be directed to the Board Chair or Executive Director at the address
7 in Rule .0102 of this Section. The request for a ruling shall follow Rules ~~.0108~~ .0109 through ~~.0112~~ .0114 of this
8 Section. A declaratory ruling proceeding may include written submissions, an oral hearing, or other procedure as may
9 be appropriate in the circumstances of the particular ~~request as determined by the Board.~~ request.

10 (b) Declaratory rulings pursuant to G.S. 150B-4 shall be issued by the Board only on the validity of a rule or on the
11 applicability of a ~~relevant~~ statute, ~~rule~~ rule, or order of the Board to stipulated facts. A declaratory ruling shall not be
12 issued on a matter requiring an evidentiary proceeding.

13 ~~(c) As used in Rules .0108 through .0112 "standard" shall refer to and include such standards adopted by the Board~~
14 ~~pursuant to authority found in Article 3 of Chapter 62A of the N.C. General Statutes.~~

15 ~~(d) (c) As a A person aggrieved, aggrieved the petitioner shall must possess such an interest in the question to be~~
16 ruled on that the petitioner's need to have such a ruling in order to comply with statutory requirements, ~~these~~ Rules,
17 or standards shall be apparent from the petition and shall be explained therein.

18

19 *History Note:* *Authority G.S. ~~62A-4~~; 62A-42(a)(4); 62A-46(e)(5); 150B-4;*
20 *Eff. July 1, 2016.*

1 09 NCAC 06C .0111 is adopted.

2

3 **09 NCAC 06C .0111 REQUESTS FOR DECLARATORY RULINGS**

4 (a) Requests for a declaratory ruling shall be in writing and dated.

5 (b) The request shall contain:

6 (1) The petitioner's name, address, and telephone number;

7 (2) The rule, statute, or order referred to;

8 (3) A statement of facts supporting the petitioner's request for a declaratory ruling;

9 (4) A statement of the manner in which the petitioner is aggrieved by the rule, statute, or standard, or
10 its potential application to the petitioner;

11 (c) After review of the information required in (b) of this Rule, the Board may request the following additional
12 information:

13 (1) A statement of any legal authorities that support the interpretation of the given the statute or rule
14 by the petitioner;

15 (2) A statement of the practices or procedures likely to be affected by the requested declaratory ruling
16 and the persons likely to be affected by the ruling;

17 (3) A draft of the declaratory ruling sought by the petitioner, if a specified outcome is sought by the
18 petitioner; and

19 (4) A statement of whether the petitioner desires to present oral argument.

20

21 History Note: Authority G.S. 62A-42; 150B-4;

22 Eff. July 1, 2016.

1 09 NCAC 06C .0112 is adopted.

2

3 **09 NCAC 06C .0112 RESPONSE TO A REQUEST FOR A DECLARATORY RULING**

4 (a) The Board shall consider the request within 30 days of receipt. The Board shall issue a ruling except:

5 (1) When the Board finds that the person making the request is not a "person aggrieved," as defined in
6 G.S. 150B-2(6);

7 (2) When the petition does not provide the information required in Rule .0111, the question is presented
8 in such a manner that the Board cannot determine what the question is, or that the Board cannot
9 respond with a specific ruling that shall be binding on all parties;

10 (3) When the Board has made a determination in a similar contested case, or where the factual context
11 being raised for a declaratory ruling was specifically considered upon the adoption of the rule or
12 directive being questioned, as evidenced by the rulemaking record; or

13 (4) Where the subject matter of the request is involved in pending litigation or contested case in any
14 state or federal court in North Carolina.

15 (b) The Board shall, not later than the 30th day after receiving such a request, deposit in the United States mail,
16 postage prepaid, a written statement addressed to the person making the request and setting forth the ruling on the
17 merits of the request for a declaratory ruling, or setting forth the reason the ruling was not made, as the case may be.
18 The Board may gather additional information, may give notice to other persons and may permit such other persons to
19 submit information or arguments under such conditions as are set forth in any notice given to the requesting party.

20

21 History Note: Authority G.S. 62A-42; 150B-4;

22 Eff. July 1, 2016.

1 09 NCAC 06C .0113 is adopted.

2

3 **09 NCAC 06C .0113 DURATION OF A DECLARATORY RULING**

4 For purposes of this Section, a declaratory ruling shall be deemed to be in effect until:

5 (1) The portion of the statute, rule, or order interpreted by the declaratory ruling is amended or
6 repealed;

7 (2) The Board changes the declaratory ruling prospectively; or

8 (3) Any court sets aside the ruling.

9

10 History Note: Authority G.S. 62A-42; 150B-4(a);

11 Eff. July 1, 2016.

1 09 NCAC 06C .0114 is adopted.

2

3 **09 NCAC 06C .0114 RECORD OF RULING**

4 A record of all declaratory ruling proceedings shall be maintained at the Board's office and shall be available for public
5 inspection during business hours.

6

7 History Note: Authority G.S. 62A-42; 150B-4;

8 Eff. July 1, 2016.

1 09 NCAC 06C .0201 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

2
3 **SECTION .0200 – PUBLIC SAFETY ANSWERING POINTS (PSAPS)**

4
5 **09 NCAC 06C .0201 PSAP ELIGIBILITY**

6 (a) Before receiving distributions from the 911 Fund, a primary PSAP ~~must~~ shall meet the following criteria and

7 ~~certify to confirm the same in writing to the Board:~~

8 (1) The PSAP is separately identified in its governing agency’s budget and in any audit conducted under

9 the Local Government Budget and Fiscal Control Act.

10 (2) The PSAP meets the definition of primary PSAP under G.S. ~~62A-40(16)~~. 62A-40. Callers ~~must~~ shall

11 be able to reach the PSAP by placing a call using only the digits 911. The PSAP ~~must~~ shall operate

12 an Enhanced 911 system.

13 ~~(3)~~ (b) The PSAP equipment vendor or a ~~Service Provider~~ service provider operating in the PSAP’s jurisdiction ~~must~~

14 shall also certify that the PSAP is capable of receiving and dispatching Phase I wireless ~~enhanced~~ Enhanced 911

15 service. If neither an equipment vendor nor a ~~Service Provider~~ service provider is available, a city or county may use

16 certification from a technology specialist ~~satisfactory to the Board to meet this requirement.~~ who demonstrates

17 compliance with FCC regulation 47 C.F.R. 20.18.

18 ~~(4)~~ (c) The PSAP shall provide ~~Provide~~ copies of all documentation evidencing agreements with other PSAPs

19 governing the manner in which 911 Funds are used in overlapping geographic service areas, as identified by zip code

20 or other identifier such as telephone exchange or township.

21
22 *History Note: Authority G.S. 62A-46;*

23 *Eff. July 1, 2016.*

1 09 NCAC 06C .0202 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

2

3 **09 NCAC 06C .0202 PSAP ELIGIBLE EXPENSES**

4 (a) Expenses that are solely incurred to enable a PSAP to receive and utilize the voice and data elements necessary
5 for wireline 911 and wireless Phase I or Phase II compliance may be fully paid from a PSAP's 911 Fund ~~distributions.~~
6 distributions if approved by the Board. A PSAP may submit a request for approval for an expense by identifying the
7 expense item together with an explanation of the necessity of the expense item to the Executive Director. Eligible
8 lease, purchase, and maintenance expenses for emergency telephone equipment include 911 telephone
9 equipment/system costs.

10 (1) Eligible costs for necessary computer hardware include Computer Aided Dispatch (CAD)
11 workstation computers, servers, and ancillary equipment; GIS workstation computers, servers, and
12 ancillary equipment; and voice logging recorder ~~computers.~~ computers;

13 (2) Eligible costs for necessary computer software include software used in conjunction with the
14 computer hardware to provide callers with access to the PSAP by dialing ~~911.~~ 911;

15 (3) Database provisioning includes creation of the automatic location identification (ALI) database and
16 the GIS base map ~~database.~~ database;

17 (4) GIS base map eligible expenses include mapped street centerlines, together with costs for creation
18 and maintenance of the base ~~map.~~ map;

19 (5) Nonrecurring costs of establishing a wireless Enhanced 911 system include emergency generator or
20 uninterruptible power supplies, and telecommunicator furniture necessary for 911 system ~~operation.~~
21 operation; and

22 (6) Rates associated with local telephone companies' charges related to the operation of the 911 system
23 include monthly charges for delivery of 911 calls, automatic number identification (ANI), ALI, and
24 monthly charges for telephone interpreter services.

25 (b) Eligible lease, purchase, and maintenance expenses for emergency telephone equipment include 911 telephone
26 equipment/system costs.

27 The 911 Board ~~may create~~ shall publish on its website <https://www.nc911.nc.gov/> and periodically revise a list of
28 approved eligible expenditures.

29 (c) Ineligible costs include:

30 (1) Basic termination charges incurred due to the disconnection of telephone equipment to be replaced
31 with 911 equipment;

32 (2) Capital outlay expenditures, such as buildings, remodeling, communication ~~towers~~ towers, and
33 equipment not directly related to providing the user of a voice communications service connection
34 access to a PSAP by dialing the digits 911;

35 (3) Mobile or base station radios, pagers, or other devices used for response to, rather than receipt of,
36 911 calls, including mobile data terminals (MDT) and automatic vehicle location (AVL) systems
37 used in response vehicles;

- 1 (4) Seven-digit transfer-to-lines;
- 2 (5) Private line circuit costs;
- 3 (6) Directory listings; and
- 4 (7) Maintenance costs for radio equipment or other miscellaneous equipment not ~~necessary~~ necessary,
- 5 as determined by the Board and the affected PSAP, to provide the user of a voice communications
- 6 service connection access to a PSAP by dialing the digits 911.

7

8 *History Note:* *Authority ~~G.S. 62A-46; G.S 62A-46(c);~~*

9 *Eff. July 1, 2016.*

1 09 NCAC 06C .0203 is adopted as published in in 29:24 NCR 2766-2783, with changes, as follows:

2

3 **09 NCAC 06C .0203** **EFFECT OF 911 FUND DISTRIBUTION TERMINATIONS AND SUSPENSIONS**

4 (a) A primary PSAP operated by or for a local government that is not identified or included in its governing agency's
5 budget or in any audit conducted pursuant to the Local Government Budget and Fiscal Control Act shall not be eligible
6 for distributions from the 911 Fund.

7 (b) 911 Fund distributions that lapse due to termination of a primary PSAP shall be re-allocated by the Board.

8 (c) 911 Fund distributions that are suspended shall be maintained by the Board until such time as the PSAP entitled
9 to such distributions complies with the requirements of applicable statutes, these ~~rules~~, Rules, and the Board's
10 standards, policies policies, and procedures.

11 (d) Primary PSAPs that cease independent operation due to consolidation with other such PSAPs, or that are
12 consolidated with newly formed PSAPs, shall give notice to the Board. ~~Distributions for such PSAPs shall be allocated~~
13 ~~to the consolidated PSAP upon the Board's approval of such distributions.~~ 911 Fund distributions for such PSAPs that
14 cease operations shall revert to the 911 Fund for distribution under G.S. 62A-46.

