

CHAPTER 7580
DEPARTMENT OF PUBLIC SAFETY
EMERGENCY 911 COMMUNICATIONS SYSTEMS

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7580.0100 DEFINITIONS.

Subpart 1. **Scope.** For the purpose of this chapter, the terms defined in this part shall have the meanings given them.

Subp. 2. **Automatic location identification (ALI).** "Automatic location identification" or "ALI" means the process of electronically identifying and displaying the name of the subscriber and the location, where available, of the calling telephone number to a person answering a 911 emergency call.

Subp. 3. **Automatic location identification (ALI) database.** "Automatic location identification database" or "ALI database" means the set of ALI records residing on a computer system.

Subp. 4. **Automatic number identification (ANI).** "Automatic number identification" or "ANI" means the process of electronically identifying and displaying on a special viewing screen the telephone number of the calling party's telephone to a 911 answering person as the call is being answered.

Subp. 5. **Dedicated 911 trunk.** "Dedicated 911 trunk" means a telephone circuit which is used exclusively for the purpose of transmitting 911 calls.

Subp. 6. **Default routing.** "Default routing" means the capability to route a 911 call to a PSAP designated as the default PSAP when the incoming 911 call cannot be selectively routed due to ANI failure or other cause.

Subp. 7. **Busy hour; busy month.** "Busy hour" means a one-hour period during a 24-hour day where the number of 911 calls to the public safety answering point is usually a maximum. Similarly, "busy month" means the busiest month during a 12-month period.

Subp. 8. **911 service provider.** "911 service provider" means a 911 emergency telecommunications service provider that provides selective routing and ALI database services.

Subp. 9. **No record found (NRF).** "No record found" or "NRF" means a condition where no ALI information is available for display at the PSAP.

Subp. 10. **Public agency.** "Public agency" means any unit of local government or special purpose district located in whole or part within this state that provides or has authority to provide fire fighting, police, ambulance, medical, or other emergency services.

Subp. 11. **PSAP or public safety answering point.** "PSAP" or "public safety answering point" means a communications facility operated on a 24-hour basis that first receives 911 calls from persons in a 911 service area and that may, as appropriate, directly dispatch public safety services or extend, transfer, or relay 911 calls to appropriate public safety agencies.

Subp. 12. **PSAP manager.** "PSAP manager" means the person having day-to-day responsibility for the operation of the public safety answering point.

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Subp. 13. **Selective routing.** "Selective routing" means a process through which a 911 call is routed by means of a special telephone trunking and electronic equipment configuration to a predesignated public safety answering point.

Subp. 14. **Service provider.** "Service provider" means a wire-line service provider, wireless service provider, packet-based service provider, or any other telecommunications or data service provider that directly accesses the 911 network through a selective router through dedicated trunk circuits or that accesses the 911 network under an arrangement with another service provider having direct access.

Subp. 15. **Telephone exchange area.** "Telephone exchange area" means a specific geographic area designated by the Department of Commerce, which is served by one or more central offices.

Subp. 16. **Telephone exchange area central office or central office.** "Telephone exchange area central office" or simply "central office" means the site of the telephone switching equipment and the switching equipment itself for a specific telephone exchange area.

Statutory Authority: *MS s 403.01 to 403.12*

History: *L 2001 1Sp4 art 6 s 1; 31 SR 1510; L 2003 1Sp1 art 2 s 102 to 110*

7580.0200 PURPOSE OF CHAPTER.

It is the purpose of this chapter to give effect to Minnesota Statutes, section 403.01 et seq. which requires each county within the Twin Cities metropolitan area to establish a 911 emergency telephone system on or before December 15, 1982, and each remaining county within the state to establish a 911 system on or before December 15, 1986.

