

202 KAR 6:090. Permitted uses by PSAPs for CMRS funds.

RELATES TO: KRS 65.7621, 65.7627, 65.7629(3)-(9), (13), 65.7631, 65.7635, 65.7639, 65.7643, 9 U.S.C. 1-16, 47 U.S.C. 153(27), 332(d), FCC Order Docket #94-102, 1996

STATUTORY AUTHORITY: KRS 65.7633(2)(c)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 65.7633(2)(c) requires the Kentucky 911 Services Board to promulgate administrative regulations to establish guidelines to be followed by the board in reviewing, evaluating, and approving or disapproving disbursements from the CMRS fund and requests for disbursements under KRS 65.7631(4) and (5). KRS 65.7631(5) restricts the use of funds disbursed solely for the purposes of answering, routing, and properly disposing of CMRS 911 calls, training PSAP staff, public education, and complying with the wireless E911 service requirements established by the FCC. This administrative regulation establishes requirements to be followed by the board in its review and evaluation of disbursement requests by local 911 centers.

Section 1. Definitions. (1) "AVL" means automatic vehicle location systems used to track emergency responder vehicles.

(2) "CAD" means computer aided dispatch systems used by 911 personnel to allocate and track emergency responder resources during a 911 call.

(3) "EMS" means emergency medical system, which includes paramedics, emergency medical technicians, and other personnel and equipment used to respond to medical emergencies.

(4) "GIS" means Geographic Information Systems used to create, maintain, and manage graphic location data for use by PSAPs or services routing emergency calls to PSAPs.

(5) "LINK/NCIC" means the Law Enforcement Information Network of Kentucky and the National Crime Information Center, two (2) systems commonly used by law enforcement and emergency communications personnel for short messaging between agencies and to request vehicle, driver, and criminal history checks.

(6) "MSAG" means Master Street Address Guide, the database used by 911 centers to determine an emergency call's initial location.

Section 2. Allocation of CMRS Funds. (1) Wireless only costs. CMRS funds may be expended for costs that are solely for the provision of enhanced 911 service involving calls from wireless consumers.

(2) Wireline and wireless-shared costs. Costs for personnel, equipment, or facilities that are necessarily shared by calls to 911 from wireline and wireless users shall be prorated based on the percentage of call traffic attributed to calls from wireless users. CMRS funds may be used only for the wireless prorated portion.

(3) Multifunction personnel, equipment, or facility shared costs. Expenses for personnel, equipment, or facilities that serve multiple functions or purposes shall be prorated. Only those costs for the prorated wireless portion directly involved in the delivery of 911 service shall be allowed.

Section 3. Allowed 911 Center Operational Expenditures. (1) Personnel costs. Costs for the following employees, to the extent their duties are directly attributable to delivery of 911 service, shall be allowed:

(a) Positions allowed.

1. Director;
2. Supervisor;
3. Dispatcher;

4. Call-taker;
5. Technical staff;
6. Support staff; and
7. Other staff involved in the provision of 911 service.

(b) Costs allowed.

1. Salaries;
2. Fringe benefits;
3. MSAG coordination;
4. Uniforms; and
5. Addressing/database development and management.

(2) Facility costs. Facility costs for the following expenses, to the extent it is directly attributable to delivery of 911 service, shall be allowed:

- (a) Capital improvements for construction, remodeling, or expansion;
- (b) Lease or rental payments;
- (c) Utilities;
- (d) Heating and air conditioning;
- (e) Fire suppression systems;
- (f) Security systems;
- (g) Cleaning and maintenance;
- (h) Emergency power and uninterruptible power equipment;
- (i) Insurance;
- (j) Office supplies;
- (k) Printing and copying services; and
- (l) Furniture.

(3) Training and memberships. Training and memberships in professional associations shall be allowed to the extent they are directly attributable to the enhancement of knowledge, skills, and abilities of 911 personnel in the provision of 911 service, including:

- (a) Vendor provided training;
- (b) Conferences;
- (c) Necessary travel and lodging;
- (d) On-the-job training; and
- (e) Memberships in 911 related associations, such as the Association of Public Communications Officials, or the National Emergency Number Association.

