

**§ 143B-1402. Powers and duties of the 911 Board.**

- (a) Duties. – The 911 Board has the following powers and duties:
- (1) To develop the 911 State Plan. In developing and updating the plan, the 911 Board must monitor trends in communications service technology utilized for the 911 system and in enhanced 911 service technology, investigate and incorporate GIS resources into the plan, ensure individual PSAP plans incorporate a back-up PSAP and 911 call routing in an emergency, coordination with State emergency operations including Telecommunicator Emergency Response Taskforce (TERT), and formulate strategies for the efficient and effective delivery of enhanced 911 service.
  - (2) To administer the 911 Fund and the monthly 911 service charge authorized by G.S. 143B-1403.
  - (3) To distribute revenue in the 911 Fund in accordance with this Part and advise CMRS providers and PSAPs of the requirements for receiving a distribution from the 911 Fund.
  - (4) To establish cooperative purchasing agreements or other contracts for the procurement of goods and services, to establish policies and procedures to fund advisory services and training programs including, but not limited to, Emergency Medical Dispatch and quality assurance of Emergency Medical Dispatch programs for PSAPs as authorized by this Part, to set operating standards for PSAPs and back-up PSAPs, including telecommunicator training and certification requirements as provided by G.S. 143B-1406(f), and to provide funds in accordance with these policies, procedures, and standards subject to the limitations of G.S. 143B-1406.
  - (5) To investigate the revenues and expenditures associated with the operation of a PSAP to ensure compliance with restrictions on the use of amounts distributed from the 911 Fund.
  - (6) To make and enter into contracts and agreements necessary or incidental to the performance of its powers and duties under this Part and to use revenue available to the 911 Board under G.S. 143B-1404 for administrative expenses to pay its obligations under the contracts and agreements.
  - (7) To use funds available to the 911 Board under G.S. 143B-1407 to pay its obligations incurred for statewide 911 projects.
  - (8) To accept gifts, grants, or other money for the 911 Fund.
  - (9) To undertake its duties in a manner that is competitively and technologically neutral as to all communications service providers.
  - (10) To design, create, or acquire printed or Web-based public education materials regarding the proper use of 911.
  - (11) To adopt rules to implement this Part. This authority does not include the regulation of any communications service, such as the establishment of technical standards for communications service providers to process 911 voice and data.
  - (12) To take other necessary and proper action to implement the provisions of this Part.
  - (13) To collect, manage, and analyze call taking data that is delivered to the State ESInet for use by the Board in performing call analytics and call routing. Such data shall be subject to the limitations of G.S. 132-1 et seq., and applicable federal privacy laws or regulations.

- (14) To coordinate, adopt, and communicate all necessary technical and operational standards and requirements to ensure an effective statewide interconnected NG911 network, the State ESInet, including the following:
  - a. NG911 network design specifications;
  - b. 911 call processing standards and requirements including system networks, PSAP equipment, GIS caller location routing, and database requirements;
  - c. Performance measures for data services necessary for the purposes of this Part.
- (15) To establish and operate a network management center for the State ESInet staffed by the Board. The center shall monitor PSAP and communications service provider compliance with technical and operational standards, requirements, and practices. The center shall monitor the State ESInet performance and security testing protocols in coordination with the Department of Information Technology.

(b) Prohibition. – In no event shall the 911 Board or any other State agency construct, operate, or own a communications network for the purpose of providing 911 service. The 911 Board may pay private sector vendors for provisioning a communications network for the purpose of providing citizens access to 911 services and completing call-taking processes through one or more PSAPs.

(c) The Secretary of the Department of Information Technology shall, with the advice of the 911 Board, select an Executive Director of the 911 Board. The Executive Director shall be the Board's chief administrative officer. The Executive Director shall have appropriate training and experience to assist the Board in the performance of its duties. The Executive Director shall be considered the State 911 coordinator for purposes of relevant State and federal law and program requirements.

The Executive Director shall be responsible for managing the work of the Board, including, but not limited to:

- (1) Preparing and submitting reports of the Board to the NC General Assembly, Governor, and Federal Communications Commission;
- (2) Drafting suggested legislation incorporating the Board's findings for submission to the General Assembly;
- (3) Administering, directing, and managing the affairs and business of the 911 Board, and for the supervision of all personnel serving the Board;
- (4) Contracting with such other persons, including subject matter experts and consultants, as deemed necessary; and
- (5) Executing the Board's policies, powers, and duties subject to appropriations, available funds, and State employment and procurement laws.

(d) The Board may meet in the offices of the Department of Information Technology or in facilities satisfactory for the Board's needs and Public Meeting laws. The Department of Information Technology shall provide office space for the Board's staff.

(e) To execute the powers and duties provided in this Part, the Board shall determine its policies, procedures, and rules by majority vote of the members of the Board, a quorum having been established. Once a policy or procedure is determined or a rule is adopted, the Board shall communicate it to the Executive Director, who shall have the authority to execute the policy, procedure, or rule of the Board. No individual member of the Board shall have the responsibility or authority to give operational directives to any employee of the Board other than the Executive Director. (2007-383, s. 1(a); 2010-158, s. 3; 2014-66, s. 1.2; 2015-241, s. 7A.3(2); 2015-261, ss. 1(b), (c), 2, 4(b); 2019-200, s. 7(b).)