15

16 *History Note:* *Authority G.S. 62A-46; 62A-48;*

17 *Eff. July 1, 2016.*

1 09 NCAC 06C .0204 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

2

3 **09 NCAC 06C .0204 PSAP REPORTING**

4 (a) ~~Any PSAP receiving or requesting 911 Fund distributions must submit~~ PSAPs shall submit the following to the
5 Board a copy of its governing agency's approved budget to the Board detailing the revenues and expenditures
6 associated with the operation of its 911 system by December 1 September 1 of each year-year; -or as requested by the
7 Board.

8 (1) A copy of the PSAP's governing agency's approved budget;

9 (2) A report detailing the revenues and expenditures associated with the operation of its 911 system;
10 and

11 (3) Additional information if requested by the Board including installation schedules, installation
12 expenses, anticipated 911 system changes, other system related costs, expenses and other
13 information deemed necessary by the Board or by the PSAP to ensure funding in compliance with
14 G.S. 62A-46(e).

15 (b) If a PSAP fails to report its revenues and ~~expenditures~~ expenditures, ~~by January 30th of each year or as requested~~
16 ~~by the Board~~, the Board ~~will give notice to~~ shall inform the PSAP's governing agency ~~by certified mail.~~ agency. The
17 notice shall also inform the governing agency that failure to provide the requested information within 15 days ~~will~~
18 shall be cause for suspension of monthly PSAP fund distributions until the information is received. The notice ~~will~~
19 shall further inform the governing agency that continuing failure to provide the information ~~will~~ shall result in a report
20 to the North Carolina Local Government Commission of the PSAP's failure.

21 (c) ~~If after~~ After 60 days from ~~January 30th~~ September 1 ~~of each year or the date requested by the Board or the date~~
22 ~~requested by the Board under (a) above the financial information is still not received~~, the Board ~~will~~ shall submit
23 ~~written notice to~~ inform the North Carolina Local Government Commission in writing of the PSAP's failure to respond
24 to the requested information. A copy of the notice to the North Carolina Local Government Commission ~~will~~ shall
25 also be sent to the PSAP manager and the governing agency.

26 (d) ~~Each PSAP shall submit an annual report to the Board on or before December 1 of each calendar year, or as~~
27 ~~requested by the Board, detailing all revenues and expenditures associated with 911 systems during the immediately~~
28 ~~preceding fiscal year. The report shall be on a form provided by the Board and shall include information including~~
29 ~~installation schedules, installation expenses, anticipated 911 system changes, other system related costs and other~~
30 ~~information deemed necessary by the Board or by the PSAP.~~

31 ~~(e)~~ (d) Each county or municipality shall submit a list of PSAPs operating within its jurisdiction each year; or, if none
32 are known, a statement to that effect.

33

34 *History Note: Authority G.S. 62A-4; 62A-46; 62A-49;*

35 *Eff. July 1, 2016.*

1 09 NCAC 06C .0205 was published as 09 NCAC 0208(4)(c) and 09 NCAC .0209(d) in 29:24 NCR 2766-2783, and
2 is adopted as 09 NCAC 06C .0205 with changes, as follows:

3

4 **09 NCAC 06C .0205 COMPREHENSIVE EMERGENCY MANAGEMENT PLAN (CEMP)**

5 (a) Each PSAP shall have a written Comprehensive Emergency Management Plan (CEMP) that includes:

6 (1) An emergency fire plan;

7 (2) A damage control plan; and

8 (3) A back-up PSAP plan that includes alternate 911 call routing conforming to 47 C.F.R. 20.18 and
9 G.S. 62A-49.

10 (b) The PSAP shall test the plans in Paragraph (a) of this Rule and the CEMP at least once annually.

11

12 History Note: Authority G.S. 62A-42; 62A-46; 47 C.F.R. 20.18;

13 Eff. July 1, 2016.

1 09 NCAC 06C .0206 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

2
3 **09 NCAC 06C .0206 BACK-UP PSAPS**

4 (a) Each Primary PSAP shall establish a back-up PSAP or have an arrangement for back-up provided by another
5 PSAP. Agencies may also pool resources and create regional back-up centers. Alternate methods for receiving and
6 processing 911 calls may include interlocal agreements among one or more PSAPs for sharing physical resources,
7 entail a use of portable equipment which that may be temporarily implemented wherever appropriate secure network
8 connectivity is accessible, construction and maintenance of a back-up PSAP facility that would only be utilized when
9 the Primary PSAP is inoperable, or other alternative solution.

10 (b) Back-up Plan. There shall be a local management approved, written, dated, and annually tested back-up PSAP
11 plan.

12 (c) The Board shall disburse 911 Funds for back-up PSAPs to the extent eligible expenses are incurred for such PSAPs,
13 and provided:

14 (1) A back-up PSAP plan is submitted to the 911 Board. The plan shall include start-up costs, projected
15 recurring expenses, and any local agreements which may exist, or which are anticipated, that provide
16 for the back-up PSAP.

17 (2) Any back-up PSAP plan revisions have been provided to the 911 Board staff.

18 (d) The back-up PSAP shall be capable, when staffed, of performing the emergency functions performed at the
19 primary PSAP.

20 (e) The back-up PSAP shall be separated geographically from the primary PSAP at a distance that ensures the
21 survivability of the alternate center.

22 (f) Each PSAP shall develop a formal written plan to maintain and operate the back-up PSAP or, if back-up is provided
23 by another PSAP, a formal written plan that defines the duties and responsibilities of the alternate PSAP.

24 (1) The plan shall include the ability to reroute incoming 911 call traffic to the back-up center and to
25 process and dispatch 911 calls at that center.

26 (2) The plan shall be included in the Comprehensive Emergency Management Plan (CEMP).

27 (g) The PSAP shall be capable of operation long enough to enable the transfer of operations to the back-up PSAP in
28 the event of an emergency in the PSAP or in the building that houses the PSAP.

29 ~~Note: Alternate methods for receiving and processing 911 calls may include interlocal agreements among one or more~~
30 ~~PSAPs for sharing physical resources, entail a use of portable equipment which that could be temporarily implemented~~
31 ~~wherever appropriate network connectivity is accessible, construction and maintenance of a back-up PSAP facility~~
32 ~~that would only be utilized when the Primary PSAP is inoperable, or other alternative solution.~~

33
34 *History Note: Authority G.S. 62A-42(a);*
35 *Eff. July 1, 2016.*

09 NCAC 06C .0207 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

09 NCAC 06C .0207 PSAP OPERATIONS AND MANAGEMENT

(a) Personnel:

- (1) PSAP All equipment and systems shall be under the control oversight of a-an responsible employee or employees of the PSAP served by the systems. PSAP.
- (2) The PSAP Emergency services dispatching entities shall have trained and qualified technical assistance available for trouble analysis and repair by in-house personnel or by authorized outside contract maintenance services. Where maintenance is provided by an organization or person other than an employee of the PSAP, written records of all installation, maintenance, test, and extension of the system shall be forwarded to the responsible employee of the PSAP. Maintenance performed by an organization or person other than an employee of the PSAP shall be by written contract that contains a guarantee of performance.
- ~~(3) Where maintenance is provided by an organization or person other than an employee of the PSAP complete written records of all installation, maintenance, test, and extension of the system shall be forwarded to the responsible employee of the PSAP.~~
- ~~(4) Maintenance performed by an organization or person other than an employee of the PSAP shall be by written contract that contains a guarantee of performance.~~
- ~~(5) The PSAP shall have a written local management approved access control plan.~~
- ~~(6)~~ (3) Maintenance personnel other than an employee of the PSAP shall be approved by the PSAP pursuant to the approved its access control controls plan as offering presenting no threat to the security of the facility or the employees and equipment within it.
- ~~(7)~~ (4) All equipment shall be accessible to the PSAP for the purpose of maintenance.
- ~~(8) At least one supervisor or lead with Telecommunicator certification shall be available to respond immediately at all times 24 hours per day, 7 days per week, 52 weeks per year.~~
- (5) When a device monitoring the 911 system for integrity indicates that trouble has occurred, the telecommunicator shall act as follows:
 - (A) Take appropriate steps as provided in the PSAP manual or operating procedures to repair the fault.
 - (B) If the telecommunicator determines repair is not possible, isolate the fault and notify the official responsible for maintenance.

~~(b) Telecommunicator Qualifications and Training.~~

- ~~(1) Telecommunicators and Supervisors shall be certified in the knowledge, skills, and abilities related to their job function.~~
- ~~(2) Telecommunicators and Supervisors shall have knowledge of the function of all communications equipment and systems in the PSAP.~~

- 1 ~~(3) Telecommunicators and Supervisors shall know the rules and regulations that relate to equipment~~
2 ~~use, including those of the Federal Communications Commission that pertain to emergency service~~
3 ~~radio use.~~
- 4 ~~(4) Telecommunicators and Supervisors shall be capable of operating and testing the communications~~
5 ~~equipment they are assigned to operate.~~
- 6 ~~(5) Telecommunicators and Supervisors shall receive training to maintain the skill level appropriate to~~
7 ~~their positions.~~
- 8 ~~(6) Telecommunicators and Supervisors shall be trained in TDD/TTY procedures, with training~~
9 ~~provided at a minimum of once per year as part of the Annual Training.~~

10 ~~(c) Staffing.~~

- 11 ~~(1) There shall be sufficient Telecommunicators available to effect the prompt receipt and processing~~
12 ~~of emergency 911 calls needed to meet the requirements as specified herein.~~
- 13 ~~(2) After January 1, 2013 a minimum of two (2) Telecommunicators must be available at all times 24~~
14 ~~hours per day, 7 days per week, 52 weeks per year to immediately receive and process emergency~~
15 ~~911 calls.~~
- 16 ~~(3) Where communications systems, computer systems, staff, or facilities are used for both emergency~~
17 ~~and non-emergency functions, the non-emergency use shall not degrade or delay emergency use of~~
18 ~~those resources.~~
- 19 ~~(A) A PSAP shall handle emergency 911 calls for service and dispatching in preference to~~
20 ~~non-emergency activities.~~
- 21 ~~(B) The PSAP and emergency response agencies shall develop written standard operating~~
22 ~~procedures that identify when a dedicated Telecommunicator is required to be assigned to~~
23 ~~an emergency incident.~~
- 24 ~~(4) Telecommunicators shall not be assigned any duties prohibiting them from immediately receiving~~
25 ~~and processing emergency 911 calls for service in accordance with the time frame specified in the~~
26 ~~Operating Procedures.~~

27 ~~(d) Operating Procedures.~~

- 28 ~~(1) Ninety (90) percent of emergency 911 calls received on emergency lines shall be answered within~~
29 ~~ten (10) seconds, and ninety five (95) percent of emergency 911 calls received on emergency lines~~
30 ~~shall be answered within twenty (20) seconds. Compliance with (d).1 shall be evaluated monthly~~
31 ~~using data from the previous month.~~
- 32 ~~(2) The PSAP is required to provide pre-arrival medical protocols as set forth by the North Carolina~~
33 ~~Office of Emergency Services, Health and Human Services in the initial call reception or by the~~
34 ~~responsible EMS provider on behalf of the primary answering point.~~
- 35 ~~(3) For law enforcement purposes, the PSAP shall determine time frames allowed for completion of~~
36 ~~dispatch.~~

