

**9-1-1 Advisory Council**

January 23, 2018

MAR Notice No. 2-3-566 – Department's Proposed Changes

A. The department's proposed changes in response to comments:

NEW RULE I DEFINITIONS (1) remains as proposed.

~~(2) "Department" means the Department of Administration provided for in 2-15-1001, MCA.~~

(3) through (6) remain as proposed but are renumbered (2) through (5).

NEW RULE II PSAP CERTIFICATION remains as proposed; however, the implementation citation is amended as follows:

IMP: 10-4-103, 10-4-107, 10-4-305, MCA

NEW RULE III APPLICATION FOR CERTIFICATION (1) and (2) remain as proposed.

(3) If more than one local government entity is participating in an application:

(a) the local government entities must have entered into an interlocal agreement under 7-11-104, MCA, or other agreement addressing the criteria set forth in 7-11-104, MCA, defining the terms of the parties' participation in the 9-1-1 system; and

(b) the declaration required in (2)(a) must be signed by an official authorized to act on behalf of each local government entity participating in the PSAP and must include an acknowledgment that the participating entities have entered into an interlocal agreement or other agreement addressing the criteria set forth in 7-11-104, MCA.

(4) If a tribal government is participating in a 9-1-1 system and PSAP with a local government entity that hosts a PSAP, and the tribal government will receive ~~distributions from~~ a distribution of funds for 9-1-1 purposes from the local government entity receiving payments made under 10-4-305, MCA:

(a) through (6) remain as proposed.

NEW RULE IV CERTIFICATION PROCESS (1) through (3) remain as proposed.

(4) The applicant shall have 90 days from the date of the notice to correct deficiencies and demonstrate compliance. Except as provided in (5) or (6), if an applicant has not corrected deficiencies and demonstrated compliance with PSAP certification requirements within 90 days, the department shall:

(a) deny the application; or grant conditional PSAP certification; and

~~(b) grant conditional PSAP certification; and~~

~~(c) (b)~~ provide the applicant notice and an opportunity for hearing.

(5) through (8) remain as proposed.

NEW RULE V DECERTIFICATION AND FUNDING REDUCTION remains as proposed; however, the implementation citation is amended as follows:

IMP: 10-4-107, 10-4-108, 10-4-109, 10-4-305, MCA

NEW RULE VI ALLOCATION OF FUNDS remains as proposed; however, the implementation citation is amended as follows:

IMP: 10-4-107, 10-4-201, 10-4-305, MCA

NEW RULE VIII REPORTING, MONITORING, AND RECORDKEEPING remains as proposed.

B. The department is not adopting NEW RULE VII (see Comment and Response #\_\_).