

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10F .0305

**DEADLINE FOR RECEIPT: Friday, January 26, 2024**

***PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*In (a)(5), please add a comma after "Slough".*

*In (a)(18), why is this not a substantial change? Was this post-publication change made in response to public comment?*

*In the History Note, is it necessary to cite G.S. 75A-3 as authority?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609

1 15A NCAC 10F .0305 is amended with changes as published in 38:07 NCAC 415 as follows:

2  
3 **15A NCAC 10F .0305 BRUNSWICK COUNTY**

4 (a) Regulated Areas. This Rule shall apply to the waters ~~and portions of waters~~ described as follows:

- 5 (1) ~~Lockwoods~~ Lockwood Folly River in the Town of Varnamtown, from a point at 33.94966 N,  
6 78.22587 W, 500 yards northwest of the boat ramp located at the end of S.R. 1123 otherwise known  
7 as Fisherman Road, to a point at 33.94498 N, 78.22206 W, 180 yards southeast of the boat ramp,  
8 and including the portion of the river otherwise known as Mill Creek where it meets ~~Lockwoods~~  
9 Lockwood Folly River directly across from the boat ramp, to a point 100 feet northeast at 33.94687  
10 N, 78.22235 W;
- 11 (2) Calabash River in the Town of Calabash, from a point in the water at the end of Marina Drive at  
12 33.88638 N, 78.56254 W to a point 650 yards southwest at the southern end of the deep-sea fishing  
13 docks at 33.88344 N, 78.56751 W;
- 14 (3) ~~the Small Boat Harbor,~~ Morningstar Marinas Southport, shore to shore beginning at its intersection  
15 with the Intracoastal Waterway at a point at 33.91685 N, 78.02865 W;
- 16 (4) Shallotte River east of S.R. 1233, otherwise known as Village Point Road SW south of the Town of  
17 Shallotte, shore to shore from its intersection with the Intracoastal Waterway at a point at 33.91477  
18 N, 78.37103 W to point 500 feet north at 33.91613 N, 78.37126 W;
- 19 (5) Montgomery Slough otherwise known as Davis Creek, within 100 yards of the hotel and marina at  
20 the northern end of 57<sup>th</sup> Place West in the Town of Oak Island;
- 21 (6) the waters in the natural and concrete canals located on the south side of the Intracoastal Waterway,  
22 east of N.C. Highway 904 in the Town of Ocean Isle Beach;
- 23 (7) Town Creek east of S.R. 1609, otherwise known as Clearview Lane in Town Creek Township, shore  
24 to shore from a point at 34.16788 N, 78.07139 W, north and east around a bend in the creek to a  
25 point at 34.16910 N, 78.07030 W;
- 26 (8) Montgomery Slough, otherwise known as Davis Creek, shore to shore from its entrance at the  
27 Intracoastal Waterway west of SW Yacht Drive at a point at 33.92145 N, 78.19408 W, to the canal  
28 end at NE 40<sup>th</sup> Street in the Town of Oak Island;
- 29 (9) Intracoastal Waterway in the Town of Sunset ~~Beach,~~ Beach in the vicinity of the S.R. 1172 Sunset  
30 Beach Bridge and Sunset Beach Boating Access Area at 101 Sunset Boulevard, shore to shore from  
31 a point 150 yards east of the Sunset ~~Boulevard~~ Beach South bridge Bridge at 33.88173 N, 78.50995  
32 W, to a point 50 yards west of the bridge at 33.88111 N, 78.51194 W; ~~and~~
- 33 (10) Intracoastal Waterway in the Town of Ocean Isle ~~Beach,~~ Beach in the vicinity of the N.C. Highway  
34 904 Odell Williamson Bridge and Ocean Isle Beach Boating Access Area at 67 Causeway Drive,  
35 shore to shore from a point 100 yards east of the N.C. Highway 904 Odell Williamson Bridge at  
36 33.89578 N, 78.43870 W, to a point 100 yards west of the Bridge at 33.89567 N, ~~78.44092 W.~~  
37 78.51194 W;