Statutory Authority: *MS s 403.01 to 403.12*

History: *L 2003 1Sp1 art 2 s 102 to 110*

7580.0300 ESTABLISHMENT OF COUNTY 911 PLANNING COMMITTEE.

Each county board of commissioners in the state of Minnesota shall establish a committee to develop 911 emergency telephone service plans for the county. The committee so established shall be known as the "county 911 planning committee." Members on this committee shall not be considered public officers or employees by virtue of their membership on the committee.

The county 911 planning committee shall include representation by emergency service providers and shall be responsible for developing the 911 telephone system plan as required by this chapter.

Statutory Authority: *MS s 403.01 to 403.12*

History: *L 2003 1Sp1 art 2 s 102 to 110*

7580.0400 SUBMISSION OF FINAL PLANS.

Each county shall submit a final plan to the Department of Administration and the Department of Public Service before December 15, 1979, and shall include the following information:

A. the mailing address of the county, the names of the members of the county 911 planning committee, the date the plan is submitted to the Department of Administration, the scheduled implementation date of 911 telephone service, and the signature of the person authorized to submit the county 911 plan;

B. a map of the county which shows the telephone exchange boundaries, and the PSAP location(s), and any other pertinent jurisdictional boundaries;

C. the name and mailing address of the agency operating each PSAP and the name and telephone number of the PSAP manager;

D. a description of the procedures and agreements for responding to 911 calls which are routed to a PSAP other than the one which serves the area from which the call originates;

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E. a description of the 911 system routing and switching configuration with pertinent technical equipment specifications;

F. a description of the trunk routing, a description of the central office equipment to be used, and the trunk mileage computations if the proposed 911 system included selective routing;

G. an itemized list of estimated recurring and installation costs for all proposed telephone equipment and service (these estimates shall be provided by the telephone companies at no charge and shall be signed by an authorized telephone company employee);

H. a certification from the county board that the plan meets the requirements of those public service agencies whose services will be available by dialing 911;

I. a list of all participating agencies whose services will be available by dialing 911 with the following information for each listed agency:

- (1) agency name;
- (2) agency mailing address;
- (3) name and telephone number of the agency head;
- (4) a brief description of the services to be provided; and
- (5) a description of current and proposed dispatching procedures;

J. a description of the secondary means of providing service in the event of the failure of either or both of the following: all or a portion of the 911 emergency telephone system; or failure of PSAP primary electrical power.

Statutory Authority: *MS s 403.01 to 403.12*

History: *L 2003 1Sp1 art 2 s 102 to 110*

7580.0500 DESIGN STANDARDS.

Subpart 1. **Load.** The 911 system must be designed and operated to maintain a grade of service such that no more than one call out of 100 incoming calls will receive a busy signal on the first dialing attempt during the busy hour of an average week during the busy month.

Subp. 2. **Emergency services included.** Where such services are available within a 911 service area, the 911 system must include the following services:

- A. police services, which includes police, sheriff's departments, and state patrol;
- B. firefighting services; and
- C. emergency medical services, which includes ambulance service and first aid or other immediate response service provided directly to the caller.

Other public safety and civil defense services may be included in the 911 system at the discretion of the public agency operating the PSAP.

Subp. 3. **Hold.** PSAP answering equipment must enable answering personnel to place the 911 call on hold.

Subp. 4. **Nonemergency number.** Each PSAP and each participating agency shall have at least one published telephone number to call for nonemergency services. One number may be shared by two or more participating agencies provided there is a cooperative agreement for call-answering responsibility.

Subp. 5. **Automatic alarms.** Remote automatic alarm systems and other related devices must not be installed in such a manner that an automatic alarm signal is connected to the 911 trunks.

Subp. 6. **Default routing.** The commissioner shall determine the number of trunked circuits and the designated default PSAP for routing 911 calls from each service provider.

A. The basic level of default routing coordination must be at the level of the selective router. The affected 911 service provider and representatives of the public safety

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answering points associated with the selective router shall recommend the default routing plan to the commissioner.

