

## Office of Policy and Legal Analysis

Date: April 22, 2021  
To: Joint Standing Committee on Energy, Utilities and Technology  
From: Dan Tartakoff, Legislative Analyst  
Re: LD 1291, An Act To Reduce Fire Response Time by Eliminating Standardized Dispatch Protocols for Fire 9-1-1 Calls (Senator Woodsome)

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### **Bill summary**

This bill eliminates the funding requirement for standardized dispatch protocols for fire 9-1-1 calls and directs the Public Utilities Commission, Emergency Services Communication Bureau to eliminate the protocols.

### **List of legislators/entities that submitted written testimony and/or spoke at the hearing**

**Proponents** – Senator Woodsome, Maine County Commissioners Association, Maine Fire Chiefs' Association, Penobscot County Regional Communications Center, additional members of the public.

**Opponents** – Maine Municipal Association, Public Utilities Commission, additional members of the public.

**Neither for nor against** – none.

### **Additional background – LDs 1256 (2015) and 674 (2019)**

In 2015, the Legislature enacted LD 1256, An Act To Improve the Safety and Survival of 9-1-1 Callers and First Responders. That legislation enacted the law at 25 MRSA §2927(3-C) that this bill seeks to amend. LD 1256 also required the PUC phase in the adoption and implementation of standardized dispatch protocols for fire 911 calls over a 3-year period. The PUC adopted rules implementing those standardized dispatch protocols on September 3, 2016, which required each public safety answering point (PSAP) to implement those protocols by May 31, 2018.

In 2019, the Legislature enacted LD 674, Resolve, Regarding Implementation and Funding of E-9-1-1 Dispatch Protocols, which required the PUC to convene a stakeholder group to develop recommendations regarding standardized dispatch protocol requirements and report back to EUT by November 1, 2019. As noted by PUC in its written testimony on this bill, no concerns about the standardized dispatch protocols were brought to its attention during that stakeholder group or since the report was presented to EUT in 2020.

### **Notes, issues and proposed amendments**

1. *Structure of bill, analyst comments* – the intent of the bill, as stated by the sponsor, is to eliminate the requirement for standardized dispatch protocols as provided for by rule by the PUC. The bill as drafted though may not accomplish this intent in the clearest manner possible. Accordingly, if the committee wants to move forward with the proposal, it would be advisable to replace the bill with something similar to the following:

**Sec. 1. 25 MRSA §2926, sub-§3** is amended to read:

**3. Rulemaking.** The bureau shall adopt by rule its standards, specifications and procedures developed under subsection 2, paragraphs A to F after consultation with the E-9-1-1 Council and following at least 3 public hearings geographically dispersed throughout the State.

Notwithstanding any provision of this chapter to the contrary, the bureau may not adopt rules requiring the adoption and implementation by public safety answering points of standardized dispatch protocols for answering fire 9-1-1 calls.

**Sec. 2. 25 MRSA §2927, sub-§3-C** is repealed.

2. *Increased call times* – those testifying who are directly involved in fire 911 calls agreed that the implementation of standardized dispatch protocols did increase average call times, however, the amount of that increase as reported varied from an extra minute at most added as a result to a reported almost doubling of the average call time.
3. *Repetitious questioning* – those testifying who are directly involved in fire 911 calls all agreed that the implementation of standardized dispatch protocols did result in some amount of repetitious questioning in the event that a call had to be transferred (e.g., call comes into wrong PSAP), however, the amount of repetition required under those protocols is unclear. One person suggested that there are only two questions requiring repetition, while others suggested that there are a whole series of questions that must be repeated in such a circumstance, with the reported effect of frustrating some callers.

The PUC was asked to provide for the work session a description of any requirements under the protocols that might require the repetition of questions in such circumstances.

4. *Pre-alerts* – Stephen Bunker proposed a solution to what he sees as an issue with network technology and transferring rather than an issue with the protocols themselves – so-called pre-alerts, used by some dispatch centers, which would allow a dispatcher to send minimum call details like location and call type out to the appropriate responding entity before returning to the protocols to complete the required questioning. Suggests directing PUC to provide technical assistance to centers in implementing such a pre-alert system.

As noted by the PUC in its testimony, the protocols already require an immediate dispatch to matters with urgent threat to life or property including person on fire, vehicle fire with occupants trapped, threatened/trapped by wildland fire, building or structure fire, trapped in building fire, sinking vehicle, and vehicle in floodwater.

Mr. Bunker also included in his written testimony a number of additional recommendations for the committee to consider as an alternative to the elimination of the standardized dispatch protocols.

5. *Elimination of funding, MMA concerns* – MMA expressed concern over the bill's elimination of funding for PSAP dispatcher training in fire 911 protocols even if the requirement for implementation of standardized dispatch protocols was eliminated, noting that many municipalities appreciate the standardization and would not eliminate the use of such protocols even if they were no longer mandated but would still require dispatcher training.

### **Requests for work session**

PUC asked to provide for the work session more information on what the questions the current fire 9-1-1 standardized dispatch protocols require a dispatcher to ask, what questions would a dispatcher be required to repeat regardless of whether the call is a transfer, what issues with the system might need to be addressed to solve the problems described in the hearing and whether the protocol system is standardized to the point that any of the caller data could be transferred from one PSAP to another.

### **Fiscal information**

Not yet available from OFPR.