HOMELAND SECURITY AND EMERGENCY MANAGEMENT DEPARTMENT[605]

Regulatory Analysis

Notice of Intended Action to be published: 605—Chapter 10
"911 Telephone Systems"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 17A and 34A
State or federal law(s) implemented by the rulemaking: 2024 Iowa Acts, Senate File 2370

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

November 19, 2025 9:30 a.m.	Geode Room 7900 Hickman Road, Suite 500 Windsor Heights, Iowa meet.google.com/oqm-wujn-dif

Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Homeland Security and Emergency Management Department no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

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Purpose and Summary

Pursuant to Executive Order 10, the Department proposes to rescind Chapter 10 and to adopt a new chapter in lieu thereof. The chapter describes the structure and guidelines in which 911 telephone systems are implemented, managed, and administered.

The new chapter eliminates language this is overly restrictive, obsolete, and repetitive of the Iowa Code and is therefore a shorter chapter.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

There are no direct costs associated with this rulemaking. The rulemaking implements Iowa Code chapter 34A, which authorizes a surcharge tied to telephones that can dial 911.

- **Classes of persons that will benefit from the proposed rulemaking:**

All individuals within the State benefit from a well-run and consistent 911 deployment throughout the State.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

911 is called over one million times in Iowa annually. These rules help provide standardization for the system as well as additional administrative implementation of 911 phone systems within the State, including public safety answering points.

- **Qualitative description of impact:**

Since the 1980s, Iowans have been able to reach emergency assistance through dialing the digits 911 on a phone. This rulemaking helps provide standardization throughout the State in order for 911 authorities to implement, manage, and administer this critical lifeline.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

This rulemaking implements Iowa Code chapter 34A, which addresses a surcharge tied to telephone numbers in the State as well as the formula for disbursement of this surcharge to those responsible for management of 911 systems.

- **Anticipated effect on State revenues:**

There are no anticipated effects on State revenues due to this rulemaking.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

This rulemaking ensures the State has a consistent standard for 911 call handling across the State. Inaction could lead to disparate quality of care/quality of service.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

The Department seeks to implement these rules in a way that is as minimally intrusive and prescriptive as possible, while still maintaining a well-run 911 system as outlined in Iowa Code chapter 34A. Funding to implement these local programs is outlined as part of the aforementioned Iowa Code chapter. Where intrusive or prescriptive methods remain in this proposed rulemaking, the Department is following federal grant and industry standards to implement best practices from throughout the nation.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

None were considered.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

The rulemaking has no direct impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 605—Chapter 10 and adopt the following **new** chapter in lieu thereof:

CHAPTER 10
911 TELEPHONE SYSTEMS

605—10.1(34A) Program description. In addition to the purpose described in Iowa Code section 34A.1, the purpose of this program is to provide for the orderly development, installation, and operation of 911 emergency telephone systems and to provide a mechanism for the funding of these systems, either in whole or in part.

605—10.2(34A) Definitions. All terms defined in Iowa Code section 34A.2 apply to this chapter, as well as the following terms:

"911 authority" means the public entity at the state or local level, which operates a 911 telephone system for the public benefit, within a defined 911 service area.

"911 communications council" means the council as established under the provisions of Iowa Code section 34A.15.

"911 emergency call" or *"911 call"* means a communication initiated using the digits 911 and transported via the next generation 911 network that includes voice, text, picture, multimedia, or any other type of data that is sent to a PSAP for the purpose of requesting emergency assistance.

"911 program manager" means the individual appointed by the director and working with the 911 communications council to perform the duties specifically set forth in Iowa Code chapter 34A and this chapter.

"911 system" means a telephone system that automatically connects a caller, dialing the digits 911, transported via the Next Generation 911 network, to a public safety answering point (PSAP).

"Access line" means an exchange access line that has the ability to place a 911 call and reach a PSAP.

"Automatic location identification" or *"ALI"* means a system capability that enables an automatic display of information defining a geographical location of the telephone used to place the 911 call.

