

**CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on the 20 day of May, 2020, and filed with the agency secretary on the 20 day of May, 2020.

AGENCY NAME: Alabama 9-1-1 Board

Amendment New Repeal (Mark appropriate space)

Rule No. 585-X-3-.01

(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

Rule Title: Definitions

ACTION TAKEN: State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

Adopted without changes from proposed rule

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XXXVIII,
ISSUE NO. 6, AAM, DATED March 31, 2020.


Statutory Rulemaking Authority: Code of Alabama 1975, Sections 11-98-1, 11-98-4.1, 11-98-5, 11-98-5.2, 11-98-6 and 11-98-7, as amended

(Date Filed)
(For LRS Use Only)

REC'D & FILED

MAY 20 2020

LEGISLATIVE SVC AGENCY



Certifying Officer or his or her
Deputy

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.

RULES AND REGULATIONS OF THE ALABAMA 9-1-1 BOARD

CHAPTER 585-X-3

DEFINITIONS

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585-X-3-.01 Definitions.

(1) 9-1-1, E9-1-1, Or E9-1-1 System. A telephone system which includes network switching, data base and Public Safety Answering Point premise elements capable of providing automatic location identification data, selective routing, selective transfer, fixed transfer, and a call back number. The term also includes any enhanced 9-1-1 service so designated by the Federal Communications Commission in its Report and Order in WC Docket Nos. 04-36 and 05-196, or any successor proceeding. ~~An emergency telephone system that directs 9-1-1 calls to appropriate public safety answering points by selective routing based on the geographical location from which the call originated, that provides the capability for automatic number identification, and features that the F.C.C. may require in the future.~~

~~Author:~~ James T. Sasser

~~Statutory Authority:~~ Code of Ala. 1975, §11-98-4.1, as amended.

~~History:~~ ~~New Rule:~~ Filed November 26, 2013; effective December 31, 2013.

(2) 585-X-3-.02 9-1-1 Call. A call, including, but not limited to voice, text, or video, made by a voice communication telecommunications service provider's end user by dialing "911" (and, as necessary, pressing the

"send" or analogous transmitting button) on a wireless or wired handset.

~~Author: James T. Sasser~~

~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~

~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(3) ~~585-X-3-.03~~ Automatic Number Identification. An enhanced 9-1-1 service capability that enables the automatic display of the 10-digit telephone number used to place a 9-1-1 call. The term includes pseudo-automatic number identification, which means an enhanced 9-1-1 service capability that enables identification of a subscriber.

~~Author: James T. Sasser~~

~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~

~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(4) ~~585-X-3-.04~~ Automatic Location Identification Or "ALI". The automatic display at the PSAP of the caller's telephone number, the address/location of the telephone and supplementary emergency services information of the location from which a call originates.

~~Author: James T. Sasser~~

~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~

~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(5) ~~585-X-3-.05~~ CMRS. Commercial mobile radio service under Sections 3(27) and 332(d) of the Federal Telecommunications Act of 1996, 47 U.S.C. Section 151 et seq., and Omnibus Budget Reconciliation Act of 1993, Pub. L. 103-66, Aug. 10, 1993, 107 Stat. 312. The term includes the term wireless and service provider by any wireless real time two-way voice communication device, including radio-telephone communications used in cellular telephone service, personal communication service, or the functional or competitive equivalent or a radio-telephone communications line used in cellular telephone service, a personal

communication service, or a network radio access line. The term does not include service whose customers do not have access to 9-1-1 or to an enhanced 9-1-1 like service, to a communications channel suitable only for data transmission, to a wireless roaming service or other non-local radio access line service, or to a private telecommunications system.

~~Author: James T. Sasser~~

~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~

~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(6) ~~585-X-3-.06~~ CMRS Connection. Each mobile telephone number assigned to a CMRS subscriber with a place of primary use in Alabama.

~~Author: James T. Sasser~~

~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~

~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(7) ~~585-X-3-.07~~ CMRS Provider. A person or entity that provides commercial mobile radio services.