- 1 ~~(4) — When emergency 911 calls need to be transferred to another PSAP, the Telecommunicator will~~
2 ~~transfer the call without delay. The Telecommunicator will advise the caller: “Please do not hang~~
3 ~~up; I am connecting you with (name of the agency).” The Telecommunicator should stay on the line~~
4 ~~until the connection is complete and verified.~~
- 5 ~~(5) — The PSAP shall transfer calls for services as follows:~~
- 6 ~~(A) — The call for service shall be transferred directly to the Telecommunicator.~~
- 7 ~~(B) — The transferring agency shall remain on the line until it is certain that the transfer is effected.~~
- 8 ~~(C) — The transfer procedure shall be used on emergency 911 calls.~~
- 9 ~~(6) — All calls for service, including requests for additional resources, shall be transmitted to the identified~~
10 ~~Emergency Response Units over the required dispatch systems.~~
- 11 ~~(7) — An indication of the status of all Emergency Response Units shall be available to~~
12 ~~Telecommunicators at all times.~~
- 13 ~~(8) — Records of the dispatch of Emergency Response Units to call for services shall be maintained and~~
14 ~~shall identify the following:~~
- 15 ~~(A) — Unit designation for each Emergency Response Unit (ERU) dispatched~~
- 16 ~~(B) — Time of dispatch acknowledgment by each ERU responding~~
- 17 ~~(C) — Enroute time of each ERU~~
- 18 ~~(D) — Time of arrival of each ERU at the scene~~
- 19 ~~(E) — Time of patient contact, if applicable~~
- 20 ~~(F) — Time each ERU is returned to service~~
- 21 ~~(9) — All emergency response agencies shall use common terminology and integrated incident~~
22 ~~communications.~~
- 23 ~~(10) — When the device monitoring the system for integrity indicates that trouble has occurred, the~~
24 ~~Telecommunicator shall act as follows:~~
- 25 ~~(A) — Take appropriate steps to repair the fault.~~
- 26 ~~(B) — Isolate the fault and notify the official responsible for maintenance if repair is not possible.~~
- 27 ~~(11) — Standard operating procedures shall include but not be limited to the following:~~
- 28 ~~(A) — All standardized procedures that the Telecommunicator is expected to perform without direct~~
29 ~~supervision.~~
- 30 ~~(B) — Implementation plan that meets the requirements of a formal plan to maintain and operate the backup~~
31 ~~PSAP.~~
- 32 ~~(C) — Procedures related to the CEMP.~~
- 33 ~~(D) — Emergency response personnel emergencies.~~
- 34 ~~(E) — Activation of an emergency distress function.~~
- 35 ~~(F) — Assignment of incident radio communications plan.~~
- 36 ~~(G) — Time limit for acknowledgment by units that have been dispatched.~~

1 ~~(12) Every PSAP shall have a comprehensive regional emergency communications plan as part of the~~
2 ~~CEMP.~~

3 ~~(A) The emergency communications plan shall provide for real time communications between~~
4 ~~organizations responding to the same emergency incident.~~

5 ~~(B) This emergency communications plan shall be exercised at least once a year.~~

6 ~~(C) In the event that an ERU has not acknowledged its dispatch/response within the time limits~~
7 ~~established by the PSAP, the Telecommunicator shall perform one or more of the following:~~

8 ~~(i) Attempt to contact the ERU(s) by radio~~

9 ~~(ii) Re dispatch the ERU (s) using the primary dispatch system~~

10 ~~(iii) Dispatch the ERU(s) using the secondary dispatch system~~

11 ~~(iv) Initiate two way communication with the ERU's supervisor~~

12 ~~(13) The PSAP shall develop and implement standard operating procedures for responding to and~~
13 ~~processing TDD /TTY calls.~~

14 ~~(14) Calls received as an open line or "silent call" shall be queried as a TDD/TTY call if no~~
15 ~~acknowledgment is received by voice.~~

16 ~~(e)~~ (b) Time.

17 (1) The clock for the main recordkeeping device in the PSAP shall be synchronized to ~~Coordinated~~
18 ~~Universal Time.~~ with all timekeeping devices in the 911 system.

19 (2) All timekeeping devices in the PSAP shall be maintained within ± 5 seconds of the main
20 recordkeeping device clock.

21 ~~(f)~~ (c) Recording.

22 (1) PSAPs shall have a logging voice recorder with one channel for each of the following:

23 (A) ~~Each transmitted~~ Transmitted or received emergency radio channel or talk ~~group.~~ group;

24 (B) ~~Each voice~~ Voice dispatch call for service ~~circuit.~~ circuit; and

25 (C) ~~Each~~ Telecommunicator telephone that receives emergency 911 calls for service.

26 (2) Each Telecommunicator ~~position~~ workstation shall have the ability to ~~instantly~~ recall telephone and
27 radio recordings from that ~~position.~~ workstation without delay.

28 (3) ~~Emergency~~ 911 calls that are transmitted over the required dispatch circuit(s) shall be automatically
29 recorded, including the dates and times of transmission.

30 ~~(g)~~ (d) Quality Assurance/Improvement.

31 (1) PSAPs shall establish a quality assurance/improvement ~~program~~ process to ensure the consistency
32 and effectiveness of ~~emergency~~ 911 call ~~processing.~~ taking.

33 (2) Statistical analysis of ~~emergency~~ 911 call ~~taking and dispatch performance measurements~~ shall be
34 completed monthly and compiled over a one ~~(1)~~ year ~~period.~~ period and retained as operational
35 records under Rule ~~.0215.~~ .0215 of this Section.

36
37 History Note: Authority G.S. ~~62A-42(a)(4), 62A-42(a)(4); 62A-46(3), 62A-46(e); 62A-46(a)(3);~~

1 09 NCAC 06C .0208 was published in 09 NCAC 06C .0207(c) in 29:24 NCR 2766-2783, and is adopted as 09 NCAC
2 06C .0208 with changes, as follows:

3
4 **09 NCAC 06C .0207 .0208 TELECOMMUNICATOR QUALIFICATIONS, TRAINING AND STAFFING**

5 ~~(a) Staffing.~~

6 ~~(1) (a)~~ There shall be sufficient ~~Telecommunicators~~ telecommunicators available to ~~effect the prompt~~
7 ~~receipt and processing of emergency~~ complete the call taking process for 911 calls ~~needed to~~
8 ~~meet the requirements as specified herein.~~

9 ~~(2)~~ After January 1, 2013 a minimum of two ~~(2) Telecommunicators~~ must be available at all times 24
10 hours per day, 7 days per week, 52 weeks per year to immediately receive and process emergency
11 911 calls.

12 ~~(3) (b)~~ Where communications systems, computer systems, staff, or facilities are used for both emergency
13 and non-emergency functions, the non-emergency use shall not ~~degrade or~~ delay ~~emergency~~ use of
14 those ~~resources.~~ resources for 911 operations.

15 ~~(A) (c)~~ A PSAP shall handle emergency 911 calls for service and completing the call taking
16 process dispatching in preference to ~~shall have priority above~~ nonemergency activities.

17 ~~(B) (d)~~ The PSAP and emergency response agencies shall develop written standard operating
18 procedures that identify when a dedicated Telecommunicator is required to be assigned to
19 an emergency incident. The PSAP shall provide standard operating procedures to its
20 telecommunicators.

21 ~~(4) (e)~~ Telecommunicators shall not be assigned any duties prohibiting them from ~~immediately~~ receiving
22 and processing emergency 911 calls for service and completing the call taking process in accordance
23 with ~~the time frame specified in Rule 06C.0209(a) of this Section and the PSAP standard Operating~~
24 ~~Procedures.~~ operating procedures.

25
26 *History Note:* Authority G.S. 62A-42(a)(4);
27 *Eff. July 1, 2016.*

1 09 NCAC 06C .0209 was published in 09 NCAC 06C .0207(d) in 29:24 NCR 2766-2783, and is adopted as 09 NCAC
2 06C .0209 with changes, as follows:

3
4 **09 NCAC 06C .0209 PSAP 911 CALL OPERATING PROCEDURES**

5 ~~(d) Operating Procedures.~~

6 ~~(1) (a)~~ Ninety ~~(90)~~ percent of ~~emergency~~ 911 calls received on emergency lines shall be answered within
7 ~~ten (10)~~ 10 seconds, and ~~ninety five (95)~~ 95 percent of ~~emergency~~ 911 calls received on emergency
8 lines shall be answered within ~~twenty (20)~~ 20 seconds. ~~Compliance with this Paragraph. The PSAP~~
9 ~~and the Board shall be evaluated~~ evaluate call answering times monthly by using data from the
10 previous month.

11 ~~(2)~~ The PSAP is required to provide pre arrival medical protocols as set forth by the North Carolina
12 Office of Emergency Services, Health and Human Services in the initial call reception or by the
13 responsible EMS provider on behalf of the primary answering point.

14 ~~(3)~~ For law enforcement purposes, the PSAP shall determine time frames allowed for completion of
15 dispatch.

16 ~~(4) (b)~~ When ~~emergency~~ 911 calls need to be transferred to another PSAP, the ~~Telecommunicator~~
17 ~~telecommunicator~~ will shall transfer the call without delay. The Telecommunicator ~~will shall~~ shall advise
18 the caller: “Please do not hang up; I am connecting you with ~~(name of the agency).~~” caller of the
19 transfer. The ~~Telecommunicator~~ ~~telecommunicator~~ should stay on the line until shall maintain the
20 call connection until it is certain that the transfer is complete and ~~verified.~~ verified by the agency
21 receiving the call transfer.

22 ~~(5)~~ The PSAP shall transfer calls for services as follows:

23 ~~(A)~~ The call for service shall be transferred directly to the Telecommunicator.

24 ~~(B)~~ The transferring agency shall remain on the line until it is certain that the transfer is
25 effected.

26 ~~(C)~~ The transfer procedure shall be used on emergency 911 calls.

27 ~~(6)~~ All calls for service, including requests for additional resources, shall be transmitted to the identified
28 Emergency Response Units over the required dispatch systems.

29 ~~(7) (c)~~ An indication of the status of all Emergency Response Units shall be available to
30 Telecommunicators at all times.

