

***** Act 32 of 1986 THIS ACT IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

EMERGENCY 9-1-1 SERVICE ENABLING ACT
Act 32 of 1986

AN ACT to provide for the establishment of emergency 9-1-1 districts; to provide for the installation, operation, modification, and maintenance of universal emergency 9-1-1 service systems; to provide for the imposition and collection of certain charges; to provide the powers and duties of certain state agencies, local units of government, public officers, service suppliers, and others; to create an emergency 9-1-1 service committee; to provide remedies and penalties; and to repeal acts and parts of acts.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 1989, Act 36, Imd. Eff. June 1, 1989;—Am. 1994, Act 29, Imd. Eff. Mar. 2, 1994;—Am. 2007, Act 164, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

The People of the State of Michigan enact:

CHAPTER I

***** 484.1101 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1101 Short title.

Sec. 101. This act shall be known and may be cited as the "emergency 9-1-1 service enabling act".

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 2007, Act 164, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

***** 484.1102 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1102 Definitions.

Sec. 102. As used in this act:

(a) "Automatic location identification" or "ALI" means a 9-1-1 service feature provided by the service supplier that automatically provides the name and service address or, for a CMRS service supplier, the location associated with the calling party's telephone number as identified by automatic number identification to a 9-1-1 public safety answering point.

(b) "Automatic number identification" or "ANI" means a 9-1-1 service feature provided by the service supplier that automatically provides the calling party's telephone number to a 9-1-1 public safety answering point.

(c) "Commercial mobile radio service" or "CMRS" means commercial mobile radio service regulated under section 3 of title I and section 332 of title III of the communications act of 1934, chapter 652, 48 Stat. 1064, 47 USC 153 and 332, and the rules of the federal communications commission or provided under the wireless emergency service order. Commercial mobile radio service or CMRS includes all of the following:

(i) A wireless 2-way communication device, including a radio telephone used in cellular telephone service or personal communication service.

(ii) A functional equivalent of a radio telephone communications line used in cellular telephone service or personal communication service.

(iii) A network radio access line.

(d) "Commission" means the Michigan public service commission.

(e) "Committee" means the emergency 9-1-1 service committee created under section 712.

(f) "Common network costs" means the costs associated with the common network required to deliver a 9-1-1 call with ALI and ANI from a selective router to the proper PSAP and the costs associated with the 9-1-1 database and data distribution system of the primary 9-1-1 service supplier identified in a county 9-1-1 plan. As used in this subdivision, "common network" means the elements of a service supplier's network that are not exclusive to the supplier or technology capable of accessing the 9-1-1 system.

(g) "Communication service" means a service capable of accessing, connecting with, or interfacing with a 9-1-1 system, exclusively through the numerals 9-1-1, by dialing, initializing, or otherwise activating the 9-1-1 system through the numerals 9-1-1 by means of a local telephone device, cellular telephone device, wireless communication device, interconnected voice over the internet device, or any other means.

- (h) "CMRS connection" means each number assigned to a CMRS customer.
- (i) "Consolidated dispatch" means a countywide or regional emergency dispatch service that provides dispatch service for 75% or more of the law enforcement, fire fighting, emergency medical service, and other emergency service agencies within the geographical area of a 9-1-1 service district or serves 75% or more of the population within a 9-1-1 service district.
- (j) "County 9-1-1 charge" means the charge allowed under sections 401b, 401c, and 401e.
- (k) "Database service provider" means a service supplier who maintains and supplies or contracts to maintain and supply an ALI database or an MSAG.
- (l) "Direct dispatch method" means that the agency receiving the 9-1-1 call at the public safety answering point decides on the proper action to be taken and dispatches the appropriate available public safety service unit located closest to the request for public safety service.
- (m) "Emergency response service" or "ERS" means a public or private agency that responds to events or situations that are dangerous or that are considered by a member of the public to threaten the public safety. An emergency response service includes a police or fire department, an ambulance service, or any other public or private entity trained and able to alleviate a dangerous or threatening situation.
- (n) "Emergency service zone" or "ESZ" means the designation assigned by a county to each street name and address range that identifies which emergency response service is responsible for responding to an exchange access facility's premises.
- (o) "Emergency telephone charge" means emergency telephone operational charge and emergency telephone technical charge allowed under section 401.
- (p) "Emergency 9-1-1 district" or "9-1-1 service district" means the area in which 9-1-1 service is provided or is planned to be provided to service users under a 9-1-1 system implemented under this act.
- (q) "Emergency 9-1-1 district board" means the governing body created by the board of commissioners of the county or counties with authority over an emergency 9-1-1 district.
- (r) "Emergency telephone operational charge" means a charge allowed under section 401 for nonnetwork technical equipment and other costs directly related to the dispatch facility and the operation of 1 or more PSAPs including, but not limited to, the costs of dispatch personnel and radio equipment necessary to provide 2-way communication between PSAPs and a public safety agency. Emergency telephone operational charge does not include non-PSAP related costs such as response vehicles and other personnel.
- (s) "Emergency telephone technical charge" means a charge as allowed under section 401 or 401d for costs directly related to 9-1-1 service including plant-related costs associated with the use of the public switched telephone network from the end user to the selective router, the network start-up costs, customer notification costs, common network costs, administrative costs, database management costs, and network nonrecurring and recurring installation, maintenance, service, and equipment charges of a service supplier providing 9-1-1 service under this act. Emergency telephone technical charge does not include costs recovered under sections 401b(9) and 408(2).
- (t) "Exchange access facility" means the access from a particular service user's premises to the communication service. Exchange access facilities include service supplier provided access lines, PBX trunks, and centrex line trunk equivalents, all as defined by tariffs of the service suppliers as approved by the public service commission. Exchange access facilities do not include telephone pay station lines or WATS, FX, or incoming only lines.
- (u) "Final 9-1-1 service plan" means a tentative 9-1-1 service plan that has been modified only to reflect necessary changes resulting from any exclusions of public agencies from the 9-1-1 service district of the tentative 9-1-1 service plan under section 306 and any failure of public safety agencies to be designated as PSAPs or secondary PSAPs under section 307.
- (v) "Master street address guide" or "MSAG" means a perpetual database that contains information continuously provided by a service district that defines the geographic area of the service district and includes an alphabetical list of street names, the range of address numbers on each street, the names of each community in the service district, the emergency service zone of each service user, and the primary service answering point identification codes.
- (w) "Obligations" means bonds, notes, installment purchase contracts, or lease purchase agreements to be issued by a public agency under a law of this state.
- (x) "Person" means an individual, corporation, partnership, association, governmental entity, or any other legal entity.
- (y) "Primary public safety answering point", "PSAP", or "primary PSAP" means a communications facility operated or answered on a 24-hour basis assigned responsibility by a public agency or county to receive 9-1-1 calls and to dispatch public safety response services, as appropriate, by the direct dispatch method, relay method, or transfer method. It is the first point of reception by a public safety agency of a 9-1-1 call and

serves the jurisdictions in which it is located and other participating jurisdictions, if any.

(z) "Prime rate" means the average predominant prime rate quoted by not less than 3 commercial financial institutions as determined by the department of treasury.

(aa) "Private safety entity" means a nongovernmental organization that provides emergency fire, ambulance, or medical services.

(bb) "Public agency" means a village, township, charter township, or city within the state and any special purpose district located in whole or in part within the state.

(cc) "Public safety agency" means a functional division of a public agency, county, or the state that provides fire fighting, law enforcement, ambulance, medical, or other emergency services.

(dd) "Qualified obligations" means obligations that meet 1 or more of the following:

(i) The proceeds of the obligations benefit the 9-1-1 district, and for which all of the following conditions are met:

(A) The proceeds of the obligations are used for capital expenditures, costs of a reserve fund securing the obligations, and costs of issuing the obligations. The proceeds of obligations shall not be used for operational expenses.

(B) The weighted average maturity of the obligations does not exceed the useful life of the capital assets.

(C) The obligations shall not in whole or in part appreciate in principal amount or be sold at a discount of more than 10%.

(ii) The obligations are issued to refund obligations that meet the conditions described in subparagraph (i) and the net present value of the principal and interest to be paid on the refunding obligations, excluding the cost of issuance, will be less than the net present value of the principal and interest to be paid on the obligations being refunded, as calculated using a method approved by the department of treasury.

(ee) "Relay method" means that a PSAP notes pertinent information and relays it by a communication service to the appropriate public safety agency or other provider of emergency services that has an available emergency service unit located closest to the request for emergency service for dispatch of an emergency service unit.

(ff) "Secondary public safety answering point" or "secondary PSAP" means a communications facility of a public safety agency or private safety entity that receives 9-1-1 calls by the transfer method only and generally serves as a centralized location for a particular type of emergency call.

(gg) "Service supplier" means a person providing a communication service to a service user in this state.

(hh) "Service user" means a person receiving a communication service.

(ii) "State 9-1-1 charge" means the charge provided for under sections 401a and 401c.

(jj) "Tariff" means the rate approved by the public service commission for 9-1-1 service provided by a particular service supplier. Tariff does not include a rate of a commercial mobile radio service by a particular supplier.

(kk) "Tentative 9-1-1 service plan" means a plan prepared by 1 or more counties for implementing a 9-1-1 system in a specified 9-1-1 service district.

(ll) "Transfer method" means that a PSAP transfers the 9-1-1 call directly to the appropriate public safety agency or other provider of emergency service that has an available emergency service unit located closest to the request for emergency service for dispatch of an emergency service unit.

(mm) "Universal emergency number service" or "9-1-1 service" means public communication service that provides service users with the ability to reach a public safety answering point by dialing the digits "9-1-1".

(nn) "Universal emergency number service system" or "9-1-1 system" means a system for providing 9-1-1 service under this act.

(oo) "Wireless emergency service order" means the order of the federal communications commission, FCC docket No. 94-102, adopted June 12, 1996 with an effective date of October 1, 1996.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 1991, Act 196, Imd. Eff. Jan. 2, 1992;—Am. 1994, Act 29, Imd. Eff. Mar. 2, 1994;—Am. 1996, Act 313, Imd. Eff. June 24, 1996;—Am. 1999, Act 80, Eff. Oct. 27, 1999;—Am. 2007, Act 164, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

CHAPTER II

***** 484.1201 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014 *****

484.1201 Implementation of emergency 9-1-1 service system; conditions; creation by 1 or more counties or cities; access.

Sec. 201. (1) An emergency 9-1-1 service system shall not be implemented in this state except as provided under this act.

(2) One or more counties may create an emergency 9-1-1 service system under this act.

