

**SUBCHAPTER 06C – 911 BOARD** *(Effective July 1, 2016)*

**SECTION .0100 – FORMS, DEFINITIONS, ADMINISTRATION**

**09 NCAC 06C .0101 FORMS**

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

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

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

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

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

911 Board  
c/o NC Department of Information Technology  
3700 Wake Forest Road  
Raleigh, NC 27609

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

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

**09 NCAC 06C .0103 DEFINITIONS**

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

- (1) "911 Line/Trunk" means a telephone line/trunk which is dedicated to providing a caller with access to the designated PSAP by dialing the digits 911.
- (2) "Addressing" means the local government's assigning of a numerical address and street name (the street name may be numerical) to all locations within a local government's geographical service area for the purpose of providing Enhanced 911 service.
- (3) "Back-up PSAP" means a facility equipped with automatic number identification, automatic location identification displays, and all other features of a primary PSAP that it serves. A back-up PSAP shall receive 911 calls only when they are transferred from the primary PSAP or on an alternate routing basis when calls cannot be completed to the primary PSAP. A back-up PSAP facility may be unattended when not in use, remote from the Public Safety Answering Point, and used to house equipment necessary for the functioning of an emergency communications system.
- (4) "Circuit" means the conductor or radio channel and associated equipment used to perform a specific function in connection with a 911 call system.
- (5) "CMRS" means a commercial mobile radio service.
- (6) "CMRS Non-recurring cost (NRC)" means one-time costs incurred by CMRS service providers for initial connection to selective routers and the wireless systems service provider (third party vendor non-recurring) cost.
- (7) "Communications System" means a combination of links or networks that serve a general function such as a system made up of command, tactical, logistical, and administrative networks supporting the operations of an individual PSAP.
- (8) "Comprehensive Emergency Management Plan (CEMP)" means a disaster recovery plan that conforms to guidelines established by the PSAP and is designed to address natural, technological, and man-made disasters.
- (9) "Computer-Aided Dispatch (CAD)" means a combination of hardware and software that provides data entry, makes resource recommendations, and notifies and tracks those resources before, during, and after 911 calls, and preserves records of those calls and status changes for later analysis by a PSAP or the Board.
- (10) "Computer-Aided Dispatch (CAD) Terminal" means an electronic device that combines a keyboard and a display screen to allow the exchange of information between a telecommunicator and one or more computers in the system or network.

- (11) "Control Console" means a wall-mounted or desktop panel or cabinet containing controls to operate communications equipment.
- (12) "Designated Public Safety Answering Point (PSAP)" means a Primary PSAP determined pursuant to the FCC Order or a Board approved Back-up PSAP.
- (13) "Dispatch Circuit" means a circuit over which a signal is transmitted from the PSAP to an Emergency Response Facility (ERF) or Emergency Response Unit (ERU) to notify the Emergency Response Unit to respond to an emergency.
- (14) "Emergency 911 Call Processing/Dispatching" means a process by which a 911 call answered at the PSAP is transmitted to Emergency Response Facilities (ERFs) or to Emergency Response Units (ERUs) in the field.
- (15) "Emergency Response Facility (ERF)" means a structure or a portion of a structure that houses PSAP equipment and personnel for receiving and dispatching 911 calls.
- (16) "Emergency Response Unit (ERU)" means a first responder, such as a police vehicle, a fire truck, or an ambulance. It also includes personnel who respond to fire, medical, law enforcement, or other emergency situations for the preservation of life and safety.
- (17) "FCC Order" means the Order in FCC Docket 94-102 adopted by the Federal Communications Commission on December 1, 1997, and subsequent Orders, decisions, consent decrees, rules, and regulations including 47 C.F.R. 20.18 which are incorporated by reference in these rules. The FCC Order and regulations may be obtained free of charge from the FCC website: <http://transition.fcc.gov/pshs/services/911-services/>, <http://www.fcc.gov/encyclopedia/9-1-1-and-e9-1-1-services> and <http://www.fcc.gov/encyclopedia/rules-regulations-title-47>.
- (18) "Geographic Information Systems (GIS)" means computer programs linking features seen on maps, such as roads, town boundaries, water bodies, with related information including type of road surface, population, type of agriculture, type of vegetation, or water quality information.
- (19) "GIS Base Map" means a map comprising streets and centerlines used in a Geographic Information System.
- (20) "Logging Voice Recorder" means a device that records voice conversations and automatically logs the time and date of such conversations; normally, a multichannel device that keeps a semi-permanent record of operations.
- (21) "Notification" means the time at which a 911 call is received and acknowledged at a PSAP.
- (22) "Operations Room" means the room in the PSAP where 911 calls are received and processed and communications with emergency response personnel are conducted.
- (23) "Phase I Wireless Enhanced 911 Service" has the same meaning as provided in the FCC Order and FCC regulations. The FCC Order and regulations may be obtained free of charge from the FCC website: <http://transition.fcc.gov/pshs/services/911-services/>, <http://www.fcc.gov/encyclopedia/9-1-1-and-e9-1-1-services> and <http://www.fcc.gov/encyclopedia/rules-regulations-title-47>.
- (24) "Phase II Wireless Enhanced 911 Service" has the same meaning as provided in the FCC Order and FCC regulations, as defined in Item (16) of this Rule.
- (25) "Place of Primary Use" has the same meaning as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. 124(8), if applicable; and otherwise sourcing shall be determined pursuant to G.S. 105-164.3 or G.S. 105-164.4B.
- (26) "PSAP Nonrecurring Costs" means non-repetitive charges incurred by a Primary PSAP to pay for equipment or services that do not occur on a fixed schedule. Examples include computer equipment that has become functionally outdated, software upgrades, or repair costs that are not covered by any maintenance agreement.
- (27) "PSAP Recurring Costs" means repetitive charges incurred by a primary PSAP, such as database management, lease of access lines, lease of equipment, network access fees, and applicable maintenance costs.
- (28) "Public Safety Agency" means an organization that provides law enforcement, emergency medical, fire, rescue, communications, or related support services.
- (29) "Public Safety Answering Point (PSAP)" means the public safety agency that receives incoming 911 calls.
- (30) "Selective Routing" or "Tandem Routing" means routing a 911 call to the designated PSAP based upon the caller's location.
- (31) "Service provider" means an entity that provides voice communications service, including resellers of such service.