31 ~~(8)~~ Records of the dispatch of Emergency Response Units to call for services shall be maintained and
32 shall identify the following:

33 ~~(A)~~ Unit designation for each Emergency Response Unit (ERU) dispatched

34 ~~(B)~~ Time of dispatch acknowledgment by each ERU responding

35 ~~(C)~~ Enroute time of each ERU

36 ~~(D)~~ Time of arrival of each ERU at the scene

37 ~~(E)~~ Time of patient contact, if applicable

- 1 ~~(F) — Time each ERU is returned to service~~
- 2 ~~(9) — All emergency response agencies shall use common terminology and integrated incident~~
- 3 ~~communications.~~
- 4 ~~(10) — When the device monitoring the system for integrity indicates that trouble has occurred, the~~
- 5 ~~Telecommunicator shall act as follows:~~
- 6 ~~(A) — Take appropriate steps to repair the fault.~~
- 7 ~~(B) — Isolate the fault and notify the official responsible for maintenance if repair is not possible.~~
- 8 ~~(11) (d) The PSAP shall establish and maintain Standard standard operating procedures shall include but not~~
- 9 ~~be limited to the following: including:~~
- 10 ~~(A) (1) All standardized procedures~~ The procedures shall specify ~~that the Telecommunicator~~
- 11 ~~telecommunicator is expected to perform without direct supervision. supervision;~~
- 12 ~~(2) The procedures shall specify operations, facilities, and communications systems that~~
- 13 ~~receive 911 calls from the public;~~
- 14 ~~(B) (3) Implementation~~ An implementation plan that meets the requirements of a formal plan to
- 15 ~~maintain and operate the backup PSAP. for testing and fail-over operation to a back-up~~
- 16 ~~PSAP pursuant to Rule .0206 of this Section;~~
- 17 ~~(C) (4) Procedures related to the CEMP. CEMP~~ required in Rule .0205 of this Section;
- 18 ~~(D) (5) Emergency response personnel emergencies. emergencies;~~
- 19 ~~(E) (6) Activation of an emergency distress function. function;~~
- 20 ~~(F) (7) Assignment of incident radio communications plan. plan;~~
- 21 ~~(G) (8) Time limit for acknowledgment by units that have been dispatched. dispatched;~~
- 22 ~~(9) Responding to and processing TDD /TTY calls or other calls from hearing impaired callers;~~
- 23 ~~(10) Providing requirements for dispatching of appropriate emergency response personnel;~~
- 24 ~~(11) A policy that limits access to the PSAP to authorized personnel;~~
- 25 ~~(12) Procedures for answering open-line or "silent calls"; and~~
- 26 ~~(13) Maintaining training records for each employee required by the PSAP.~~
- 27 ~~(12) — Every PSAP shall have a comprehensive regional emergency communications plan as part of the~~
- 28 ~~CEMP.~~
- 29 ~~(A) — The emergency communications plan shall provide for real time communications between~~
- 30 ~~organizations responding to the same emergency incident.~~
- 31 ~~(B) — This emergency communications plan shall be exercised at least once a year.~~
- 32 ~~(C) — In the event that an ERU has not acknowledged its dispatch/response within the time limits~~
- 33 ~~established by the PSAP, the Telecommunicator shall perform one or more of the~~
- 34 ~~following:~~
- 35 ~~(i) — Attempt to contact the ERU(s) by radio~~
- 36 ~~(ii) — Re dispatch the ERU (s) using the primary dispatch system~~
- 37 ~~(iii) — Dispatch the ERU(s) using the secondary dispatch system~~

1 09 NCAC 06C .0210 was published as 09 NCAC 06C .0208 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC
2 06C .0210 with changes, as follows:

3
4 **09 NCAC 06C ~~.0208~~ .0210 PUBLIC SAFETY ANSWERING POINT (PSAP) FACILITIES**

5 ~~(a) General.~~

6 ~~(1) Any Primary PSAP, Backup PSAP, and Secondary PSAP that receives 911 Funds from the NC 911
7 Board shall comply with all NC 911 Board Rules.~~

8 ~~(2) (a) All 911 system equipment, software, and services used in the daily operation of the PSAP shall be
9 kept in working order at all times. implemented and maintained to ensure continuity of 911 call
10 taking.~~

11 ~~(3) The PSAP shall be provided with an alternate means of communication that is compatible with the
12 alternate means of communication provided at the Emergency Response Facilities (ERFs).~~

13 ~~(A) The alternate means of communication shall be readily available to the telecommunicator
14 in the event of failure of the primary communications system.~~

15 ~~(B) Telecommunicators shall be trained and capable of using the alternate means of
16 communication in the event of failure of the primary communications system.~~

17 ~~(4) Each PSAP shall maintain a Backup PSAP or have an arrangement for backup provided by another
18 PSAP. Agencies may also pool resources and create regional backup centers.~~

19 ~~(A) The Backup PSAP shall be capable, when staffed, of performing the emergency functions
20 performed at the primary PSAP.~~

21 ~~(B) The Backup PSAP shall be separated geographically from the primary PSAP at a distance
22 that ensures the survivability of the alternate center.~~

23 ~~(C) Each PSAP shall develop a formal written plan to maintain and operate the Backup PSAP
24 or if backup is provided by another PSAP a formal written plan that defines the duties and
25 responsibilities of the alternate PSAP.~~

26 ~~(i) The plan shall include the ability to reroute incoming emergency 911 call traffic
27 to the backup center and to process and dispatch emergency 911 calls at that
28 center.~~

29 ~~(ii) The plan shall be included in the Comprehensive Emergency Management Plan
30 (CEMP).~~

31 ~~(5) The PSAP shall be capable of continuous operation long enough to enable the transfer of operations
32 to the Backup PSAP in the event of an emergency in the PSAP or in the building that houses the
33 PSAP.~~

34 ~~(6) (1) Systems that are essential to the operation of the PSAP shall be designed to accommodate peak
35 workloads.~~

36 ~~(7) (2) PSAPs shall be designed to accommodate the staffing level necessary to operate the center as
37 required by the Rules set herein. accommodate peak workloads.~~

1 ~~(8) The design of the PSAP shall be based on the number of personnel needed to handle peak workloads~~
2 ~~as required by the Rules set herein.~~

3 ~~(9) Each PSAP shall have a written Comprehensive Emergency Management Plan (CEMP).~~

4 ~~(10) Emergency Fire Plan. There shall be a local management approved, written, dated, and annually~~
5 ~~tested emergency fire plan that is part of the CEMP.~~

6 ~~(11) Damage Control Plan. There shall be a local management approved, written, dated, and annually~~
7 ~~tested damage control plan that is part of the CEMP.~~

8 ~~(12) Backup Plan. There shall be a local management approved, written, dated, and annually tested~~
9 ~~backup PSAP plan that is part of the CEMP and approved by the NC 911 Board.~~

10 ~~(13) Penetrations into the PSAP shall be limited to those necessary for the operation of the center.~~

11 (b) ~~Power.~~ Primary and secondary power sources shall be determined by the PSAP including the following provisions:

12 (1) At least two independent and reliable power sources shall be provided, sources, one primary and
13 one secondary; secondary, shall be provided. ~~each~~ Each of which shall be of adequate capacity for
14 operation of the PSAP.

15 (2) Power sources shall be monitored for integrity, with annunciation provided in the operations room.

16 (3) Primary Power Source. One of the following shall supply primary power:

17 (A) A feed from a commercial utility distribution system;

18 (B) An engine-driven generator installation or equivalent designed for continuous operation,
19 ~~where with~~ a person specifically trained in its operation ~~is on duty~~ at all times; or

20 (C) An engine-driven generator installation or equivalent arranged for cogeneration with
21 commercial light and power, ~~where with~~ a person specifically trained in its operation ~~is on~~
22 ~~duty or available~~ at all times.

23 (4) Secondary Power Source.

24 (A) The secondary power source shall consist of one or more standby engine-driven generators.
25 The PSAP shall ensure that a person specifically trained in its operation is on duty or
26 available at all times.

27 (B) Upon failure of primary power, transfer to the standby source shall be automatic.

28 ~~(4)~~ (5) Engine-driven generators shall be sized to supply power for the operation of all functions of the
29 PSAP.

30 (A) When installed indoors, engine-driven generators shall be located in a ventilated and
31 secured area that is separated from the PSAP by fire barriers having a fire resistance rating
32 of at least two hours.

33 (B) When installed outdoors, engine-driven generators shall be located in a secure enclosure.

34 (C) The area that houses an engine-driven generator shall not be used for storage other than
35 spare parts or equipment related to the generator system.

36 (D) Fuel to operate the engine-driven generator for a minimum of 24 hours at full load shall be
37 available on site.

- 1 (E) Equipment essential to the operation of the generator shall be supplied with standby power
2 from the generator.
- 3 (F) Generators shall not use the public water supply for engine cooling.
- 4 ~~(5)~~ (6) A Stored Emergency Power Supply System (SEPSS) shall be provided for telecommunications
5 equipment, two-way radio systems, computer systems, and other electronic equipment determined
6 to be essential to the operation of the PSAP.
- 7 (A) The SEPSS shall be of a class that is able to maintain essential operations long enough to
8 implement the formal Comprehensive Emergency Management Plan.
- 9 (B) The instrumentation required to monitor power shall be remotely annunciated in the
10 operations room.
- 11 ~~(6)~~ (7) Power circuits shall include their associated motors, generators, rectifiers, transformers, fuses, and
12 controlling devices.
- 13 ~~(7)~~ (8) The power circuit disconnecting means shall be installed so that it is accessible only to authorized
14 personnel.
- 15 ~~(8)~~ (9) Surge Arresters otherwise known as Transient Voltage Surge Suppression (TVSS) shall be provided
16 for protection of telecommunications equipment, two-way radio systems, computers, and other
17 electronic equipment ~~determined to be~~ essential to the operation of the PSAP.
- 18 ~~(9)~~ (10) Isolated Grounding System. Telecommunications equipment, two-way radio systems, computers,
19 and other electronic equipment ~~determined to be~~ essential to the operation of the PSAP shall be
20 connected to an isolated grounding system.
- 21 (11) Uninterruptible Power Supply (UPS) and Battery Systems. A UPS and battery system shall be
22 installed in accordance with local, State, and the ~~Federal~~ federal safety regulations and be sufficient
23 to prevent power surges from damaging equipment in the PSAP as well as provide power for all
24 essential 911 Emergency Center operations until the backup power source can be fully activated.
- 25 (A) Each UPS shall be provided with a bypass switch that maintains the power connection
26 during switch over and that is capable of isolating all UPS components while allowing
27 power to flow from the source to the load.
- 28 (B) The following UPS conditions shall be annunciated in the operations room:
- 29 (i)——Source power failure, overvoltage, and under-voltage;
- 30 (ii)——High and low battery voltage; and
- 31 (iii)——UPS in bypass mode.
- 32 (C) The UPS and Battery Systems shall be capable of providing power for the PSAP when the
33 Primary Power Source is not functioning but the duration of the outage is not sufficient to
34 activate the Secondary Power Source.
- 35

36 *History Note: Authority G.S. 62A-42;*
37 *Eff. July 1, 2016.*

1 09 NCAC 06C .0211 was published as 09 NCAC 06C .0209 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC
2 06C .0211 with changes, as follows:

3

4 **09 NCAC 06C .0209 .0211 TELEPHONES**

5 ~~(a) Telephone Receiving Equipment. The provisions of this Rule shall apply to facilities and equipment that receive
6 emergency 911 calls transmitted by means of any voice communications service.~~

7 ~~(b) (a) Equipment and Operations.~~

8 (1) PSAPS shall be equipped with Telephone telephone lines and telephone devices ~~shall be provided~~
9 as follows:

10 (A) A minimum of two 911 ~~emergency~~ telephone lines and 911 ~~emergency~~ telephone devices
11 shall be assigned exclusively for receipt of ~~emergency~~ 911 calls. These lines shall appear
12 on at least two telephone devices within the PSAP.

13 (B) Additional 911 ~~emergency~~ telephone lines and 911 ~~emergency~~ telephone devices shall be
14 provided as ~~required~~ necessary for the volume of calls ~~handled~~. handled by the PSAP.

15 (C) Additional telephone lines shall be provided for the normal business (non-emergency) use
16 as needed.

17 (D) At least one outgoing-only line and telephone device shall be provided.

18 (2) 911 ~~emergency~~ lines and 911 ~~emergency~~ telephone devices ~~will~~ shall be answered prior to non-
19 emergency telephone lines and non-emergency telephone devices.