"Automatic number identification" or *"ANI"* means a capability that enables the automatic display of the number of the telephone used to place the 911 call.

"Central office" or *"CO"* means a telephone company facility that houses the switching equipment for connecting subscribers to each other.

"Department" means the same as defined in Iowa Code section 29C.2.

"Entry point" means the demarcation point(s), as designated by the 911 program manager, where originating service providers must deliver their 911 traffic for ingress into the state's next generation 911 network.

"Exchange" means a defined geographic area served by one or more central offices in which the telephone company furnishes services.

"Logging recorder" means a device that electronically records voice 911 calls and may also record associated radio traffic and call data. The logging recorder automatically logs the time and date of such conversations; normally it is a multichannel device that keeps a semipermanent record of operations for archival or evidentiary purposes.

"Multi-line telephone system" or *"MLTS"* means the same as in 47 CFR §9.3.

"Political subdivision" means a geographic or territorial division of the state that would have the following characteristics: defined geographic area, responsibilities for certain functions of local government, public elections and public officers, and taxing power. Excluded from this definition are departments and divisions of state government and agencies of the federal government.

"Prepaid wireless telecommunications service" means the service described in Iowa Code section 34A.7B and 701—Chapter 217.

"Provider" means a person, company or other business that provides, or offers to provide, 911 equipment, installation, maintenance, or access services.

"Public safety telecommunicator" or *"telecommunicator"* means the same as defined in Iowa Code section 80B.11C.

"Public switched network" means the same as in 47 CFR §9.3.

"Subscriber" means any person, firm, association, corporation, agencies of federal, state and local government, or other legal entity responsible by law for payment for communication service from the telephone utility.

"Text telephone" or *"TTY"* means the same as in 47 CFR §9.3.

"Wireless communications service" means commercial mobile radio service. "Wireless communications service" includes any wireless two-way communications used in cellular telephone service, personal communications service, or the functional or competitive equivalent of a radio-telephone communications line used in cellular telephone service, a personal communications service, or a network access line. "Wireless communications service" does not include a service whose customers do not have access to 911 or 911-like service, a communications channel utilized only for data transmission, or a private telecommunications system.

605—10.3(34A) Joint 911 service boards. This rule assists 911 authorities in administering Iowa Code section 34A.3.

10.3(1) The joint 911 service board shall submit a listing of members along with the chair and vice chair. The submission will be on a form prescribed by the 911 program manager and will include the political subdivision they represent and, if applicable, the associated Iowa Code chapter 28E or alternate 911 service board as described in Iowa Code sections 34A.3(4) and 29C.9(10). A copy of the list will be submitted annually along a time frame communicated by the program manager and listed on the prescribed form.

10.3(2) Joint 911 service board bylaws.

a. Each joint 911 service board shall develop bylaws to specify, at a minimum, the following information:

(1) The name of the joint 911 service board.

(2) A list of voting and nonvoting members.

(3) The date for the commencement of operations.

(4) The mission.

(5) The powers and duties.

(6) The manner for financing activities and maintaining a budget.

(7) The manner for acquiring, holding and disposing of property.

(8) The manner for electing or appointing officers and terms of office.

(9) The manner by which members may vote to include, if applicable, the manner by which votes may be weighted.

(10) The manner for appointing, hiring, disciplining, and terminating employees.

(11) The rules for conducting meetings.

(12) The permissible method or methods to be employed in accomplishing the partial or complete termination of the board and the disposing of property upon such complete or partial termination.

(13) Any other necessary and proper rules or procedures.

b. Each member shall sign the adopted bylaws.

c. The joint 911 service board shall record the signed bylaws with the county recorder and shall forward a copy of the signed bylaws to the 911 program manager.

10.3(3) Executive board. The joint 911 service board may, through its bylaws, establish an executive board to conduct the business of the joint 911 service board. Members of the executive board must be selected from the eligible voting members of the joint 911 service board. The executive board will have such other duties and responsibilities as assigned by the joint 911 service board.

