

Explanation and Rationale

The language contained in this document is an attempt at creating statutory authority for the State of Vermont to regulate emergency dispatching. It attempts to address several questions concerning dispatching. The format is derived from the statutory language for the E 911 Board.

Does the State have a responsibility for dispatching?

Yes. Although to what degree should the State assume this responsibility? The language in this document creates a **hybrid model** for emergency dispatching. Dispatching can be broadly defined, but for the purposes of creating the State's responsibility the handling of the **emergency call** in its entirety (receipt to dispatch to public safety provider) is the benchmark. The other tasks associated with the public safety dispatching function are left up to the local provider. The State is also responsible for ensuring that a statewide emergency communications system is maintained. A standardized technology platform is envisioned.

If the State can fund the entire public safety dispatching responsibility, then it would be in everyone's best interest to regulate a broader public safety system. This drafting concept is based on the premise that such an endeavor is too expensive.

Who is responsible for this new function?

The exact department or entity in State Government is yet to be determined. It could fall under the Enhanced 911 Board, Department of Public Safety, a new organization or another existing regulatory agency/department.

How is the system governed?

A state Board is established whose members are yet to be determined. Regional governance structures are to be created by a written agreement of those communities wanting to receive dispatching from a center. The basic tenants of these agreements are created through rules of the Board. Some governing tenants are articulated in statute.

How is emergency dispatch funded?

The funding formula is left up to Board rulemaking process. Funding for the regional emergency dispatch centers should be proportionate. The formula could be proportionate to the number of emergency calls they receive or it can be based on the population of communities proportioned to the number of public safety agencies they have in each town. It is envisioned the centers will be subsidized by the State. The Statewide emergency communications system is funded by the state. Again, the funding formula shall be promulgated by Board rule.

Continue to Page 2 for drafting recommendations.

Definitions

As used in this chapter:

1. **“Communications Resiliency”** means a network that can withstand damage, thereby minimizing the likelihood of a service outage. Resiliency is the result of three key elements: Route Diversity, Redundancy and Restorative Measures.
2. **“Emergency Dispatch”** as used in this chapter means the sending of a public safety service, police, fire, EMS or other designated service to a 911 call.
3. **“Public Safety Provider”** as used in this chapter is a police department, fire department, emergency medical service or other provider that responds to emergency calls for service.
4. **“Public Safety Answering Point”** means a facility with the capability to receive emergency calls, operated on a 24-hour basis, assigned the responsibility of receiving 911 calls and dispatching, transferring, or relaying emergency 911 calls to other public safety agencies or private safety agencies.
5. **“Regional Emergency Dispatch Center(s)”** means a facility, approved by the Board, operated by or on behalf of 2 or more municipalities or governmental bodies, or combination thereof, that enters into an agreement for the establishment and provision of regional dispatch and coordination of emergency services for all such municipalities or governmental bodies including, but not limited to police, fire protection, and emergency medical services dispatch. A regional emergency dispatch center may also be a **Public Safety Answering Point** upon approval of the Enhanced 911 Board.
6. **“Statewide Emergency Communications System”** is comprised of networks of people, facilities, technology, and processes. Together, these components create a “system of systems” that ensures the operability, interoperability, resiliency and continuity of all emergency dispatch centers throughout Vermont.

Vermont ____ [Name to be inserted] ____ Board

1. The Vermont _____ Board is established to develop, implement, and supervise the operation of the Statewide Emergency Dispatch Communication Centers and the Emergency Communications System.
2. The Board shall consist of _____ members: [Needs to be defined]