B. In determining the number of trunked circuits and in designating a primary default PSAP for a service provider, the commissioner shall:

(1) consider the default routing plan recommended by the affected 911 service provider and representatives of the public safety answering points associated with the selective router;

(2) provide for default routing to at least one PSAP in each area code;

(3) if a primary service area can be identified for a service provider, require the primary default PSAP to be the PSAP jurisdiction where the service provider's primary service area is located;

(4) consider whether additional default routing may be provided to a PSAP if:

(a) the service provider is a competitive local exchange carrier (CLEC) capable of providing class marking for trunk assignment; and

(b) the service provider has a substantial number of customers within the PSAP's jurisdiction; and

(5) consider the PSAP's ability to deal with default calls originating for another jurisdiction.

Statutory Authority: *MS s 403.01 to 403.12*

History: *31 SR 1510; L 2003 1Sp1 art 2 s 102 to 110*

7580.0600 OPERATIONAL REQUIREMENTS.

Subpart 1. **Public information.** The PSAP manager and/or other designee of the county board shall prepare and implement a program of public information regarding 911 service prior to system implementation.

Subp. 2. **Numbers.** 911 shall be the number published in the telephone directory to call in order to receive emergency assistance within the area served by each 911 system. The PSAP manager may maintain a telephone number other than 911 as a backup number to call should the 911 system fail. If such backup service is provided, the designated number shall be published in the telephone directory as the alternate number to call to receive emergency assistance only when the 911 call cannot be completed.

Subp. 3. **Service.** Each PSAP shall provide continuous service to all callers within its service area 24 hours each day, seven days a week. Any calls entering the 911 system not requiring the dispatching of a public safety service unit shall be referred to an administrative number.

Subp. 4. **Referral of calls.** Any public safety agency with jurisdiction shall be notified immediately of any emergency within its jurisdiction.

Subp. 5. **Recording calls.** The PSAP manager shall develop and maintain a system for recording 911 calls received by the PSAP. The records shall be retained for a period of at least 31 days from the date of the call and shall include the following information: date and time the call was received; nature of the problem; and action taken by the dispatcher. A magnetic tape recording will satisfy this requirement.

Subp. 6. **Monitoring the service.** The PSAP manager shall monitor the 911 system grade of service so that the requirements as set forth in this part are met, and shall initiate modification of the system consistent with the provisions set forth in part 7580.1000 if they are not met. Telephone companies providing 911 telephone service shall measure and prepare a report regarding the 911 grade of service at the request of the PSAP manager. For operational purposes, the Department of Public Safety shall assume an average call duration time of 70 seconds per 911 call.

Subp. 7. **Raising level of service.** If the measurement provided by the telephone company as set forth above indicates that the required level of service is not being met, the following steps shall be taken:

A. The serving telephone company shall prepare plans, specifications, and cost estimates to raise the level of service to the required level, and such information shall be provided to the PSAP manager.

B. The Department of Public Safety and the Department of Commerce shall be notified as provided in part 7580.1000. If a modification to the system contract is necessary, the provisions in part 7580.0900 shall be satisfied.

Subp. 8. **Maintenance.** The PSAP shall be notified in advance by an authorized telephone company representative of any routine maintenance work to be performed which may affect the 911 system reliability or capacity. Any such work shall be performed during PSAP off-peak hours.

Subp. 9. **Bills and payment.** All telephone companies providing 911 service shall submit separate itemized bills to the Department of Public Safety and the local unit of government operating each PSAP, as specified in the contract for 911 service. The Department of Public Safety shall pay only those recurring charges incurred by a PSAP which has been issued a certificate of plan approval which represent the actual service provided by the telephone company to achieve the level of service as specified in part 7580.0500, subpart 1. If a county selects a higher level of 911 telephone service, the costs of this added service shall be billed directly to the PSAP.

Subp. 10. **Tone signals.** All tone signals provided to the 911 calling party shall be identical to tones received when making a regular call.