10.3(4) Meetings.

a. The provisions of Iowa Code chapter 21, "Official Meetings Open to the Public," are applicable to joint 911 service boards.

b. Joint 911 service boards shall conduct meetings in accordance with their established bylaws and applicable state law.

10.3(5) The program manager may maintain a template of minimum requirements to satisfy this rule on the department's website.

605—10.4(34A) 911 service plan.

10.4(1) The joint 911 service board shall be responsible for developing a 911 service plan as required by Iowa Code section 34A.3 and as set forth in these rules. The plan will remain the property of the joint 911 service board. Each joint 911 service board will coordinate planning with each contiguous joint 911 service board. A copy of the plan and any modifications and addenda shall be submitted to:

a. The department.

b. All public and private safety agencies serving the 911 service area.

c. All providers affected by the 911 service plan.

10.4(2) In addition to the requirements in Iowa Code section 34A.3, the 911 service plan shall include:

a. The mailing address of the joint 911 service board.

b. A list of voting members on the joint 911 service board.

c. A list of nonvoting members on the joint 911 service board.

d. The name of the chairperson and of the vice chairperson of the joint 911 service board.

e. Maps of the 911 service area showing boundaries for all of the law enforcement agencies, firefighting districts, and ambulance and emergency medical service areas, and the location of each PSAP within the service area shall be uploaded and maintained within the program's online NG911 GIS database via the process described in Iowa Code section 10.12(1)*"f."*

10.4(3) The requirements listed in Iowa Code section 10.4(2)*"b"* through *"d"* may be updated annually via the process described in Iowa Code section 10.3(1).

10.4(4) All plan modifications and addenda shall be filed with, reviewed, and approved by the 911 program manager.

10.4(5) The 911 program manager shall base acceptance of the plan upon compliance with the provisions of Iowa Code chapter 34A and the rules herein.

10.4(6) The 911 program manager will notify in writing, within 20 days of review, the chairperson of the joint 911 service board of the approval or disapproval of the plan.

a. If the plan is disapproved, the joint 911 service board will have 90 days from receipt of notice to submit revisions/addenda.

b. Notice for disapproved plans will contain the reasons for disapproval.

c. The 911 program manager will notify the chairperson, in writing within 20 days of review, of the approval or disapproval of the revisions.

10.4(7) The program manager may maintain a template of minimum service plan requirements on the department's website.

605—10.5(34A) Wireline 911 surcharge. This rule is implemented to help 911 authorities administer Iowa Code section 34A.7.

10.5(1) For the purposes of surcharge remittance and collection, Static VoIP shall be considered wireline service.

10.5(2) The provider shall remit the collected surcharge to the joint 911 service board on a calendar quarter basis within 20 days of the end of the quarter.

10.5(3) The joint 911 service board may request, not more than once each quarter, the following information from the carrier or provider:

a. The identity of the exchange from which the surcharge is collected.

b. The number of lines to which the surcharge was applied for the quarter.

c. The number of refusals to pay per exchange, if applicable.

d. The number of write-offs per exchange, if applicable.

e. The number of lines exempt per exchange.

f. The amount retained by the carrier or provider from the 1 percent administrative fee.

NOTE: Access line counts and surcharge remittances are confidential public records as provided in Iowa Code section 34A.8.

10.5(4) If the joint 911 service board ceases to operate 911 service, the balance in the 911 service fund shall be payable to the 911 authority taking over the responsibility of the 911 service area.

605—10.6(34A) Wireline 911 surcharge exemptions.

10.6(1) The following agencies, individuals, and organizations are exempt from imposition of the 911 surcharge:

a. Federal agencies and tax-exempt instrumentalities of the federal government.

b. Indian tribes for access lines on the tribe's reservation upon filing a statement with the joint 911 service board, signed by appropriate authority, requesting surcharge exemption.

c. An enrolled member of an Indian tribe for access lines on the reservation, who does not receive 911 service, and who annually files a signed statement with the joint 911 service board that the person is an enrolled member of an Indian tribe living on a reservation and does not receive 911 service. However, once 911 service is provided, the member is no longer exempt.

d. Official station testing lines owned by the provider.

e. Individual wireline subscribers above the maximum access lines as provided for in Iowa Code section 34A.7.