- (32) "Standard" shall refer to and include such standards, policies, and procedures adopted by the Board pursuant to authority found in Article 3 of Chapter 62A of the N.C. General Statutes.
- (33) "Standard Operating Procedures (SOPs)" means written organizational directives that establish or prescribe specific operational or administrative methods that are to be followed for the performance of designated operations or actions.
- (34) "Stored Emergency Power Supply System (SEPSS)" means a system consisting of a Uninterruptible Power Supply, or a motor generator, powered by a stored electrical energy source, together with a transfer switch designed to monitor preferred and alternate load power source and provide desired switching of the load, and all necessary control equipment to make the system functional.
- (35) "Sworn Invoice" means an invoice prepared by a CMRS service provider's vendor that describes the goods or services and identifies the costs that the CMRS service provider submits for cost recovery pursuant to an approved cost recovery plan, and that is accompanied by an affidavit that complies with a form provided by the Board.
- (36) "Telecommunicator" means any person engaged in or employed as a full-time or part-time 911 communications center call taker, whether called by that or another term, such as emergency communications specialist or emergency dispatcher.
- (37) "Uninterruptible Power Supply (UPS)" means a system designed to provide power, without delay or transients, during any period when the primary power source is incapable of performing.
- (38) "Voice Communication Channel" means a single path for communication by spoken word that is distinct from other parallel paths.

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

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

If the Board determines that a PSAP or CMRS service provider is not adhering to an approved plan or is not using funds in the manner prescribed in these Rules or G.S. 62A, the Board may, after notice and hearing, take action authorized by G.S. 62A affecting distributions or reimbursements until satisfactory evidence of compliance is provided to the Board.

*History Note:* Authority G.S. 62A-42; 62A-46; 62A-48;  
Eff. July 1, 2016.

#### **09 NCAC 06C .0105 SERVICE PROVIDER FAILURE TO COMPLY WITH RULES**

(a) If the Board determines that a service provider does not appear to have complied with G.S. Chapter 62A, these Rules, or the requirements of the FCC Order, a certified, return receipt letter shall be mailed to the company representative known to the Board. The letter shall request justification or an explanation from the service provider for the apparent non-compliance. The service provider shall have 15 calendar days to respond to the letter.

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

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

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

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

#### **09 NCAC 06C .0106 PSAP FAILURE TO COMPLY WITH RULES**

(a) If the Board determines that a Primary PSAP does not appear to have complied with G.S. 62A, these Rules, or the requirements of FCC Order, a certified, return receipt letter shall be mailed to the PSAP representative known to

the Board. The letter shall request justification or an explanation from the Primary PSAP for the apparent non-compliance. The Primary PSAP shall have 15 calendar days to respond to the letter.

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

(c) If after notice and hearing, the Board determines that the Primary PSAP is not at fault, the Board shall investigate to determine the cause of failure and take action to achieve a reasonable solution. A "reasonable solution" shall be defined as one that complies with applicable law, these Rules, or the FCC Order within 30 days or upon such other conditions as the Board may find reasonable.

*History Note:* Authority G.S. 62A-46; 62A-48;  
Eff. July 1, 2016.

#### **09 NCAC 06C .0107 REVIEW 911 FUNDS EXPENDITURES, DISBURSEMENTS AND REIMBURSEMENTS**

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

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

(c) CMRS service providers subject to G.S. 147-64.7 shall maintain records related to service charges remitted, and records necessary to support requested reimbursements in accordance with applicable law and generally accepted accounting principles. If any audit or review indicates excess distributions to a CMRS service provider, or subcontractor, the Board shall adjust future or final distributions otherwise due. If no distributions are due and owed to a CMRS service provider, or if the excess distribution exceeds the amount otherwise due during that fiscal year, the CMRS service provider shall refund all amounts that may be due to the 911 Fund.

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

#### **09 NCAC 06C .0108 WAIVER OF RULES**

Upon receipt of a written request to waive a rule, the Board shall consider the request and may waive any rule in this Chapter. The factors the Board shall use in determining whether to grant a waiver are:

- (1) Whether the requested waiver is consistent with Article 3 of Chapter 62A or other North Carolina Statutes;
- (2) Whether any applicable Rule should be amended;
- (3) Costs to the 911 Fund if the waiver is granted;
- (4) Costs to the party requesting a waiver if the waiver is not granted;
- (5) Whether granting the waiver is consistent with the statewide 911 plan;
- (6) The benefit to the public;
- (7) Whether granting the waiver is consistent with the requirements and intent of the FCC Order;
- (8) Prior, concurrent, or similar waiver requests; and
- (9) Whether the waiver is supported or opposed by PSAPs or service providers.

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

#### **09 NCAC 06C .0109 HEARINGS**

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

- (1) A PSAP; or
  - (2) A service provider.
- (b) A request for a hearing shall be made in writing to the Executive Director of the Board and shall be filed within 30 calendar days after the aggrieved party knows or should have known of the facts giving rise to the request. A request for hearing is considered filed when physically received by the Executive Director. Requests filed after the 30 calendar day period shall not be considered. To expedite handling of requests, the envelope shall be labeled "911 Funds Request for Hearing." The written request shall include the following:
- (1) The name and address of the party;
  - (2) The action of the Board;
  - (3) A statement of reasons for the hearing; and
  - (4) Supporting exhibits, evidence, or documents necessary to substantiate the party's complaint.
- Requests for hearing shall be sent to the Executive Director at the address listed in .0102 of this Section.
- (c) Following review of the information set forth in Paragraph (b) of this Rule, if the Board determines it needs additional information, it shall request the information from the aggrieved party. Any additional information requested by the Board shall be submitted at the address listed in Rule .0102 of this Section within the time periods established by this Paragraph in order to expedite consideration of the request. Failure of the aggrieved party to comply with a request for information by the Board within 60 days shall result in resolution of the request without consideration of that information.
- (d) A decision on a request shall be made by the Board within 120 days after receiving all relevant requested information.

