

**Effective 7/1/2015**

**Part 4**  
**Radio Network Division**

**63H-7a-401 Radio Network Division.**

- (1) This part is known as the "Radio Network Division."
- (2) There is created within the authority the Radio Network Division.

Renumbered and Amended by Chapter 411, 2015 General Session

**63H-7a-402 Radio Network Division duties.**

- (1) The Radio Network Division shall:
  - (a) provide and maintain the public safety communications network for state and local government agencies within the authority network, including the existing VHF and 800 MHz networks, in a manner that:
    - (i) promotes high quality, cost effective service;
    - (ii) evaluates the benefits, cost, existing facilities, equipment, and services of public and private providers; and
    - (iii) where economically feasible, utilizes existing infrastructure to avoid duplication of facilities, equipment, and services of providers of communication services;
  - (b) prepare and submit to the executive director for approval by the board:
    - (i) an annual budget for the Radio Network Division;
    - (ii) an annual plan for the program funded by the Utah Statewide Radio System Restricted Account created in Section 63H-7a-403; and
    - (iii) information required by the director to contribute to the comprehensive strategic plan described in Subsection 63H-7a-204(18);
  - (c) recommend to the executive director administrative rules for approval by the board in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to administer the program funded by the restricted account created in Section 63H-7a-403, including rules that establish the criteria, standards, technology, equipment, and services that will qualify for goods or services that are funded from the restricted accounts; and
  - (d) fulfill other duties assigned to the Radio Network Division under this chapter.
- (2) The Radio Network Division may:
  - (a) recommend to the executive director to sell, lease, or otherwise dispose of equipment or personal property purchased, leased, or belonging to the authority that is related to the public safety communications network;
  - (b) recommend to the executive director to own, operate, or enter into contracts for the public safety communications network;
  - (c) review information regarding:
    - (i) in aggregate, the number of radio service subscribers by service type in a political subdivision; and
    - (ii) matters related to the public safety communications network;
  - (d) in accordance with Subsection (2)(c), request information from:
    - (i) local and state entities; and
    - (ii) public safety agencies; and
  - (e) employ outside consultants to study and advise the division on issues related to:
    - (i) the public safety communications network;

- (ii) radio technologies and services;
  - (iii) microwave connectivity;
  - (iv) fiber connectivity; and
  - (v) public safety communication network connectivity and usage.
- (3) The information requested by and provided to the Radio Network Division under Subsections (2)(c) and (d) is a protected record in accordance with Section 63G-2-305.
- (4) This section does not expand the authority of the State Tax Commission to request additional information from a telecommunication service provider.

Amended by Chapter 123, 2016 General Session

Amended by Chapter 179, 2016 General Session

**63H-7a-403 Creation of Utah Statewide Radio System Restricted Account -- Administration -- Use of money.**

- (1) There is created a restricted account within the General Fund known as the "Utah Statewide Radio System Restricted Account," consisting of:
- (a) money appropriated or otherwise made available by the Legislature; and
  - (b) contributions of money from federal agencies, political subdivisions of the state, persons, or corporations.
- (2) The money in this restricted account shall be used exclusively for the statewide purpose of acquiring, constructing, operating, maintaining, and repairing a statewide radio system public safety communications network as authorized in Section 63H-7a-202, including:
- (a) a public safety communications network and related facilities, real property, improvements, and equipment necessary for the acquisition, construction, and operation of services and facilities;
  - (b) installation, implementation, and maintenance of the public safety communications network;
  - (c) maintaining the VHF and 800 MHz radio networks; and
  - (d) an operating budget to include personnel costs not otherwise covered by funds from another account.
- (3)
- (a) Subject to appropriation, the Administrative Services Division, created in Section 63H-7a-601 may charge the administrative costs incurred in discharging the responsibilities imposed by this section.
  - (b) Subject to an annual legislative appropriation from the restricted account to the Administrative Services Division, the Administrative Services Division shall disburse the money in the fund, based on the authorization of the board and the Radio Network Division under Subsection 63H-7a-402(1)(d).