10.6(2) All other subscribers not listed above that have or will have the ability to access 911 are required to pay the surcharge.

605—10.7(34A) Emergency communications service surcharge. This rule is implemented to help 911 authorities administer Iowa Code section 34A.7A.

10.7(1) Surcharge funds shall be remitted on a calendar quarter basis by the close of business on the twentieth day following the end of the quarter with a remittance form as prescribed by the 911 program manager. Providers shall issue their checks or warrants to the Treasurer, State of Iowa, and remit to 911 Program Manager, Iowa Department of Homeland Security and Emergency Management, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa 50324.

10.7(2) For the purposes of surcharge remittance and collection, Nomadic VoIP shall be considered wireless service.

10.7(3) Payments to next generation 911 network service providers, 911 call processing equipment providers, 911 call transport providers, and third-party 911 automatic location identification database providers shall be made quarterly, based on original, itemized claims or invoices presented within 20 days of the end of the calendar quarter. Claims or invoices not submitted within 20 days of the end of the calendar quarter are not eligible for reimbursement and may not be included in future claims and invoices. Payments to providers shall be made in accordance with these rules and the State Accounting Policy and Procedures Manual.

10.7(4) Next generation 911 network service providers, 911 call processing equipment providers, 911 call transport providers, and third-party 911 automatic location identification database providers shall be reimbursed for only those items and services that are defined as eligible in the NG911 Network Implementation and Operations Plan and when initiation of service has been ordered and authorized by the 911 program manager.

10.7(5) If it is found that an overpayment has been made to an entity, the 911 program manager shall attempt recovery of the debt from the entity by certified letter. Due diligence shall be documented and retained by the department. If resolution of the debt does not occur and the debt is at least $50, the department will then utilize the income offset program through the department of revenue. Until resolution of the debt has occurred, the department may withhold future payments to the entity.

605—10.8(34A) Prepaid wireless 911 surcharge. Administration of the prepaid wireless 911 surcharge will be conducted per Iowa Code section 34A.7B and rule 701—217.8(34A).

605—10.9(34A) 911 service fund.

10.9(1) The department of public safety and each joint 911 service board have the responsibility for the 911 service fund consisting of revenue described in Iowa Code section 34A.7.

a. A 911 service fund shall be established in the office of the county treasurer for each joint 911 service board and with the state treasurer for the department of public safety.

b. Collected surcharge moneys and any interest thereon, as authorized in Iowa Code chapter 34A, shall be deposited into the 911 service fund. 911 surcharge moneys must be kept separate from all other sources of revenue utilized for 911 systems.

c. For joint 911 service boards, withdrawal of moneys from the 911 service fund shall be made on warrants drawn by the county auditor, per Iowa Code section 331.506, supported by claims and vouchers approved by the chairperson or vice chairperson of the joint 911 service board or delegated authority so designated in writing.

d. For the department of public safety, withdrawal of moneys from the 911 service fund shall be made in accordance with state laws and administrative rules.

10.9(2) The 911 service funds shall be subject to examination by the department at any time during usual business hours. 911 service funds are subject to the audit provisions of Iowa Code chapter 11. A copy of all audits of the 911 service fund shall be furnished to the department within 30 days of receipt. If through the audit or monitoring process the department determines that a joint 911 service board is not adhering to an approved plan or does not have a valid board membership, or if the department determines that a joint 911 service board or the department of public safety is not using funds in the manner prescribed in these rules or Iowa Code chapter 34A, the director may, after notice and hearing, suspend remittance distribution described in Iowa Code section 34A.7A and order termination of expenditures from the 911 service fund. The joint 911 service board or department of public safety is not eligible to receive or expend surcharge moneys until such time as the 911 program manager determines that the board or department of public safety is in compliance with the approved plan, board membership, and fund usage limitations.