- 1           (11)    Lockwood Folly River at Rourk’s Landing Subdivision, beginning at a point south of the subdivision  
2                    at 33.95338 N, 78.22553 W, north and west around two sharp bends in the channel and ending north  
3                    at a point at 33.95539 N, 78.22900 W;
- 4           (12)    Intracoastal Waterway in the Town of Holden Beach, N.C. Highway 130 Holden Beach Bridge and  
5                    Holden Beach Boating Access Area at 99 S. Shore Drive, shore to shore between a point 250 feet  
6                    west and a point 100 feet east of the Holden Beach Bridge;
- 7           (13)    Intracoastal Waterway, within 50 yards of the Oak Island Boating Access Area at 4950 Fish Factory  
8                    Road SE in Southport;
- 9           (14)    within 50 yards of the Sunset Harbor Boating Access Area adjacent to the Intracoastal Waterway at  
10                   356 Riverview Drive SE in Bolivia;
- 11          (15)    within 20 yards of the shoreline and 50 yards east and 50 yards west of the Brick Landing Boating  
12                   Access Area on the Intracoastal Waterway at 1921 Brick Landing Road SW in Shallotte;
- 13          (16)    within 50 yards of Rices Creek Boating Access Area on Rice Creek at 797 Gordon Lewis Drive SE  
14                   in Winnabow; ~~and~~
- 15          (17)    within 50 yards of the Pireway Boating Access Area on Waccamaw River at 9739 Pireway Road  
16                   NW in ~~Ash.~~ Ash; and
- 17          (18)    within 50 yards of the Dutchman Creek Boat Ramp on Dutchman Creek in Southport.

18 (b) Speed Limit. No person shall operate a vessel at greater than no-wake speed within the regulated areas described  
19 in Paragraph (a) of this Rule.

20 (c) Placement of Markers. The following agencies shall be are the designated agencies for the placement or placement  
21 and maintenance of markers implementing this Rule, subject to the approval of the United States Coast Guard and the  
22 United States Army Corps of Engineers:

- 23           (1)    the Board of Aldermen of Varnamtown for ~~areas~~ placement in the area indicated in Subparagraph  
24                    (a)(1) of this Rule;
- 25           (2)    the Board of Commissioners of Brunswick County for placement in areas indicated in  
26                    Subparagraphs (a)(2) through (8) and (a)(11) of this Rule; and
- 27           (3)    the North Carolina Wildlife Resources Commission for the placement and maintenance of area areas  
28                    indicated in ~~Subparagraph~~ Subparagraphs (a)(9), (a)(10), and (a)(12) through ~~(47)~~ (18) of  
29                    this ~~Rule;~~ Rule.
- 30           (4)    ~~the Town of Ocean Isle Beach for the area indicated in Subparagraph (a)(10) of this Rule.~~

31 (d) Notwithstanding Paragraphs (a) through (c) of this Rule, no person shall operate a vessel at greater than no-wake  
32 speed in the waters of South Jinks Creek in the Town of Sunset Beach, beginning at a line north of the feeder channel,  
33 from a point on the west shore at 33.87617 N, 78.49297 W to a point on the east shore at 33.87664 N, 78.49164 W,  
34 then southeast to a point on the south shore at 33.87325 N, 78.49033 W, and waters south and west of those lines  
35 including the feeder channel, four finger canals, and the bay area. The North Carolina Wildlife Resources Commission  
36 is the designated agency for placement and maintenance of markers for this regulated area.