Subp. 11. **ALI database standards.**

A. A service provider shall provide accurate data to the 911 automatic location identification database with no more than 0.5 percent of all calls received by the 911 network during any calendar year resulting in a no record found (NRF) condition.

(1) If a service provider provides service in areas covered by different 911 service providers, the standard must be applied to each 911 service provider's network separately.

(2) Adjustments to the number of NRF 911 calls attributed to a service provider during a calendar year must be made:

(a) for multiple 911 calls received from the same telephone number over a 24-hour period;

(b) for 911 calls received from a telephone installed less than two full business days, which includes each weekday except a legal holiday, following the date of installation;

(c) for prearranged test calls made to verify the operation of the 911 network;

(d) for manual searches on telephone numbers not received as 911 calls;

(e) for 911 calls received from a location that was referred to the PSAP jurisdiction for addressing while the addressing request is unresolved;

(f) if a telephone number generating the NRF call has been transferred to another service provider or entity, based upon reference to the Number Portability Administration Center, in which case the incident must be reassigned and reported as a NRF call to the appropriate service provider; and

(g) for one unadjusted NRF 911 call per 911 service provider where the service provider has less than 400 total 911 calls per 911 service provider during the measured calendar year.

(3) A service provider shall submit a written claim for any adjustments to the commissioner within 30 days of the incident.

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B. Every 911 service provider:

(1) shall maintain a written procedure defining the 911 service provider's procedure for identifying, reporting, and resolving incidents of NRF, which provides for the timely reporting of each incident and the details of the incident, including the trunk group and trunk the call was received upon if available, to the responsible service provider;

(2) shall report the following information to the commissioner for each service provider within 30 days of the end of each calendar year:

(a) total number of 911 calls;

(b) the total number of NRF 911 calls; and

(c) when requested by the commissioner for any designated NRF 911 call or group of NRF 911 calls:

i. a list of the date, time, and phone number of each call;

ii. brief description of the action taken to prevent a reoccurrence, if known to the 911 service provider; and

iii. the basis for any adjustment requested by the service provider, if known to the 911 service provider; and

(3) who provides reports monthly to the commissioner throughout the calendar year, is not required to submit a year-end report.

C. Every public safety answering point shall adopt a procedure for handling NRF 911 calls, which must include:

(1) a description of the causes for a NRF 911 call from service providers using different technologies, including but not limited to wire line, wireless, and VOIP;

(2) recognition of a NRF 911 call by PSAP personnel;

(3) any attributes of the 911 calls display that might aid in identifying the location of the caller;

(4) the PSAP's procedure for handling the call; and

(5) procedures for reporting the NRF to the 911 service provider.

Subp. 12. **ALI database records.** Each 911 service provider shall report annually, within 30 days of the end of each calendar year, to the commissioner the following information:

A. the total number of records maintained in the ALI database for all areas served by the service provider;

B. the total number of records maintained in the ALI database for each service provider based upon the National Emergency Number Association (NENA) company identification;

C. upon request, the number of records associated with each PSAP based upon emergency service number or other appropriate index for service provider based upon the National Emergency Number Association (NENA) company identification.

A 911 service provider who provides reports monthly to the commissioner is not required to submit a year-end report.

Statutory Authority: *MS s 403.01 to 403.12*

History: *L 2001 1Sp4 art 6 s 1; 31 SR 1510; L 2003 1Sp1 art 2 s 102 to 110*

7580.0700 VARIANCE FROM DESIGN STANDARDS.

Subpart 1. **Request for variance.** All requests for a variance shall be submitted to the Department of Public Safety and the Department of Commerce in written form and shall contain the following information:

A. a description of the variance which is requested;

B. a specific reference to the subpart of the standard which is applicable;

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C. a narrative explanation of the reason the variance is requested;

D. a resolution or copy of minutes of the county board which authorizes the application for a variance; and

E. the signature of the person authorized by the county to make application for the variance.

Subp. 2. **Cause for granting variance.** A clear showing of either of the following shall serve as just cause for the granting of a variance:

A. The equipment of the serving telephone utility(ies) is of such design or state of repair that it is not possible or practical to design a 911 telephone system that conforms with established design standards. Application for variance based upon the above shall include a written statement from an officer of the serving utility(ies) setting forth the reasons the design standards cannot be met by the company.

