



**The Tennessee Advisory Commission
on Intergovernmental Relations**

TACIR



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MEMORANDUM

TO: TACIR Commission Members

FROM: Harry A. Green *Harry*
Executive Director

DATE: September 8, 2011

SUBJECT: Final Report on Non-affiliated Public Safety Answering Points (PSAPs)

Public Chapter 473 directs TACIR to:

- Perform a study of the impact on public safety of Public Safety Answering Points (PSAPs) not affiliated with an Emergency Communication District (ECD).
- Review the emergency communications equipment capabilities of non-affiliated PSAPs.
- Report its findings and recommendations, including any proposed legislation or interim reports, upon conclusion of its study. The report is to be delivered to each member of the House and Senate Government Operations Committee by December 1, 2011.

TACIR staff presented an update on this study at the Commission meeting on June 30, 2011. The executive summary of the report, including staff findings and recommendations, is attached. A draft of the full report will be e-mailed to members in advance of the meeting.

Executive Summary

Tennessee is a leader in 911 service and emergency communications. It was the third state in the nation to have statewide E911 Phase II technology in place and is on the forefront with Next Generation 911 technology today. Tennessee is also one of 35 states that have a state 911 board, the Tennessee Emergency Communications Board (TECB).

In the spirit of maintaining the state's status as a leader in emergency communications, the Tennessee General Assembly asked the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) to assess the public safety impact and technology of public safety answering points that retain their right to dispatch services without affiliating with their local emergency communications district.

Findings

1. At the date of publication, there are 21 public safety answering points (PSAPs) that are not affiliated with their local emergency communication district (ECD) in Tennessee. This is allowed under state law.
2. There is no definition of public safety answering point in the Tennessee Code Annotated 7-86-103, which created some confusion regarding the classification of the non-affiliated PSAPs during the course of this study.
3. Related to finding #2, several of the entities the Tennessee Emergency Communications Board staff submitted to TACIR staff as non-affiliated PSAPs did not consider themselves to be PSAPs. TACIR staff agrees that these agencies primarily provide dispatching services and are not truly E-911 PSAPs.
4. The most prominent concern expressed by the non-affiliated PSAPs interviewed for this report was the loss of a local, "homegrown" approach if consolidation occurred, particularly because many did not see any negative safety impact due to non-affiliation.
5. The most prominent concern expressed by the ECDs interviewed for this report was the lack of adequate technology of many non-affiliated PSAPs to receive automatic number and location information.
6. TACIR staff agrees with the Tennessee Emergency Communications Board (TECB) and ECDs that there is a technological disparity in most cases of non-affiliated PSAPS in comparison to their counterparts.
7. TACIR staff does not believe there is an adverse impact to public safety that would require changing current law to require consolidation. Staff research shows that only one non-affiliated PSAP in Tennessee receives 911 calls directly, and that PSAP is Phase II compliant. The other non-affiliated PSAPs receive transferred calls from Phase II compliant PSAPs.
8. TACIR staff agrees with the spirit of current law that encourages consolidation but stops short of mandating it, recognizing the importance of local autonomy and community relationships.

Recommendations

1. While PSAP is a standard term in the emergency communications field, there is no statutory definition of “public safety answering point” (PSAP) in Tennessee Code Annotated (TCA) 7-86-103, which contains the definitions for the Emergency Communications chapter. Staff believes a definition of PSAP should be included in the TCA for classification purposes. To that end, TACIR staff recommends the Tennessee General Assembly consider adopting a clear definition of public safety answering point for the TCA that would clarify any ambiguity regarding what constitutes a PSAP in light of Tennessee’s unique working relationship between emergency communications districts, public safety answering points, and public safety emergency service providers.
2. TACIR staff recommends that PSAPs not affiliated with their local ECD that do not meet the definition of a PSAP should be recognized and classified as public safety emergency service providers (PSEPs); this term is defined in TCA 7-86-103. The term “non-affiliated PSAP” would cease to apply to these entities upon acceptance of this recommendation. The term non-affiliated PSAP would apply only to those entities that have a 911 controller but are not affiliated with their local ECD, which is the case with the Spring Hill Police Department. Staff is unaware of any other PSAP with 911 access that is not affiliated with its local ECD.
3. The General Assembly may wish to amend TCA 7-86-107 to include that any call made by dialing 911 in Tennessee must be delivered to a public safety answering point equipped with at least Phase II compliant technology, if not Next Generation 911 technology. Emergency calls can still be relayed or transferred to a separate public safety emergency service provider to dispatch services (which is already allowed and practiced across the state). This recommendation applies only to the actual placement and routing of a 911 call.
4. State law should continue to encourage consolidation but should not require it. Current law that allows for emergency service providers to retain the right to dispatch their own services respects Tennessee’s history of decentralizing power and granting local powers the autonomy to run their affairs.
5. TACIR staff recommends that PSEPs that take non-emergency calls directly in addition to receiving transferred 911 calls and non-affiliated PSAPs submit an annual report to their local ECD, which the ECD will in turn submit to the TECB. This annual report would include contact information, notification of any interlocal agreements, and a contingency plan in case of network, equipment, or facility failures, fashioned after TECB policies.
6. TACIR staff believes these issues should be visited as necessary in the future.