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

#### **09 NCAC 06C .0110 DECLARATORY RULINGS**

- (a) Any request for a determination regarding the application of a rule, statute, or order established by the 911 Board to a specific factual situation shall be directed to the Board Chair or Executive Director at the address in Rule .0102 of this Section. The request for a ruling shall follow Rules .0109 through .0114 of this Section. A declaratory ruling proceeding may include written submissions, an oral hearing, or other procedure as may be appropriate in the circumstances of the particular request.
- (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 applicability of a statute, rule, or order of the Board to stipulated facts. A declaratory ruling shall not be issued on a matter requiring an evidentiary proceeding.
- (c) A person aggrieved must possess such an interest in the question to be ruled on that the petitioner's need to have such a ruling in order to comply with statutory requirements, rules, or standards shall be apparent from the petition and shall be explained therein.

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

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

- (a) Requests for a declaratory ruling shall be in writing and dated.
- (b) The request shall contain:
- (1) The petitioner's name, address, and telephone number;
  - (2) The rule, statute, or order referred to;
  - (3) A statement of facts supporting the petitioner's request for a declaratory ruling;
  - (4) A statement of the manner in which the petitioner is aggrieved by the rule, statute, or standard, or its potential application to the petitioner;
- (c) After review of the information required in Paragraph (b) of this Rule, the Board may request the following additional information:
- (1) A statement of any legal authorities that support the interpretation of the given statute or rule by the petitioner;
  - (2) A statement of the practices or procedures likely to be affected by the requested declaratory ruling and the persons likely to be affected by the ruling;
  - (3) A draft of the declaratory ruling sought by the petitioner, if a specified outcome is sought by the petitioner; and

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

*History Note:* Authority G.S. 62A-42; 150B-4;  
Eff. July 1, 2016.

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

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

- (1) When the Board finds that the person making the request is not a "person aggrieved," as defined in G.S. 150B-2(6);
- (2) When the petition does not provide the information required in Rule .0111 of this Section, the question is presented in such a manner that the Board cannot determine what the question is, or that the Board cannot respond with a specific ruling that shall be binding on all parties;
- (3) When the Board has made a determination in a similar contested case, or where the factual context being raised for a declaratory ruling was specifically considered upon the adoption of the rule or directive being questioned, as evidenced by the rulemaking record; or
- (4) Where the subject matter of the request is involved in pending litigation or contested case in any state or federal court in North Carolina.

(b) The Board shall, not later than the 30th day after receiving such a request, deposit in the United States mail, postage prepaid, a written statement addressed to the person making the request and setting forth the Board's decision to grant or deny the request. The Board may rule at any meeting convened to consider the request, or defer the ruling until a later date, but not later than the 45<sup>th</sup> day after granting the request for a ruling. The Board may gather additional information, give notice to other persons, and permit such other persons to submit information or arguments under such conditions as are set forth in any notice given to the requesting party.

*History Note:* Authority G.S. 62A-42; 150B-4;  
Eff. July 1, 2016.

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

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

- (1) The portion of the statute, rule, or order interpreted by the declaratory ruling is amended or repealed;
- (2) The Board changes the declaratory ruling prospectively; or
- (3) Any court sets aside the ruling.

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

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

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

*History Note:* Authority G.S. 62A-42; 150B-4;  
Eff. July 1, 2016.

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

#### **09 NCAC 06C .0201 PSAP ELIGIBILITY**

(a) Before receiving distributions from the 911 Fund, a primary PSAP shall meet the following criteria and confirm in writing to the Board:

- (1) The PSAP is separately identified in its governing agency's budget and in any audit conducted under the Local Government Budget and Fiscal Control Act.
- (2) The PSAP meets the definition of primary PSAP under G.S. 62A-40. Callers shall be able to reach the PSAP by placing a call using only the digits 911. The PSAP shall operate an Enhanced 911 system.

(b) The PSAP equipment vendor or a service provider operating in the PSAP's jurisdiction shall also certify that the PSAP is capable of receiving and dispatching Phase I wireless Enhanced 911 service. If neither an equipment

vendor nor a service provider is available, a city or county may use certification from a technology specialist who demonstrates compliance with FCC regulation 47 C.F.R. 20.18.

(c) The PSAP shall provide copies of all documentation evidencing agreements with other PSAPs governing the manner in which 911 Funds are used in overlapping geographic service areas, as identified by zip code or other identifier such as telephone exchange or township.

*History Note: Authority G.S. 62A-46;  
Eff. July 1, 2016.*

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

(a) Expenses that are solely incurred to enable a PSAP to receive and utilize the voice and data elements necessary for wireline 911 and wireless Phase I or Phase II compliance may be fully paid from a PSAP's 911 Fund distributions if approved by the Board. A PSAP may submit a request for approval for an expense by identifying the expense item together with an explanation of the necessity of the expense item to the Executive Director.

- (1) Eligible costs for necessary computer hardware include Computer Aided Dispatch (CAD) workstation computers, servers, and ancillary equipment; GIS workstation computers, servers, and ancillary equipment; and voice logging recorder computers;
- (2) Eligible costs for necessary computer software include software used in conjunction with the computer hardware to provide callers with access to the PSAP by dialing 911;
- (3) Database provisioning includes creation of the automatic location identification (ALI) database and the GIS base map database;
- (4) GIS base map eligible expenses include mapped street centerlines, together with costs for creation and maintenance of the base map;
- (5) Nonrecurring costs of establishing a wireless Enhanced 911 system include emergency generator or uninterruptible power supplies, and telecommunicator furniture necessary for 911 system operation; and
- (6) Rates associated with local telephone companies' charges related to the operation of the 911 system include monthly charges for delivery of 911 calls, automatic number identification (ANI), ALI, and monthly charges for telephone interpreter services.

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

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

(c) Ineligible costs include:

- (1) Basic termination charges incurred due to the disconnection of telephone equipment to be replaced with 911 equipment;
- (2) Capital outlay expenditures, such as buildings, remodeling, communication towers, and equipment not directly related to providing the user of a voice communications service connection access to a PSAP by dialing the digits 911;
- (3) Mobile or base station radios, pagers, or other devices used for response to, rather than receipt of, 911 calls, including mobile data terminals (MDT) and automatic vehicle location (AVL) systems used in response vehicles;
- (4) Seven-digit transfer-to-lines;
- (5) Private line circuit costs;
- (6) Directory listings; and
- (7) Maintenance costs for radio equipment or other miscellaneous equipment not necessary, as determined by the Board and the affected PSAP, to provide the user of a voice communications service connection access to a PSAP by dialing the digits 911.

