Appendix A
Historical Background

The initial legislative goal was to establish Basic 911 operations statewide. This goal was achieved when the Basic 911 system in Lafayette County became operational on May 2, 1997.

Florida’s next goal was to provide enhanced 911 (E911) services statewide to better serve Floridians and visitors. This goal was achieved when the E911 system in Dixie County became operational on Sept. 20, 2005.

Legislation, passed in 1985, 1987 and 2007, established the wireline telephone access surcharge for E911. A wireless E911 surcharge was established in 1999, one which mandates that issues of E911 planning and implementation be updated to reflect the status of the E911 program. This mandate includes planning for current, emerging, and future technologies such as Next Generation E911 with Voice over Internet Protocol (VoIP) telephony, text and video features and satellite accessibility. It furthermore mandates that direction be provided for the implementation of present and future systems using state-of-the-art technologies. With these objectives in mind, the State E911 Plan has been developed with the full cooperation and assistance of the E911 community in Florida.

The task of implementing a statewide E911 system in Florida involves adapting to a wide diversity of situations. While Florida has a population in excess of 18 million, there are counties with populations of fewer than 15,000 people. Therefore, individual system designs involving one to multiple public-safety answering points (PSAPs) require different approaches. In addition, Florida’s E911 systems must be designed to accommodate the public-safety needs of more than 80 million visitors each year.

Another factor contributing to the wide-ranging approach to system design in Florida resulted from the deregulation of the telephone industry. Several counties in Florida have elected to install their own computers and 911-associated equipment to provide selective routing and automatic location identification (ALI) to PSAPs. In these counties, local exchange carriers (LECs) provide the required circuits and automatic number identifications (ANIs) to designated locations within the county. County personnel are responsible for maintaining the database with the help of periodic updates from the LECs.

In 1974, the 911 program in Florida was initiated by passage of the Florida Emergency Telephone Act,
section 365.171, Florida Statutes. Based on the initial legislative mandate, DMS contracted with the Stanford Research Institute to produce a study of 911 possibilities in Florida. The result was the document titled “911 in Florida: A System Concept”, published in August 1974. This report was a stepping stone in preparing the original Florida 911 plan. Other states and the federal government have utilized many concepts under this contract.

In developing the original 911 plan, engineers from DMS met with the Boards of County Commissioners of all 67 Florida counties to explain the program. In most counties, 911 committees were formed consisting of representatives from various public-safety agencies. The Department of Management Services prepared studies of various system configurations for county consideration. The result was a 911 system plan for each county, with the exception of Miami-Dade County, which was already planning an enhanced system that offered selective routing. The Miami-Dade system became a forerunner of an advanced E911 system.

A historical discussion of 911 in Florida would be incomplete without mentioning funding. Florida 911 call centers were not funded by customer 911 fees when section 365.171, Florida Statutes, initially became law in 1974. During the period of 1976 through 1982, the Florida Legislature appropriated funds to DMS that were used to assist counties in implementing 911 systems. These funds were distributed to the counties through grant applications to cover the nonrecurring costs of establishing these early 911 systems. The statute was later amended to help counties fund the nonrecurring costs for developing 911 call centers. Eventually, recurring operational costs were added by legislative amendment. The introduction of wireless E911 and VoIP technologies have also altered the way Florida 911 is funded, managed and operated.

In 1985, legislation was passed that allowed counties to establish a fee of up to 50 cents on telephone access lines (wireline) for a period not to exceed 18 months. The fee was to provide for nonrecurring costs associated with 911 system start-up. In 1989, the Legislature extended the collection period to 36 months.

In 1987, the Legislature greatly expanded the funding revenues by allowing recurring costs of 911 systems to be included in the fees on telephone access lines. For the first time, operational costs from a source other than the county’s general revenue fund were provided. The Legislature specified the items of equipment and services eligible for payment from these fees and stipulated that the total amount collected on wireline subscribers could not exceed 50 cents per month, per line.
In 1991, legislative changes removed the requirement for annual DMS approval of a county's recurring fee and specified that a fund be established exclusively for 911 fee revenues and expenditures. The changes also required that monies in the fund be used only for specified purposes and required the E911 Board and DMS to conduct and forward an annual financial audit of the fund. In addition, the changes also provided for a yearly carry-forward of funds while more clearly defining those costs eligible for expenditure of 911 fee revenues.

On May 2, 1998, the State of Florida achieved 100 percent Basic 911 coverage. The rapid growth of the wireless telephone industry and the need to provide E911 services to this segment of telecommunications resulted in FCC Docket 94-102, which defines federal wireless E911 requirements.

In 1999, 911 legislation was passed that addressed the rapidly expanding wireless industry and its effect on 911 systems. This legislation established a statewide fee of 50 cents per month for each wireless telephone billed within Florida and required that the fee to be administered by a State Wireless 911 Board appointed by the Governor.

In 2001, the responsibility for the State E911 plan and E911 administration changed from the department/office to the State Technology Office. Legislation passed in 2005 reversed this change in responsibility.

In 2002, legislative changes amended the billing of mobile telecommunications services from the billing address to the place of primary use.