B. The costs to local government of implementing a 911 telephone system in conformance with these standards would require a tax levy which would exceed the statutory local levy limit.

Subp. 3. **Review of request.** Upon receipt of a request for a variance, the Department of Public Safety and, as appropriate, the Department of Commerce, shall evaluate the request and schedule an administrative review within 30 days of the date of receipt of the request for a variance.

The administrative review shall be informal and the petitioner may present materials, documents, and testimony in support of its request. The Department of Public Safety shall determine if the request meets the criteria established for granting a variance, and issue its decision within 30 days of the date of review.

Subp. 4. **Results of review.** If the finding of the Department of Public Safety is that the request meets established criteria, a variance shall be granted and a notice of variance shall be issued. If the finding of the Department of Public Safety is that the request for variance does not meet established criteria, no variance shall be granted and written notice shall be issued setting forth the reasons for denial.

Statutory Authority: *MS s 403.01 to 403.12*

History: *L 2001 1Sp4 art 6 s 1; L 2003 1Sp1 art 2 s 102 to 110*

7580.0800 WAIVERS FROM STATUTORY REQUIREMENTS.

Subpart 1. **Request for waiver.** A waiver from the requirements of Minnesota Statutes, sections 403.01 to 403.08 may be requested by a county, if federal or state financial assistance is not available to pay necessary costs as specified in part 7580.1100 and Minnesota Statutes, section 403.08.

Subp. 2. **Form and contents of request.** All requests for a waiver shall be submitted to the Department of Public Safety in written form and shall contain the following information:

A. a narrative explanation with cost figures of the reason the waiver is requested; and

B. a resolution or copy of minutes of the county board which authorizes the application for waiver.

Subp. 3. **Conditions.** The waiver, if granted, shall be conditioned on the continued nonavailability of state and/or federal assistance. Once a waiver has been granted, the county shall file an annual statement with the Department of Public Safety certifying the continued nonavailability of federal and/or state assistance. When assistance becomes available, the waiver shall extinguish and the county shall submit, within six months, a new

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implementation schedule, and if necessary, a revised final plan, to the Department of Public Safety.

Statutory Authority: *MS s 403.01 to 403.12*

History: *L 2003 1Sp1 art 2 s 102 to 110*

7580.0900 SYSTEM CONTRACTS.

Subpart 1. **Contract required.** When ordering a 911 system or modifying an existing system, each county, together with the Department of Public Safety and the local government units operating the public safety answering points shall contract with the appropriate public utilities providing telephone service for implementation of the certified 911 system plan.

Subp. 2. **List of costs.** The contract to implement a 911 system shall include an itemized list showing installation and recurring costs for all system features and hardware.

Statutory Authority: *MS s 403.01 to 403.12*

History: *L 2001 1Sp4 art 6 s 1; L 2002 c 372 s 21; L 2003 1Sp1 art 2 s 102 to 110*

7580.1000 MODIFICATION TO PLAN.

Subpart 1. **Notifying the department.** The PSAP manager through the local unit of government responsible for the operation of the PSAP shall notify the Department of Public Safety 30 days in advance of any proposed modification to the 911 system which would modify the plan as certified consistent with the provisions of part 7580.0400.

Subp. 2. **Department's response.** Within 30 days of receipt of such proposed modification, the Department of Public Safety shall review it for consistency with the requirements of funding eligibility set forth in part 7580.1100, and issue its approval or disapproval. If the modifications are disapproved, such proposed changes shall be ineligible for funding assistance.