1 *History Note: Authority G.S. 75A-3; 75A-15.*  
2 *Eff. February 1, 1976;*  
3 *Amended Eff. April 1, 1997; July 1, 1994; July 1, 1993; January 1, 1989; January 1, 1987;*  
4 *Temporary Amendment Eff. March 1, 1998;*  
5 *Amended Eff. April 1, 2009; April 1, 1999;*  
6 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*  
7 *6, 2016;*  
8 *Amended Eff. May 1, 2021; July 1, 2018;*  
9 *Temporary Amendment Eff. October 1, 2022;*  
10 *Temporary Amendment Eff. August 15, 2023;*  
11 *Amended Eff. February 1, 2024.*

12

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10F .0316

**DEADLINE FOR RECEIPT: Friday, January 26, 2024**

***PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*In (c), was the language in 15A NCAC 10F .0305, "subject to the approval of the United States Coast Guard and the United States Army Corp of Engineers", intentionally left out of this Rule?*

*In 15A NCAC 10F .0305 (c)(1-3), you specified who was responsible for the placement of markers in the areas described in (a)(1) through (a)(18). Can the same be done in (c) of this Rule for the areas described in (a)(1) through (a)(3)?*

*In the History Note, is it necessary to cite G.S. 75A-3 as authority?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609

1 15A NCAC 10F .0316 is amended with changes as published in 38:07 NCAC 417 as follows:

2  
3 **15A NCAC 10F .0316 FORSYTH, ~~ROCKINGHAM~~ ROCKINGHAM, AND STOKES COUNTIES**

4 (a) Regulated Areas. This Rule shall apply to the following waters in Forsyth, Rockingham, and Stokes counties:

- 5 (1) Belews Lake within 50 yards of a public boat launching ramp on the lake, and within 50 yards of a  
6 bridge crossing on the lake;
- 7 (2) Belews Lake at Humphrey's Ridge Marina and Grill at 473-499 Humphrey Ridge Drive in  
8 Stokesdale, east of a line from a point on the north shore at 36.27962 N, 80.03507 W to a point on  
9 the south shore at 36.27804 N, 80.03565 W; and
- 10 (3) Belews Lake at Carolina Marina at 548 Shelton Road in Stokesdale, beginning at a line from a point  
11 on the shore ~~where the southernmost fuel dock is located,~~ south of the fuel dock at 36.30303 N,  
12 80.01403 W, to a point 50 yards west from the shore into the channel, then to the ~~north~~ northwest  
13 50 yards west of the shore of the marina at 36.30394 N, 80.01522 W, then to a point on the north  
14 shore of the cove at 36.30521 N, 80.01416 W, to include the waters east of the line at the mouth of  
15 the cove, where the boat ramp, Dry Stack, and outdoor boat storage facilities are located.

16 (b) Speed Limit. No person shall operate a vessel at greater than no-wake speed within the regulated areas identified  
17 in Paragraph (a) of this Rule.

18 (c) Placement and Maintenance of Markers. The Boards of Commissioners of Forsyth County, Rockingham County  
19 and Stokes ~~County, or their designees~~ County ~~shall be the designated agencies for placement and maintenance of~~ shall  
20 place and maintain markers implementing this Rule. ~~Markers warning of a no wake speed zone shall be buoys or~~  
21 ~~floating signs.~~

22  
23 *History Note: Authority G.S. 75A-3; 75A-15;*

24 *Eff. February 1, 1976;*

25 *Amended Eff. May 1, 1976;*

26 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*  
27 *6, 2016;*

28 *Amended Eff. February 1, 2024; June 1, 2023; October 1, 2018.*

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10F .0338

**DEADLINE FOR RECEIPT: Friday, January 26, 2024**

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The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*In the History Note, is it necessary to cite G.S. 75A-3 as authority?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609

1 15A NCAC 10F .0338 is amended as published in 38:07 NCR 417 as follows:

2  
3 **15A NCAC 10F .0338 CALDWELL COUNTY**

4 (a) Regulated Areas. This Rule shall apply to the following waters in Caldwell County:

5 (1) Catawba River;

6 (2) ~~Lake Rhodhiss;~~ Rhodhiss:

7 (A) within 50 yards of the marina facilities at Castle Bridge Marina, 6131 Castle Bridge Drive  
8 in Granite Falls;

9 (B) within 50 yards of the Castle Bridge Boating Access Area, 6131 Connelly Springs Road in  
10 Granite Falls; and

11 (C) within 50 yards of the Conley Creek Boating Access Area, 5475 Waterworks Road in  
12 Granite Falls.