Legislative changes in 2003 related to extending the fee to prepaid wireless telephone service. It facilitated E911 service implementation by including a facilitating E911 service implementation (tower section) for placement and collation of wireless antennae. The legislation also expanded duties of the E911 Board to include the following:

- Provide coordination, support and technical assistance to counties to promote the deployment of advanced 911 and E911 systems in the state.
- Provide coordination and support for educational opportunities related to 911 issues for the 911 community.
- Act as an advocate for issues related to 911 system functions, features and operations to improve the delivery of 911 services to the residents of and visitors to this state.
• Work cooperatively with the DMS system director to enhance the state of 911 services in Florida and to provide unified leadership for all 911 issues through planning and coordination.

In 2005, legislation implemented definitions and changes related to prepaid wireless telephone service and modifications to the tower section. Legislation determined that for E911 fee remittance purposes, state and local governments are not subscribers and are subject to the E911 fee. Legislation included provisions for an E911 Board Grant Loan Program to medium counties based on county hardship criteria. The E911 Board was authorized to hire and retain employees, including an executive director, and to secure the services of an independent, private attorney. The adjustment period for any new E911 Board allocation percentages or fee reductions were modified from two years to one year. The time limit for carry-forward funding of up to three successive calendar years was eliminated.

The state achieved a major milestone when statewide E911 coverage was fully achieved on Sept. 20, 2005.

In 2007, E911 legislation was passed to address rapidly expanding communication services, including VoIP and next generation equipment and devices, and their impact on E911 systems. This legislation changed the local option fee to a statewide fee of 50 cents per month on all communications capable of accessing E911 services within Florida and expanded the Wireless 911 Board to an E911 Board. The E911 local exchange fee in four counties Duval, Lee, Pasco and Volusia was set at the counties’ lower option rate because their E911 fee was set at a lower rate prior to July 1, 2007. The Legislature suspended the collection of E911 fees on prepaid wireless service until July 1, 2009. This suspension was to enable the E911 Board to develop and complete a mandated study of prepaid wireless collection methods and to determine if a fee should be collected from the sale of prepaid wireless service.

The E911 Board completed the prepaid study required by the 2007 legislation and recommended collections on prepaid wireless service. At workshops during the rule-making process, the E911 Board determined that legislative changes were required to enable collection of the prepaid wireless fee. The E911 Board Task Force worked with representatives of the parties involved to develop potential legislation to address this issue. The E911 Board recommended delaying the date to start collecting prepaid wireless fees to no later than Jan. 1, 2010.
Within this historical background and technical/operational system environment, this wireless E911 system evolved. Phase II wireless coverage was smoothly interfaced and was finally implemented in all 67 counties in March 2008.

The 2010 legislative changes concerning E911 defined the term “911 public-safety telecommunicators” and expanded the 911 allowable expenditures list to include fees associated with the Department of Health (DOH) for the certification and recertification of 911 public-safety telecommunicators (a public-safety dispatcher or 911 operator) employed at a PSAP. These individuals’ duties and responsibilities include answering, receiving, transferring and dispatching functions related to 911 calls or supervising or serving as the command officer to a person or persons having such duties and responsibilities. During the 2010 legislative session, the Legislature extended the suspension for collections of prepaid calling card arrangements until July 1, 2013.

In 2012, legislative changes increased E911 Board membership to include another at-large county coordinator representative and a certificated competitive local exchange telecommunications company representative, changing the board from a nine- to an 11-member board. This change eliminated the need for the E911 Board rule and established in legislation the fee basis of five service-identified access lines for channelized digital transmission links. Legislation also modified the language to eliminate prepaid wireless E911 fee collection before July 1, 2013. The indemnification subsection was modified to include a local exchange carrier, voice communications services provider or another service provider that offers 911 or E911 services on a retail or wholesale basis.

The 2014 legislation finalized the prepaid wireless service fee issue, providing a collection method based on a retail transaction basis beginning Jan. 1, 2015. This legislation also eliminated prepaid E911 fee collection before that date. The revenues collected by the Department of Revenue are transferred to the Emergency Communications Number E911 System Fund on or before the 25th day of each month following the month of receipt for E911 Board disbursement. The capped 50-cent fee was set at 40 cents for each prepaid transaction or per month for all wireless and non-wireless services. New allocation percentages were also established.

The legislation included provisions for implementation of hosted systems. Modifications to the allowable expenditures provided for emergency medical, fire and law enforcement prearrival instructions; GIS systems (mapping); 911 public-safety telecommunicator training costs for DOH certification and for technical system maintenance, database and administration personnel costs for administration of the
E911 system. Financial changes include a county audit provision to ensure that all E911 fee revenues, interest and grant funding are used for payment of authorized expenditures. The E911 Board is required to take into account the amount of carry-forward funds retained by the counties for E911 State Grant Program funding requests, limiting county carry-forward funds in excess of the allowable 30 percent amount of fee revenue calculated on a two-year basis. Allocations from the prepaid wireless category are retained by the board to provide state E911 grants for county E911 and NG911 equipment and services and statewide NG-911 systems.