*History Note: Authority G.S. 62A-46(c);  
Eff. July 1, 2016.*

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

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

- (b) 911 Fund distributions that lapse due to termination of a primary PSAP shall be re-allocated by the Board.
- (c) 911 Fund distributions that are suspended shall be maintained by the Board until such time as the PSAP entitled to such distributions complies with the requirements of applicable statutes, these Rules, and the Board's standards, policies, and procedures.
- (d) Primary PSAPs that cease independent operation due to consolidation with other such PSAPs, or that are consolidated with newly formed PSAPs, shall give notice to the Board. 911 Fund distributions for such PSAPs that cease operations shall revert to the 911 Fund for distribution under G.S. 62A-46.

*History Note:* Authority G.S. 62A-46; 62A-48;  
Eff. July 1, 2016.

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

- (a) PSAPs shall submit the following to the Board by September 1 of each year:
  - (1) A copy of the PSAP's governing agency's approved budget;
  - (2) A report detailing the revenues and expenditures associated with the operation of its 911 system; and
  - (3) Additional information if requested by the Board including installation schedules, installation expenses, anticipated 911 system changes, other system related costs, expenses and other information deemed necessary by the Board or by the PSAP to ensure funding in compliance with G.S. 62A-46(e).
- (b) If a PSAP fails to report its revenues and expenditures, the Board shall inform the PSAP's governing agency. The notice shall also inform the governing agency that failure to provide the requested information within 15 days shall be cause for suspension of monthly PSAP fund distributions until the information is received. The notice shall further inform the governing agency that continuing failure to provide the information shall result in a report to the North Carolina Local Government Commission of the PSAP's failure.
- (c) After 60 days from September 1 the Board shall inform the North Carolina Local Government Commission in writing of the PSAP's failure to respond to the requested information. A copy of the notice to the North Carolina Local Government Commission shall also be sent to the PSAP manager and the governing agency.
- (d) Each county or municipality shall submit a list of PSAPs operating within its jurisdiction each year; or, if none are known, a statement to that effect.

*History Note:* Authority G.S. 62A-4; 62A-46; 62A-49;  
Eff. July 1, 2016.

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

- (a) Each PSAP shall have a written Comprehensive Emergency Management Plan (CEMP) that includes:
  - (1) An emergency fire plan;
  - (2) A damage control plan; and
  - (3) A back-up PSAP plan that includes alternate 911 call routing conforming to 47 C.F.R. 20.18 and G.S. 62A-49.
- (b) The PSAP shall test the plans in Paragraph (a) of this Rule and the CEMP at least once annually.

*History Note:* Authority G.S. 62A-42; 62A-46; 47 C.F.R. 20.18;  
Eff. July 1, 2016.

#### **09 NCAC 06C .0206 BACK-UP PSAPS**

- (a) Each Primary PSAP shall establish a back-up PSAP or have an arrangement for back-up provided by another PSAP. Agencies may also pool resources and create regional back-up centers. Alternate methods for receiving and processing 911 calls may include interlocal agreements among one or more PSAPs for sharing physical resources, entail a use of portable equipment that may be implemented wherever secure network connectivity is accessible, construction and maintenance of a back-up PSAP facility that would only be utilized when the Primary PSAP is inoperable, or other alternative solution.
- (b) Back-up Plan. There shall be a local management approved, written, dated, and annually tested back-up PSAP plan.
- (c) The Board shall disburse 911 Funds for back-up PSAPs to the extent eligible expenses are incurred for such PSAPs, and provided:



- (1) A back-up PSAP plan is submitted to the 911 Board. The plan shall include start-up costs, projected recurring expenses, and any local agreements which may exist, or which are anticipated, that provide for the back-up PSAP.
- (2) Any back-up PSAP plan revisions have been provided to the 911 Board staff.
- (d) The back-up PSAP shall be capable, when staffed, of performing the emergency functions performed at the primary PSAP.
- (e) The back-up PSAP shall be separated geographically from the primary PSAP at a distance that ensures the survivability of the alternate center.
- (f) Each PSAP shall develop a formal written plan to maintain and operate the back-up PSAP or, if back-up is provided by another PSAP, a formal written plan that defines the duties and responsibilities of the alternate PSAP.
  - (1) The plan shall include the ability to reroute incoming 911 call traffic to the back-up center and to process and dispatch 911 calls at that center.
  - (2) The plan shall be included in the Comprehensive Emergency Management Plan (CEMP).
- (g) The PSAP shall be capable of operation long enough to enable the transfer of operations to the back-up PSAP in the event of an emergency in the PSAP or in the building that houses the PSAP.

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

#### **09 NCAC 06C .0207 PSAP OPERATIONS AND MANAGEMENT**

- (a) Personnel:
  - (1) PSAP equipment and systems shall be under the oversight of an employee or employees of the 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) Maintenance personnel other than an employee of the PSAP shall be approved by the PSAP pursuant to its access controls as presenting no threat to the security of the facility or the employees and equipment within it.
  - (4) All equipment shall be accessible to the PSAP for the purpose of maintenance.
  - (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) Time.
  - (1) The clock for the main recordkeeping device in the PSAP shall be synchronized with all timekeeping devices in the 911 system.
  - (2) All timekeeping devices in the PSAP shall be maintained within  $\pm 5$  seconds of the main recordkeeping device clock.
- (c) Recording.
  - (1) PSAPs shall have a logging voice recorder with one channel for each of the following:
    - (A) Transmitted or received emergency radio channel or talk group;
    - (B) Voice dispatch call for service circuit; and
    - (C) Telecommunicator telephone that receives emergency 911 calls for service.
  - (2) Each Telecommunicator workstation shall have the ability to recall telephone and radio recordings from that workstation without delay.
  - (3) 911 calls that are transmitted over the required dispatch circuit(s) shall be automatically recorded, including the dates and times of transmission.
- (d) Quality Assurance/Improvement.

