EMERGENCY RULE

11 CSR 90-2.010 Definitions

PURPOSE: This rule establishes definitions for terms used in this chapter.

EMERGENCY RULE: This emergency rule informs the public of the board’s definitions for terms used in this chapter. This rule is necessary to comply with sections 650.325 to 650.335, RSMo and sections 190.400 to 190.460, RSMo which charge the board with taking immediate steps toward improving access to 911 emergency services to protect Missouri residents in emergency situations, particularly in underserved areas of the state. The board is required to set percentage rates of the prepaid wireless emergency telephone service charges deposited in the Missouri 911 service trust fund to reimburse 911 service authorities for costs incurred to implement and operate Missouri 911 systems and for answering and dispatching emergency calls. The board also is required to establish and administer a grant and loan program to provide financing from the Missouri 911 service trust fund for costs of implementing 911 communications service projects. It is necessary to promulgate rules establishing the board’s definition for terms used in this chapter. Without such rules, the board will be unable to effectively discharge its duties and protect Missouri residents by immediately taking steps that will improve access to 911 emergency services, particularly those in underserved areas of the state. As a result, the board finds a compelling governmental interest in promoting the health and safety of Missouri residents in emergency situations, requiring this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The board believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed May 6, 2020, becomes effective May 21, 2020, and expires February 25, 2021.

(1) As used in this chapter, the following terms shall mean:

(A) 911 services authority”, any county or city governing body or elected emergency services board to which the board remits prepaid wireless emergency services telephone service charges deposited in the fund under section 190.460.3(5), RSMo;
(B) “911 service level”, level of a Public Safety Answering Point’s (PSAPs) 911 services. There are four levels:
1. Basic - No 911 equipment;
2. Enhanced – Wireline only;
3. Phase 1 - Wireless number only; and
4. Start Phase II - Latitude/Longitude, Text-to-911;
(C) “Adverse action”, an action taken by the board to deny, reject, reduce, suspend or terminate a grant or loan application, financial assistance under an approved application or project agreement, or request to materially amend a project agreement or extend the project completion date;
(D) “Application window”, a period set by the board for the submission of applications for grants and loans available pursuant to § 650.335, RSMo;
(E) “Award priority areas”, Attributes of loan or grant applications that warrant priority in allocating financial assistance from the fund due to the potential to most greatly improve 911 services statewide, especially in underserved areas, including the following:

1. Including one or more PSAPs located in a jurisdiction with a 911 service level of basic;
2. Consolidating two or more PSAPs;
3. Consolidating 911 services within a defined region of the state;
4. Moving one or more PSAPs up one or more 911 service levels;
5. Meeting the NENA i3 Solution Standard for Emergency Services IP Network;
6. Becoming NG9-1-1 compatible;
7. Purchasing 911 technology and equipment, such as 911 trunking equipment, workstations with 911 answering equipment, software, dispatch systems, and radio systems, that is currently nonexistent and is not being used to replace existing equipment; and
8. Adding Text-to-911; defined as is the ability to send a text message to reach 911 emergency call takers from a mobile phone or device.

(F) “Board”, the Missouri 911 service board defined in section 650.320, RSMo and established by section 650.325, RSMo;
(G) “Eligible applicants” or “Applicants”, counties and cities that sections 650.330 and 655.335, RSMo authorize to submit applications to the board for grants and loans to finance all or a portion of the costs incurred by their 911 services authorities in implementing a 911 communications service project;
(H) “Eligible uses”, expenditures that may be paid using financial assistance from the fund, including but not limited to capital expenses such as building, facility and equipment costs; operating expenses such as research, development and administrative costs; expenses associated with training; and matching funds for federal grants;
(I) “Fund”, the Missouri 911 service trust fund established by section 190.420, RSMo;
(J) “Grant”, a distribution from the fund that is not required to be repaid;
(K) “Incomplete application”, an application received by the board that is not submitted in accordance with the application instructions, regulations, or statutes;
(L) “Loan”, a distribution from the fund that must be repaid with interest;
(M) “NENA i3 Solution Standard”, the NENA Detailed Functional and Interface Standard for the NENA i3 Solution, NENA-STA-010.2-2016 (originally 08-003), September 10, 2016, published by the National Emergency Number Association, 1700 Diagonal Rd., Suite 500, Alexandria, VA 22314 (www.NENA.org) and available at http://www.nena.org/resource/resmgr/standards/NENA-STA-010.2_i3_Architectu.pdf and on the board’s website. This standard is incorporated herein by reference and does not include any later amendments or additions;
(N) “Next Generation 911” or “NG9-1-1”, a system comprised of managed IP-based networks, gateways, functional elements and databases that augment or replicate present day E9-1-1 features and functions and provide new capabilities. NG9-1-1 is designed to provide access to emergency services from all sources, and to provide multimedia data capabilities for PSAPs and other emergency service organizations;
(O) “Project Agreement”, an agreement governing the board’s award of a financial assistance for an 911 services authority’s 911 communications service project; and
(P) “PSAPs”, public safety answering points as defined in sections 190.400 and 650.320, RSMo.

(2) As used in this chapter, all terms defined in sections 650.320 and 190.400, RSMo shall have meaning prescribed therein.

ing this same material will be published in the June 15, 2020 issue of the Missouri Register.

PUBLIC COST: This emergency rule will not cost state agencies or political subdivisions and other public entities more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This emergency rule will cost private entities less than five hundred dollars ($500) in the aggregate.