Amended by Chapter 123, 2016 General Session

**63H-7a-404 Radio Network Division -- Restricted account -- Duties.**

- (1) The Radio Network Division shall:
- (a)
    - (i) administer the development, installation, implementation, and maintenance of the Utah Statewide Public Safety Communications network system for the authority;
    - (ii) spend up to \$1,500,000 of the one-time appropriation in fiscal year 2015-16 for a study, the scope of which shall be determined by the board based on the advice of the Radio Network Division, the 911 Division, and the executive director, to complete a detailed design

and planning proposal for the upgrade and expansion of all phases of the public safety communication network, which shall include at least:

- (A) the system design for the state backbone and the implications of local coverage;
  - (B) whether other public safety communications networks can be integrated with the state backbone;
  - (C) estimates of the full cost of completing the state backbone to specified standards, local subsystems, and the potential advantages of using a request for proposal approach to solicit private and public sector participation in the project;
  - (D) a financial analysis estimating funds necessary to cover debt service of revenue bonds issued to finance the cost of completing the statewide radio system upgrade and expansion; and
  - (E) a review of the project governance and implementation; and
- (iii) spend the remainder of the one-time appropriation in the 2015-16 fiscal year:
- (A) for exigent circumstances related to the public safety communications network;
  - (B) to purchase dispatch radio consoles; and
  - (C) for other needs identified within the detailed design proposal.
- (b) The one-time appropriation in the 2015-16 fiscal year to the Radio Network Division is non-lapsing.
- (c)
- (i) When the study under Subsection (1)(a) is complete, the board shall report to the Legislative Executive Appropriations Committee, which shall study appropriate funding mechanisms for upgrade and maintenance of the statewide radio system network.
  - (ii) The division shall annually report to the executive director and the board the Radio Network Division's authorized disbursements from the restricted account.
- (2) Current radio user fees imposed by the authority may be repealed on July 1, 2016, contingent upon an ongoing funding source being established for the construction of a new public safety communications network and the operation and maintenance of the authority.
- (3) In accordance with Section 63H-7a-603, the Administrative Services Division is responsible for the care, custody, safekeeping, collection, and accounting for disbursements from the Utah Statewide Radio System Restricted Account and shall submit an annual report to the executive director for approval by the board.

Enacted by Chapter 411, 2015 General Session

**63H-7a-405 Radio network advisory committees.**

- (1)
- (a) There is created within the Radio Network Division, the Radio Network Advisory Committee composed of public safety radio system users and providers appointed by the board in accordance with this section.
  - (b) The board shall select at least ten members of the advisory committee:
    - (i) no more than one of whom may be from the same company; and
    - (ii) who represent a balance between users of public safety radio systems and providers of public safety radio systems and who meet the requirements of Subsection (2).
- (2) The board shall appoint members to the advisory committee described in Subsection (1)(b) who demonstrate a knowledge of highly technical communications network systems, including one or more of the following:
- (a) the operation of the systems;
  - (b) the technical specifications of the systems components;

- (c) experience with communication network planning, including the development of new systems and expansion of existing systems;
  - (d) knowledge of microwave and fiber optics based communications systems and how the communications systems integrate across carrier circuits;
  - (e) a strong understanding of the public safety radio systems; and
  - (f) experience with level of service agreements for telecommunications.
- (3) The term for each committee members is four years. Each mid-term vacancy shall be filled for the unexpired term in the same manner as an appointment under Subsection (2).
- (4)
- (a) Staff and contracting services to the advisory committee shall be provided by the Radio Network Division.
  - (b) Funding for staff and contracting services shall be provided with funds approved by the board from those identified under Section 63H-7a-403.
- (5) An advisory committee member:
- (a) shall not receive compensation or benefits for the member's service on the advisory committee;
  - (b) is not required to give bond for the performance of official duties; and
  - (c) can be removed from the advisory committee by the board based on rules adopted by the board.
- (6) A majority of the advisory committee constitutes a quorum for voting purposes.
- (7)
- (a) The advisory committee shall elect co-chairs from the membership of the committee as follows:
    - (i) one shall represent public safety radio system users; and
    - (ii) one shall represent providers.
  - (b) The co-chairs shall report to the board on a regular basis.
- (8) The advisory committee shall:
- (a) provide input and guidance to the Radio Network Division concerning the public safety communications network;
  - (b) advise the Radio Network Division regarding standards related to the public safety communications network;
  - (c) review and make recommendations for the Radio Network Division's strategic plan;
  - (d) provide information and evaluate industry trends related to the Radio Network Division's responsibilities;
  - (e) advise the Radio Network Division regarding professional development;
  - (f) make recommendations regarding the development of cooperative partnerships; and
  - (g) make recommendations to the board in accordance with Subsection 63H-7a-204(18).

Amended by Chapter 123, 2016 General Session