20 (3) When all 911 ~~emergency~~ telephone lines and 911 ~~emergency~~ telephone devices are in use,
21 ~~emergency~~ 911 calls shall ~~hunt~~ be routed to other predetermined telephone lines and telephone
22 devices that shall be monitored for integrity, and that are approved by the PSAP.

23 (4) Calls to the business number shall not hunt to the designated emergency lines.

24 (5) ~~When a PSAP receives an emergency 911 call for a location or an agency that is not in its~~
25 ~~jurisdiction,~~ When transferring a 911 call pursuant to Rule .0209(b) of this Section, the PSAP shall
26 transfer the call ~~directly~~ data to the ~~responsible designated~~ PSAP. PSAP when possible. ~~When~~
27 ~~possible the call data will be transferred with the emergency 911 call.~~ If the call transfer ~~method~~ is
28 not possible, call ~~information~~ data shall be relayed by the telecommunicator. ~~The telecommunicator~~
29 ~~shall remain on the line until it is certain that the transfer has been made and the originating~~
30 ~~telecommunicator verifies the transfer has been successfully completed by hearing both parties~~
31 ~~speaking to each other.~~

32 (6) All ~~911 emergency~~ 911 calls shall be recorded.

33 ~~(c)~~ (b) Circuits/Trunks.

34 (1) ~~At~~ PSAPS shall have at least two 911 call delivery paths with diverse routes arranged so that no
35 single incident interrupts both ~~routes shall be provided to each PSAP.~~ routes.

1 (2) Where multiple PSAPs that serve a jurisdiction are not located in a common facility, at least two
2 circuits with diverse routes, arranged so that no singular incident interrupts both routes, shall be
3 provided between PSAPs.

4 (3) The PSAP shall have sufficient 911 ~~emergency~~ trunk capacity to receive 99.9 percent of all calls
5 during the busiest hour of the average week of the busiest month of the year.

6 ~~(d) 911 Emergency Number Alternative Routing.~~

7 ~~(1) PSAPs shall maintain a written plan as part of the Comprehensive Emergency Management Plan~~
8 ~~(CEMP) for rerouting incoming calls on 911 emergency lines when the center is unable to accept~~
9 ~~such calls.~~

10 ~~(2) The PSAP shall practice this plan at least once annually.~~

11 ~~(3) Where overflow calls to 911 emergency telephone lines and emergency telephone devices are routed~~
12 ~~to alternative telephone lines and alternative telephone devices within the PSAP, the alternative~~
13 ~~telephone lines and alternative telephone devices shall be monitored for integrity and recorded as~~
14 ~~required by these Rules, and by the Board's standards, policies and procedures.~~

15
16 *History Note:* *Authority G.S. 62A-42;*
17 *Eff. July 1, 2016.*

1 09 NCAC 06C .0212 was published as 09 NCAC 06C .0210 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC
2 06C .0212 with changes, as follows:

3
4 **09 NCAC 06C ~~.0210~~ .0212 DISPATCHING SYSTEMS**

5 ~~(a) Fundamental Requirements of Emergency 911 call Dispatching Systems.~~

6 ~~(1) (a) An emergency~~ A 911 call dispatching system shall be designed, installed, operated, and maintained
7 to provide for the receipt and retransmission of calls.

8 ~~(2) (b) Telecommunicators who receive emergency~~ 911 calls shall have redundant means within the PSAP
9 premises to dispatch calls.

10 ~~(3) (c) The failure of any system component~~ of or one dispatching means shall not affect the operation of
11 the alternative another dispatching means and vice versa. means.

12 ~~(b) Primary dispatch paths and devices upon which transmission and receipt of emergency 911 calls depend shall be~~
13 ~~monitored constantly for integrity to provide prompt warning of trouble that impacts operation.~~

14 ~~(1) — Trouble signals shall actuate an audible device and a visual signal located at a constantly attended~~
15 ~~location.~~

16 ~~(2) — The audible alert trouble signals from the fault and failure monitoring mechanism shall be distinct~~
17 ~~from the audible alert emergency alarm signals.~~

18 ~~(3) — The audible trouble signal shall be permitted to be common to several monitored circuits and~~
19 ~~devices.~~

20 ~~(4) — A switch for silencing the audible trouble signal shall be permitted if the visual signal continues to~~
21 ~~operate until the silencing switch is restored to the designated normal position.~~

22 ~~(5) — Where dispatch systems use computer diagnostic software, monitoring of the primary dispatch~~
23 ~~circuit components shall be routed to a dedicated terminal(s) that meets the following requirements:~~

24 ~~(A) — It shall be located within the communications center; and~~

25 ~~(B) — It shall not be used for routine dispatch activities.~~

26 ~~(c) The radio communications system shall be monitored in the following ways:~~

27 ~~(1) — Monitoring for integrity shall detect faults and failures in the radio communications system; and~~

28 ~~(2) — Detected faults and failures in the radio communications system shall cause audible or visual~~
29 ~~indications to be provided within the PSAP.~~

30
31 *History Note: Authority G.S. 62A-42;*

32 *Eff. July 1, 2016.*

1 09 NCAC 06C .0213 was published as 09 NCAC 06C .0211 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC
2 06C .0213 with changes, as follows:

3

4 **09 NCAC 06C ~~.0211~~ .0213 COMPUTER AIDED DISPATCHING (CAD) SYSTEMS**

5 (a) ~~General.~~

6 (+) PSAPs shall use ~~Computer-aided~~ computer-aided dispatching (CAD) systems. ~~These systems shall~~
7 ~~conform to the Rules in this Section.~~

8 (+) The CAD system shall contain all hardware and software components necessary for interface with
9 the 911 system.

10 (1) The CAD system shall include data entry; resource recommendations, notification, and tracking;
11 store records relating to all 911 calls and all other calls for service and status changes; and track
12 those resources before, during, and after emergency calls, preserving records of those 911 calls and
13 status changes for later analysis by the PSAP.

14 (g) ~~Backup.~~

15 (+) (2) The CAD system shall include a data backup system, utilizing either removable media or
16 independent disk storage arrays dedicated to the backup ~~task.~~ task and additional equipment as
17 needed, as determined by the PSAP.

18 (h) ~~Redundancy.~~

19 (+) (3) The failure of any single component shall not disable the entire system.

20 (A) The CAD system shall provide automatic switchover in case of failure of the required
21 system component(s).

22 (B) Manual intervention by telecommunicators or others shall not be required.

23 (C) Notwithstanding automatic switchover, the CAD system shall provide the capability to
24 manually initiate switchover.

25 (D) CAD ~~Systems~~ systems that utilize server and workstation configuration shall accomplish
26 automatic switchover by having a duplicate server available with access to all the data
27 necessary and required to restart at the point where the primary server stopped.

28 (E) CAD ~~Systems~~ systems that utilize distributed processing, with workstations in the
29 operations room also providing the call processing functions, shall be considered to meet
30 the requirements of automatic switchover, as long as all such workstations are ~~continually~~
31 continuously sharing data and all data necessary to pick up at the point where the failed
32 workstation stopped are available to all other designated dispatch workstations.

33 (2) ~~Monitoring for Integrity.~~

34 (+) (4) The system shall continuously monitor the CAD interfaces for equipment failures, device
35 exceptions, and time-outs.

- 1 ~~(B)~~ ~~The system shall, upon~~ Upon detection of faults or failures, the system shall send an
2 appropriate message consisting of visual and audible ~~indications.~~ indications to personnel
3 designated by the PSAP.
- 4 ~~(3)~~ ~~The system shall provide~~ A a log of system messages and ~~transactions.~~ transactions shall be
5 generated and maintained as determined by the PSAP.
- 6 ~~(4)~~ ~~A spare display screen, pointing device, and keyboard shall be available in the PSAP for immediate~~
7 ~~change-out.~~
- 8 ~~(b) Secondary Method.~~
- 9 ~~(1) (b)~~ ~~A PSAPS shall maintain a~~ secondary CAD ~~method shall be provided and shall be available~~ for use
10 in the event of a failure of the CAD system.
- 11 ~~(c) Security.~~
- 12 ~~(1)~~ ~~CAD systems shall utilize different levels of security to restrict unauthorized access to sensitive and~~
13 ~~critical information, programs, and operating system functions.~~
- 14 ~~(2)~~ ~~The PSAP shall have the ability to control user and supervisor access to the various security levels.~~
- 15 ~~(3)~~ ~~Physical access to the CAD system hardware shall be limited to authorized personnel as determined~~
16 ~~by the PSAP.~~
- 17 ~~(4) (c)~~ ~~Operation of the CAD system software shall be limited to authorized personnel by log-on/password~~
18 ~~control, workstation limitations, or other means as required by the PSAP.~~
- 19 ~~(5) (d)~~ ~~The PSAP shall provide network isolation necessary to preserve bandwidth~~ capacity for the efficient
20 operation of the CAD system and processing of ~~emergency~~ 911 calls.
- 21 ~~(A)~~ ~~The CAD system shall provide measures to prevent denial of service attacks and any other~~
22 ~~undesired access to the CAD portion of the network.~~
- 23 ~~(B)~~ ~~The CAD system shall employ antivirus software where necessary to protect the system~~
24 ~~from infection.~~
- 25 ~~(d) Emergency 911 call Data Exchange.~~
- 26 ~~(1) (e)~~ ~~The CAD system should~~ shall have the capability to allow ~~emergency~~ 911 call data exchange
27 between the CAD system and other CAD ~~systems.~~ systems, and between the CAD system and other
28 systems.
- 29 ~~(2)~~ ~~The CAD system should have the capability to allow data exchange between the CAD system and~~
30 ~~other systems.~~
- 31 ~~(e) CAD Capabilities.~~
- 32 ~~(1)~~ ~~The installation of a CAD system in emergency service dispatching shall not negate the~~
33 ~~requirements for a secondary dispatch circuit.~~
- 34 ~~(2)~~ ~~The PSAP shall provide software that is for or part of the CAD system that will provide data entry;~~
35 ~~resource recommendations, notification, and tracking; store records relating to all emergency 911~~
36 ~~calls and all other calls for service and status changes; and track those resources before, during, and~~

1 after emergency calls, preserving records of those emergency 911 calls and status changes for later
2 analysis.

3 (A) ~~— The PSAP shall put in place safeguards to preserve the operation, sustainability, and~~
4 ~~maintainability of all elements of the CAD system in the event of the demise or default of~~
5 ~~the CAD supplier.~~

6 (B) ~~— The system applications shall function under the overall control of a standard operating~~
7 ~~system that includes support functions and features as required by the PSAP.~~

8 (f) ~~Computer Aided Dispatch (CAD) CAD Performance configurations shall include:~~

9 (1) ~~The CAD system shall recommend~~ Recommending units for assignment to calls.

10 (A) ~~The CAD system shall ensure~~ Ensuring that the optimum response units are selected.

11 (B) ~~The CAD system shall allow~~ Allowing the telecommunicator to override the CAD
12 recommendation for unit assignment.

13 (C) The CAD system shall have the ability to prioritize all system processes so that emergency
14 operations take precedence.

15 (2) ~~The CAD system shall detect~~ Detecting and reporting errors, faults or failures.