Statutory Authority: *MS s 403.01 to 403.12*

History: *L 2003 1Sp1 art 2 s 102 to 110*

7580.1100 FUNDING ELIGIBILITY; PAYMENT OF RECURRING COSTS.

Subpart 1. **General.** Recurring costs of providing minimum 911 telephone service shall be paid by the state, as described herein, consistent with available funding, provided an approved final plan is on file with the Department of Public Safety and a certificate of plan approval has been issued.

Subp. 2. **Costs to be paid by state.** The following recurring costs shall be paid by the state:

A. The recurring costs associated with trunks and dial access trunk equipment necessary to provide the minimum grade of service as defined in part 7580.0500, subpart 1. Additionally, in those exchange areas where the minimum grade of service can be achieved with only one trunk due to extremely low population density, a second trunk, or a backup means of completing the 911 call if the first trunk is busy or inoperative, is eligible for state payment.

B. The recurring equipment and trunking costs associated with providing selective routing service to connected PSAPs from all telephone exchange central offices that are already connected to those PSAPs, or for all telephone exchange central offices that, without selective routing, would generate at least five redirected 911 calls per day.

Subp. 3. **Formula for estimating number of redirected calls.** Should the number of redirected 911 calls be impossible to define by measurement, the following formula shall be used:

A x B x C

_____ = Number of redirected calls per day
1000

"A" equals the population living in that part of a telephone exchange geographic area not normally served by communications personnel at the public safety answering point. This figure can be determined by using census tract data or other appropriate means.

"B" equals the number of 911 telephone calls per 1,000 population per day in the geographic area of the telephone exchange. If that number is not available, the following method shall be used for estimating that number:

A. Three for all cities of the first class (as defined in Minnesota Statutes, section 410.01), or if the telephone exchange is located within ten air miles of the corporate boundaries of a city of the first class.

B. Two for an exchange located within a city containing a population of 25,000 or more, but not a city within ten air miles of a city of the first class; for an exchange located within five air miles of the corporate boundaries of a city with a population of 25,000 or greater, or for those exchanges located more than ten but less than 15 air miles from the corporate boundaries of a city of the first class. Determination of population shall be based upon the most current estimates of the state demographer. If such estimates are not available, population shall be based upon the latest federal or special census.

C. One for exchanges in those areas of the state not falling within the above classification.

"C" equals the ratio of the number of 911 calls that will require redirection to the total number of 911 calls originating from that part of the telephone exchange geographic area not normally served by communications personnel at the PSAP.

Subp. 4. **Request for further state payment.** A county may petition the Department of Public Safety for state payment of selective routing costs for those exchanges which do not qualify for funding under subpart 2, item B. Such petition will be considered as an application for variance and shall comply with the provisions contained in part 7580.0700, subpart 1. The Department of Public Safety shall evaluate such a request pursuant to the provisions of part 7580.0700, subparts 3 and 4, and shall grant a variance upon a clear showing by the petitioner of the following factors:

A. extraordinary circumstances affecting the provisions of emergency services such as the following:

(1) land use characteristics including, but not limited to residential, commercial, and industrial uses, the assessed valuation of the area, and reasonable population projections for a five-year period;

(2) population characteristics including, but not limited to, population densities by discrete period of time per day and by season of the year;

(3) public safety factors causing unique or unusual problems including, but not limited to, natural and transportation barriers to effective service, the legal service boundaries of public safety agencies; and facilities or sites with unusual or potential high-risk public safety hazards;

B. the Department of Public Safety's assumption of such payments results in a clear and significant improvement in public safety.

Subp. 5. **ANI information.** In any telephone exchange having the technological capacity for generating ANI information, the cost of transmitting such information from the originating exchange to the primary PSAP shall be eligible for state payment.

Statutory Authority: *MS s 403.01 to 403.12*

History: *20 SR 303; L 2003 1Sp1 art 2 s 102 to 110*