(3) With the approval of the county board of commissioners in a county with a population of 1,800,000 or more, 4 or more cities may create an emergency 9-1-1 service district under this act.

(4) Each service supplier in this state is required to provide each of its service users access to the 9-1-1 system. Each service supplier shall provide the committee with contact information to allow for notifications as required under section 714.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 1994, Act 29, Imd. Eff. Mar. 2, 1994;—Am. 1999, Act 78, Imd. Eff. June 28, 1999;—Am. 2007, Act 164, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

484.1201a, 484.1201b Repealed. 2007, Act 165, Imd. Eff. Dec. 21, 2007.

Compiler's note: The repealed sections pertained to universal emergency number service systems created by counties or cities.

Popular name: 9-1-1

***** 484.1202 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1202 Technical modifications to existing system; cost.

Sec. 202. A public agency which is excluded from a 9-1-1 service district in a 9-1-1 system implemented under this act, but which is operating an existing emergency 9-1-1 service at the time the 9-1-1 system is implemented, shall permit any technical modifications to its existing system which are necessary for compatibility with the 9-1-1 system. Any cost of the service supplier associated with such modifications shall be collected from service users in the 9-1-1 service district.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 2007, Act 164, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

***** 484.1203 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1203 Primary emergency 9-1-1 number; secondary backup number; number for nonemergency contacts.

Sec. 203. The digits 9-1-1 shall be the primary emergency 9-1-1 number within every 9-1-1 system established pursuant to this act. A public safety agency whose services are available through a 9-1-1 system implemented under this act may maintain a separate secondary backup number for emergencies, and shall maintain a separate number for nonemergency contacts.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 2007, Act 164, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

***** 484.1204 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1204 System designs.

Sec. 204. (1) A 9-1-1 system implemented pursuant to this act shall be designed to meet the individual circumstances of each county and the public agencies participating in the 9-1-1 system, and shall be within the service limitations of service suppliers providing the 9-1-1 service in the 9-1-1 system. System designs shall include provision for expansion of the system to include capabilities not required in initial implementation, including the addition of PSAPs and secondary PSAPs.

(2) Every 9-1-1 system shall be designed so that a 9-1-1 call is processed by means of either the direct dispatch method, the relay method, or the transfer method. At least 2 of the specified methods shall be available for use by the PSAP receiving the call. The PSAP may handle nonemergency calls by referring the caller to another number.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986.

Popular name: 9-1-1

***** 484.1205 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1205 Capabilities and requirements of 9-1-1 system.

Sec. 205. (1) A 9-1-1 system established under this act shall be capable of transmitting requests for law enforcement, fire fighting, and emergency medical and ambulance services to 1 or more public safety agencies which provide the requested service to the place where the call originates.

(2) A 9-1-1 system shall process all 9-1-1 calls originating from telephones within an exchange any part of which is within the emergency 9-1-1 district served by the system. This requirement does not apply to any part of an exchange not located within the county or counties that established the 9-1-1 system if that part has been included in an implemented 9-1-1 system for the county within which that part is located.

(3) A 9-1-1 system may provide for transmittal of requests for other emergency services, such as poison control, suicide prevention, and civil defense. Conferencing capability with counseling, aid to persons with disabilities, and other services as considered necessary for emergency response determination may be provided by the 9-1-1 system.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 1994, Act 29, Imd. Eff. Mar. 2, 1994;—Am. 1998, Act 23, Imd. Eff. Mar. 12, 1998;—Am. 2007, Act 164, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

***** 484.1206 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1206 PSAP transmissions.

Sec. 206. A PSAP may transmit emergency response requests to private safety entities under a 9-1-1 system.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986.

Popular name: 9-1-1

***** 484.1207 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1207 Automatic alerting devices prohibited.

Sec. 207. The installation of automatic intrusion alarms and other automatic alerting devices which cause the number 9-1-1 to be dialed shall be prohibited in a 9-1-1 system.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986.

Popular name: 9-1-1

CHAPTER III

***** 484.1301 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1301 Emergency 9-1-1 district; establishment; implementation of 9-1-1 service; modification or alteration of existing emergency 9-1-1 service; emergency 9-1-1 district board; creation and powers.

Sec. 301. (1) The board of commissioners of a county may establish an emergency 9-1-1 district within all or part of the county and may cause 9-1-1 service to be implemented within the emergency 9-1-1 district under this act.

(2) The board of commissioners of a county all or part of which is operating an existing emergency telephone service shall modify the existing emergency telephone service or may alter the scope or method of financing of 9-1-1 service within all or part of the county by establishing an emergency 9-1-1 district and causing 9-1-1 service to be implemented within the emergency 9-1-1 district under this act.

(3) The board of commissioners of a county may create an emergency 9-1-1 district board and delegate certain powers to the board.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 1994, Act 29, Imd. Eff. Mar. 2, 1994;—Am. 2006, Act 249, Imd. Eff. July 3, 2006;—Am. 2007, Act 164, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

***** 484.1302 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1302 Emergency 9-1-1 district; joint establishment; implementation of 9-1-1 service; actions; notices.

Sec. 302. Two or more county boards of commissioners may jointly establish an emergency 9-1-1 district within all or part of the counties and may cause 9-1-1 service to be implemented within the emergency 9-1-1 district under this act. If 2 or more county boards of commissioners wish to jointly establish an emergency 9-1-1 district under this act, then all actions required or permitted to be taken by a county or its officials under this act shall be taken by each county or the officials of each county, and all notices required or permitted to be given to a county or its officials under this act shall be given to each county or the officials of each county.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 2007, Act 164, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

***** 484.1303 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1303 Tentative 9-1-1 service plan; adoption by resolution; requirements; payments for installation and recurring charges associated with PSAP.

Sec. 303. (1) To establish an emergency 9-1-1 district and to cause 9-1-1 service to be implemented within that emergency 9-1-1 district, the board of commissioners of a county shall first adopt a tentative 9-1-1 service plan by resolution.

(2) A tentative 9-1-1 service plan shall comply with chapter II and shall address at a minimum all of the following:

(a) Technical considerations of the service supplier, including but not limited to, system equipment for facilities to be used in providing emergency 9-1-1 service.

(b) Operational considerations, including but not limited to, the designation of PSAPs and secondary PSAPs, the manner in which 9-1-1 calls will be processed, the dispatch functions to be performed, plans for documenting closest public safety service unit dispatching requirements, the dispatch of Michigan state police personnel, and identifying information systems to be utilized.

(c) Managerial considerations including the organizational form and agreements that would control technical, operational, and fiscal aspects of the emergency 9-1-1 service.

(d) Fiscal considerations including projected nonrecurring and recurring costs with a financial plan for implementing and operating the system.

(3) The tentative 9-1-1 service plan shall require each public agency operating a PSAP under the 9-1-1 system to pay directly for all installation and recurring charges for terminal equipment, including customer premises equipment, associated with the public agency's PSAP, and may require each public agency operating a PSAP under the 9-1-1 system to pay directly to the service supplier all installation and recurring charges for all 9-1-1 exchange and tie lines associated with the public agency's PSAP.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 1994, Act 29, Imd. Eff. Mar. 2, 1994;—Am. 1999, Act 80, Eff. Oct. 27, 1999;—Am. 2007, Act 164, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

***** 484.1304 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1304 Specifications of resolution.

Sec. 304. A resolution adopting a tentative 9-1-1 service plan pursuant to section 303 shall specify a time, date, and place for the public hearing to be held on the final 9-1-1 service plan pursuant to section 309, which date shall be not less than 90 days after the date of the adoption of the resolution authorized by this section.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986.

Popular name: 9-1-1

***** 484.1305 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1305 Forwarding copy of resolution and tentative 9-1-1 service plan to clerk or other appropriate official.

Sec. 305. Within 5 days after the adoption of a resolution authorized in section 303, the county clerk shall forward a copy of such resolution, together with a copy of the tentative 9-1-1 service plan, by certified mail, return receipt requested, to the clerk or other appropriate official of each public agency located within the

9-1-1 district of the tentative 9-1-1 service plan.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986.

Popular name: 9-1-1

484.1306 Repealed. 2007, Act 165, Imd. Eff. Dec. 21, 2007.

Compiler's note: The repealed section pertained to exclusion from 9-1-1 service district.

Popular name: 9-1-1

***** 484.1307 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1307 Notice of intent to function as PSAP or secondary PSAP.

Sec. 307. (1) Any public safety agency designated in the tentative 9-1-1 service plan to function as a PSAP or secondary PSAP shall be so designated under the final 9-1-1 service plan if the public safety agency files with the county clerk a notice of intent to function as a PSAP or secondary PSAP within 45 days after the public agency which the public safety agency has been designated to serve by the tentative 9-1-1 service plan receives a copy of the resolution and the tentative 9-1-1 service plan adopted under section 303. The notice of intent to function as a PSAP or secondary PSAP shall be in substantially the following form:

NOTICE OF INTENT TO FUNCTION
AS A PSAP OR SECONDARY PSAP

Pursuant to section 307 of the emergency 9-1-1
service enabling act, _____ shall
function as a (check one) _____ PSAP
_____ Secondary PSAP within the 9-1-1 service district
of the tentative 9-1-1 service plan adopted by resolution
of the board of commissioners for the county of
_____, on _____, 19_____.

(Acknowledgment)

(2) If a public safety agency designated as a PSAP or secondary PSAP in the tentative 9-1-1 service plan fails to file a notice of intent to function as a PSAP or secondary PSAP within the time period specified in subsection (1), the public safety agency shall not be designated as a PSAP or secondary PSAP in the final 9-1-1 service plan.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 2007, Act 164, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

***** 484.1308 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1308 Hearing on final 9-1-1 service plan; notice.

Sec. 308. The clerk of each county which has adopted a tentative 9-1-1 service plan under section 303 shall give notice by publication of the hearing on the final 9-1-1 service plan to be held under section 309. The notice shall be published twice in a newspaper of general circulation within the county, the first publication of the notice occurring at least 30 days prior to the date of the hearing. The notice shall state all of the following:

(a) The time, date, and place of the hearing.

(b) A description of the boundaries of the 9-1-1 service district of the final 9-1-1 service plan.

(c) That if the board of commissioners of the county, after a hearing, adopts the final 9-1-1 service plan under this act, the state 9-1-1 charge and, if a county 9-1-1 charge has been approved, a county 9-1-1 charge shall be collected on a uniform basis from all service users within the 9-1-1 service district.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 1994, Act 29, Imd. Eff. Mar. 2, 1994;—Am. 2007, Act 164, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

***** 484.1309 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1309 Conduct of hearing; opportunity to be heard.

Sec. 309. The board of commissioners shall conduct a hearing on the final 9-1-1 service plan at the time, place, and date specified in the notice published pursuant to section 308. All persons attending the meeting

shall be afforded a reasonable opportunity to be heard.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986.