16 (A) ~~— The CAD system shall automatically perform all required reconfiguration as a result of~~
17 ~~errors, faults or failures.~~

18 (B) ~~— The CAD system shall queue a notification message to the supervisor and any designated~~
19 ~~telecommunicator positions.~~

20 (3) ~~— Under all conditions, the CAD system response time shall not exceed 2 seconds, measured from the~~
21 ~~time a telecommunicator completes a keyboard entry to the time of full display of the system~~
22 ~~response at any position where a response is required.~~

23 (4) ~~— The CAD system shall be available and fully functional 99.95 percent of the time, excluding planned~~
24 ~~maintenance.~~

25 (5) (3) The CAD system shall include automatic power-fail recovery capability.

26
27 *History Note: Authority G.S. 62A-42;*
28 *Eff. July 1, 2016.*

1 09 NCAC 06C .0214 was published as 09 NCAC 06C .0212 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC
2 06C .0214 with changes, as follows:

3

4 **09 NCAC 06C ~~.0212~~ .0214 TESTING**

5 (a) ~~General.~~

6 (1) Tests and inspections of all systems necessary for receiving 911 calls and completing the call taking
7 process shall be made at the ~~regular intervals.~~ intervals specified in a PSAP standard operating
8 procedures conforming to Rules .0207, .0209, and .0210 of this Section.

9 (2) (b) All equipment shall be restored to operating condition after each test or ~~emergency~~ 911 call for
10 which the equipment functioned.

11 (3) (c) When tests ~~indicate that trouble has occurred~~ detect failure or poor performance anywhere on the
12 system, ~~one of the following shall be required:~~ the PSAP shall

13 (A) ~~The telecommunicator shall take appropriate steps within their scope of training to repair the fault.~~
14 or isolate the failure or poor performance ~~fault~~ and ~~to~~ notify the person(s) responsible for
15 ~~repair/maintenance.~~ repair or maintenance.

16 (B) ~~If repair is not possible, action shall be taken to isolate the fault and to notify the person(s)~~
17 ~~responsible for repair/maintenance.~~

18 (4) ~~Procedures that are required by other parties and that exceed the requirements of these rules shall~~
19 ~~be permitted.~~

20 (5) ~~The requirements of this Section shall apply to both new and existing systems.~~

21 (b) ~~Acceptance Testing.~~

22 (1) ~~New equipment shall be provided with operation manuals that cover all operations and testing~~
23 ~~procedures.~~

24 (2) (d) All ~~functions~~ of new equipment shall be tested in accordance with the manufacturers' specifications
25 and accepted PSAP practices before being placed in service. PSAPs shall provide equipment operation
26 manuals for operations and testing procedures to PSAP personnel.

27 (c) ~~Power.~~

28 (1) ~~Emergency and standby power systems shall be tested in accordance with the manufacturer's~~
29 ~~specifications and accepted business practices.~~

30

31 *History Note:* Authority G.S. 62A-42;

32 *Eff. July 1, 2016.*

1 09 NCAC 06C .0215 was published as 09 NCAC 06C .0213 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC
2 06C .0215 with changes, as follows:

3
4 **09 NCAC 06C ~~.0213~~ .0215 RECORDS**

5 (a) ~~General.~~

6 ~~(1) Complete PSAPs shall maintain records to ensure operational capability of all system functions for~~
7 ~~at least five years.~~

8 (b) ~~Acceptance Test Records and As-Built Drawings.~~ After completion of acceptance tests, the ~~following shall be~~
9 ~~provided.~~ PSAP shall retain:

- 10 (1) A set of reproducible, as-built installation drawings;
11 (2) Operation and maintenance manuals;
12 (3) Written sequence of operation; and
13 (4) Results of all operational tests and values at the time of installation.

14 (c) ~~Electronic Records.~~

15 ~~(1) PSAPS shall have For software-based systems, access to site-specific software for software-based~~
16 ~~systems systems. shall be provided to the PSAP.~~

17 ~~(2) The PSAP shall be responsible for maintaining the records for the life of the system.~~

18 ~~(3) Paper or electronic media shall be permitted.~~

19 (d) ~~Training Records.~~

20 ~~(1) Training records shall be maintained for each employee as required by the PSAP.~~

21 (e) (d) Operational Records.

- 22 (1) Call and dispatch performance statistics shall be compiled and ~~maintained.~~ maintained by the PSAP.
23 (2) Statistical analysis for call and dispatch performance measurement shall be done monthly and
24 compiled over a one ~~(1)~~ year period.

25 ~~(i)~~ A management information system (MIS) program shall track incoming ~~emergency~~ 911
26 ~~calls and dispatched emergency 911 calls and provide real-time information and strategic~~
27 ~~management reports.~~

28 (3) Records of the following, including the corresponding dates and times, shall be kept:

- 29 (i) Test, ~~emergency~~ 911 call, and dispatch signals;
30 (ii) Circuit interruptions and observations or reports of equipment failures; and
31 (iii) Abnormal or defective circuit conditions indicated by test or inspection.

32 (e) Maintenance Records.

33 (1) Records of maintenance, both routine and emergency, shall be kept for all ~~emergency~~ 911 call
34 receiving equipment and ~~emergency~~ 911 call dispatching equipment.

35 (2) All maintenance records shall include the date, time, nature of maintenance, and repairer's name and
36 affiliation.

- 1 *History Note: Authority G.S. 62A-42;*
- 2 *Eff. July 1, 2016.*

1 09 NCAC 06C .0216 is adopted.

2

3 **09 NCAC 06C .0216 ASSESSING PSAP OPERATIONS**

4 (a) The Board shall conduct reviews of PSAP operations to determine whether a PSAP meets Section .0200 of these
5 Rules. Reviews shall be conducted by at least two persons selected by the Board based on knowledge and experience
6 relating to 911 systems and PSAP operations. The Board shall provide notice to a PSAP at least 90 days in advance
7 of a review. The notice shall include the scope of the review and shall identify the reviewers.

8 (b) A written report shall be provided to a PSAP within seven calendar days of the date of review. The report shall
9 state any deficiencies that identify a failure to fulfill Section .0200 of these Rules.

10 (c) The report shall include procedures to remediate deficiencies.

11

12 *History Note: Authority G.S. 62A-42(a)(4); 62A-42(a)(5);*

13 *Eff. July 1, 2016.*

1 09 NCAC 06C .0301 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

2
3 **SECTION .0300 – COMMERCIAL MOBILE RADIO SERVICE (CMRS) PROVIDERS**

4
5 **09 NCAC 06C .0301 REGISTRATION OF CMRS SERVICE PROVIDERS**

6 (a) ~~CMRS Service Providers, service providers or any reseller~~ resellers of any ~~commercial mobile radio service, which~~
7 CMRS that receive authority to serve any area within the State of North Carolina, shall register with the Board within
8 30 calendar days of the later of receiving authority to operate, or of beginning operations, in North Carolina.

9 (b) Such registration shall be filed with the Commission’s Executive Secretary and shall include the following
10 information:

- 11 (1) ~~Legal~~ The legal name of CMRS ~~Service Provider, service provider;~~
12 (2) All business names used by the CMRS ~~Service Provider~~ service provider in North Carolina;
13 (3) ~~Name,~~ The name, title, mailing address, telephone number, fax number, and email address (if
14 available) of the person to be contacted regarding 911 matters;
15 (4) A listing of all areas in which the CMRS ~~Service Provider~~ service provider is authorized to serve
16 any portion of North Carolina; and
17 (5) The FCC filer ID and FCC Registration Number of the CMRS service provider.

18 (c) Changes to any of the ~~above listed~~ information required by Paragraph (b) of this Rule shall be filed with the
19 Board's Executive Director within 30 calendar days of the effective date of such change(s). This filing requirement
20 includes providing notice to the Board's Executive Director of any and all mergers, divestitures, acquisitions, or other
21 similar actions affecting North Carolina service areas.

22
23 *History note: Authority: G.S. ~~62A-42;~~ 62A-42(a)(9); 62A-45; 62A-49; Part 20, Title 47 Code of Federal
24 Regulations;
25 Eff. July 1, 2016.*

1 09 NCAC 06C .0302 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

2
3 **09 NCAC 06C .0302 CMRS SERVICE PROVIDER REIMBURSEMENT PLANS**

4 (a) Any CMRS service provider desiring reimbursement of eligible expenses from the 911 Fund shall prepare and
5 submit a ~~detailed~~ cost recovery plan to the Board. Plans shall be reviewed by Board staff and any committee
6 established by the Board for such purpose. ~~Confidential information shall not be publicly disclosed.~~ To provide the
7 Board adequate information to make ~~an~~ its decision, CMRS service providers seeking reimbursement shall:

8 (1) Upon receipt of a request for wireless ~~E911~~ Enhanced 911 service from a primary PSAP, the CMRS
9 service provider shall develop an ~~implementation~~ cost recovery plan (the ~~Plan, plan,~~ as described in
10 Paragraph (b) of this Rule) for that PSAP, or the appropriate service area if the CMRS service
11 provider serves more than one PSAP; and

12 (2) The relevant portions of the ~~Plan, plan,~~ excluding confidential information, ~~will~~ shall be presented
13 to the requesting PSAP. Upon acceptance of the ~~Plan plan~~ by the PSAP, the CMRS service provider
14 ~~will~~ shall present the Plan to the Board for approval.

15 (b) The ~~Cost Recovery Plan~~ cost recovery plan shall:

16 (1) Describe the chosen technology or technologies used for delivery of calls to the PSAP (SS7
17 solutions, LEC solution, third party service bureau, etc.);

18 (2) Describe the architecture to implement the chosen technology(s) in areas or for PSAPs that have
19 requested wireless or enhanced wireless 911 services, within the ~~CMRS Service Provider's service~~
20 provider's service areas, or statewide, as may be appropriate and relevant to the cost recovery ~~plan.~~
21 plan;

22 (3) Indicate all counties ~~and/or~~ and municipalities of the ~~state~~ State in which the ~~CMRS Service Provider~~
23 service provider provides wireless ~~E911~~ Enhanced 911 service and where deployment is ~~expected.~~
24 expected;

25 (4) Indicate areas of the ~~state,~~ State, if any, where deployment has already occurred;

26 (3) (5) List the known cost elements for the deployment, including non-recurring and recurring charges;

27 (6) Provide statewide costs, if possible;

28 (4) (7) Describe personnel costs (estimated number of hours and rates) and actual or proposed third party
29 service rates, if any; and

30 (5) ~~If cost recovery is proposed on a monthly "per subscriber" rate, indicate the amount and describe~~
31 ~~the manner in which the rate was calculated.~~

32 (5) (8) Include an accounting of the estimated total of service charges that the ~~CMRS Service Provider~~
33 service provider expects to remit to the Board as of the anticipated date of the first sworn invoice.
34 Include an estimate of the anticipated monthly service charge remittances for the subsequent 12
35 months and the anticipated sworn invoices for the same period.

36 (c) If any CMRS service provider believes that it can justify an exception to ~~these CMRS Service Provider 911~~
37 Recovery Procedures or to any decision of the ~~911 Board pursuant to these procedures,~~ this Rule, it may submit its

1 request and documentation supporting its request to the Board at least ~~fifteen~~ 15 days prior to the Board's next
2 scheduled meeting. The Board ~~will~~ shall consider the exception request at its next scheduled meeting and shall convey
3 its decision in writing to the requesting CMRS service provider.