- (1) PSAPs shall establish a quality assurance/improvement process to ensure the consistency and effectiveness of 911 call taking.
- (2) Statistical analysis of 911 call taking shall be completed monthly and compiled over a one year period and retained as operational records under Rule .0215 of this Section.

*History Note:* Authority G.S. 62A-42(a)(4); 62A-46(e); 62A-46(a)(3);  
Eff. July 1, 2016.

#### **09 NCAC 06C .0208 TELECOMMUNICATOR QUALIFICATIONS, TRAINING AND STAFFING**

- (a) There shall be sufficient telecommunicators available to complete the call taking process for 911 calls.
- (b) Where communications systems, computer systems, staff, or facilities are used for both emergency and non-emergency functions, the non-emergency use shall not delay use of those resources for 911 operations.
- (c) 911 calls for service and completing the call taking process shall have priority above nonemergency activities.
- (d) The PSAP shall provide standard operating procedures to its telecommunicators.
- (e) Telecommunicators shall not be assigned any duties prohibiting them from receiving 911 calls and completing the call taking process in accordance with Rule .0209(a) of this Section and the PSAP standard operating procedures.

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

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

- (a) Ninety percent of 911 calls received on emergency lines shall be answered within 10 seconds, and 95 percent of 911 calls received on emergency lines shall be answered within 20 seconds. The PSAP and the Board shall evaluate call answering times monthly by using data from the previous month.
- (b) When 911 calls need to be transferred to another PSAP, the telecommunicator shall transfer the call without delay. The Telecommunicator shall advise the caller of the transfer. The telecommunicator shall maintain the call connection until it is certain that the transfer is complete and verified by the agency receiving the call transfer.
- (c) An indication of the status of all Emergency Response Units shall be available to Telecommunicators at all times.
- (d) The PSAP shall establish and maintain standard operating procedures including:
  - (1) The procedures shall specify that the telecommunicator is expected to perform without direct supervision;
  - (2) The procedures shall specify operations, facilities, and communications systems that receive 911 calls from the public;
  - (3) An implementation plan for testing and fail-over operation to a back-up PSAP pursuant to Rule .0206 of this Section;
  - (4) Procedures related to the CEMP required in Rule .0205 of this Section;
  - (5) Emergency response personnel emergencies;
  - (6) Activation of an emergency distress function;
  - (7) Assignment of incident radio communications plan;
  - (8) Time limit for acknowledgment by units that have been dispatched;
  - (9) Responding to and processing TDD /TTY calls or other calls from hearing impaired callers;
  - (10) Providing requirements for dispatching of appropriate emergency response personnel;
  - (11) A policy that limits access to the PSAP to authorized personnel;
  - (12) Procedures for answering open-line or "silent calls"; and
  - (13) Maintaining training records for each employee required by the PSAP.

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

#### **09 NCAC 06C .0210 PUBLIC SAFETY ANSWERING POINT (PSAP) FACILITIES**

- (a) All 911 system equipment, software, and services used in the operation of the PSAP shall be implemented and maintained to ensure continuity of 911 call taking.
  - (1) Systems that are essential to the operation of the PSAP shall be designed to accommodate peak workloads.

- (2) PSAPs shall be designed to accommodate the staffing level necessary to accommodate peak workloads.
- (b) Primary and secondary power sources shall be determined by the PSAP including the following provisions:
  - (1) At least two independent and reliable power sources, one primary and one secondary, shall be provided. Each shall be of adequate capacity for operation of the PSAP.
  - (2) Power sources shall be monitored for integrity, with annunciation provided in the operations room.
  - (3) Primary Power Source. One of the following shall supply primary power:
    - (A) A feed from a commercial utility distribution system;
    - (B) An engine-driven generator installation or equivalent designed for continuous operation, with a person specifically trained in its operation on duty at all times; or
    - (C) An engine-driven generator installation or equivalent arranged for cogeneration with commercial light and power, with a person specifically trained in its operation on duty or available at all times.
  - (4) Secondary Power Source.
    - (A) The secondary power source shall consist of one or more standby engine-driven generators. The PSAP shall ensure that a person specifically trained in its operation is on duty or available at all times.
    - (B) Upon failure of primary power, transfer to the standby source shall be automatic.
  - (5) Engine-driven generators shall be sized to supply power for the operation of all functions of the PSAP.
    - (A) When installed indoors, engine-driven generators shall be located in a ventilated and secured area that is separated from the PSAP by fire barriers having a fire resistance rating of at least two hours.
    - (B) When installed outdoors, engine-driven generators shall be located in a secure enclosure.
    - (C) The area that houses an engine-driven generator shall not be used for storage other than spare parts or equipment related to the generator system.
    - (D) Fuel to operate the engine-driven generator for a minimum of 24 hours at full load shall be available on site.
    - (E) Equipment essential to the operation of the generator shall be supplied with standby power from the generator.
    - (F) Generators shall not use the public water supply for engine cooling.
  - (6) A Stored Emergency Power Supply System (SEPSS) shall be provided for telecommunications equipment, two-way radio systems, computer systems, and other electronic equipment determined to be essential to the operation of the PSAP.
    - (A) The SEPSS shall be of a class that is able to maintain essential operations long enough to implement the formal Comprehensive Emergency Management Plan.
    - (B) The instrumentation required to monitor power shall be remotely annunciated in the operations room.
  - (7) Power circuits shall include their associated motors, generators, rectifiers, transformers, fuses, and controlling devices.
  - (8) The power circuit disconnecting means shall be installed so that it is accessible only to authorized personnel.
  - (9) Surge Arresters otherwise known as Transient Voltage Surge Suppression (TVSS) shall be provided for protection of telecommunications equipment, two-way radio systems, computers, and other electronic equipment essential to the operation of the PSAP.
  - (10) Isolated Grounding System. Telecommunications equipment, two-way radio systems, computers, and other electronic equipment essential to the operation of the PSAP shall be connected to an isolated grounding system.
  - (11) Uninterruptible Power Supply (UPS) and Battery Systems. A UPS and battery system shall be installed in accordance with local, State, and the federal safety regulations and be sufficient to prevent power surges from damaging equipment in the PSAP as well as provide power for all essential 911 Emergency Center operations until the backup power source can be fully activated.
    - (A) Each UPS shall be provided with a bypass switch that maintains the power connection during switch over and that is capable of isolating all UPS components while allowing power to flow from the source to the load.
    - (B) The following UPS conditions shall be annunciated in the operations room:

- (i) Source power failure, overvoltage, and under-voltage;
  - (ii) High and low battery voltage; and
  - (iii) UPS in bypass mode.
- (C) The UPS and Battery Systems shall be capable of providing power for the PSAP when the Primary Power Source is not functioning but the duration of the outage is not sufficient to activate the Secondary Power Source.

