

RULE IMPACT STATEMENT

Pursuant to the Administrative Procedures Act, Section 303(D) of Title 75 of the Oklahoma Statutes, the Oklahoma Department of Emergency Management hereby submits the following Rule Impact Statement for EMERGENCY rule proposals for OAC Title 145, Oklahoma Department of Emergency Management, Chapter 15, Oklahoma 9-1-1 Management Authority.

Brief Description of the Purpose of the Proposed Rules:

The purpose of the proposed rules is to establish procedures and guidelines for the implementation and enforcement of the Oklahoma 9-1-1 Management Authority Act, 63 O.S., Sections 2861, *et seq.* created by HB 3126. The Act created the Oklahoma 9-1-1 Management Authority and charged the Authority with overseeing the development and regulation of 9-1-1 emergency systems in the state and managing the distribution of all 9-1-1 telephone fees collected under the Act.

Description of the classes of persons who most likely will be affected by the proposed rule, including classes that will bear the cost of the proposed rule, and any information on cost impacts received by the agency from any private or public entities:

Public agencies and public safety answering points ("PSAPs") will be affected by the proposed rules, as the rules implement the reporting requirements under the Act and clarify the procedure for the Authority to escrow funding to PSAPs. No additional costs are anticipated. No information on cost impact has been received by the agency from private or public entities to date.

Description of the classes of persons who will benefit from the proposed rule:

Anyone in the state of Oklahoma who utilizes 9-1-1 emergency systems in the state, particularly those in areas with outdated 9-1-1 emergency telephone service, will benefit from the Authority's development and regulation of 9-1-1 emergency systems in the state.

Description of the probable economic impact of the proposed rule upon affected classes of persons or political subdivisions, including a listing for all fee changes and, whenever possible, separate justification for each fee change:

The proposed rules do not include any fees and no economic impact is anticipated. The Act imposed additional reporting requirements on public agencies and PSAPs which may require additional staff time to complete. However, this is a requirement of the Act, not these proposed rules, and the rules have been written with the intention of minimizing these compliance costs.

The probable costs and benefits to the agency and to any other agency of the implementation and enforcement of the proposed rule, the source of revenue to be used for implementation and enforcement of the proposed rule, and anticipated effect on state revenues, including a projected net loss or gain in such revenues if it can be projected by the agency:

The Act created fees which are dedicated to local public agencies and PSAPs as well as a revolving fund for the Authority. It is anticipated that any additional cost, if any, would be covered by this

funding source. The proposed rules benefit the local public agencies and PSAPs, as well as the Authority, because they create clear requirements for reporting and procedures for the escrowing of funds.

A determination of whether implementation of the proposed rule will have an economic impact on any political subdivision or require their cooperation in implementing or enforcing the rule:

As previously stated, the additional reporting requirements created by the Act are not expected to have a significant economic impact on political subdivisions. The proposed rules regulate local public agencies and PSAPs. These political subdivisions will be required to comply with the rules but will not be required to assist in implementing or enforcing the rules.

A determination of whether implementation of the proposed rule may have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act:

No adverse economic effect is anticipated on small businesses.

An explanation of the measures the agency has taken to minimize compliance costs and a determination of whether there are less costly or non-regulatory methods or less intrusive methods for achieving the purpose of the proposed rules:

The Authority has implemented the requirements of the Act while considering the minimal compliance costs of public agencies and PSAPs. There are no less costly or non-regulatory methods available for implementing the requirements of the Act.

A determination of the effect of the proposed rule on the public health, safety and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:

The goal of the Act was to provide oversight over the development and regulation of 9-1-1 emergency systems in the State and manage the distribution of all 9-1-1 telephone fees collected which will result in upgraded systems in areas with outdated technology and to advance all PSAPs collectively into the next generation of 911 technologie. The proposed rules are necessary to implement the Act and achieve the goals of the Act.

A determination of any detrimental effect on the public health, safety and environment if the proposed rules are not implemented:

If the proposed rules are not implemented, the Authority would have difficulty implementing and enforcing the Act.

Date the rule impact statement was prepared and the date modified:

Prepared: November 14, 2016

Modified: n/a

Prepared by: Zach Stanford
Special Projects Officer
Oklahoma Department of Emergency Management
(405) 521-2481 office
zach.stanford@oem.ok.gov