4 ~~Note: A list of one time and recurring costs include: Trunk costs comprising Trunking and Connection fee to 911~~
5 ~~Selective Router (per DSO): engineering and network costs comprising facilities; T-1s selective router ports; routing~~
6 ~~charges; operations; engineering; switch upgrades; research and development; network design; test plan development;~~
7 ~~and database costs comprising P-ANI administration; database management and reporting/software.~~

8

9 *History note: Authority G.S. 62A-45; 62A-52;*

10 *Eff. July 1, 2016.*

1 09 NCAC 6C .0303 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

2

3 **09 NCAC 06C .0303 COST RECOVERY PLAN REVIEW**

4 (a) ~~The Board may establish a committee to review CMRS Service Providers' service providers' cost recovery plans.~~
5 plans shall be reviewed by the Executive Director or by a cost recovery committee established by the Board.

6 (b) Any committee ~~will~~ may include the Board's Executive Director, ~~chairperson~~ Chairperson (or his or her designee),
7 the Board's auditor or financial advisor, and one or more Board members who are familiar with the technical aspects
8 of Enhanced 911 Systems. Board members representing CMRS ~~Service Providers~~ service providers cannot be
9 members of this committee.

10 (1) The initial plan presented to the ~~Cost Recovery~~ cost recovery committee ~~is~~ shall be intended to allow
11 for the recovery of a CMRS service provider's cost on a one-time basis ~~and/or~~ or recurring (monthly)
12 basis. The Board ~~may create~~ shall publish on its website <https://www.nc911.nc.gov> and periodically
13 revise a list of ~~permitted~~ approved expenditures consistent with G.S. 62A-45.

14 (2) The cost recovery committee ~~will~~ shall review the proposed cost recovery plan to determine whether
15 the cost and expense items are commercially reasonable.

16 (3) The cost recovery committee ~~will~~ shall refer the proposed cost recovery plan to the Board with a
17 recommendation that it either be approved or rejected. If the recommendation is ~~for rejection,~~ to
18 reject the plan, the cost recovery committee ~~will~~ shall provide the reason, in writing, to both the
19 Board and the CMRS ~~Service Provider~~ service provider. The ~~subcommittee~~ cost recovery
20 committee shall indicate whether the Plan complies with the limitations of G.S. 62A-45(a).

21 (c) After completion of the cost recovery plan review ~~review,~~ by the committee, the CMRS service provider ~~will~~ shall
22 present the plan to the Board at its next regular meeting. Information deemed confidential or proprietary by a CMRS
23 service provider as described in G.S. 62A-52 shall not be presented in a public meeting. The Board ~~will~~ shall not
24 approve reimbursement of any amount in excess of the actual cost of the CMRS service provider in providing
25 Enhanced 911. The Board ~~will~~ shall vote on the plan and provide the CMRS service provider, in writing and within
26 five working business days, either approval or denial. If rejected, the Board ~~will~~ shall provide documented ~~reasons.~~
27 reasons in writing. The CMRS service provider may revise and resubmit its plan at subsequent meetings.

28 (d) Once a cost recovery plan is approved, the CMRS service provider may file claims for reimbursement. One-time
29 costs, if any, ~~will~~ shall be reimbursed upon submission of sworn invoices. Reimbursements shall be made in
30 accordance with the approved plan. ~~The amount of reimbursement that the CMRS Service Provider is entitled to~~
31 ~~receive on a recurring costs basis may be calculated as follows, or by other method approved by the Board upon~~
32 ~~request of a CMRS Service Provider:~~

33 (1) ~~by multiplying the number of CMRS subscribers receiving wireless Enhanced 911 service as~~
34 ~~reported by the CMRS Service Provider prior to its request for reimbursement, by the amount~~
35 ~~authorized per subscriber for cost recovery by the Board. CMRS Service Providers will be required~~
36 ~~to report their subscriber counts no less than once per quarter. The dollar amount paid to the CMRS~~

1 ~~Service Provider will vary based on total number of subscribers reported by the CMRS Service~~
2 ~~Provider or~~

3 ~~(2) by submission of the actual or estimated recurring costs incurred by the CMRS Service Provider~~
4 ~~and approved by the board. If the estimated costs are submitted, these costs must be corrected by~~
5 ~~comparison with actual costs not less than annually; or,~~

6 ~~(3) by a combination of the methods above.~~

7 (e) The Board may require ~~periodic~~ review and approval of a CMRS service provider's plan, but no more often than
8 once per calendar year. After the initial one-year approval period has expired, presentation of a plan for re-approval
9 may be in writing or in person if the ~~Cost Recovery Subcommittee~~ cost recovery committee or Board requires. Board
10 approval shall be as provided in (b) of this Rule.

11 (f) Once a plan is approved, changes to the plan ~~must~~ shall be submitted in writing and approved by the Board. A
12 CMRS service provider may request an adjustment of the reimbursement rate at any time upon written notice to the
13 Board. ~~Proper justification will be required.~~ Board approval shall be as provided in (b) of this Rule.

14

15 *History Note: Authority G.S. 62A-45;*

16 *Eff. July 1, 2016.*

1 09 NCAC 06C .0304 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

2

3 **09 NCAC 06C .0304 CMRS SERVICE PROVIDER REIMBURSEMENT**

4 (a) Sworn invoices ~~must~~ shall be attested to by ~~an authorized agent of a person having authority to~~ represent the
5 CMRS ~~Service Provider~~. service provider. Only costs which comport with an approved Plan are eligible for cost
6 recovery. Costs may be the actual incurred costs of the CMRS ~~Service Provider~~, service provider, an estimate of the
7 incurred costs, or the approved rate per subscriber multiplied by the actual subscriber count. If estimated costs are
8 used, ~~the~~ CMRS ~~Service Provider~~ service provider ~~must~~ shall annually true up its costs to ensure that over-recovery
9 does not occur. CMRS ~~Service Providers~~ service providers shall maintain records consistent with Generally Accepted
10 Accounting Principles as applied by the provider to demonstrate that costs were actually incurred as invoiced. Internal
11 costs (engineering time, facilities, proportionate share of software, etc.) shall be supported by ~~reasonable~~
12 documentation. All costs are subject to audit review by the Board.

13 (b) A CMRS ~~Service Provider~~ service provider may be reimbursed for actual one-time costs incurred for their selected
14 ~~E911 Enhanced 911~~ solution prior to the Board's approval of a CMRS ~~Service Provider's~~ service provider's ~~Cost~~
15 ~~Recovery Plan~~ cost recovery plan upon authorization of the Board's ~~Chair~~ Chairperson and Executive Director. As a
16 condition of such reimbursement, the CMRS ~~Service Provider~~ service provider shall sign an agreement stating that if
17 a mistake in reimbursement is made, the CMRS ~~Service Provider~~ service provider ~~will~~ shall refund any amounts
18 determined by the ~~board~~ Board to be mistakenly distributed.

19 (c) CMRS ~~Service Providers~~ service providers shall not be reimbursed in excess of actual and approved costs.

20

21 *History note: Authority G.S. 62A-45;*

22 *Eff. July 1, 2016.*

1 09 NCAC 06C .0305 was published as 09 NCAC 06C .0306 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC
2 06C .0305 with changes, as follows:

3

4 **09 NCAC 06C ~~.0306~~ .0305** **REMITTANCE OF SERVICE CHARGES**

5 (a) Service providers shall remit service charges to the 911 Board at the address listed in Rule .0102 of this Subchapter.

6

911 Board

7

Information Technology Services

8

P.O. Box 17209

9

Raleigh, NC 27619 7209

10 (b) Service providers may remit funds by check payable to the Board, or by electronic funds transfer upon satisfaction
11 of transaction processing requirements.

12 (c) Voice communications service providers that assess the service charge to resellers of their services shall remit
13 such service charges to the Board.

14 (d) The ~~Office~~ Department of Information Technology Services (ITS) Fiscal Services ~~will~~ shall act as the receiving
15 agent for the ~~Service Providers'~~ service providers' monthly reimbursements and as the administrator of the 911 Fund.

16 ~~(e) Funds shall be deposited in accordance with the State Cash Management Plan.~~

17

18 *History note: Authority G.S. 62A-43; 147-86.11;*

19 *Eff. July 1, 2016.*

1 09 NCAC 06C .0306 was published as 09 NCAC 06C .0307 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC
2 06C .0306 with changes, as follows:

3

4 **09 NCAC 06C ~~.0307~~ .0306 PREPAID WIRELESS SERVICE**

5 ~~(a) A Reseller of wireless services is not responsible for collecting and remitting the service charge if such Reseller's~~
6 ~~voice communication service supplier remits the appropriate service charges for the wireless services resold by such~~
7 ~~Reseller.~~

8 ~~(b) A Reseller of wireless services shall give notice to the Board if the service charges will be remitted to the Board~~
9 ~~by such Reseller's voice communication service supplier(s). Notice shall include the identity of the voice~~
10 ~~communication service supplier(s), the contract(s) or other document(s) together with information as may be necessary~~
11 ~~or proper to calculate the appropriate service charge, and such other information as may be required by the Board.~~

12 (a) A voice communications service provider of prepaid wireless service is not eligible for reimbursements to CMRS
13 providers.

14 ~~(c) A Reseller of wireless services that does not remit service charges is not eligible for reimbursement under G.S.~~
15 ~~62A-45.~~

16 (b) Rules .0109 through .0114 of this Chapter governing hearings and declaratory rulings shall not apply to a voice
17 communications service provider of prepaid wireless service for issues arising under the administration authority of
18 the Department of Revenue.

19 (c) Contract or other information submitted to the Board by a voice communications service provider of prepaid
20 wireless service may be proprietary under G.S. 62A-52. Service providers shall mark any proprietary or other non-
21 public information as such before sending to the Board. Any confidential information shall be marked accordingly
22 prior to delivery to the Board.

23

24 *History Note: Authority G.S. 62A-43; 62A-44; 62A-52; 62A-54;*
25 *Eff. July 1, 2016.*

1 09 NCAC 06C .0401 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

2
3 **SECTION .0400 – GRANT FUND**

4
5 **09 NCAC 06C .0401 PSAP GRANTS**

6 (a) ~~After establishing a Grant Account,~~ When there are funds available, the Board shall publish a notice on its website,
7 as set forth in 06C .0102, of grant availability to primary PSAPs and governing entities operating primary PSAPs.

8 (b) Any primary PSAP or the governing entity operating a primary PSAP may apply for a grant.

9 (c) Each applicant applying for grant funds shall complete and submit an ~~application, in the form prescribed by the~~
10 ~~Board, which is incorporated herein by reference and~~ application which that may be obtained from the Board office
11 or from the Board website at the following address as set forth in 06C .0102.

12 ~~c/o NC Office of Information Technology Services~~

13 ~~P.O. Box 17209~~

14 ~~Raleigh, NC 27609~~

15 (d) The Board shall accept grant applications as stated in the Board’s published notice of grant availability. Grant
16 applications submitted that do not conform to the Board’s published requirements may be considered at the discretion
17 of the Board, provided that ~~Grant grant~~ funds are not exhausted by conforming grant applications and the non-
18 conforming grant applications satisfy G.S. 62A-47.