Popular name: 9-1-1

***** 484.1310 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1310 Final 9-1-1 service plan; adoption by resolution; application to service suppliers.

Sec. 310. After conducting the hearing on the final 9-1-1 service plan pursuant to this act, the board of commissioners of the affected county may adopt by resolution the final 9-1-1 service plan. Upon adoption of the resolution, the county, on behalf of public agencies located within the 9-1-1 service district, shall apply in writing to the service supplier or suppliers designated to provide 9-1-1 service within the 9-1-1 service district under the final 9-1-1 service plan.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986.

Popular name: 9-1-1

***** 484.1311 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1311 Implementation of 9-1-1 service in 9-1-1 service district; public safety agency to function as PSAP or secondary PSAP.

Sec. 311. (1) As soon as feasible after receipt of a written application from a county requesting 9-1-1 service within a 9-1-1 service district described in a final 9-1-1 service plan adopted pursuant to this act, each service supplier designated in the final 9-1-1 service plan shall implement 9-1-1 service within the 9-1-1 service district in accordance with the final 9-1-1 service plan.

(2) Upon implementation of 9-1-1 service in a 9-1-1 service district pursuant to subsection (1), each public safety agency designated as a PSAP or secondary PSAP in the final 9-1-1 service plan shall begin to function as a PSAP or secondary PSAP.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 1991, Act 196, Imd. Eff. Jan. 2, 1992.

Popular name: 9-1-1

***** 484.1312 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1312 Amendment of final 9-1-1 service plan.

Sec. 312. (1) Except as otherwise provided under subsection (2), after a final 9-1-1 service plan has been adopted under section 310, a county may amend the final 9-1-1 service plan only by complying with the procedures described in sections 301 to 310. Upon adoption of an amended final 9-1-1 service plan by the county board of commissioners, the county shall forward the amended final 9-1-1 service plan to the service supplier or suppliers designated to provide 9-1-1 service within the 9-1-1 service district as amended. Upon receipt of the amended final 9-1-1 service plan, each designated service supplier shall implement as soon as feasible the amendments to the final 9-1-1 service plan in the 9-1-1 service district as amended.

(2) The county board of commissioners may by resolution make minor amendments to the final 9-1-1 service plan for any of the following:

- (a) Changes in PSAP premises equipment, including, but not limited to, computer-aided dispatch systems, call processing equipment, and computer mapping.
- (b) Changes involving the participating public safety agencies within a 9-1-1 service district.
- (c) Changes in the 9-1-1 charges collected by the county subject to the limits under this act.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 2007, Act 164, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

***** 484.1313 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1313 Termination of 9-1-1 system.

Sec. 313. A 9-1-1 system implemented pursuant to this act shall be terminated only if each public agency, all or part of which was included within the 9-1-1 service district of the final 9-1-1 service plan, withdraws its entire jurisdiction from the 9-1-1 service district pursuant to section 505.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986.

Rendered Thursday, May 17, 2012

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Popular name: 9-1-1

***** 484.1314 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1314 Duties of service supplier or other owner or lessee of pay station telephone; installation of pay station telephone; costs of service supplier.

Sec. 314. (1) At the time that a 9-1-1 system becomes operational or as soon as feasible thereafter, each service supplier or other owner or lessee of a pay station telephone to be operated within the 9-1-1 service district shall do both of the following:

(a) Convert or cause to be converted each such telephone to permit a caller to dial 9-1-1 without first inserting a coin or paying any other charge.

(b) Prominently display on each such telephone a notice advising callers to dial 9-1-1 in an emergency and that deposit of a coin is not required.

(2) After commencement of 9-1-1 service in a 9-1-1 service district, a person shall not install, cause to be installed, or offer for use within the 9-1-1 district a pay station telephone, whether on public or private premises, unless the telephone is capable of accepting a 9-1-1 call without prior insertion of a coin or payment of any other charge, and displays the notice described in subsection (1).

(3) All costs of a service supplier associated with converting pay station telephones and maintaining the required notices under this section shall be borne by the service users within the 9-1-1 district.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986.

Popular name: 9-1-1

***** 484.1315 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1315 Displaying address of telephone.

Sec. 315. If the 9-1-1 system does not provide ALI, each service supplier, owner, or lessee of a pay station telephone shall prominently display on each telephone or telephone pay station the address of the telephone at the time that a 9-1-1 system becomes operational or as soon as feasible thereafter.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986.

Popular name: 9-1-1

***** 484.1316 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1316 Providing accurate database information; customer telephone numbers and service addresses; expenses; waiver of privacy; notice of inaccurate information.

Sec. 316. (1) Except for a CMRS supplier, a service supplier shall provide to a 9-1-1 database service provider accurate database information, including the name, service address, and telephone number of each user, in a format established and distributed by that database service provider. The information shall be provided to the 9-1-1 database service provider within the following time periods:

(a) Within 1 business day after the initiation of service or the processing of a service order change.

(b) Within 1 business day after receiving database information from a service supplier or service district.

(2) Except for a CMRS supplier, if an ALI is not offered by the service supplier with the 9-1-1 system and the 9-1-1 system requires that information, a service supplier shall provide current customer telephone numbers and service addresses to each PSAP and secondary PSAP within the 9-1-1 system and shall periodically update customer telephone numbers and service addresses and provide such information to each PSAP and secondary PSAP within the 9-1-1 system. The 9-1-1 service district shall determine the period within which the service supplier shall update customer telephone numbers and service addresses. Expenses incurred in providing this information shall be included in the price of the system. Private listing service customers in a 9-1-1 service district shall waive the privacy afforded by nonlisted and nonpublished numbers to the extent that the name and address associated with the telephone number may be furnished to the 9-1-1 system.

(3) A service district shall notify the service supplier or the database provider within 1 business day of any address that comes to the service district's attention that does not match the master street address guide.

(4) A CMRS supplier shall provide accurate database information for the ANI and the ALI to the 9-1-1 database service provider that complies with the wireless emergency service order.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 1999, Act 80, Eff. Oct. 27, 1999.

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Popular name: 9-1-1

***** 484.1317 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1317 Use of name, address, and telephone number information; limitation; violation as misdemeanor.

Sec. 317. Name, address, and telephone number information provided to a 9-1-1 system by a service supplier shall be used only for the purpose of identifying the telephone location or identity, or both, of a person calling the 9-1-1 emergency telephone number and shall not be used or disclosed by the 9-1-1 system agencies, their agents, or their employees for any other purpose, unless the information is used or disclosed as otherwise required under this act, to a member of a public safety agency if necessary to respond to events or situations that are dangerous or threaten individual or public safety, or pursuant to a court order. A person who violates this section is guilty of a misdemeanor.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 2004, Act 515, Imd. Eff. Jan. 3, 2005.

Popular name: 9-1-1

***** 484.1317a THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1317a Emergency notification system.

Sec. 317a. (1) A 9-1-1 service district may implement an emergency notification system that will allow emergency service responders to contact service users within a specific geographic area regarding an imminent danger or emergency that may affect the user's health, safety, or welfare.

(2) A person that provides an emergency notification system allowed under this section is a service supplier under section 604.

(3) A service supplier shall upon request provide to each 9-1-1 service district within the provider's service area the telephone number and address data, including all listed, unlisted, and unpublished numbers and addresses, for each service user within the district.

(4) A service supplier may charge a reasonable rate to provide the data required under subsection (3).

(5) A 9-1-1 service district shall not request the data required under subsection (3) more than once per month.

(6) The data provided under subsection (3) shall be used only for the purposes provided under this section.

(7) This section does not apply to a wireless carrier. As used in this subsection, "wireless carrier" means a provider of 2-way cellular, broadband PCS, geographic area 800 MHz and 900 MHz commercial mobile radio service, wireless communications service, or other commercial mobile radio service as defined in 47 CFR 20.3, that offers radio communications that may provide fixed, mobile, radio location, or satellite communication services to individuals or businesses within its assigned spectrum block and geographical area or that offers real-time, 2-way voice or data service that is interconnected with the public switched network, including a reseller of the service.

(8) A person who violates this section is guilty of a misdemeanor.

History: Add. 2004, Act 515, Imd. Eff. Jan. 3, 2005.

Popular name: 9-1-1

***** 484.1318 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1318 Agreement to service as PSAP or secondary PSAP.

Sec. 318. A public agency may enter into an agreement with a public safety agency of another public agency, or of the state, to serve as a PSAP or secondary PSAP for such public agency in a 9-1-1 system implemented pursuant to this act.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 1994, Act 29, Imd. Eff. Mar. 2, 1994.

Popular name: 9-1-1

***** 484.1319 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1319 Duties of certain public agencies.

Sec. 319. A public agency that plans to establish a 9-1-1 system without using the financing method

provided under this act shall do all of the following:

(a) Provide public notice of its intent to enter into a contract for 9-1-1 services. The public notice shall be provided in the same manner as required under section 308.

(b) Provide public notice of its intent to enter into a contract for 9-1-1 services to the county board of commissioners of the county within which the public agency is located and to all other public agencies that share wire centers with the contracting public agency. The public notice shall be provided in the same manner as required under section 308.

(c) Conduct a public hearing in the same manner as required under section 309.

History: Add. 1989, Act 36, Imd. Eff. June 1, 1989;—Am. 2007, Act 164, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

***** 484.1320 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1320 Emergency 9-1-1 district board; creation; membership, powers, and duties; appropriations to board; contracts; system to be used in dispatching participating service units; basis for determination.

Sec. 320. (1) The county shall create an emergency 9-1-1 district board if a county creates a consolidated dispatch within an emergency 9-1-1 district after March 2, 1994.

(2) The membership of the board and the board's powers and duties shall be determined by the county board of commissioners. The membership of the board shall include a representative of the county sheriff or his or her designated representative, a representative of the Michigan state police designated by the director of the Michigan state police, and a firefighter. If the emergency 9-1-1 district consists of more than 1 county, the sheriff representative shall be appointed by the president of the Michigan sheriffs' association.

(3) A county or other public agency may make appropriations to the emergency 9-1-1 district board.

(4) A public agency may contract with the emergency 9-1-1 district board, and persons who are both members of the board and of the governing body of the public agency may vote both on the board and the body if approved by the contract.

(5) The basis under which a consolidated dispatch meets the requirement for being a dispatch under section 102(c) shall determine the system to be used in dispatching participating service units.