13 (3) Little Gunpowder Lake; and

14 (4) ~~Lake Hickory in the City of Hickory;~~ Lake Hickory:

15 (A) within 30 yards of the docks at the Lake Hickory Marina and Boat Rentals, on Limbaugh  
16 Lane in the City of Hickory;

17 (B) within 50 yards of the Gunpowder Boating Access Area, at 5450 Hurricane Hill Road in  
18 Granite Falls; and

19 (C) within 50 yards of the Lovelady Boating Access Area, at 5682 Rocky Mount Road in  
20 Granite Falls.

21 ~~(b) Speed Limit Near Ramps. No person shall operate a vessel at greater than no wake speed within 50 yards of any~~  
22 ~~public boat launching ramp while on the regulated areas described in Paragraph (a) of this Rule.~~

23 ~~(b) Speed limit. No person shall operate a vessel at greater than no-wake speed within any regulated area described~~  
24 ~~in Paragraph (a) of this Rule.~~

25 (c) Speed Limit in Mooring Areas. No person shall operate a vessel at greater than no-wake speed while within a  
26 marked mooring area on the regulated areas described in Paragraph (a) of this Rule.

27 ~~(d) Specific Speed Zones. Lake Hickory within the boundaries of the City of Hickory. No person shall operate a~~  
28 ~~vessel at greater than no wake speed within 30 yards of the docks at the Lake Hickory Marina and Boat Rentals on~~  
29 ~~Limbaugh Lane.~~

30 ~~(e)(d) Restricted Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to~~  
31 ~~enter any marked public swimming area on the regulated areas described in Paragraph (a) of this Rule.~~

32 ~~(f)(c) Placement of Markers. The Board of Commissioners of Caldwell County and the City of Hickory shall be the~~  
33 ~~designated agency for placement of the markers implementing this Rule, subject to the approval of the United States~~  
34 ~~Army Corps of Engineers. The following agencies shall place or place and maintain the markers implementing this~~  
35 ~~Rule, subject to the approval of the United States Coast Guard and United States Army Corps of Engineers:~~

36 (1) the Board of Commissioners of Caldwell County shall place the markers implementing  
37 Subparagraphs (a)(1) and (a)(3), and Part (a)(2)(A) of this Rule;

- 1           (2) the City of Hickory shall place the markers implementing Part (a)(4) (A) of this Rule; and  
2           (3) the North Carolina Wildlife Resources Commission shall place and maintain the markers  
3           implementing Parts (a)(2)(B), (C), and (a)(4)(B), (C) of this Rule.  
4

5    *History Note: Authority G.S. 75A-3; 75A-15;*  
6            *Eff. August 23, 1981;*  
7            *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*  
8            *6, 2016;*  
9            *Amended Eff. February 1, 2024; July 1, 2018.*  
10

**REQUEST FOR TECHNICAL CHANGE**

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10F .0380

**DEADLINE FOR RECEIPT: Friday, January 26, 2024**

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In reviewing this Rule, the staff recommends the following technical changes be made:

*In the History Note, is it necessary to cite G.S. 75A-3 as authority?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609

1 15A NCAC 10F .0380 is adopted as published in 38:07 NCR 417 as follows:

2

3 **15A NCAC 10F .0380 TOWN OF RHODHISS**

4

5 (a) Regulated Area. This rule applies to the waters of Lake Hickory in the Town of Rhodhiss in Burke and Caldwell  
6 counties, shore to shore, beginning west of a line 165 yards east of the S.R. 1611 Bridge from a point on the north  
7 shore at 35.77322 N, 81.42891 W to a point on the south shore at 35.77179 N, 81.42910 W, westward ending at the  
8 Rhodhiss Dam.