~~Author: James T. Sasser~~

~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~

~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(8) ~~585-X-3-.08~~ CMRS Customer. A person, business, corporation or other entity that purchases, utilizes or otherwise obtains wireless CMRS service.

~~Author: James T. Sasser~~

~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~

~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(9) ~~585-X-3-.09~~ District. An emergency communication district created and validly operating pursuant to Section 11-98-4, Code of Ala. 1975.

~~Author: James T. Sasser~~
~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~
~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(10) ~~585-X-3-.10~~Emergency Services. Law enforcement, fire, ambulance, rescue and medical services.

~~Author: James T. Sasser~~
~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~
~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(11) ~~585-X-3-.11~~Emergency 9-1-1 Call Processing/Dispatching. A process by which an emergency 9-1-1 call answered at the Public Safety Answering Point is transmitted to Emergency Response Facilities or to Emergency Response Units in the field.

~~Author: James T. Sasser~~
~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~
~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(12) ~~585-X-3-.12~~Emergency Response Facility. A structure or portion of a structure that houses PSAP equipment and personnel for receiving and/or dispatching 9-1-1 calls.

~~Author: James T. Sasser~~
~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~
~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(13) ~~585-X-3-.13~~Emergency Response Unit. A first responder to include, but not limited to, law enforcement vehicle, a fire truck, and an ambulance. Personnel who respond to fire, medical, law enforcement, and other emergency situations for life and safety.

~~Author: James T. Sasser~~

~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~

~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(14) ~~585-X-3-.14~~FCC Order. The order of the Federal Communications Commission, FCC docket No. 94-102, adopted on June 12, 1996, and released on July 26, 1996.

~~Author: James T. Sasser~~

~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~

~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(15) ~~585-X-3-.15~~Phase I. Required by FCC Report and Order 96-264 pursuant to Notice of Proposed Rulemaking 94-102. The delivery of a wireless 9-1-1 call with callback number and identification of the cell tower from which the call originated.

~~Author: James T. Sasser~~

~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~

~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(16) ~~585-X-3-.16~~Phase II. Required by FCC Report and Order docket No. 96-264 pursuant to Notice of Rulemaking 94-102. An enhanced 9-1-1 system that identifies the location of 9-1-1 calls by longitude and latitude in conformance with accuracy requirements established by the FCC.

~~Author: James T. Sasser~~

~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~

~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(17) ~~585-X-3-.17~~Place Of Primary Use. The street address representative of where the customer's use of the mobile telecommunications service primarily occurs, which must be:

(a) The residential street address or the

primary business address of the customer; and

(b) Within the licensed service areas of the CMRS provider.

~~Author: James T. Sasser~~

~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~

~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(18) ~~585-X-3-.18~~ Prepaid Wireless Consumer. A person who purchases prepaid wireless telecommunications service in a retail transaction.

~~Author: James T. Sasser~~

~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~

~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(19) ~~585-X-3-.19~~ Prepaid Retail Transaction. The purchase of prepaid wireless telecommunications service from a seller for any purpose other than resale.

~~Author: James T. Sasser~~

~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~

~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(20) ~~585-X-3-.20~~ Prepaid Wireless Telephone Service. A service that meets all of the following requirements:

(a) Authorizes the purchase of CMRS, either exclusively or in conjunction with other services.

(b) Must be paid for in advance.

(c) Is sold in units or dollars whose number or dollar value declines with use and is known on a continuous basis.

~~Author: James T. Sasser~~

~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~

~~History: New Rule: Filed November 26, 2013; effective~~

~~December 31, 2013.~~

(21) ~~585-X-3-.21~~ Public Safety Answering Point Or PSAP. An entity operating under common management which receives 9-1-1 calls from a defined geographic area and processes those calls according to a specific operational policy. The District may designate a PSAP as primary or secondary, which refers to the order in which calls are directed for answering. A Secondary PSAP is a PSAP to which 9-1-1 calls are transferred from a Primary PSAP.

~~Author: James T. Sasser~~

~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~

~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(22) ~~585-X-3-.22~~ Statewide Board. The Alabama 9-1-1 Board created by Section 11-98-4.1, Code of Ala. 1975, as amended.