History: Add. 1994, Act 29, Imd. Eff. Mar. 2, 1994;—Am. 1998, Act 122, Imd. Eff. June 10, 1998;—Am. 2007, Act 164, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

***** 484.1321 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1321 Services provided by consolidated dispatch.

Sec. 321. A consolidated dispatch shall provide full public safety dispatching services for service requests for the participating sheriff departments, state police, and other participating public safety agencies within the 9-1-1 service district.

History: Add. 1994, Act 29, Imd. Eff. Mar. 2, 1994.

Popular name: 9-1-1

CHAPTER IV

***** 484.1401 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

***** 484.1401 SUBSECTIONS (3) THROUGH (13) DO NOT APPLY AFTER JUNE 30, 2008 *****

484.1401 Agreement; emergency telephone technical charge and emergency telephone operational charge; billing and collection service; computation; monthly charge for recurring costs and charges; ballot question; annual accounting; distribution of operational charge; limitation on levy and collection; applicability of subsections (3) through (13) after June 30, 2008.

Sec. 401. (1) An emergency 9-1-1 district board, a 9-1-1 service district as defined in section 102 and created under section 201b, or a county on behalf of a 9-1-1 service area created by the county may enter into an agreement with a public agency that does either of the following:

(a) Grants a specific pledge or assignment of a lien on or a security interest in any money received by a

9-1-1 service district for the benefit of qualified obligations.

(b) Provides for payment directly to the public entity issuing qualified obligations of a portion of the county 9-1-1 charge or state 9-1-1 charge sufficient to pay when due principal of and interest on qualified obligations.

(2) A pledge, assignment, lien, or security interest for the benefit of qualified obligations is valid and binding from the time the qualified obligations are issued without a physical delivery or further act. A pledge, assignment, lien, or security interest is valid and binding and has priority over any other claim against the emergency 9-1-1 district board, the 9-1-1 service district, or any other person with or without notice of the pledge, assignment, lien, or security interest.

(3) Except as provided in sections 407 to 412, each service supplier within a 9-1-1 service district shall provide a billing and collection service for an emergency telephone technical charge and emergency telephone operational charge from all service users of the service supplier within the geographical boundaries of the emergency telephone or 9-1-1 service district. The billing and collection of the emergency telephone operational charge and that portion of the technical charge used for billing cost shall begin as soon as feasible after the final 9-1-1 service plan has been approved. The billing and collection of the emergency telephone technical charge not already collected for billing costs shall begin as soon as feasible after installation and operation of the 9-1-1 system. The emergency telephone technical charge and emergency telephone operational charge shall be uniform per each exchange access facility within the 9-1-1 service district. The portion of the emergency telephone technical charge that represents start-up costs, nonrecurring billing, installation, service, and equipment charges of the service supplier, including the costs of updating equipment necessary for conversion to 9-1-1 service, shall be amortized at the prime rate plus 1% over a period not to exceed 10 years and shall be billed and collected from all service users only until those amounts are fully recouped by the service supplier. The prime rate to be used for amortization shall be set before the first assessment of nonrecurring charges and remain at that rate for 5 years, at which time a new rate may be set for the remaining amortization period. Recurring costs and charges included in the emergency telephone technical charge and emergency telephone operational charge shall continue to be billed to the service user.

(4) Except as provided in sections 407 to 412 and subject to the limitation provided by this section, the amount of the emergency telephone technical charge and emergency telephone operational charge to be billed to the service user shall be computed by dividing the total emergency telephone technical charge and emergency telephone operational charge by the number of exchange access facilities within the 9-1-1 service district.

(5) Except as provided in subsection (7) and sections 407 to 412, the amount of emergency telephone technical charge payable monthly by a service user for recurring costs and charges shall not exceed 2% of the lesser of \$20.00 or the highest monthly rate charged by the service supplier for primary basic local exchange service under section 304 of the Michigan telecommunications act, 1991 PA 179, MCL 484.2304, within the 9-1-1 service district. The amount of emergency telephone technical charge payable monthly by a service user for nonrecurring costs and charges shall not exceed 5% of the lesser of \$20.00 or the highest monthly rate charged by the service supplier for primary basic local exchange service under section 304 of the Michigan telecommunications act, 1991 PA 179, MCL 484.2304, within the 9-1-1 service district. With the approval of the county board of commissioners, a county may assess an amount for recurring emergency telephone operational costs and charges that shall not exceed 4% of the lesser of \$20.00 or the highest monthly rate charged by the service supplier for primary basic local exchange service under section 304 of the Michigan telecommunications act, 1991 PA 179, MCL 484.2304, within the geographical boundaries of the assessing county. The percentage to be set for the emergency telephone operational charge shall be established by the county board of commissioners under section 312. A change to the percentage set for the emergency telephone operational charge may be made only by the county board of commissioners. The difference, if any, between the amount of the emergency telephone technical charge computed under subsection (4) and the maximum permitted under this section shall be paid by the county from funds available to the county or through cooperative arrangements with public agencies within the 9-1-1 service district.

(6) Except as provided in sections 407 to 412, the emergency telephone technical charge and emergency telephone operational charge shall be collected in accordance with the regular billings of the service supplier. The amount collected for emergency telephone operational charge shall be paid by the service supplier to the county that authorized the collection. The emergency telephone technical charge and emergency telephone operational charge payable by service users pursuant to this act shall be added to and shall be stated separately in the billings to service users.

(7) Except as provided in sections 407 to 412, for a 9-1-1 service district created or enhanced after June 27, 1991, the amount of emergency telephone technical charge payable monthly by a service user for recurring costs and charges shall not exceed 4% of the lesser of \$20.00 or the highest monthly rate charged by the

service supplier for primary basic local exchange service under section 304 of the Michigan telecommunications act, 1991 PA 179, MCL 484.2304, within the 9-1-1 service district.

(8) Except as provided in sections 407 to 412, a county may, with the approval of the voters in the county, assess up to 16% of the lesser of \$20.00 or the highest monthly rate charged by the service supplier for primary basic local exchange service under section 304 of the Michigan telecommunications act, 1991 PA 179, MCL 484.2304, within the geographical boundaries of the assessing county or assess a millage or combination of the 2 to cover emergency telephone operational costs. In a ballot question under this subsection, the board of commissioners shall specifically identify how the collected money is to be distributed. An affirmative vote on a ballot question under this subsection shall be considered an amendment to the 9-1-1 service plan pursuant to section 312. Not more than 1 ballot question under this subsection may be submitted to the voters within any 12-month period. An assessment approved under this subsection shall be for a period not greater than 5 years.

(9) The total emergency telephone operational charge as prescribed in subsections (5) and (8) shall not exceed 20% of the lesser of \$20.00 or the highest monthly flat rate charged for primary basic service by a service supplier for a 1-party access line.

(10) Except as provided in sections 407 to 412, if the voters approve the charge to be assessed on the service user's telephone bill on a ballot question under subsection (8), the service provider's bill shall state the following:

"This amount is for your 9-1-1 service which has been approved by the voters on (DATE OF VOTER APPROVAL). This is not a charge assessed by your telephone carrier. If you have questions concerning your 9-1-1 service, you may call (INCLUDE APPROPRIATE TELEPHONE NUMBER)."

(11) Except as provided in sections 407 to 412, an annual accounting shall be made of the emergency telephone operational charge approved under this act in the same manner as the annual accounting required by section 405.

(12) Except as otherwise provided in subsection (13), or as provided in sections 407 to 412, the emergency telephone operational charge collected under this section shall be distributed by the county or the counties to the primary PSAPs by 1 of the following methods:

(a) As provided in the final 9-1-1 service plan.

(b) If distribution is not provided for in the plan, then according to any agreement for distribution between the county and public agencies.

(c) If distribution is not provided in the plan or by agreement, then according to the distribution of access lines within the primary PSAPs.

(13) Except as provided in sections 407 to 412, if a county had multiple emergency telephone districts before March 2, 1994, then the emergency telephone operational charge collected under this section shall be distributed in proportion to the amount of access lines within the primary PSAPs.

(14) This act does not preclude the distribution of funding to secondary PSAPs if the distribution is determined by the primary PSAPs within the emergency 9-1-1 district to be the most effective method for dispatching of fire or emergency medical services and the distribution is approved within the final 9-1-1 service plan.

(15) Notwithstanding any other provision of this act, the emergency telephone technical charge collected under this section and the emergency telephone operational charge shall not be levied or collected after June 30, 2008. If all or a portion of the emergency telephone operational charge has been pledged as security for the payment of qualified obligations, the emergency telephone operational charge shall be levied and collected only to the extent required to pay the qualified obligations or satisfy the pledge.

(16) Subsections (3) through (13) do not apply after June 30, 2008.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 1989, Act 36, Imd. Eff. June 1, 1989;—Am. 1991, Act 45, Imd. Eff. June 27, 1991;—Am. 1991, Act 196, Imd. Eff. Jan. 2, 1992;—Am. 1994, Act 29, Imd. Eff. Mar. 2, 1994;—Am. 1999, Act 81, Imd. Eff. June 28, 1999;—Am. 2006, Act 249, Imd. Eff. July 3, 2006;—Am. 2007, Act 164, Imd. Eff. Dec. 21, 2007;—Am. 2008, Act 48, Eff. Jan. 1, 2008.

Compiler's note: Enacting section 1 of Act 48 of 2008 provides: "Enacting section 1. This amendatory act is retroactive and is effective January 1, 2008."

Popular name: 9-1-1

***** 484.1401a THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014 *****

484.1401a Billing and collection of state 9-1-1 charge; amount; limitation; listing on bill or payment receipt; review and adjustment of charge; separate charges imposed on access points or lines; effective date of section.

Sec. 401a. (1) Except as otherwise provided under section 401c, each service supplier within a 9-1-1 service district shall bill and collect a state 9-1-1 charge from all service users of the service supplier within the geographical boundaries of the 9-1-1 service district or as otherwise provided by this section. The billing and collection of the state 9-1-1 charge shall begin July 1, 2008. The state 9-1-1 charge shall be uniform per each service user within the 9-1-1 service district.

(2) The amount of the state 9-1-1 charge payable monthly by a service user shall be established as provided under subsection (4). The amount of the state 9-1-1 charge shall not be more than 25 cents or less than 15 cents. The charge may be adjusted annually as provided under subsection (4).

(3) The state 9-1-1 charge shall be collected in accordance with the regular billings of the service supplier. Except as otherwise provided under this act, the amount collected for the state 9-1-1 charge shall be remitted quarterly by the service supplier to the state treasurer and deposited in the emergency 9-1-1 fund created under section 407. The charge allowed under this section shall be listed separately on the customer's bill or payment receipt.