10.9(3) The program manager will provide common allowable expenditures in the NG911 Operations Plan detailed in rule 605—10.10(34A).

605—10.10(34A) NG911 Network Implementation and Operations Plan. Each joint 911 service board, the department of public safety, the 911 communications council, and originating service providers shall cooperate with the 911 program manager in preparing the NG911 Network Implementation and Operations Plan for statewide implementation of NG911 service.

10.10(1) *Plan specifications.* The NG911 Network Implementation and Operations Plan shall include, at a minimum, the following information:

a. Maps showing the geographic location within the county of each PSAP that receives 911 emergency calls.

b. A list of all PSAPs within the state of Iowa.

c. A set of guidelines for determining eligible costs as set forth in Iowa Code chapter 34A.

d. A schedule for the implementation and maintenance of the next generation 911 network.

e. A schedule for the implementation, maintenance and cost sharing of 911 call processing equipment.

10.10(2) *Adoption by reference.* The "NG911 Network Implementation and Operations Plan," effective July 1, 2018, and available from the Iowa Department of Homeland Security and Emergency Management, 7900 Hickman Road, Suite 500, Windsor Heights, Iowa, or at the Law Library in the Capitol Building, Des Moines, Iowa, is hereby adopted by reference effective August 8, 2018.

605—10.11(34A) Minimum operational and technical standards. 47 CFR Part 9 as of December 1, 2025, is adopted by reference with the additional specifications.

10.11(1) Each 911 system, supplemented with 911 surcharge moneys, shall, at a minimum, employ the following features:

a. Automatic location identification (ALI).

b. Automatic number identification (ANI).

c. Policy routing function.

d. Each PSAP shall maintain an alternate means of receiving emergency calls from the public during an ESInet outage or degradation.

e. ANI and ALI information shall be maintained and updated in such a manner as to allow for 95 percent or greater degree of accuracy.

f. All 911 authorities shall maintain NG911 GIS data according to standards published by the department and posted to the department's website.

10.11(2) 911 public safety answering points shall adhere to the following minimum standards:

a. The PSAP shall operate seven days per week, 24 hours per day, with trained public safety telecommunicators on duty at all times.

b. The primary published emergency number in the 911 service area shall be 911.

c. All PSAPs will maintain interagency communications capabilities for emergency coordination purposes to include radio as well as the Public Switched Telephone Network.

d. Each PSAP shall develop and maintain a PSAP standard operating procedure for receiving and dispatching emergency calls.

e. 911 calls should only be transferred as necessary for faster dispatch of responders and to PSAPs that are capable of accepting all associated data, including ANI and ALI.

f. PSAPs shall maintain a logging recorder. Each 911 call shall be recorded using a logging recorder. Call recordings shall be maintained for a period of not less than one year.

g. Access control and security of PSAPs and associated dispatch centers shall be designed to prevent disruption of operations and provide a safe and secure environment of communication operations.

h. 911 authorities shall ensure that all vendors whose normal activities may involve contact with facilities associated with the 911 service are familiar with safeguarding of facilities' procedures.

i. Emergency electrical power shall be provided for the PSAP environment that will ensure continuous operations and communications during a power outage. Such power should start automatically in the event of power failure and shall have the ability to be sustained for a minimum of 48 hours.

j. The PSAP and 911 authorities shall make every attempt to disallow the intrusion by automatic dialers, alarm systems, or automatic dialing and announcing devices through the 911 system. If intrusion by one of these devices should occur, 911 authorities shall make every attempt to contact the responsible party to ensure there is no such further occurrence by notifying the party that knowing and intentional interference with emergency telephone calls constitutes a crime under Iowa Code section 727.5. Those responsible for PSAP operations shall report persons who repeatedly use automatic dialers, alarm systems, or automatic announcing devices through the 911 system to the county attorney for investigation of possible violations of Iowa Code section 727.5.

k. Each PSAP shall be equipped with an appropriate telecommunications device for the deaf in accordance with 28 CFR §35.162, July 3, 2025.

l. PSAPs will have the capability to access translation services to help process 911 calls from non-English speakers.

m. Each PSAP shall adhere to NENA STA-020.1-2020 as of [the effective date of this rule].