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

**09 NCAC 06C .0211 TELEPHONES**

(a) Equipment and Operations.

- (1) PSAPS shall be equipped with telephone lines and telephone devices as follows:
  - (A) A minimum of two 911 telephone lines and 911 telephone devices shall be assigned exclusively for receipt of 911 calls. These lines shall appear on at least two telephone devices within the PSAP.
  - (B) Additional 911 telephone lines and 911 telephone devices shall be provided as necessary for the volume of calls handled by the PSAP.
  - (C) Additional telephone lines shall be provided for the normal business (non-emergency) use as needed.
  - (D) At least one outgoing-only line and telephone device shall be provided.
- (2) 911 lines and 911 telephone devices shall be answered prior to non-emergency telephone lines and non-emergency telephone devices.
- (3) When all 911 telephone lines and 911 telephone devices are in use, y 911 calls shall be routed to other predetermined telephone lines and telephone devices that shall be monitored for integrity, and that are approved by the PSAP.
- (4) Calls to the business number shall not hunt to the designated emergency lines.
- (5) When transferring a 911 call pursuant to Rule .0209(b) of this Section, the PSAP shall transfer the call data to the designated PSAP when possible. If the call transfer is not possible, call data shall be relayed by the telecommunicator.
- (6) All 911 calls shall be recorded.

(b) Circuits/Trunks.

- (1) PSAPS shall have at least two 911 call delivery paths with diverse routes arranged so that no single incident interrupts both routes.
- (2) Where multiple PSAPs that serve a jurisdiction are not located in a common facility, at least two circuits with diverse routes, arranged so that no singular incident interrupts both routes, shall be provided between PSAPs.
- (3) The PSAP shall have sufficient 911 trunk capacity to receive 99.9 percent of all calls during the busiest hour of the average week of the busiest month of the year.

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

**09 NCAC 06C .0212 DISPATCHING SYSTEMS**

- (a) A 911 call dispatching system shall be designed, installed, operated, and maintained to provide for the receipt and retransmission of calls.
- (b) Telecommunicators who receive 911 calls shall have redundant means within the PSAP premises to dispatch calls.
- (c) The failure of any system component or one dispatching means shall not affect the operation of another dispatching means.

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

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

(a) PSAPs shall use computer-aided dispatching (CAD) systems. The CAD system shall contain all hardware and software components necessary for interface with the 911 system.

- (1) The CAD system shall include data entry; resource recommendations, notification, and tracking; store records relating to all 911 calls and all other calls for service and status changes; and track those resources before, during, and after emergency calls, preserving records of those 911 calls and status changes for later analysis by the PSAP.
- (2) The CAD system shall include a data backup system, utilizing either removable media or independent disk storage arrays dedicated to the backup task and additional equipment as needed, as determined by the PSAP.
- (3) The failure of any single component shall not disable the entire system.
  - (A) The CAD system shall provide automatic switchover in case of failure of the required system component(s).
  - (B) Manual intervention by telecommunicators or others shall not be required.
  - (C) Notwithstanding automatic switchover, the CAD system shall provide the capability to manually initiate switchover.
  - (D) CAD systems that utilize server and workstation configuration shall accomplish automatic switchover by having a duplicate server available with access to all the data necessary and required to restart at the point where the primary server stopped.
  - (E) CAD systems that utilize distributed processing, with workstations in the operations room also providing the call processing functions, shall be considered to meet the requirements of automatic switchover, as long as all such workstations are continuously sharing data and all data necessary to pick up at the point where the failed workstation stopped are available to all other designated dispatch workstations.
- (4) The system shall continuously monitor the CAD interfaces for equipment failures, device exceptions, and time-outs. Upon detection of faults or failures, the system shall send an appropriate message consisting of visual and audible indications to personnel designated by the PSAP. A log of system messages and transactions shall be generated and maintained as determined by the PSAP.

(b) PSAPS shall maintain a secondary CAD for use in the event of a failure of the CAD system.

(c) Operation of the CAD system software shall be limited to authorized personnel by log-on/password control, workstation limitations, or other means as required by the PSAP.

(d) The PSAP shall provide network isolation necessary to preserve bandwidth for the efficient operation of the CAD system and processing of 911 calls.

(e) The CAD system shall have the capability to allow 911 call data exchange between the CAD system and other CAD systems, and between the CAD system and other systems.

(f) CAD configurations shall include:

- (1) Recommending units for assignment to calls.
  - (A) Ensuring that the optimum response units are selected.
  - (B) Allowing the telecommunicator to override the CAD recommendation for unit assignment.
  - (C) The CAD system shall have the ability to prioritize all system processes so that emergency operations take precedence.
- (2) Detecting and reporting errors, faults or failures.
- (3) The CAD system shall include automatic power-fail recovery capability.

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

## **09 NCAC 06C .0214 TESTING**

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

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

(c) When tests detect failure or poor performance anywhere on the system, the PSAP shall take appropriate steps to repair or isolate the failure or poor performance and notify the person(s) responsible for repair or maintenance.