(4) The initial state 9-1-1 charge shall be 19 cents and shall be effective July 1, 2008. The state 9-1-1 charge shall reflect the actual costs of operating, maintaining, upgrading, and other reasonable and necessary expenditures for the 9-1-1 system in this state. The state 9-1-1 charge may be reviewed and adjusted as provided under subsection (5).

(5) The commission in consultation with the committee shall review and may adjust the state 9-1-1 charge under this section and the distribution percentages under section 408 to be effective on July 1, 2009 and July 1, 2010. Any adjustment to the charge by the commission shall be made no later than May 1 of the preceding year and shall be based on the committee's recommendations under section 412. Any adjustments to the state 9-1-1 charge or distribution percentages after December 31, 2010 shall be made by the legislature.

(6) If a service user has multiple access points or access lines, the state 9-1-1 charge will be imposed separately on each of the first 10 access points or access lines and then 1 charge for each 10 access points or access lines per billed account.

(7) This section takes effect July 1, 2008.

History: Add. 2007, Act 164, Eff. July 1, 2008;—Am. 2008, Act 379, Imd. Eff. Dec. 23, 2008.

Popular name: 9-1-1

***** 484.1401b THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1401b Additional charge assessed by county board of commissioners; method; limitation; approval of charge by voters; statement on service provider's bill; annual accounting; payment and distribution; methods; adjustment; county having multiple emergency response districts; distribution to secondary PSAPs; retention of percentage to cover supplier's costs; listing as separate charge on customer's bill; exemption from disclosure; separate charges imposed on access points or lines; use of charge assessed; levy after repeal date.

Sec. 401b. (1) In addition to the charge allowed under section 401a, after June 30, 2008 a county board of commissioners may assess a county 9-1-1 charge to service users located within that county by 1 of the following methods:

(a) Up to \$0.42 per month by resolution.

(b) Up to \$3.00 per month with the approval of the voters in the county.

(c) Any combination of subdivisions (a) and (b) with a maximum county 9-1-1 charge of \$3.00 per month.

(2) A county assessing a county 9-1-1 charge amount approved in the commission's order in case number U-15489 that exceeds the amounts established in subsection (1) may continue to assess the amount approved by the commission. Any proposed increase to the amount approved in the commission order is subject to subsection (1).

(3) The charge assessed under this section and section 401e shall not exceed the amount necessary and reasonable to implement, maintain, and operate the 9-1-1 system in the county.

(4) If the voters approve the charge to be assessed on the service user's monthly bill on a ballot question under this section, the service provider's bill shall state the following:

"This amount is for your 9-1-1 service which has been approved by the voters on (DATE OF VOTER APPROVAL). This is not a charge assessed by your service supplier. If you have questions concerning your 9-1-1 service, you may call (INCLUDE APPROPRIATE TELEPHONE NUMBER)."

(5) Within 90 days after the first day of each fiscal or calendar year of a county, an annual accounting shall

be made of the charge approved under this section.

(6) Except as otherwise provided in subsection (10), the county 9-1-1 charge collected under this section shall be paid quarterly directly to the county and distributed by the county to the primary PSAPs by 1 of the following methods:

(a) As provided in the final 9-1-1 service plan.

(b) If distribution is not provided for in the plan, then according to any agreement for distribution between the county and public agencies.

(c) If distribution is not provided in the plan or by agreement, then according to population within the emergency 9-1-1 district.

(7) Subject to subsection (1), the county may adjust the county 9-1-1 charge annually to be effective July 1. The county shall notify the committee no later than May 15 of each year of any change in the county 9-1-1 charge under this section.

(8) If a county has multiple emergency response districts, the county 9-1-1 charge collected under this section shall be distributed under subsection (6) in proportion to the population within the emergency 9-1-1 district.

(9) This section shall not preclude the distribution of funding to secondary PSAPs if the distribution is determined by the primary PSAPs within the emergency 9-1-1 district to be the most effective method for dispatching of fire or emergency medical services and the distribution is approved within the final 9-1-1 service plan.

(10) The service supplier may retain 2% of the approved county 9-1-1 charge to cover the supplier's costs for billings and collections under this section.

(11) The charge allowed under this section shall be listed separately on the customer's bill and shall state by which means the charge was approved under subsection (1).

(12) Information submitted by a service supplier to a county under this section is exempt from the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, and shall not be released by the county without the consent of the service supplier. Unless required or permitted by statute, court rule, subpoena, or court order, or except as necessary for a county, the commission, committee, or public agency to pursue or defend the public's interest in any public contract or litigation, a county treasurer, the commission, committee, agency, or any employee or representative of a PSAP, database administrator, or public agency shall not divulge any information acquired with respect to customers, revenues or expenses, trade secrets, access line counts, commercial information, or any other proprietary information with respect to a service supplier while acting or claiming to act as an employee, agent, or representative. An aggregation of information that does not identify or effectively identify the number of customers, revenues or expenses, trade secrets, access lines, commercial information, and other proprietary information attributable to a specific service supplier may be made public.

(13) If a service user has multiple access points or access lines, the county 9-1-1 charge will be imposed separately on each of the first 10 access points or access lines and then 1 charge for each 10 access points or access lines per billed account.

(14) A county 9-1-1 charge assessed under subsection (1) shall be used only to fund costs approved as allowable in a published report by the committee prior to December 1, 2008. The committee shall notify the standing committees of the senate and house of representatives having jurisdiction over issues pertaining to communication technology at least 90 days prior to modifying what constitutes an allowable cost under this subsection.

(15) Notwithstanding any other provision of this act, the county 9-1-1 charge levied under this section shall not be levied after the repeal date provided in section 717. If all or a portion of the county 9-1-1 charge levied under this section has been pledged as security for the payment of qualified obligations, the county 9-1-1 charge shall be levied and collected only to the extent required to pay the qualified obligations or satisfy the pledge.

History: Add. 2007, Act 164, Imd. Eff. Dec. 21, 2007;—Am. 2008, Act 379, Imd. Eff. Dec. 23, 2008.

Popular name: 9-1-1

***** 484.1401c THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014 *****

484.1401c Collection of emergency 9-1-1 charge by CMRS supplier or reseller from prepaid customers; amount; method of determining amount; annual review; deposit of amount collected; effective date of section; definitions.

Sec. 401c. (1) Each CMRS supplier or reseller shall collect an emergency 9-1-1 charge from each of its

prepaid customers. The amount of the emergency 9-1-1 charge shall be established annually by the committee by combining the amounts determined under subsections (2) and (3).

(2) The CMRS supplier or reseller shall have a 1-time option of selecting 1 of the following methods of determining the portion of the emergency 9-1-1 charge that represents the state 9-1-1 charge amount:

(a) By dividing the total earned prepaid revenue received by the CMRS supplier or reseller within the monthly 9-1-1 reporting period by \$50.00 and then multiplying that number by the amount of the state 9-1-1 charge as established under section 401a.

(b) By multiplying the amount of the state 9-1-1 charge as established under section 401a for each active prepaid account of the CMRS supplier or reseller.

(3) The committee shall review and annually establish the portion of the emergency 9-1-1 charge assessed under this section that represents the county 9-1-1 charge amount. The charge shall be based on the weighted average of all county 9-1-1 charges imposed statewide.

(4) The CMRS shall deposit the amount collected under this section into the emergency 9-1-1 fund to be distributed as provided under section 408.

(5) This section takes effect July 1, 2008.

(6) As used in this section:

(a) "Active prepaid accounts" means a customer who has recharged or replenished his or her account at least once during the billing period or calendar month and has a sufficient positive balance at the end of each month equal to or greater than the amount of the emergency 9-1-1 charge established under this section.

(b) "CMRS reseller" means a provider who purchases telecommunication services from another telecommunication service provider and then resells, uses a component part of, or integrates the purchased services into a mobile telecommunication service.

(c) "Earned prepaid revenue" means new revenue that has been generated from prepaid service accounts since the close of the last billing period or calendar month.

(d) "Prepaid customer" means a CMRS subscriber who pays in full prospectively for the service and has 1 of the following:

(i) A Michigan telephone number or a Michigan identification number for the service.

(ii) A service for exclusive use in an automotive vehicle and whose place of primary use is within this state. As used in this sub-subparagraph, "place of primary use" means that phrase as defined under 4 USC 124.

History: Add. 2007, Act 164, Eff. July 1, 2008.

Popular name: 9-1-1

***** 484.1401d THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014 *****

484.1401d Billing and collection of emergency telephone technical charge; "local exchange provider" defined.

Sec. 401d. (1) Each local exchange provider within a 9-1-1 service district shall provide a billing and collection service for an emergency telephone technical charge from all service users of the provider within the geographical boundaries of the emergency telephone or 9-1-1 service district. The billing and collection of the emergency telephone technical charge used for billing cost shall begin as soon as feasible after the final 9-1-1 service plan has been approved. The billing and collection of the emergency telephone technical charge not already collected for billing costs shall begin as soon as feasible after installation and operation of the 9-1-1 system. The emergency telephone technical charge shall be uniform per each exchange access facility within the 9-1-1 service district. The portion of the emergency telephone technical charge that represents start-up costs, nonrecurring billing, installation, service, and equipment charges of the service supplier, including the costs of updating equipment necessary for conversion to 9-1-1 service, shall be amortized at the prime rate plus 1% over a period not to exceed 10 years and shall be billed and collected from all service users only until those amounts are fully recouped by the service supplier. The prime rate to be used for amortization shall be set before the first assessment of nonrecurring charges and remain at that rate for 5 years, at which time a new rate may be set for the remaining amortization period. Recurring costs and charges included in the emergency telephone technical charge shall continue to be billed to the service user.

(2) The amount of the emergency telephone technical charge to be billed to the service user shall be computed by dividing the total emergency telephone technical charge by the number of exchange access facilities within the 9-1-1 service district.

(3) The amount of emergency telephone technical charge payable monthly by a service user for recurring costs and charges shall not exceed 4% of the lesser of \$20.00 or the highest monthly rate charged by the local

exchange provider for primary basic local exchange service under section 304 of the Michigan telecommunications act, 1991 PA 179, MCL 484.2304, within the 9-1-1 service district. The amount of emergency telephone technical charge payable monthly by a service user for nonrecurring costs and charges shall not exceed 5% of the lesser of \$20.00 or the highest monthly rate charged by the provider for primary basic local exchange service under section 304 of the Michigan telecommunications act, 1991 PA 179, MCL 484.2304, within the 9-1-1 service district. The difference, if any, between the amount of the emergency telephone technical charge computed under subsection (2) and the maximum permitted under this section shall be paid by the county from funds available to the county or through cooperative arrangements with public agencies within the 9-1-1 service district.