~~Author: James T. Sasser~~

~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~

~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(23) ~~585-X-3-.23~~ Statewide 9-1-1 Charge. The statewide 9-1-1 service charge created pursuant to Section 11-98-5, Code of Ala. 1975, as amended.

~~Author: James T. Sasser~~

~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~

~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(24) ~~585-X-3-.24~~ Subscriber. A person who purchases a voice communication service, including Lifeline or other similar service, and is able to receive it or use it periodically over time; provided, however, that for purposes of the imposition and collection of the statewide 9-1-1 charge. The term subscriber shall not include the State of Alabama, counties, incorporated municipalities,

county and city school boards, independent school boards, and all educational institutions and agencies of the State of Alabama, the counties within the state, or any incorporated municipalities of the State of Alabama. An authority or other public corporation shall be deemed part of a county or municipality for purposes of this definition if it is designated as such under law or if a majority of its governing board is required by law to be selected by such authorizing county or municipality. The definition of "independent school boards" is the same as adopted by the Alabama Department of Revenue in Administrative Code Section 810-6-3-47.02.

~~Author: James T. Sasser~~

~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~

~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(25) ~~585-X-3-.25~~ Public Safety Agency. An entity that provides firefighting, law enforcement, emergency medical or other emergency service.

~~Author: James T. Sasser~~

~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~

~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

~~31, 2013.~~

(26) ~~585-X-3-.26~~ Voice Communication Service. Is any one of the following:

(a) The transmission, conveyance, or routing of real-time, two-way voice communications to a point or between or among points by or through any electronic, radio, satellite, cable, or optical, microwave, wireline, wireless, or other medium or method, regardless of protocol used.

(b) The ability to receive and terminate voice calls to and from the public switched telephone network.

(c) Interconnected VoIP service, as that term is defined by 47 C. F. R. Sec. 9.3.

~~Author: James T. Sasser~~

~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~

~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(27) ~~585-X-3-.27~~ Voice Communications Service Provider.

An entity that provides voice communications service to a subscriber or customer in the State of Alabama.

~~Author: James T. Sasser~~

~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~

~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(28) ~~585-X-3-.28~~ Technical Proprietary Information.

Technology descriptions, technical information, or trade secrets, including the term trade secrets as defined by the Alabama Trade Secrets Act of 1987, Chapter 27 of Title 8, and the actual or developmental costs thereof which are developed, produced, or received internally by a voice communications service provider or by its employees, directors, officers, or agents.

~~Author: James T. Sasser~~

~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~

~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(29) ~~585-X-3-.29~~ Sworn Invoice.

An invoice prepared by a CMRS provider's vendor that describes the goods or services and identifies the costs that the CMRS provider submits for cost recovery pursuant to an approved cost recovery plan, that is accompanied by an affidavit that substantially complies with a form provided the Board.

~~Author: James T. Sasser~~

~~Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.~~

~~History: New Rule: Filed November 26, 2013; effective December 31, 2013.~~

(30) ~~585-X-3-.30~~ Local Directory Number (LDN).

The term Local Directory Number (LDN) does not refer to a telephone subscriber number as published in a local

telephone directory, but rather as used here in shall mean:

(a) A unique 10 digit access number that is both known to and provisioned by the service provider that allows two-way voice communication traffic to be routed to and from a particular subscriber and the public switched telephone network (PSTN) or its logical successor.

(b) Given the present evolutionary path of the PSTN toward a network based upon Internet Protocol functionality, as used herein, the term LDN shall also mean a unique Internet Protocol address or similar unique identifier that provides the same essential functionality as does a 10 digit access number.

Author: James T. Sasser

Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.

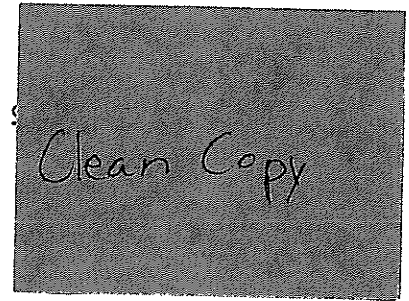
History: **New Rule:** Filed November 26, 2013; effective December 31, 2013. **Amended:** Filed March 11, 2020; effective July 13, 2020

RULES AND REGULATIONS OF THE ALABAMA

CHAPTER 585-X-3

DEFINITIONS

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585-X-3-.01 Definitions.

