

**RULES  
OF  
TENNESSEE DEPARTMENT OF SAFETY  
HIGHWAY PATROL**

**CHAPTER 1340-03-08  
P25 INTEROPERABLE COMMUNICATIONS SYSTEM (TENNESSEE ADVANCED  
COMMUNICATIONS NETWORK [TACN])**

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**1340-03-08-.01 PURPOSE.**

To establish procedures and rules for constructing, operating, maintaining, enhancing, accessing, and collecting fees for the P25 Interoperable Communications System, also known as the Tennessee Advanced Communications Network (TACN).

**Authority:** T.C.A. §§ 4-3-2009 and 4-3-2018. **Administrative History:** Original rule filed January 29, 2016; effective April 28, 2016.

**1340-03-08-.02 DEFINITIONS.**

- (1) "Commissioner" means the Commissioner of the Department of Safety and Homeland Security.
- (2) "Contact" means an agreement between the TACN User and the Department to facilitate participation in the TACN.
- (3) "Department" means the Department of Safety and Homeland Security acting directly or through its duly authorized officers and agents and shall be the governing authority over the TACN.
- (4) "Director" means the Wireless Communications Director appointed by the Commissioner. The Director shall have the authority on day-to-day operational decisions for the TACN. Additionally, the Director will be responsible for the approval of requests for use of the TACN and management of the TACN Contracts.
- (5) "Fees" mean the amount contributed for constructing, operating, maintaining, enhancing, and establishing access to the TACN.
- (6) "STS" means Strategic Technology Solutions, a division within the Department of Finance and Administration acting directly or through its duly authorized officers and agents to provide direction, planning, resources, execution, and coordination in managing the information systems needs of the State of Tennessee. STS was formerly known as OIR, the Tennessee Department of Finance and Administration's Office for Information Resources.
- (7) "TACN" means the Tennessee Advanced Communications Network that is the P25 Interoperable Communications System.
- (8) "TACN Advisory Committee" means the Tennessee Advanced Communication Network Advisory Committee and is composed of Commissioners or their designees from the Department, TDOC, TDOT, the Chief Information Officer of STS, the Director of TEMA, a

(Rule 1340-03-08-.02, continued)

representative from the TVRCS, and at least one TACN User representative from each of the following local government disciplines: law enforcement, fire, emergency medical services, and emergency management agencies. The TACN Advisory Committee advises on the management and operation of the TACN. The Commissioner or his designee shall be the chair of the Committee and shall have the discretion to select TACN User representatives, add additional members, and establish working subcommittees.

- (9) "TACN Site" means any State of Tennessee owned or leased property where the Department has constructed a building and/or tower for the TACN.
- (10) "TACN User" means a Director-approved entity that enters into a Contract with the Department for the purpose of participating in the TACN.
- (11) "TDOC" means the Tennessee Department of Correction acting directly or through its duly authorized officers and agents.
- (12) "TDOT" means the Tennessee Department of Transportation acting directly or through its duly authorized officers and agents.
- (13) "TEMA" means the Tennessee Emergency Management Agency acting directly or through its duly authorized officers and agents.
- (14) "TVRCS" means the Tennessee Valley Regional Communications System acting directly or through its duly authorized officers and agents.

**Authority:** T.C.A. §§ 4-3-2009 and 4-3-2018. **Administrative History:** Original rule filed January 29, 2016; effective April 28, 2016.

#### **1340-03-08-.03 TACN PARTICIPATION.**

- (1) A potential TACN User must submit a written request for participation in TACN to the Director.
- (2) The request shall be reviewed by the Director and if approved, a Contract shall be sent either electronically or by U.S. Mail to the potential TACN User by the Department.
- (3) A Contract will be prepared using the Department of General Services' Central Procurement Office's templates in effect at the time of the request. Any contract negotiations shall be conducted in accordance with Tennessee procurement laws, rules, policies, and procedures.
- (4) A Contract shall be fully executed in accordance with the Tennessee procurement process prior to any use of the TACN.

**Authority:** T.C.A. §§ 4-3-2009 and 4-3-2018. **Administrative History:** Original rule filed January 29, 2016; effective April 28, 2016.

#### **1340-03-08-.04 FEES.**

- (1) The Department shall have exclusive authority for constructing, operating, maintaining, enhancing, establishing access to, and the collection of fees for, the TACN.
- (2) A Contract shall set forth the fees to be collected by the Department.
- (3) Any assessments collected by the Department pursuant to these Rules shall be expendable receipts of the Department for use in maintaining the TACN.

(Rule 1340-03-08-.04, continued)

**Authority:** T.C.A. §§ 4-3-2009 and 4-3-2018. **Administrative History:** Original rule filed January 29, 2016; effective April 28, 2016.

**1340-03-08-.05 AUTHORIZATION.**

- (1) Tennessee Code Annotated (T.C.A.) § 4-3-2009 authorizes the Commissioner to establish and to promulgate rules and regulations governing the administration and operation of the Department as may be deemed necessary by the Commissioner and that are not inconsistent with the laws of Tennessee. T.C.A. § 4-3-2018 authorizes the Department to promulgate rules and regulations regarding access to the statewide P25 interoperable communications system, including the authority to collect, by rules or regulations, assessments for the use and/or maintenance of the system. Any other Rule or Rules by other agencies that attempt to govern radio or communication systems that conflict with the T ACN Rules shall be superseded and the Department's Rules governing the TACN and the TACN Site shall have precedence.
- (2) The Commissioner shall have the authority to waive any and all of the Rules of this section as necessary to maintain the integrity and interoperability of the P25 Interoperable Communications system known as the TACN.

**Authority:** T.C.A. §§ 4-3-2009 and 4-3-2018. **Administrative History:** Original rule filed January 29, 2016; effective April 28, 2016.