Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 90—Missouri 911 Service Board
Chapter 2—911 Financial Assistance Program

EMERGENCY RULE

11 CSR 90-2.050 Protests

PURPOSE: This rule establishes a procedure to protest adverse actions taken by the board.

EMERGENCY RULE: This emergency rule informs the public of the board’s procedure for protesting adverse actions taken by the board. 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 services authority 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) Protest Procedure. Applicants and 911 services authorities may protest any adverse action taken by the board related to their applications (assuming the applicants are eligible applicants) or a project agreement signed by them by submitting a protest by certified or registered mail addressed to “Missouri 911 Services Board” at P.O. Box 2126, Jefferson City 65102, or by electronic mail addressed to admin@missouri911.org.

(A) Protest Deadline. Protests must be received by the board within fourteen (14) calendar days after the date of adverse action. If the tenth day falls on a Saturday, Sunday, or state holiday, the period will extend to the next state business day.

(B) Protest Requirements. All protests shall be in writing and include the following information:
   1. Name, address, and phone number of the protesting applicants and 911 services authorities;
   2. Signature of an authorized representative of the protesting applicants and 911 services authorities;
   3. Detailed statement of the grounds for the protest; and
   4. Supporting exhibits, evidence, or documents for protest.

   The board will deny a protest that does not contain all required information, is untimely or fails to establish standing to protest.

6. All protests meeting the above requirements will be reviewed by the board.

7. The board will only issue a determination on the issues asserted in the protest.

8. The board’s determination will be in writing, will set forth the facts relied upon, an analysis of the protest, and a conclusion that the protest will either be sustained or denied in whole or part, and will be mailed to the protesting applicants and 911 services authorities by registered or certified mail.

   A. If the protest is sustained, remedies include a modification or reversal of the protested adverse action.

   B. If the protest is denied, the board will take no further action on the protest.


Emergency rule filed May 6, 2020, effective May 21, 2020, and expires Feb. 25, 2021. An emergency rule and a proposed rule covering 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.