

Open Work Session
Enforcement of Kari's Law
November 17, 2020

Mr. David Shipley, Director of Emergency Services, came before Council and said he is here to give Council an overview of Kari's Law, some background on it, and the enforcement needs that are associated with it.

Mr. Shipley said, on February 16, 2018, Kari's Law was signed into federal law named for Kari Hunt Dunn. He said the law was championed by her family after she was killed and her 9-year-old daughter was unable to reach out to Emergency Services because she did not know she had to dial 9 to reach an outside line before calling 911 at the hotel where they were staying, so it was a big tragedy. He explained, Kari's Law requires that multiline phone systems allow callers to reach Emergency Services 911 without the need to dial a prefixed or outside number. He said February 16, 2020 was the compliance date for multiline telephone system users per Kari's Law.

Mr. Shipley said he would like to talk about Maryland law. He said, in 2015, the Maryland Public Service Act was amended to require that, by December 31, 2017, a person who installs or operates a multiline telephone system shall ensure the system is connected to the public switched telephone network in such a way that, when an individual dials 911, the call connects to the public safety answering point without requiring the user to dial any other number or set of numbers prior to that. He said, because of the law, there are actions needed in Legislation in Wicomico County. He said, in 2020, the Maryland Public Service Act was further amended and added the following: "A County or municipality shall be responsible in enforcing the Subsection. Each County or municipality may set a fine or series of fines to be issued to a person who violates that Subsection. It is important to note that, when a County submits a request for disbursements for the 911 trust fund, the County shall submit to the Board a certification of the enforcement actions taken by the County under this Section." He clarified, what they are saying is that the County must document enforcement actions in order to access the money that is available for the 911 fees collected per phone bills, and also the trust fund.

Mr. Shipley said the Maryland 911 Board also promulgated some direction to ensure compliance with the Public Safety Act, and established the following guidelines on September 24 of this year: Each Public Safety Answering Point Director, which would be him in this case, shall submit quarterly reports describing the entity in the County responsible for the enforcement of the Public Safety Act Article, the number of multiline phone systems that were inspected for compliance, and the number of violations found. He said the reporting shall be submitted on County letterhead and signed by the Public Safety Answering Point Director, so he will have to do that four times a year if they want to comply and still get the funding through the 911 system. He clarified, that is why he is here today, to talk about the Legislation that is necessary for that.

Mr. Shipley said there is a new Article 4 for Chapter 15 of the Code, and the needed enforcement Legislation was proposed by the Office of Law after review and discussions with himself. Mr. Dodd asked for clarification, to which Mr. Shipley responded, the Office of Law crafted this based on the State law and interacting with him. He said this is in Council's Brief Book, and he wants to hit some salient parts of

the Legislation. He then read, "A person who installs or operates a multiline telephone system shall ensure that the system is connected to the public service switch telephone network in such a way that, when an individual using the system dials 911, the call connects to the public service entering point without requiring the user to dial any other number or set of numbers." He said the new Legislation also defines what a multiline system is, but it also identifies that the Wicomico Emergency Management Disaster Preparedness Agency shall be responsible for enforcing the above requirements. He read, "Officers authorized by the Director of Emergency Management Disaster Preparedness to enforce this Section may issue citations for civil infractions of this Section." He clarified, he uses the word "may" because, when they go out and do the inspections, the goal is compliance, not to fine people. He continued, "A person who violates this Section shall be guilty of a civil infraction and be subject to a fine not to exceed \$20 per violation for each day the violation occurs." He clarified, again, it will be a civil infraction, and the goal for the inspections is compliance, not to fine people.

Mr. Dodd asked who would do the enforcement, to which Mr. Shipley responded, it could be himself or anybody in his Department. Mr. Dodd asked if the County is set up to issue fines, to which Mr. Shipley responded, yes. He said it will be a civil infraction, just like they do in Planning and Zoning for zoning violations. He said it is ideal for this to be in his Department as he is the one who manages the money that comes in from 911, and he is the one who is going to be signing reports.

Mr. Shipley then gave an example of the way they are going to do this. He said he would go into a hotel and identify himself, ask where the front desk phone is, and simply dial 911 and see if it goes through, and he could go to a hotel room and do the same thing. He said this is suited well for his organization because, on the days they do this, they would tell their 911 folks there will be test calls coming in.

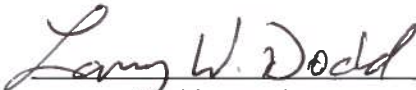
Mr. Dodd asked if the plan is to do regular inspections of businesses in the County, to which Mr. Shipley responded, yes, he has to file a quarterly report every three months. He said, again, they jeopardize losing the funding the County gets from the Emergency Numbers Board if they do not do this.

Mr. McCain said Mr. Shipley mentioned the hospitality industry. He then asked if that industry has been communicated with to be made aware of this? He further asked, how would they be aware of this law? He said he is also thinking about the fact that hotels already have an existing phone system in place that might have an outgoing line they have to use, such as dialing 9, so does this mean they have to change their system? Mr. Shipley responded, he is not aware of anything. He said they were really just notified of this, and that is what the Legislation is for, but their phone provider should have told them this in 2017. He clarified, he does not recall any publicity campaign or anything like that. Mr. McCain said they may have a system that is older and was installed prior to 2017, so they may not have this functionality, and they may not be aware of the fact that they need to make changes. Mr. Shipley said part of what they will do when they get started with this will be getting the word out there. He said, as he indicated, their goal will be education, so if they run into someone who does not have it, they will need to get back to their phone vendor.

Mr. Dodd asked if the Government Office Building has a phone system where they have to dial a number to get an outside line, to which Mr. Shipley responded, he randomly checked by dialing 911, and it went through, but he will double check and make sure that is the case throughout the building.




Mr. Dodd asked Mrs. Hurley if they are set up to introduce this Legislative Bill, to which Mrs. Hurley responded, yes, they can introduce this at the next Council Meeting on December 1. There was no further discussion.



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