(1) E9-1-1 Or E9-1-1 System. A telephone system which includes network switching, data base and Public Safety Answering Point premise elements capable of providing automatic location identification data, selective routing, selective transfer, fixed transfer, and a call back number. The term also includes any enhanced 9-1-1 service so designated by the Federal Communications Commission in its Report and Order in WC Docket Nos. 04-36 and 05-196, or any successor proceeding.

(2) 9-1-1 Call. A call, including, but not limited to voice, text, or video, made by a telecommunications service provider's end user by dialing "911" (and, as necessary, pressing the "send" or analogous transmitting button) on a wireless or wired handset.

(3) Automatic Number Identification. An enhanced 9-1-1 service capability that enables the automatic display of the 10-digit telephone number used to place a 9-1-1 call. The term includes pseudo-automatic number identification, which means an enhanced 9-1-1 service capability that enables identification of a subscriber.

(4) Automatic Location Identification Or "ALI". The automatic display at the PSAP of the caller's telephone number, the address/location of the telephone and supplementary emergency services information of the location from which a call originates.

(5) CMRS. Commercial mobile radio service under Sections 3(27) and 332(d) of the Federal Telecommunications

Act of 1996, 47 U.S.C. Section 151 et seq., and Omnibus Budget Reconciliation Act of 1993, Pub. L. 103-66, Aug. 10, 1993, 107 Stat. 312. The term includes the term wireless and service provider by any wireless real time two-way voice communication device, including radio-telephone communications used in cellular telephone service, personal communication service, or the functional or competitive equivalent or a radio-telephone communications line used in cellular telephone service, a personal communication service, or a network radio access line. The term does not include service whose customers do not have access to 9-1-1 or to an enhanced 9-1-1 like service, to a communications channel suitable only for data transmission, to a wireless roaming service or other non-local radio access line service, or to a private telecommunications system.

(6) CMRS Connection. Each mobile telephone number assigned to a CMRS subscriber with a place of primary use in Alabama.

(7) CMRS Provider. A person or entity that provides commercial mobile radio services.

(8) CMRS Customer. A person, business, corporation or other entity that purchases, utilizes or otherwise obtains wireless CMRS service.

(9) District. An emergency communication district created and validly operating pursuant to Section 11-98-4, Code of Ala. 1975.

(10) Emergency Services. Law enforcement, fire, ambulance, rescue and medical services.

(11) Emergency 9-1-1 Call Processing/Dispatching. A process by which an emergency 9-1-1 call answered at the Public Safety Answering Point is transmitted to Emergency Response Facilities or to Emergency Response Units in the field.

(12) Emergency Response Facility. A structure or portion of a structure that houses PSAP equipment and personnel for receiving and/or dispatching 9-1-1 calls.

(13) Emergency Response Unit. A first responder to include, but not limited to, law enforcement vehicle, a fire truck, and an ambulance. Personnel who respond to fire, medical, law enforcement, and other emergency situations for life and safety.

(14) FCC Order. The order of the Federal Communications Commission, FCC docket No. 94-102, adopted on June 12, 1996, and released on July 26, 1996.

(15) Phase I. Required by FCC Report and Order 96-264 pursuant to Notice of Proposed Rulemaking 94-102. The delivery of a wireless 9-1-1 call with callback number and identification of the cell tower from which the call originated.

(16) Phase II. Required by FCC Report and Order docket No. 96-264 pursuant to Notice of Rulemaking 94-102. An enhanced 9-1-1 system that identifies the location of 9-1-1 calls by longitude and latitude in conformance with accuracy requirements established by the FCC.

(17) Place Of Primary Use. The street address representative of where the customer's use of the mobile telecommunications service primarily occurs, which must be:

(a) The residential street address or the primary business address of the customer; and

(b) Within the licensed service areas of the CMRS provider.