10.11(3) Originating service providers shall adhere to the following minimum requirements:

a. 911 authorities shall be notified of all service interruptions in accordance with 47 CFR Part 4 as amended to [effective date of the rulemaking].

b. The originating service provider shall respond, within a reasonable length of time, to all appropriate requests for information from 911 authorities and shall expressly comply with the provisions of Iowa Code section 34A.8.

c. Originating service providers and MLTSs must update and maintain the state ALI database with accurate information. When delivering 911 calls, caller location must be provided in compliance with 47 CFR §9.8, 47 CFR §9.10, and 47 CFR §9.15.

d. Access to the 911 entry point and next generation 911 network shall be approved by the 911 program manager. Originating service providers must provide the company name, address and point of contact with their request. If the originating service provider utilizes a third-party vendor, the vendor must provide this information listing the vendor's customer's requested information.

605—10.12(34A) Waivers, variance request, and right to appeal.

10.12(1) All requests for variances or waivers shall be submitted to the 911 program manager in writing and shall contain the following information:

a. A description of the variance(s) or waiver(s) being requested.

b. Supporting information setting forth the reasons the variance or waiver is necessary.

c. A copy of the resolution or minutes of the joint 911 service board meeting that authorizes the application for a variance or waiver.

d. The signature of the chairperson of the joint 911 service board.

10.12(2) The 911 program manager may grant a variance or waiver based upon the provisions of Iowa Code chapter 34A or other applicable state law.

10.12(3) Upon receipt of a request for a variance or waiver, the 911 program manager shall evaluate the request and schedule a review within 20 working days of receipt of the request. The review shall be informal, and the petitioner may present materials, documents and testimony in support of the petitioner's request. The 911 program manager shall determine if the request meets the criteria established and shall issue a decision within 20 working days. The 911 program manager shall notify the petitioner, in writing, of the acceptance or rejection of the petition. If the petition is rejected, such notice shall include the reasons for denial.

605—10.13(34A) Administrative hearings and appeals.

10.13(1) 911 program manager decisions regarding the acceptance or refusal of a 911 service plan, in whole or in part, the implementation of 911 and the imposition of the 911 surcharge within a specific 911 service area may be contested by an affected party.

10.13(2) Request for hearing shall be made in writing to the director within 30 days of the 911 program manager's mailing or serving of a decision and shall state the reason(s) for the request and shall be signed by the appropriate authority.

10.13(3) The director shall schedule a hearing within ten working days of receipt of the request for hearing. The director shall preside over the hearing, at which time the appellant may present any evidence, documentation, or other information regarding the matter in dispute.

10.13(4) The director shall issue a ruling regarding the matter within 20 working days of the hearing.

10.13(5) Any party adversely affected by the director's ruling may file a written request for a rehearing within 20 days of issuance of the ruling. A rehearing will be conducted only when additional evidence is available, the evidence is material to the case, and good cause existed for the failure to present the evidence at the initial hearing. The director will schedule a hearing within 20 days after the receipt of the written request. The director shall issue a ruling regarding the matter within 20 working days of the hearing.

10.13(6) Any party adversely affected by the director's ruling may file a written appeal to the director. The appeal request shall contain information identifying the appealing party, the ruling being appealed, specific findings or conclusions to which exception is taken, the relief sought, and the

grounds for relief. The director shall issue a ruling regarding the matter within 90 days of the hearing. The director's ruling constitutes final agency action for purposes of judicial review.

These rules are intended to implement Iowa Code chapter 34A.