Board; responsibilities and powers

1. The Board shall be the single governmental agency responsible for **the statewide emergency communication system**. To the extent feasible, the Board shall consult with the Agency of Human Services, the Department of Public Safety, the Department of Public Service, and local community service providers on the development of policies, system design, standards, and procedures. The Board shall develop designs, standards, and procedures and shall adopt rules on the following:
 - (a) The technical and operational standards for the **regional emergency dispatch centers**.
 - (b) Standards and procedures for connecting communication networks to the State's network to allow for a resilient **statewide emergency communication system**.
 - (c) Standards for the **Regional Emergency Dispatch Centers** to follow in implementing their Continuity of Operations plans.
 - (d) A governance structure that must be by written agreement, signed by all communities involved and approved by the Board for the **Regional Emergency Dispatch Center(s)**. This agreement must include but not be limited to;
 - a. establishing a board to oversee or advise the number of communities and public safety agencies served by the center, and
 - b. the location of the center(s) including the construction or siting of a new center, if necessary, and
 - c. administration, and
 - d. operation of the center, and
 - e. finances of the center, and
 - f. provide the board with the powers, and duties, whether authoritative or advisory, to maintain a **regional emergency dispatch center**, and
 - g. the ownership of the equipment and how the equipment is disposed upon the termination of the facility as a **regional emergency dispatch center**, and
 - h. the process for a community or **public safety provider** to leave the **regional emergency dispatch center**.
 - (e) Technology standards for the operation of the center(s) including a computer aided dispatch system,
 - (f) If a region of two or more communities wants to establish a new district for the purpose of creating a regional emergency dispatch center, then the provisions of T. 24 V.S.A. Chapter 121 Sub Chapter 03 "Union Municipal Districts", shall apply.

- (g) The Board may establish sub-committees as necessary to carry out the work of the Board and the provisions of this chapter. The Board may hire subject matter experts to assist when necessary to carry out the work associated with the provisions of this chapter.
- (h) The Board shall establish a cost model for reimbursement of **emergency dispatch** to agencies approved to operate a statewide emergency dispatch center. [Perhaps this is modeled after the way E 911 call handling reimburses PSAP's or it can be accomplished simply by population. The dollar amount a committee must pay should be divisible by three as some communities do not provide police or emergency medical services. Either way this is leaving it up to the Board to determine by rule.]
- (i) The Board is authorized:
- (1) to make or cause to be made studies or implementation plans of any aspect of **the statewide emergency communication system**, including service, operations, training, public awareness, dispatch fee structure, and may recommend the number of operating positions at the **Regional Emergency Dispatch Center(s)**;
 - (2) to accept and use in the name of the State, subject to review and approval by the Joint Fiscal Committee, any and all donations or grants, both real and personal, from any governmental unit or public agency or from any institution, person, firm, or corporation, consistent with the rules established by the Board and the purpose or conditions of the donation or grant; and
 - (3) to exercise all powers and conduct such activities as are necessary in carrying out the Board's responsibilities in fulfilling the purposes of this chapter.
- (j) The Board shall adopt such rules as are necessary to carry out the purposes of this chapter, including, where appropriate, imposing reasonable fines or sanctions against persons that do not adhere to applicable Board rules.

Funding [Note: This language needs to be changed to be accordance with the proper format for State Government.]

- (a) The _____ Fund is created as a special fund subject to the provisions of 32 V.S.A. chapter 7, subchapter 5. Balances in the Fund on June 30 of each year shall carry forward and shall not revert to the General Fund.

(b) The General Assembly shall annually review and approve an amount to be transferred by the universal service fiscal agent to the _____ Fund and shall appropriate some or all of that amount for expenditures related to providing Statewide dispatch services.

(c) Into the _____ Fund shall be deposited monies transferred from the _____ fiscal agent, any State or federal funds appropriated to the Fund by the General Assembly, any taxes specifically required by law to be deposited into the Fund, and any grants or gifts received by the State for the benefit of the Statewide Emergency Communication System or the regional emergency dispatch centers.

(d) Disbursements from the _____ Fund shall be made by the State Treasurer on warrants drawn by the Director solely for the purposes specified in this chapter. The Director may issue such warrants pursuant to contracts or grants.

(e) Disbursements may be made for:

- (1) nonrecurring costs, **establishing regional emergency dispatch center(s)**,
- (2) recurring costs, including costs associated with the emergency communication system, ongoing training, and equipment maintenance.
- (3) expenses of the Board incurred under this chapter, and
- (4) costs solely attributable to **regional emergency dispatch centers**; and
- (5) costs attributable to demonstration projects designed to enhance the delivery of **emergency dispatching services**.

(f) Disbursements may not be made for:

- (1) construction, purchase, renovation, or furnishings for buildings at emergency dispatch points;
- (2) **mobile** two-way radios; and
- (3) vehicles and associated equipment.

Statewide Emergency Communications System

The Board shall work in collaboration with other public safety agencies, technology providers, technologists including radio frequency engineers and planners to understand the unique needs in the State, its agencies, to deliver a reliable, secure, and cost-effective interoperable communications system. The Board shall be the administrative entity providing support to any group assessing and recommending improvements in the statewide emergency communications system.