(4) The emergency telephone technical charge shall be collected in accordance with the regular billings of the local exchange provider. The emergency telephone technical charge payable by service users under this act shall be added to and shall be stated separately in the billings to service users.

(5) As used in this section, "local exchange provider" means a provider of basic local exchange service as defined in section 102 of the Michigan telecommunications act, 1991 PA 179, MCL 484.2102.

History: Add. 2007, Act 164, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

***** 484.1401e THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1401e Surcharge; assessment; submission of certain information to commission; review and approval or disapproval of surcharge.

Sec. 401e. (1) No later than February 15, 2008, each county that decides to assess a surcharge under section 401b shall with the assistance of the state 9-1-1 office submit to the commission all of the following:

(a) The initial county 9-1-1 surcharge for each 9-1-1 service district to be effective July 1, 2008.

(b) The estimated amount of revenue to be generated in each 9-1-1 service district for 2007.

(c) Based on the surcharge established under this subsection, the estimated amount of revenue to be generated for 2008.

(2) If the amount to be generated in 2008 exceeds the amount received in 2007 plus an amount not to exceed 2.7% of the 2007 revenues, the commission, in consultation with the committee, shall review and approve or disapprove the county 9-1-1 surcharge adopted under section 401b. If the commission does not act by March 17, 2008, the county 9-1-1 surcharge shall be deemed approved. If the surcharge is rejected, it shall be adjusted to ensure that the revenues generated do not exceed the amounts allowed under this subsection. In reviewing the surcharge under this subsection, the commission shall consider the allowable and disallowable costs as approved by the committee on June 21, 2005.

History: Add. 2007, Act 164, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

***** 484.1402 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1402 Liability for charge.

Sec. 402. Each billed service user shall be liable for any state, county, or technical 9-1-1 charge imposed on the service user under this act.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 2007, Act 165, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

***** 484.1403 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1403 Responsibility for billing charge and transmitting money.

Sec. 403. Each service supplier shall be solely responsible for the billing of the state and county 9-1-1 charge and the transmittal of money collected to the emergency 9-1-1 fund and to the counties as required under this act.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 1994, Act 29, Imd. Eff. Mar. 2, 1994;—Am. 1999, Act 81, Imd. Eff. June 28, 1999;—Am. 2007, Act 165, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

***** 484.1404 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1404 Alteration of state or county 9-1-1 charge.

Sec. 404. A service supplier providing or designated to provide 9-1-1 service under this act shall not alter the state or county 9-1-1 charge collected from service users within the 9-1-1 service district except as provided under this act.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 1999, Act 81, Imd. Eff. June 28, 1999;—Am. 2007, Act 165, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

***** 484.1405 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1405 Service user with multiline telephone system; installation of equipment and software; rules.

Sec. 405. (1) The commission shall consult with and consider the recommendations of the committee in the promulgation of rules under section 413 to require each service user with a multiline telephone system to install no later than December 31, 2016 the necessary equipment and software to provide specific location information of a 9-1-1 call.

(2) This section applies to multiline telephone systems regardless of the system technology.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 1994, Act 29, Imd. Eff. Mar. 2, 1994;—Am. 1999, Act 81, Imd. Eff. June 28, 1999;—Am. 2007, Act 165, Imd. Eff. Dec. 21, 2007;—Am. 2011, Act 271, Imd. Eff. Dec. 19, 2011.

Popular name: 9-1-1

***** 484.1406 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1406 Expenditure of funds; accounting, auditing, monitoring, and evaluation procedures provided by PSAP or secondary PSAP; annual audit; authorization or expenditure of increase in charges; receipt of 9-1-1 funds.

Sec. 406. (1) The funds collected and expended under this act shall be expended exclusively for 9-1-1 services and in compliance with the rules promulgated under section 413.

(2) Each PSAP or secondary PSAP shall assure that fund accounting, auditing, monitoring, and evaluation procedures are provided as required by this act and the rules promulgated under this act.

(3) An annual audit shall be conducted by an independent auditor using generally accepted accounting principles and copies of the annual audit shall be made available for public inspection.

(4) An increase in the charges allowed under this act shall not be authorized or expended for the next fiscal year unless according to the most recently completed annual audit the expenditures are in compliance with this act.

(5) The receipt of 9-1-1 funds under this act is dependent on compliance with the standards established by the commission under section 413.

History: Add. 1994, Act 29, Imd. Eff. Mar. 2, 1994;—Am. 1999, Act 81, Imd. Eff. June 28, 1999;—Am. 2007, Act 165, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

***** 484.1407 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1407 Emergency 9-1-1 fund; creation; disposition of assets; money remaining in fund; expenditure; disbursement; audit.

Sec. 407. (1) The emergency 9-1-1 fund is created within the state treasury.

(2) The state treasurer may receive money or other assets as provided under this act and from any source for deposit into the fund. Money may be deposited into the fund by electronic funds transfer. Money in the CMRS emergency telephone fund on the effective date of the amendatory act that added section 401a shall be deposited into the fund and expended as provided by this act. The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments.

(3) Money in the fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund.

(4) The department of treasury shall expend money from the fund only as provided in this act. The disbursement of money may be by electronic funds transfer.

(5) The auditor general shall audit the fund at least annually.

History: Add. 1999, Act 78, Imd. Eff. June 28, 1999;—Am. 2007, Act 165, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

***** 484.1408 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1408 Collection of service charge by CMRS supplier or reseller; state 9-1-1 service charge by service supplier; retention of percentage to cover supplier's costs; deposit of money in emergency 9-1-1 fund; collection, deposit, and distribution of money; distribution of amount for integrated IP-based 9-1-1 mapping system; funding portion of department's costs for Michigan public safety communications system; methods of distribution to primary PSAPs by county; rules to establish standards for receipt and expenditure of funds.

Sec. 408. (1) Beginning January 1, 2008, a CMRS supplier or reseller shall, until July 1, 2008, for each CMRS connection that has a billing address in this state, continue to collect the service charge that the CMRS supplier or reseller was authorized to collect by this section prior to December 21, 2007. Except as otherwise provided under this act, starting July 1, 2008, a service supplier shall bill and collect a state 9-1-1 service charge per month as determined under section 401a. The service supplier shall list the state 9-1-1 service charge authorized under this act as a separate line item on each bill. The service charge shall be listed on the bill as the "state 9-1-1 charge".

(2) Each service supplier may retain 2% of the state 9-1-1 charge collected under this act to cover the supplier's costs for billing and collection.

(3) Except as otherwise provided under subsection (2), the money collected as the state 9-1-1 charge under subsection (1) shall be deposited in the emergency 9-1-1 fund created in section 407 no later than 30 days after the end of the quarter in which the state 9-1-1 charge was collected.

(4) Except as otherwise provided under section 401a(5), all money collected and deposited in the emergency 9-1-1 fund created in section 407 shall be distributed as follows:

(a) 82.5% shall be disbursed to each county that has a final 9-1-1 plan in place. Forty percent of the 82.5% shall be distributed quarterly on an equal basis to each county, and 60% of the 82.5% shall be distributed quarterly based on a population per capita basis. Money received by a county under this subdivision shall only be used for 9-1-1 services as allowed under this act. Money expended under this subdivision for a purpose considered unnecessary or unreasonable by the committee or the auditor general shall be repaid to the fund.

(b) 7.75% shall be available to reimburse local exchange providers for the costs related to wireless emergency service. Any cost reimbursement allowed under this subdivision shall not include a cost that is not related to wireless emergency service. A local exchange provider may submit an invoice to the commission for reimbursement from the emergency 9-1-1 fund for allowed costs. Within 45 days after the date an invoice is submitted to the commission, the commission shall approve, either in whole or in part, or deny the invoice.

(c) 6.0% shall be available to PSAPs for training personnel assigned to 9-1-1 centers. A written request for money from the fund shall be made by a public safety agency or county to the committee. The committee shall semiannually authorize distribution of money from the fund to eligible public safety agencies or counties. A public safety agency or county that receives money under this subdivision shall create, maintain, and make available to the committee upon request a detailed record of expenditures relating to the preparation, administration, and carrying out of activities of its 9-1-1 training program. Money expended by an eligible public safety agency or county for a purpose considered unnecessary or unreasonable by the committee or the auditor general shall be repaid to the fund. The commission shall consult with and consider the recommendations of the committee in the promulgation of rules under section 413 establishing training standards for 9-1-1 system personnel. Money shall be disbursed on a biannual basis to an eligible public safety agency or county for training of PSAP personnel through courses certified by the committee only for either of the following purposes:

(i) To provide basic 9-1-1 operations training.

(ii) To provide in-service training to employees engaged in 9-1-1 service.

(d) 1.88% shall be credited to the department of state police to operate a regional dispatch center that receives and dispatches 9-1-1 calls, and 1.87% shall be credited to the department of state police for costs to administer this act and to maintain the office of the state 9-1-1 coordinator.

(5) For fiscal year 2010-2011 only, an amount not to exceed \$1,700,000.00 is distributed to the department of state police for an integrated IP-based 9-1-1 mapping system in this state. The money distributed under this subsection is for the restricted purpose of matching funds for the state's award of a grant under the grant program established under the federal ensuring needed help arrives near callers employing 911 act of 2004, 47 USC 942, to be used solely for the acquisition and deployment of a state integrated IP-based 9-1-1 mapping system. All costs associated with the state integrated IP-based 9-1-1 mapping system including, but not limited to, its construction, administration, and maintenance shall only be paid from money distributed under this subsection and any federal grant money.

(6) For fiscal year 2010-2011 only, an amount not to exceed \$7,000,000.00 shall be distributed to the department of state police to fund a portion of the department's costs for the Michigan public safety communications system. For fiscal year 2011-2012 only, an amount not to exceed \$7,000,000.00 shall be distributed to the department of state police to fund a portion of the department's costs for the Michigan public safety communications system. For fiscal year 2011-2012 only, from money not distributed to local exchange providers under subsection (4)(b), an amount not to exceed \$150,000.00 shall be distributed to the department of treasury to fund a portion of the department's costs in administering this act.

(7) Money received by a county under subsection (4)(a) shall be distributed by the county to the primary PSAPs geographically located within the 9-1-1 service district by 1 of the following methods:

(a) As provided in the final 9-1-1 service plan.

(b) If distribution is not provided for in the 9-1-1 service plan under subdivision (a), then according to any agreement for distribution between a county and a public agency.

(c) If distribution is not provided for in the 9-1-1 service plan under subdivision (a) or by agreement between the county and public agency under subdivision (b), then according to the population within the geographic area for which the PSAP serves as primary PSAP.