(18) Prepaid Wireless Consumer. A person who purchases prepaid wireless telecommunications service in a retail transaction.

(19) Prepaid Retail Transaction. The purchase of prepaid wireless telecommunications service from a seller for any purpose other than resale.

(20) Prepaid Wireless Telephone Service. A service that meets all of the following requirements:

(a) Authorizes the purchase of CMRS, either exclusively or in conjunction with other services.

(b) Must be paid for in advance.

(c) Is sold in units or dollars whose number or dollar value declines with use and is known on a continuous basis.

(21) Public Safety Answering Point Or PSAP. An entity operating under common management which receives 9-1-1 calls from a defined geographic area and processes those calls according to a specific operational policy. The District may designate a PSAP as primary or secondary, which refers to the order in which calls are directed for answering. A Secondary PSAP is a PSAP to which 9-1-1 calls are transferred from a Primary PSAP.

(22) Statewide Board. The Alabama 9-1-1 Board created by Section 11-98-4.1, Code of Ala. 1975, as amended.

(23) Statewide 9-1-1 Charge. The statewide 9-1-1 service charge created pursuant to Section 11-98-5, Code of Ala. 1975, as amended.

(24) Subscriber. A person who purchases a voice communication service, including Lifeline or other similar service, and is able to receive it or use it periodically over time; provided, however, that for purposes of the imposition and collection of the statewide 9-1-1 charge. The term subscriber shall not include the State of Alabama, counties, incorporated municipalities, county and city school boards, independent school boards, and all educational institutions and agencies of the State of Alabama, the counties within the state, or any incorporated municipalities of the State of Alabama. An authority or other public corporation shall be deemed part of a county or municipality for purposes of this definition if it is designated as such under law or if a majority of its governing board is required by law to be selected by such authorizing county or municipality. The definition of "independent school boards" is the same as adopted by the Alabama Department of Revenue in Administrative Code Section 810-6-3-47.02.

(25) Public Safety Agency. An entity that

provides firefighting, law enforcement, emergency medical or other emergency service.

(26) Voice Communication Service. Is any one of the following:

(a) The transmission, conveyance, or routing of real-time, two-way voice communications to a point or between or among points by or through any electronic, radio, satellite, cable, or optical, microwave, wireline, wireless, or other medium or method, regardless of protocol used.

(b) The ability to receive and terminate voice calls to and from the public switched telephone network.

(c) Interconnected VoIP service, as that term is defined by 47 C. F. R. Sec. 9.3.

(27) Voice Communications Service Provider. An entity that provides voice communications service to a subscriber or customer in the State of Alabama.

(28) Technical Proprietary Information. Technology descriptions, technical information, or trade secrets, including the term trade secrets as defined by the Alabama Trade Secrets Act of 1987, Chapter 27 of Title 8, and the actual or developmental costs thereof which are developed, produced, or received internally by a voice communications service provider or by its employees, directors, officers, or agents.

(29) Sworn Invoice. An invoice prepared by a CMRS provider's vendor that describes the goods or services and identifies the costs that the CMRS provider submits for cost recovery pursuant to an approved cost recovery plan, that is accompanied by an affidavit that substantially complies with a form provided the Board.

(30) Local Directory Number (LDN). The term Local Directory Number (LDN) does not refer to a telephone subscriber number as published in a local telephone directory, but rather as used here in shall mean:

(a) A unique 10 digit access number that is both known to and provisioned by the service provider that

allows two-way voice communication traffic to be routed to and from a particular subscriber and the public switched telephone network (PSTN) or its logical successor.

(b) Given the present evolutionary path of the PSTN toward a network based upon Internet Protocol functionality, as used herein, the term LDN shall also mean a unique Internet Protocol address or similar unique identifier that provides the same essential functionality as does a 10 digit access number.

Author: James T. Sasser

Statutory Authority: Code of Ala. 1975, §11-98-4.1, as amended.

History: New Rule: Filed November 26, 2013; effective December 31, 2013. **Amended:** Filed March 11, 2020; effective July 13, 2020