

Arkansas Emergency Telephone Service Board—Final Rule 1

A. Beginning with the allocation of funds collected after July 31, 2009, allocations to Primary Public Safety Answering Points (PPSAPs) from the 83.5% Fund, defined by Ark. Code Ann. § 12-10-318(c)(2)(B)(i), are authorized to be used only for payroll costs, readiness costs, and training costs that are in direct connection with the provision of services associated with wireless, voice over internet protocol, and nontraditional 911 calls and:

1) Are used for one or more of the following purposes:

a) The engineering, installation, and recurring costs necessary to implement, operate, and maintain a 911 telephone system;

b) The costs necessary for forwarding and transfer capabilities of calls from the 911 public safety communication center to dispatch centers or to other 911 public safety communication centers;

c) Engineering, construction, lease, or purchase costs to lease, purchase, build, remodel, or refurbish a 911 public safety communication center and for necessary emergency and uninterruptable power supplies for the center;

d) Personnel costs, including salary and benefits, of each position charged with supervision and operation of the 911 public safety communication center and system;

e) Purchase, lease, operation, and maintenance of consoles, telephone and communications equipment owned or operated by the political subdivisions and physically located within and for the use of the 911 public safety communication center, and radio or microwave towers and equipment with lines which terminate in the 911 public safety communication center;

f) Purchase, lease, operation, and maintenance of computers, data processing equipment, associated equipment, and leased audio or data lines assigned to and operated by the 911 public safety communication center for the purposes of coordinating, forwarding of calls, dispatch, or recordkeeping of public safety and private safety agencies for which the 911 public safety communication center is the public safety answering point and to provide information assistance to those agencies; and

g) Supplies, equipment, public safety answering point personnel training, vehicles, and vehicle maintenance, if such items are solely and directly related to and incurred by the political subdivision in mapping, addressing, and readdressing a 911 system.

2) Are not used for the purchase of emergency response vehicles, law enforcement vehicles, or other political subdivision vehicles.

B. Beginning with funds collected after July 31, 2009, the 15% Fund, defined by Ark. Code Ann. § 12-10-318(c)(2)(B)(ii), shall be utilized for reimbursements to PPSAPs in the following order of priority for qualified expenses under Ark. Code Ann. § 12-10-318(c)(2)(B)(ii) that are in direct connection with the provision of services associated with wireless, voice over internet protocol, and nontraditional 911 calls:

1) 911 Equipment and Training that has been Pre-Approved as of the effective date of this rule but not yet submitted for Final Approval and payment;

2) Funds sufficient to reimburse the PPSAPs who are not Phase II compliant for the 911 equipment necessary for the initial upgrade to Wireless Phase II compliance;

3) Monthly 911 Wireless Network and Database Elements (LEC Payments) and Annual Maintenance Reimbursements to the PPSAPs for the 911 Equipment and Call Recorders;

4) After amounts sufficient to reimburse items 1-3 have been allocated, the remaining funds will be allocated to all eligible PPSAPs on a population basis in the manner provided in Ark. Code Ann. § 12-10-318(c)(2)(C)(ii).

a) All eligible PPSAPs will be informed of the amount that has been allocated for reimbursement of its qualified expenses other than items 1-3.

b) Expenses approved for reimbursement will be deducted from the amount allocated to each PPSAP and any balance that is not used will carry over from year to year. After a PPSAP's allocated amount has been exhausted, the PPSAP will not be reimbursed for any expenses other than 1-3.

c) If the Board determines, in its sole discretion, that there are sufficient funds to allow for additional allocations, the additional funds will be allocated to all eligible PPSAPs as provided in (B)(4) of this rule and all eligible PPSAPs will be informed of the recalculated balance available for reimbursements.

C. All funds allocated or reimbursed from service charges levied upon wireless, voice over internet protocol, and nontraditional 911 call providers are authorized only for payment of expenses that are in direct connection with the provision of services associated with wireless, voice over internet protocol, and nontraditional 911 calls.

1) If staff or equipment used for wireless 911 service serves dual functions (i.e., equipment is also used for landline 911 calls or staff member serves as Emergency Management Coordinator), then only the percentage of the cost directly connected to wireless 911 may be paid from AETS funding.

2) In the case of equipment, the PPSAP may submit a current study of at least 90 consecutive days to establish the percentage of wireless 911 calls out of all 911 calls to that PPSAP. The percentage of wireless 911 calls may be used as the percentage of the cost that is directly connected to wireless 911 service. If another study is performed after an expense has received preliminary approval by the Board, the PPSAP may choose to use the percentage of wireless calls from the updated study for its final reimbursement approval amounts.