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

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

#### **09 NCAC 06C .0215 RECORDS**

- (a) PSAPs shall maintain records to ensure operational capability of all system functions for at least five years.
- (b) After completion of acceptance tests, the PSAP shall retain:
  - (1) A set of reproducible, as-built installation drawings;
  - (2) Operation and maintenance manuals;
  - (3) Written sequence of operation; and
  - (4) Results of all operational tests and values at the time of installation.
- (c) PSAPs shall have access to site-specific software for software-based systems.
- (d) Operational Records.
  - (1) Call and dispatch performance statistics shall be compiled and maintained by the PSAP.
  - (2) Statistical analysis for call and dispatch performance measurement shall be done monthly and compiled over a one year period. A management information system (MIS) program shall track incoming 911 calls and dispatched 911 calls and provide real-time information and strategic management reports.
  - (3) Records of the following, including the corresponding dates and times, shall be kept:
    - (A) Test, 911 call, and dispatch signals;
    - (B) Circuit interruptions and observations or reports of equipment failures; and
    - (C) Abnormal or defective circuit conditions indicated by test or inspection.
- (e) Maintenance Records.
  - (1) Records of maintenance, both routine and emergency, shall be kept for all 911 call receiving equipment and 911 call dispatching equipment.
  - (2) All maintenance records shall include the date, time, nature of maintenance, and repairer's name and affiliation.

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

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

- (a) The Board shall conduct annual reviews of PSAP operations to determine whether a PSAP meets the requirements of Section .0200 of these Rules. Reviews shall be conducted by at least two persons selected by the Board based on each person's knowledge and experience of 911 systems and PSAP operations. The Board shall provide notice to a PSAP at least 90 days in advance of a review. The notice shall include the scope of the review and shall identify the reviewers.
- (b) A written report shall be provided to a PSAP within 30 days of the date of review. The report shall state any deficiencies that identify a failure to fulfill the requirements of Section .0200 of these Rules.
- (c) The report shall include procedures and recommendations to remediate the identified deficiencies. PSAPs shall respond to the report no more than 30 days following receipt and identify actions taken or planned to remediate deficiencies.
- (d) Notwithstanding the annual review in Paragraph (a) of this Rule, a PSAP having no deficiencies or remediating deficiencies identified within 30 days of the report delivery date shall not be subject to review for three years.

*History Note: Authority G.S. 62A-42(a)(4); 62A-42(a)(5);  
Eff. July 1, 2016.*

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

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

(a) CMRS service providers or resellers of any CMRS that receive authority to serve any area within the State of North Carolina, shall register with the Board within 30 calendar days of the later of receiving authority to operate, or of beginning operations, in North Carolina.

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

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

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

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

#### **09 NCAC 06C .0302 CMRS SERVICE PROVIDER REIMBURSEMENT**

(a) Sworn invoices shall be attested to by a person having authority to represent the CMRS service provider. Only costs that are commercially reasonable are eligible for cost recovery. The CMRS service provider may present costs as the actual incurred costs of the CMRS service provider, an estimate of the incurred costs, or the approved rate per subscriber multiplied by the actual subscriber count. If estimated costs are used, the CMRS service provider shall annually true up its costs to ensure that over-recovery does not occur. CMRS service providers shall maintain records consistent with Generally Accepted Accounting Principles as applied by the provider to demonstrate that costs were actually incurred as submitted for reimbursement. Internal costs (engineering time, facilities, proportionate share of software, etc.) shall be supported by documentation. All costs are subject to review by the Board.

(b) As used in this Rule, "commercially reasonable" shall mean the cost that takes into account the facts and circumstances at the time the cost is incurred. The Board shall determine whether costs are commercially reasonable pursuant to Chapter 25 of the General Statutes.

*History note:* Authority G.S. 62A-45; Eff. July 1, 2016.

#### **09 NCAC 06C .0303 RESERVED FOR FUTURE CODIFICATION**

#### **09 NCAC 06C .0304 RESERVED FOR FUTURE CODIFICATION**

#### **09 NCAC 06C .0305 REMITTANCE OF SERVICE CHARGES**

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

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

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

(d) The Department of Information Technology Fiscal Services shall act as the receiving agent for the service providers' monthly reimbursements and as the administrator of the 911 Fund.

*History note:* Authority G.S. 62A-43; 147-86.11; Eff. July 1, 2016.

#### **09 NCAC 06C .0306 PREPAID WIRELESS SERVICE**

- (a) A voice communications service provider of prepaid wireless service is not eligible for reimbursements to CMRS providers.
- (b) Rules .0109 through .0114 of this Chapter governing hearings and declaratory rulings shall not apply to a voice communications service provider of prepaid wireless service for issues arising under the administration authority of the Department of Revenue.
- (c) Contract or other information submitted to the Board by a voice communications service provider of prepaid wireless service may be proprietary under G.S. 62A-52. Service providers shall mark any proprietary or other non-public information as such before sending to the Board.

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

## **SECTION .0400 – GRANT FUND**

### **09 NCAC 06C .0401 PSAP GRANTS**

- (a) When there are funds available, the Board shall publish a notice on its website, as set forth in Rule .0102 of this Subchapter, of grant availability to primary PSAPs and governing entities operating primary PSAPs.
- (b) Any primary PSAP or the governing entity operating a primary PSAP may apply for a grant.
- (c) Each applicant applying for grant funds shall complete and submit an application that may be obtained from the Board office or from the Board website at the address as set forth in Rule .0102 of this Subchapter.
- (d) The Board shall accept grant applications as stated in the Board's published notice of grant availability. Grant applications submitted that do not conform to the Board's published requirements may be considered at the discretion of the Board, provided that grant funds are not exhausted by conforming grant applications and the non-conforming grant applications satisfy G.S. 62A-47.
- (e) Applications for grants for each item over twenty-five thousand dollars (\$25,000) shall be accompanied by at least three written competitive quotes. The Board shall compare the three quotes to any existing State contract in order to determine appropriate funding.

*History note:* Authority G.S. 62A-47;  
Eff. July 1, 2016.

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

- (a) The requirements in this Rule, Grants for Construction or Renovation, shall apply only to new construction and construction renovations of an existing structure or facility funded by the North Carolina 911 Board. PSAPs receiving grants for construction or renovation shall ensure compliance with the provisions of this Rule.
- (b) HVAC.
  - (1) HVAC systems shall be designed to maintain temperature and relative humidity within limits specified by the manufacturer of the equipment critical to the operation of the PSAP.
  - (2) HVAC systems shall be independent systems that serve only the PSAP.
  - (3) HVAC system intakes for fresh air shall be arranged to minimize smoke intake from a fire inside or outside the building and to resist intentional introduction of irritating, noxious, toxic, or poisonous substances into the HVAC system.
  - (4) HVAC emergency controls shall be provided in the operations room to permit closing of outside air intakes.
  - (5) Back-up HVAC systems shall be provided for the operations room and other spaces housing electronic equipment essential to the operation of the PSAP.
  - (6) HVAC systems shall be designed so that the PSAP is capable of uninterrupted operation with the largest single HVAC unit or component out of service.
- (c) Fire Protection.
  - (1) The PSAP and spaces adjoining the PSAP shall be provided with an automatic fire detection, alarm, and notification system.
  - (2) The alarm system shall be monitored in the operations room.
  - (3) Operation of notification appliances shall not interfere with communications operations.
  - (4) Electronic computer and data processing equipment shall be protected in accordance with the manufacturer's recommended specifications, and common business practices.