(d) If a county has multiple emergency 9-1-1 districts, money for that county shall be distributed as provided in the emergency 9-1-1 districts' final 9-1-1 service plans.

(8) The commission shall consult with and consider recommendations of the committee in the promulgation of rules under section 413 establishing the standards for the receipt and expenditure of 9-1-1 funds under this act. Receipt of 9-1-1 funds under this act is dependent on compliance with the standards established under this subsection.

History: Add. 1999, Act 78, Imd. Eff. June 28, 1999;—Am. 2003, Act 244, Eff. Jan. 1, 2004;—Am. 2004, Act 89, Imd. Eff. Apr. 22, 2004;—Am. 2006, Act 74, Imd. Eff. Mar. 20, 2006;—Am. 2007, Act 165, Imd. Eff. Dec. 21, 2007;—Am. 2008, Act 48, Eff. Jan. 1, 2008;—Am. 2010, Act 206, Imd. Eff. Oct. 12, 2010;—Am. 2010, Act 284, Imd. Eff. Dec. 16, 2010;—Am. 2011, Act 146, Imd. Eff. Sept. 21, 2011.

Compiler's note: Enacting section 1 of Act 48 of 2008 provides:

"Enacting section 1. This amendatory act is retroactive and is effective January 1, 2008."

Popular name: 9-1-1

484.1409 Repealed. 2003, Act 244, Eff. Jan. 1, 2004.

Compiler's note: The repealed section pertained to distribution of money.

Popular name: 9-1-1

484.1410, 484.1411 Repealed. 2007, Act 165, Imd. Eff. Dec. 21, 2007.

Compiler's note: The repealed sections pertained to review of expenditures by subcommittee and use of funds.

Compiler's note: 9-1-1

***** 484.1412 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014 *****

484.1412 Report on 9-1-1 system and charge.

Sec. 412. (1) The committee shall make a report annually on the 9-1-1 system in this state and the state and county 9-1-1 charge required under sections 401, 401a, 401b, 401c, 401d, and 401e and distributed under section 408 not later than August 1 of each year. The report shall include at a minimum all of the following:

(a) The extent of emergency 9-1-1 service implementation in this state.

(b) The actual 9-1-1 service costs incurred by PSAPs and counties.

(c) The state 9-1-1 charge required under section 401a and a recommendation of any changes in the state 9-1-1 charge amount or in the distribution percentages under section 408.

(d) A description of any commercial applications developed as a result of implementing this act.

(e) The charge allowed under sections 401a, 401b, 401c, 401d, and 401e and a detailed record of

expenditures by each county relating to this act.

(2) The committee shall deliver the report required under subsection (1) to the secretary of the senate, the clerk of the house of representatives, and the standing committees of the senate and house of representatives having jurisdiction over issues pertaining to communication technology.

History: Add. 1999, Act 78, Imd. Eff. June 28, 1999;—Am. 2007, Act 165, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

***** 484.1412a THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1412a Annual accounting of total emergency telephone charges; adjustment of amount collected; additional charge.

Sec. 412a. (1) Within 90 days after the first day of the calendar year following the year in which a service supplier commenced collection of the emergency telephone technical charge under section 401d, and within 90 days after the first day of each calendar year thereafter, a service supplier collecting the emergency telephone technical charge for the purpose of providing 9-1-1 service pursuant to this act shall make an annual accounting to the 9-1-1 service district of the total emergency telephone charges collected during the immediately preceding calendar year.

(2) If an annual accounting made pursuant to subsection (1) discloses that the total emergency telephone technical charges collected during the immediately preceding calendar year exceeded the total cost of installing and providing 9-1-1 service within the 9-1-1 service district for the immediately preceding calendar year according to the rates and charges of the service supplier, the service supplier shall adjust the emergency telephone technical charge collected from service users in the 9-1-1 service district in an amount computed pursuant to this section. The amount of the adjustment shall be computed by dividing the excess by the number of exchange access facilities within the 9-1-1 service district as the district existed for the billing period immediately following the annual accounting. Costs of the service supplier associated with making the adjustment under this subsection as part of the billing and collection service shall be deducted from the amount to be adjusted.

(3) If the annual accounting discloses that the total emergency telephone technical charges collected during the calendar year are less than the total cost of installing and providing 9-1-1 service within the 9-1-1 service district for the immediately preceding calendar year according to the costs and rates of the service supplier, the service supplier shall collect an additional charge from service users in the 9-1-1 service district in an amount computed pursuant to this section. Subject to the limitations provided by section 401d, the amount of the additional charge shall be computed by dividing the amount by which the total cost exceeded the total emergency telephone technical charges collected during the immediately preceding calendar year by the number of exchange access facilities within the 9-1-1 service district as the district existed for the billing period immediately following the annual accounting.

History: Add. 2008, Act 379, Imd. Eff. Dec. 23, 2008.

Popular name: 9-1-1

***** 484.1413 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1413 Rules.

Sec. 413. (1) The commission may promulgate rules to establish 1 or more of the following:

(a) Uniform procedures, policies, and protocols governing 9-1-1 services in counties and PSAPs in this state.

(b) Standards for the training of PSAP personnel.

(c) Uniform procedures, policies, and standards for the receipt and expenditure of 9-1-1 funds under sections 401a, 401b, 401c, 401d, 401e, 406, and 408.

(d) The requirements for multiline telephone systems under section 405.

(e) The penalties and remedies for violations of this act and the rules promulgated under this act.

(2) The commission shall consult with and consider the recommendations of the committee in the promulgation of rules under this section.

(3) The commission's rule-making authority is limited to that expressly granted under this section.

(4) The rules promulgated under this section do not apply to service suppliers.

History: Add. 2006, Act 249, Imd. Eff. July 3, 2006;—Am. 2007, Act 165, Imd. Eff. Dec. 21, 2007;—Am. 2008, Act 379, Imd. Eff. Dec. 23, 2008.

Popular name: 9-1-1

CHAPTER V

***** 484.1501 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1501 Notice of intent to function as PSAP or secondary PSAP; forwarding notice to service supplier; commencement of function; payment of cost of equipment installation or system modification.

Sec. 501. (1) After installation and commencement of operation of a 9-1-1 system implemented pursuant to this act, a public safety agency serving a public agency or county within the 9-1-1 service district may be added to the 9-1-1 system as a PSAP or a secondary PSAP by giving written notice of intent to function as a PSAP or secondary PSAP as provided in section 307 to the county clerk. Within 5 days of receipt of the notice, the county clerk shall forward the written notice to the service supplier. The public safety agency shall commence to function as a PSAP or secondary PSAP as soon as feasible after giving the written notice.

(2) The costs of equipment installation or system modification, or both, necessary for a public safety agency to function as a secondary PSAP pursuant to subsection (1) shall be paid directly by the public safety agency and shall not be collected from service users in the 9-1-1 service district.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 1994, Act 29, Imd. Eff. Mar. 2, 1994.

Popular name: 9-1-1

***** 484.1502 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1502 Cessation of function as PSAP or secondary PSAP; notice; payment of costs for equipment removal or system modification.

Sec. 502. (1) After installation and commencement of operation of a 9-1-1 system implemented under this act, a public safety agency serving a public agency or county within the 9-1-1 service district shall cease to function as a PSAP or a secondary PSAP 60 days after giving written notice to the county clerk. Within 5 days after receipt of the notice, the county clerk shall forward the written notice to the service supplier.

(2) Notwithstanding any provision of this act, any costs incurred by a service supplier for equipment removal or system modification necessary for a public safety agency to cease functioning as a PSAP or secondary PSAP under subsection (1) shall be paid directly by the public safety agency.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 2007, Act 165, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

***** 484.1503 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1503 Adding jurisdiction of public agency to 9-1-1 service district; conditions.

Sec. 503. After installation and commencement of operation of a 9-1-1 system implemented pursuant to this act, all or part of the jurisdiction of a public agency within the county shall be added to the 9-1-1 service district pursuant to section 504 if both of the following occur:

(a) The legislative body of the public agency adopts a resolution including all or part of the public agency within the 9-1-1 service district.

(b) A certified copy of the resolution adopted by the legislative body of the public agency is forwarded by certified mail, return receipt requested, to the county clerk.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986.

Popular name: 9-1-1

***** 484.1504 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1504 Forwarding certified copy of resolution to service supplier by certified mail; commencement of service and collection of state and county 9-1-1 charge.

Sec. 504. Within 5 days after receipt of a certified copy of a resolution adopted by a public agency under section 503, the county clerk shall forward the certified copy of the resolution to the service supplier by certified mail, return receipt requested. Within a reasonable time after the service supplier receives the

certified copy of the resolution, the service supplier shall commence 9-1-1 service to all or part of the jurisdiction of the public agency, as the case may be, and after commencement of the service shall commence the collection of the state and county 9-1-1 charge, in accordance with this act, from service users within all or part of the jurisdiction of the public agency added to the 9-1-1 service district.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 2007, Act 165, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

***** 484.1505 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1505 Withdrawal of jurisdiction; conditions.

Sec. 505. (1) After installation and commencement of operation of a 9-1-1 system implemented pursuant to this act, a public agency all or part of which is included within a 9-1-1 service district may withdraw all or part of its jurisdiction from a 9-1-1 service district effective January 1 of the following year if all of the following occur:

(a) The public agency, after giving notice required in subdivisions (b) and (c), conducts a public hearing on the withdrawal at which all persons attending are afforded a reasonable opportunity to be heard.

(b) Written notice of the time, date, and place of the public hearing conducted by the public agency is given to the county clerk and the clerk of each public agency within the 9-1-1 service district, at least 30 days prior to the date of the hearing.

(c) Notice of the time, date, place, and purpose of the public hearing is published twice in a newspaper of general circulation within the public agency, the first publication of the notice occurring at least 30 days prior to the date of the hearing.

(d) After the public hearing on withdrawal but prior to 90 days before the end of the calendar year, the legislative body of the public agency adopts a resolution withdrawing all or part of the area of the public agency from the 9-1-1 service district. Such resolution shall describe the area of the public agency withdrawing from the 9-1-1 service district. The resolution shall also state the emergency telephone number to be used within the jurisdiction of the public agency following withdrawal from the 9-1-1 service district.

(e) Within 5 days after adoption of the resolution by the legislative body of the public agency, the clerk or other appropriate official of the public agency shall forward such resolution by certified mail, return receipt requested, to the county clerk. Within 5 days of receipt of a certified copy of the resolution adopted pursuant to this section, the county clerk shall forward such resolution by certified mail, return receipt requested, to the service suppliers providing or designated to provide 9-1-1 service to the area of the public agency withdrawing from the 9-1-1 service district.