19 (e) Applications for grants for each item over \$25,000 shall be accompanied by at least three written competitive
20 quotes. The Board shall compare the three quotes to any existing ~~state~~ State contract in order to determine appropriate
21 funding.

22
23 *History note: Authority G.S. 62A-47;*

24 *Eff. July 1, 2016.*

1 09 NCAC 06C .0402 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

2

3 **09 NCAC 06C .0402 GRANTS FOR CONSTRUCTION OR RENOVATION**

4 (a) ~~General.~~

5 (1) ~~As a condition for receipt of a grant from the North Carolina 911 Board for any type of new~~
6 ~~construction or for a renovation of an existing structure and/or facility incorporated into the~~
7 ~~construction agreement(s) shall be the following requirements.~~

8 (2) The requirements in this ~~Section, Rule, PSAP Grants for Construction, Construction or Renovation,~~
9 shall apply only to new construction and construction renovations of an existing structure or facility
10 funded by the North Carolina 911 Board. ~~Existing PSAP facilities are encouraged to meet these~~
11 ~~rules, but are not required to meet these rules. PSAPs receiving grants for construction or renovation~~
12 shall ensure compliance with the provisions of this Rule.

13 (b) HVAC.

14 (1) HVAC systems shall be designed to maintain temperature and relative humidity within limits
15 specified by the manufacturer of the equipment critical to the operation of the PSAP.

16 (2) HVAC systems shall be independent systems that serve only the PSAP.

17 (3) HVAC system intakes for fresh air shall be arranged to minimize smoke intake from a fire inside or
18 outside the building and to resist intentional introduction of irritating, noxious, toxic, or poisonous
19 substances into the HVAC system.

20 (4) HVAC emergency controls shall be provided in the operations room to permit closing of outside air
21 intakes.

22 (5) ~~Backup~~ Back-up HVAC systems shall be provided for the operations room and other spaces housing
23 electronic equipment essential to the operation of the PSAP.

24 (6) HVAC systems shall be designed so that the PSAP is capable of uninterrupted operation with the
25 largest single HVAC unit or component out of service.

26 (c) Fire Protection.

27 (1) The PSAP and spaces adjoining the PSAP shall be provided with an automatic fire detection, alarm,
28 and notification system.

29 (2) The alarm system shall be monitored in the operations room.

30 (3) Operation of notification appliances shall not interfere with communications operations.

31 (4) Electronic computer and data processing equipment shall be protected in accordance with the
32 manufacturer's recommended specifications, and common business practices.

33 (d) Security.

34 (1) The PSAP and other buildings that house essential operating equipment shall be protected against
35 damage from vandalism, terrorism, and civil disturbances.

36 (2) Entry to the PSAP shall be restricted to authorized persons.

- 1 (3) ~~Exterior Entryways~~ entryways to the PSAP that lead directly from the exterior shall be protected by
 2 have a security vestibule. “Security Vestibule” means comprising a compartment with two or more
 3 doors to prevent unobstructed passage by allowing the release of only one door at a time.
- 4 (4) Door openings shall be protected by listed, self-closing fire doors that have a fire resistance rating
 5 of not less than 1 hour.
- 6 (5) Where a PSAP has windows, the following requirements shall apply:
- 7 (A) Windows shall be a minimum of 4 ft (1.2 m) above floor level.
- 8 (B) Windows shall be rated for bullet resistance to Level 4 as defined in UL 752, Standard for
 9 Safety Bullet-Resistant ~~Equipment~~ Equipment, which is hereby incorporated by reference,
 10 including subsequent amendments and editions. This may be accessed at no cost at
 11 <http://ulstandards.ul.com/standard/?id=752>.
- 12 (C) Windows that are not bullet resistant shall be permitted provided that they face an area that
 13 cannot be accessed or viewed by the general public.
- 14 (D) Windows that are required to be bullet resistant shall be configured so that they cannot be
 15 opened.
- 16 (E) Walls with bullet-resistant windows shall be required to provide the same level of
 17 protection as the window.
- 18 (6) Means shall be provided to prevent unauthorized vehicles from approaching the building housing
 19 the PSAP to a distance of no less than 82 ft (25 m).
- 20 ~~(7) As an alternative to prevent~~ Alternatively, unauthorized vehicles, unauthorized vehicles shall be
 21 permitted to approach closer than 82 ft (25 m) if the building has been designed to be blast resistant.

22 (e) Lighting.

- 23 (1) Artificial lighting shall be provided to enable personnel to perform their assigned duties.
- 24 (2) ~~Emergency Lighting.~~ The PSAP shall be equipped with emergency lighting that shall illuminate
 25 automatically immediately upon failure of normal lighting power.
- 26 (3) Illumination levels shall be sufficient to allow all essential operations.

27 (f) Circuit Construction and Arrangement.

- 28 (1) As-built drawings shall be provided.
- 29 (2) Circuits shall not pass over, ~~pass~~ under, ~~pass~~ through, or be attached to buildings or property that
 30 are not owned by, or under the control of, the PSAP or the entity that is responsible for maintaining
 31 the system.
- 32 (3) ~~Emergency~~ 911 call instruments installed in buildings not under control of the PSAP shall be on
 33 separate dedicated circuits.
- 34 (4) The combination of public emergency services communication and signaling (C&S) circuits in the
 35 same cable with other circuits shall comply with the following:
- 36 (A) Other municipally controlled C&S circuits shall be permitted; or

- 1 (B) Circuits of private signaling organizations shall be permitted only by permission of the
2 PSAP.
- 3 (g) Underground Cables.
- 4 (1) Underground communication and signal cables shall be brought above ground only at points where
5 the PSAP has determined there is no potential for mechanical damage or damage from fires in
6 adjacent buildings.
- 7 (2) All cables that are installed in manholes, vaults, and other enclosures intended for personnel entry
8 shall be racked and marked for identification.
- 9 (3) Cable splices, taps, and terminal connections shall be located only where accessible for maintenance
10 and inspection and where no potential for damage to the cable due to falling structures or building
11 operations exists.
- 12 (4) Cable splices, taps, and terminal connections shall be made to provide and maintain levels of
13 conductivity, insulation, and protection that are at least equivalent to those afforded by the cables
14 that are joined.
- 15 (h) Aerial Cables and Wires. Protection shall be provided where cables and wires pass through trees, under bridges,
16 and over railroads, and at other locations where damage or deterioration is possible.
- 17 (i) Wiring Inside Buildings.
- 18 (1) Wiring ~~At~~ at the PSAP shall extend to the operations room in conduits, ducts, shafts, raceways, or
19 overhead racks and troughs of a construction type that protects against fire and mechanical damage.
- 20 (2) Cables or wiring exposed to fire hazards shall be protected from the ~~hazard.~~ hazards.
- 21 (3) At Wiring ~~at~~ the PSAP, cable terminals and cross connecting facilities shall be located either in or
22 adjacent to the operations room.
- 23 (4) All wired dispatch circuit devices and instruments whose failure can adversely affect the operation
24 of the system shall be mounted in accordance with the following:
- 25 (A) On noncombustible bases, pedestals, switchboards, panels, or cabinets; and
- 26 (B) With mounting designed and constructed so that all components are readily ~~accessible.~~
27 accessible to authorized personnel.
- 28 (j) Circuit Protection.
- 29 ~~(1) All surge arresters shall be connected to earth ground.~~
- 30 ~~(2)~~ (1) All protective devices shall be accessible for maintenance and inspection.
- 31 ~~(3)~~ (2) Wired surge arresters shall be designed and listed for the specific application.
- 32 ~~(4)~~ (3) Each conductor that enters a PSAP from a partial or entirely aerial line shall be protected by a surge
33 arrester.
- 34 (k) Grounding.
- 35 (1) Sensitive electronic equipment determined by the PSAP to be essential to the operation of
36 telecommunications and dispatching systems shall be grounded.

1 (2) Listed isolated ground receptacles shall be provided for all cord-and-plug-connected essential and
2 sensitive electronic equipment.

3 (3) Unused wire or cable pairs shall be grounded.

4 (4) Ground connection for surge suppressors shall be made to the isolated grounding system.

5 (5) All surge arresters shall be connected to earth ground.

6 (l) Access. All equipment shall be accessible to authorized personnel for the purpose of maintenance.

7

8 *History Note:* *Authority G.S. 62A-42; 62A-47;*

9 *Eff. July 1, 2016.*

1 09 NCAC 06C .0403 is adopted as published in 29:24 NCR 2766-2783, with changes, as follows:

2

3 **09 NCAC 06C .0403 GRANT AGREEMENTS**

4 (a) Grant agreements shall comply with ~~requirements of N.C.G.S. 143C and administrative rules~~ N.C.G.S. 62A-47.

5 (b) Unless otherwise determined by the ~~Board,~~ Board based upon the grant application, grant agreements ~~will have~~
6 shall be for a term not to exceed one year, and will begin on July 1 of the year awarded. year.

7 (c) Grant agreements shall include terms ensuring compliance with N.C.G.S. 159-26, 159-28, and 159-34.

8

9 *History note: Authority G.S. 62A-42; 62A-47; 143C-6-22,-23;*

10 *Eff. July 1, 2016.*

1 09 NCAC 06C .0404 was published as 09 NCAC 06C .0405 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC
2 06C .0404 with changes, as follows:

3

4 **09 NCAC 06C .0405 .0404 GRANT FUNDS**

5 (a) ~~Grant~~ The grantee shall deposit grant funds ~~shall be deposited~~ in a bank account maintained by the ~~applicant,~~
6 ~~grantee and each grant shall be assigned~~ the grantee shall assign each grant a unique accounting code designation for
7 deposits, disbursements, and expenditures. All ~~Grant grant~~ funds in the account shall be accounted for separately from
8 other grantee funds. Grant funds may be used only between the beginning and ending dates of the grant, unless the
9 ~~an extension is requested and authorized by the Board.~~ grantee requests an extension and it is granted by the Board.

10 (b) Grant funds are not transferable to any other entity. If equipment purchased using grant funds is sold or transferred
11 within three years of the end of the grant period, the grantee ~~must~~ shall return the grant funds to the Board on a pro-
12 rata ~~basis.~~ basis using depreciation schedules.

13

14 *History note: Authority G.S. 62A-47;*

15 *Eff. July 1, 2016.*

1 09 NCAC 06C .0405 was published as 09 NCAC 06C .0406 in 29:24 NCR 2766-2783, and is adopted as 09 NCAC
2 06C .0405 with changes, as follows:

3

4 **09 NCAC 06C ~~.0406~~ .0405** **GRANTEE REPORTS**

5 (a) Grantees ~~must~~ shall submit reports to the Board summarizing expenditures of the grant funds and the activities
6 supported by the grant funds.

7 (b) Unless otherwise stated in a ~~Grant Agreement~~, grant agreement, the reports are due 15 days after ~~the end of the~~
8 ~~reporting periods, which end~~ September 30, December 31, March 31, and June 30.

9 (c) A final report ~~must~~ shall be submitted to the Board no more than 45 days after completion of the grant, detailing
10 the activities, expenditures of the funds, and the ways in which the needs identified in the grant application were met.
11 The final report ~~must~~ shall be accompanied by supporting documentation for all expenditures of the grant funds.

12

13 *History Note:* Authority G.S. 62A-47; 143C-6-22; 143C-6-23;

14 *Eff. July 1, 2016.*