(4) Hardware, software, and peripheral equipment. Costs for the following equipment shall be allowed to the extent their function is directly attributable to the provision of 911 service, whether on the premises or remotely located:

- (a) 911 controllers, telephone equipment, or software;
- (b) 911 trunks or administrative lines for the PSAP;
- (c) Remote 911 hardware or modems;
- (d) Automatic call distribution (ACD) systems or other call management facilities and software;
- (e) Call-time stamping or other clock functions;
- (f) Computer workstations;
- (g) Telephone device for the deaf equipment;
- (h) Voice and data recording systems;
- (i) Radio systems, including consoles and infrastructure;
- (j) CAD, GIS/mapping software, equipment, and services, paging, mobile data, LINK/NCIC, or AVL systems;
- (k) Associated databases;

- (l) Network connectivity;
- (m) Software licenses; and
- (n) Maintenance or service agreements for equipment or software listed in paragraphs (a) through (m) of this subsection.

(5) Vehicle costs. Vehicle costs for the following, either as reimbursement to an employee for the use of a private vehicle or direct costs for a vehicle assigned to the agency, shall be allowed to the extent their use is directly attributable to the provision of 911 service:

- (a) MSAG and address development and maintenance;
- (b) GIS verification and testing; and
- (c) Public education.

(6) Professional services. Costs for the following professional services shall be allowed to the extent they are directly attributable to the provision of 911 related service:

- (a) Legal;
- (b) Architectural;
- (c) Auditing; and
- (d) Consultation.

(7) Public education. Costs for public education regarding the proper use of 911 shall be allowed.

Section 4. Not Allowed 911 Center Operational Expenses. (1) Personnel costs. Personnel costs for the following personnel shall not be allowed, except if directly functioning as 911 center staff:

- (a) Law enforcement;
- (b) EMS personnel;
- (c) Fire personnel;
- (d) Emergency management staff; and
- (e) Shared support or technical staff.

(2) Facility costs. Facility costs for the following purposes and facilities shall not be allowed, except for that portion used for 911 operations.

(a) Capital and furnishing costs for facilities whose primary purpose is other than 911 operations;

(b) Facilities primarily intended for use by police, fire, EMS, or other emergency management personnel; and

(c) Facilities providing general offices for county or municipal government operations.

(3) Training and memberships.

(a) Costs for training for staff not directly involved in the delivery of 911 services or courses whose content is not intended to increase of the knowledge, skills, and abilities of 911 personnel in regard to delivery of 911 service shall not be allowed.

(b) Costs for memberships in organizations or associations whose primary purpose is other than public safety communications or 911 issues shall not be allowed.

(4) Hardware, software, and peripheral equipment. The following hardware, software, or peripheral equipment costs, unless directly attributable to the delivery of 911 service shall not be allowed:

- (a) Law enforcement, fire, EMS, or jail record management systems;
- (b) Word processing, databases, and other general computer applications;
- (c) GIS applications providing data layers not needed for the location of emergency calls, or other general mapping and location services for government operations;
- (d) Court information systems;
- (e) Field equipment used outside of the 911 center by emergency responders or other gov-

ernment personnel for radio, paging, mobile data, LINK/NCIC, CAD, or AVL systems;

(f) Connectivity for an application listed in paragraphs (a) to (e) of this subsection;

(g) A maintenance or service agreement for an application listed in paragraphs (a) to (e) of this subsection; and

(h) Software license for an application listed in paragraphs (a) to (e) of this subsection.

(5) Vehicle costs. The cost of an emergency response or other government vehicle not directly attributable to the delivery of 911 service shall not be allowed.

(6) Professional services. Costs for professional services not directly attributable to the delivery of 911 service shall not be allowed.

(7) Public education. Costs for public education not directly attributable to the delivery of 911 service shall not be allowed. (29 Ky.R. 1160; Am. 1524; eff. 12-18-02; TAm eff. 8-31-2007; 46 Ky.R. 145, 900; eff. 9-10-2019.)