(2) A public service agency may not withdraw any part of its jurisdiction from a 9-1-1 service district until all outstanding qualified obligations secured by emergency telephone operational charges incurred after the time of the addition of the public service agency to the 9-1-1 service area agreed to by the withdrawing public service agency and the remaining public service agencies comprising the 9-1-1 service district are paid or other provisions are made to pay the qualified obligations.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 1999, Act 81, Imd. Eff. June 28, 1999.

Popular name: 9-1-1

484.1506 Repealed. 2007, Act 165, Imd. Eff. Dec. 21, 2007.

Compiler's note: The repealed section pertained to cessation of 9-1-1 service and duties of the service supplier.

Popular name: 9-1-1

***** 484.1507 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1507 Contract with service supplier for 9-1-1 service.

Sec. 507. This act shall not be construed to prohibit a public agency or a county from contracting with a service supplier for 9-1-1 service within all or part of the jurisdiction of the public agency or county and paying for such service directly from the funds of the public agency or county.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986.

Popular name: 9-1-1

CHAPTER VI

***** 484.1601 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

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484.1601 Technical assistance and assistance in resolving dispute.

Sec. 601. The emergency 9-1-1 service committee created in section 712, upon request by a service supplier, county, public agency, or public service agency, shall provide, to the extent possible, technical assistance regarding the formulation or implementation, or both, of a 9-1-1 service plan and assistance in resolving a dispute between or among a service supplier, county, public agency, or public safety agency regarding their respective rights and duties under this act.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 1989, Act 36, Imd. Eff. June 1, 1989;—Am. 1999, Act 80, Eff. Oct. 27, 1999;—Am. 2007, Act 165, Imd. Eff. Dec. 21, 2007.

Compiler's note: Sec. 601, being MCL 484.1601 of the Michigan Compiled Laws, as originally enacted by 1986 PA 32 and amended by 1989 PA 36, was repealed by Section 2 of 1994 PA 29, Eff. Mar. 2, 1994. Subsequent to its repeal by 1994 PA 29, Sec. 601 was amended by 1999 PA 80, Eff. Oct. 27, 1999.

Popular name: 9-1-1

***** 484.1602 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1602 Development of voluntary informal dispute resolution process; hearing dispute as contested case.

Sec. 602. (1) The committee shall develop a voluntary informal dispute resolution process that can be utilized by any party in resolving any dispute involving the formulation, implementation, delivery, and funding of 9-1-1 services in this state.

(2) Except for a dispute between a commercial mobile radio service and a local exchange provider as defined under section 408, a dispute between or among 1 or more service suppliers, counties, public agencies, public service agencies, or any combination of those entities regarding their respective rights and duties under this act shall be heard as a contested case before the public service commission as provided in the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 1989, Act 36, Imd. Eff. June 1, 1989;—Am. 1994, Act 29, Imd. Eff. Mar. 2, 1994;—Am. 1999, Act 80, Eff. Oct. 27, 1999;—Am. 2003, Act 244, Eff. Jan. 1, 2004;—Am. 2004, Act 515, Imd. Eff. Jan. 3, 2005;—Am. 2007, Act 165, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

484.1603 Repealed. 1989, Act 36, Imd. Eff. June 1, 1989.

Compiler's note: The repealed section pertained to review and findings regarding implementation of a 9-1-1 emergency service.

Popular name: 9-1-1

***** 484.1604 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1604 Liability for civil damages.

Sec. 604. Except for pro rata charges for the service during a period when the service may be fully or partially inoperative, a service supplier, public agency, PSAP, or an officer, agent, or employee of any service supplier, public agency, or PSAP, or an owner or lessee of a pay station telephone shall not be liable for civil damages to any person as a result of an act or omission on the part of the service supplier, public agency, PSAP, or an officer, agent, or employee of any service supplier, public agency, or PSAP, or an owner or lessee in complying with any provision of this act, unless the act or omission amounts to a criminal act or to gross negligence or willful and wanton misconduct.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 1999, Act 80, Eff. Oct. 27, 1999.

Popular name: 9-1-1

***** 484.1605 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1605 Prohibited use of emergency 9-1-1 service; violation; penalty; exception.

Sec. 605. (1) A person shall not use an emergency 9-1-1 service authorized by this act for any reason other than to call for an emergency response service from a primary public safety answering point.

(2) A person who knowingly uses or attempts to use an emergency 9-1-1 service for a purpose other than authorized in subsection (1) is guilty of a misdemeanor punishable by imprisonment for not more than 180

days or a fine of not more than \$5,000.00, or both.

(3) A person who violates subsection (2) and has 1 or more prior convictions under this section is guilty of a felony punishable by imprisonment for not more than 2 years or a fine of not more than \$10,000.00, or both.

(4) This section does not apply to a person who calls a public safety answering point to report a crime or seek assistance that is not an emergency unless the call is repeated after the person is told to call a different number.

History: Add. 1999, Act 80, Eff. Oct. 27, 1999;—Am. 2007, Act 165, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

CHAPTER VII

484.1701-484.1707 Repealed. 1995, Act 247, Eff. Dec. 31, 1998.

Compiler's note: The repealed sections pertained to emergency telephone service committee.

Popular name: 9-1-1

484.1711 Repealed. 2007, Act 165, Imd. Eff. Dec. 21, 2007.

Compiler's note: The repealed section pertained to definition of committee.

Popular name: 9-1-1

***** 484.1712 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1712 Emergency 9-1-1 service committee; creation; purpose; authority and duties.

Sec. 712. An emergency 9-1-1 service committee is created within the department of state police to develop statewide standards and model system considerations and make other recommendations for emergency telephone services. The committee shall only have the authority and duties granted to the committee under this act.

History: Add. 1999, Act 79, Imd. Eff. June 28, 1999;—Am. 2007, Act 165, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

***** 484.1713 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1713 Committee; membership; quorum; vote; chairperson; conduct of business; compensation and expenses of members.

Sec. 713. (1) The committee shall consist of 21 members as follows:

- (a) The director of the department of state police or his or her designated representative.
- (b) The director of the department of consumer and industry services or his or her designated representative.
- (c) The chair of the Michigan public service commission or his or her designated representative.
- (d) The president of the Michigan sheriffs' association or his or her designated representative.
- (e) The president of the Michigan association of chiefs of police or his or her designated representative.
- (f) The president of the Michigan fire chiefs association or his or her designated representative.
- (g) The executive director of the Michigan association of counties or his or her designated representative.
- (h) The executive director of the deputy sheriffs association of Michigan or his or her designated representative.
- (i) Three members of the general public, 1 member to be appointed by the governor, 1 member to be appointed by the speaker of the house of representatives, and 1 member to be appointed by the majority leader of the senate. The 3 members of the general public shall have expertise relating to telephone systems, rural health care concerns, or emergency radio communications, dispatching, and services. The members of the general public shall serve for terms of 2 years.
- (j) The executive director of the Michigan fraternal order of police or his or her designated representative.
- (k) The president of the Michigan state police troopers association or his or her designated representative.
- (l) The president of the Michigan chapter of the associated public safety communications officers or his or her designated representative.
- (m) The president of the Michigan chapter of the national emergency number association or his or her designated representative.
- (n) The president of the telecommunications association of Michigan or his or her designated representative.

(o) The executive director of the Upper Peninsula emergency medical services corporation or his or her designated representative.

(p) The executive director of the Michigan association of ambulance services or his or her designated representative.

(q) The president of the Michigan state firefighters union or his or her designated representative.

(r) The president of the Michigan communications directors association or his or her designated representative.

(s) One representative of commercial mobile radio service, to be appointed by the governor.

(2) A majority of the members of the committee constitute a quorum for the purpose of conducting business and exercising the powers of the committee. Official action of the committee may be taken upon a vote of a majority of the members of the committee.

(3) The committee shall elect 1 of its members who is not a member of the wireline or commercial mobile radio service industry to serve as chairperson. The chairperson of the committee shall serve for a term of 1 year.

(4) The committee may adopt, amend, and rescind bylaws, rules, and regulations for the conduct of its business.

(5) Members of the committee shall serve without compensation, but shall be entitled to actual and necessary expenses incurred in the performance of official duties under this chapter.

History: Add. 1999, Act 79, Imd. Eff. June 28, 1999.

Popular name: 9-1-1

***** 484.1714 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1714 Duties of committee; staff assistance.

Sec. 714. (1) The committee shall do all of the following:

(a) Organize and adopt standards governing the committee's formal and informal procedures.

(b) Meet not less than 4 times per year at a place and time specified by the chairperson.

(c) Keep a record of the proceedings and activities of the committee.

(d) Provide recommendations to public safety answering points and secondary public safety answering points on statewide technical and operational standards for PSAPs and secondary PSAPs.

(e) Provide recommendations to public agencies concerning model systems to be considered in preparing a 9-1-1 service plan.

(f) Perform all duties as required under this act relating to the development, implementation, operation, and funding of 9-1-1 systems in this state.

(g) Provide notice to the service suppliers of any changes in the state or county 9-1-1 charge under sections 401a, 401b, and 401c.

(2) The department of state police and the public service commission shall provide staff assistance to the committee as necessary to carry out the committee's duties under this act.

History: Add. 1999, Act 79, Imd. Eff. June 28, 1999;—Am. 2007, Act 165, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

***** 484.1715 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1715 Business conducted at public meeting.

Sec. 715. The business which the committee may perform shall be conducted at a public meeting of the committee held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of the meeting shall be given in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

History: Add. 1999, Act 79, Imd. Eff. June 28, 1999.

Popular name: 9-1-1

***** 484.1716 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1716 Availability of writing to public.

Sec. 716. Except as otherwise provided under this act, a writing prepared, owned, used, in the possession

of, or retained by the committee in the performance of an official function shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

History: Add. 1999, Act 79, Imd. Eff. June 28, 1999;—Am. 2007, Act 165, Imd. Eff. Dec. 21, 2007.

Popular name: 9-1-1

***** 484.1717 THIS SECTION IS REPEALED BY ACT 379 OF 2008 EFFECTIVE DECEMBER 31, 2014

484.1717 Repeal of act.

Sec. 717. This act is repealed effective December 31, 2014.

History: Add. 1999, Act 79, Imd. Eff. June 28, 1999;—Am. 2006, Act 249, Imd. Eff. July 3, 2006;—Am. 2007, Act 165, Imd. Eff. Dec. 21, 2007;—Am. 2008, Act 379, Imd. Eff. Dec. 23, 2008.

Popular name: 9-1-1