(d) Security.

- (1) The PSAP and other buildings that house essential operating equipment shall be protected against damage from vandalism, terrorism, and civil disturbances.
- (2) Entry to the PSAP shall be restricted to authorized persons.
- (3) Exterior entryways to the PSAP shall have a security vestibule. "Security Vestibule" means comprising a compartment with two or more doors to prevent unobstructed passage by allowing the release of only one door at a time.
- (4) Door openings shall be protected by listed, self-closing fire doors that have a fire resistance rating of not less than 1 hour.
- (5) Where a PSAP has windows, the following requirements shall apply:
  - (A) Windows shall be a minimum of 4 ft (1.2 m) above floor level.
  - (B) Windows shall be rated for bullet resistance to Level 4 as defined in UL 752, Standard for Safety Bullet-Resistant Equipment, which is hereby incorporated by reference, including subsequent amendments and editions. This may be accessed at no cost at <http://ulstandards.ul.com/standard/?id=752>.
  - (C) Windows that are not bullet resistant shall be permitted provided that they face an area that cannot be accessed or viewed by the general public.
  - (D) Windows that are required to be bullet resistant shall be configured so that they cannot be opened.
  - (E) Walls with bullet-resistant windows shall be required to provide the same level of protection as the window.
- (6) Means shall be provided to prevent unauthorized vehicles from approaching the building housing the PSAP to a distance of no less than 82 ft (25 m). Alternatively, unauthorized vehicles shall be permitted to approach closer than 82 ft (25 m) if the building has been designed to be blast resistant.

(e) Lighting.

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

(f) Circuit Construction and Arrangement.

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

(g) Underground Cables.

- (1) Underground communication and signal cables shall be brought above ground only at points where the PSAP has determined there is no potential for mechanical damage or damage from fires in adjacent buildings.
- (2) All cables that are installed in manholes, vaults, and other enclosures intended for personnel entry shall be racked and marked for identification.
- (3) Cable splices, taps, and terminal connections shall be located only where accessible for maintenance and inspection and where no potential for damage to the cable due to falling structures or building operations exists.
- (4) Cable splices, taps, and terminal connections shall be made to provide and maintain levels of conductivity, insulation, and protection that are at least equivalent to those afforded by the cables that are joined.

(h) Aerial Cables and Wires. Protection shall be provided where cables and wires pass through trees, under bridges, and over railroads, and at other locations where damage or deterioration is possible.

(i) Wiring Inside Buildings.

- (1) Wiring at the PSAP shall extend to the operations room in conduits, ducts, shafts, raceways, or overhead racks and troughs of a construction type that protects against fire and mechanical damage.
- (2) Cables or wiring exposed to fire hazards shall be protected from the hazards.
- (3) At the PSAP, cable terminals and cross connecting facilities shall be located either in or adjacent to the operations room.
- (4) All wired dispatch circuit devices and instruments whose failure can adversely affect the operation of the system shall be mounted in accordance with the following:
  - (A) On noncombustible bases, pedestals, switchboards, panels, or cabinets; and
  - (B) With mounting designed and constructed so that all components are readily accessible to authorized personnel.

(j) Circuit Protection.

- (1) All protective devices shall be accessible for maintenance and inspection.
- (2) Wired surge arresters shall be designed and listed for the specific application.
- (3) Each conductor that enters a PSAP from a partial or entirely aerial line shall be protected by a surge arrester.

(k) Grounding.

- (1) Sensitive electronic equipment determined by the PSAP to be essential to the operation of telecommunications and dispatching systems shall be grounded.
- (2) Listed isolated ground receptacles shall be provided for all cord-and-plug-connected essential and sensitive electronic equipment.
- (3) Unused wire or cable pairs shall be grounded.
- (4) Ground connection for surge suppressors shall be made to the isolated grounding system.
- (5) All surge arresters shall be connected to earth ground.

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

*History Note:* Authority G.S. 62A-42; 62A-47;  
Eff. July 1, 2016.

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

- (a) Grant agreements shall comply with G.S. 62A-47.
- (b) Unless otherwise determined by the Board based upon the grant application, grant agreements shall be for a term not to exceed one year.
- (c) Grant agreements shall include terms ensuring compliance with G.S. 159-26, G.S. 159-28, and G.S. 159-34.

*History Note:* Authority G.S. 62A-42; 62A-47; 143C-6-22; 143C-6-23;  
Eff. July 1, 2016.

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

- (a) The grantee shall deposit grant funds in a bank account maintained by the grantee and the grantee shall assign each grant a unique accounting code designation for deposits, disbursements, and expenditures. All grant funds in the account shall be accounted for separately from other grantee funds. Grant funds may be used only between the beginning and ending dates of the grant, unless the grantee requests an extension and it is granted by the Board.
- (b) Grant funds are not transferable to any other entity. If equipment purchased using grant funds is sold or transferred within three years of the end of the grant period, the grantee shall return the grant funds to the Board on a pro-rata basis using depreciation schedules.

*History note:* Authority G.S. 62A-47;  
Eff. July 1, 2016.

**09 NCAC 06C .0405 GRANTEE REPORTS**

- (a) Grantees shall submit reports to the Board summarizing expenditures of the grant funds and the activities supported by the grant funds.
- (b) Unless otherwise stated in a grant agreement, the reports are due 15 days after September 30, December 31, March 31, and June 30.

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

*History Note:* Authority G.S. 62A-47; 143C-6-22; 143C-6-23;  
Eff. July 1, 2016.