9 (b) Speed Limit. No person shall operate a vessel at greater than no-wake speed within the regulated area described  
10 in Paragraph (a) of this Rule.

11 (c) Placement and Maintenance of Markers. The Town of Rhodhiss shall place and maintain the markers  
12 implementing this Rule, subject to the approval of the United States Army Corps of Engineers.

13

14 History Note: Authority G.S. 75A-3; 75A-15;

15 Eff. February 1, 2024.

16

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10K .0101

**DEADLINE FOR RECEIPT: Friday, January 26, 2024**

***PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*In (a), how does this section comply with the other ways to procure a hunting license in G.S. 113-270.1A (a)(1) and (2)?*

*In (b), is it necessary to say "at least?" Rules always set minimum requirements.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609

1 15A NCAC 10K .0101 is readopted as published in 38:07 NCR 418 as follows:

2  
3 **15A NCAC 10K .0101 COURSE REQUIREMENTS**

4 (a) ~~The Commission shall provide a hunter education~~ Individuals who wish to procure a hunting license, as required  
5 by G.S. 113-270.1B, shall attend a Commission-approved basic hunter education course and obtain a certificate of  
6 competency.

7 (b) Commission-approved basic hunter education courses include either an instructor-led course with a minimum of  
8 six hours of instruction or a ~~Commission-approved self-paced, independent study option~~ course that instructs on at  
9 least the topics identified in ~~Paragraph (b) of this Rule.~~ G.S. 113-270.1A(b). Information on ~~instructor led~~  
10 Commission-approved courses and registration ~~for the self-paced study option~~ can be found at [newwildlife.org](http://www.newwildlife.org). ~~is at~~  
11 ~~<http://www.newwildlife.org/Hunting/BeforetheHunt/HunterEducationCourses.aspx>.~~ Both the instructor led and self-  
12 paced study option courses shall meet the standards adopted by the International Hunter Education Association,  
13 including all subsequent amendments, found at [http://ihea-usa.org/hunting-and-shooting/hunter-education/ihea-](http://ihea-usa.org/hunting-and-shooting/hunter-education/ihea-standards)  
14 standards.

15 ~~(b) Of the instruction required by Paragraph (a) of this Rule, 60 percent of the time shall be devoted to instruction~~  
16 ~~related to the safe handling of firearms. The remaining course time shall include instruction on hunter responsibility~~  
17 ~~(ethics), wildlife conservation, and wildlife management; and may include wildlife identification, game care, specialty~~  
18 ~~hunting, survival and first aid, water safety, and special concerns (alcohol and drugs, turkey hunting, trapping, all~~  
19 ~~terrain vehicles, and hunting dogs).~~

20 ~~(c) The hunter education course shall be administered by an instructor certified by the Wildlife Resources Commission.~~  
21 ~~(d)~~(c) The following requirements must be satisfied by the course participant ~~in order~~ to successfully complete a basic  
22 hunter education course and be entitled to the issuance of a Certificate of Competency:

- 23 (1) complete ~~all of the~~ six hours of instruction in the instructor-led course or ~~all~~ the material contained  
24 in the independent study course; and  
25 (2) score a minimum of 70 percent on the final ~~examination; and~~ examination.  
26 (3) ~~review safe firearm handling skills, except current and former military personnel, current and former~~  
27 ~~law enforcement officers, and National Rifle Association certified firearms instructors are exempt~~  
28 ~~from this requirement. Exempt individuals must show current documentation of their exempt status.~~

29  
30 *History Note: Authority G.S. 113-134; 113-270.1A;*  
31 *Eff. October 1, 1991;*  
32 *Amended Eff. June 1, 2014, April 1, 2003; April 1, 1996;*  
33 *Readopted Eff. February 1, 2024.*  
34

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10K .0102

**DEADLINE FOR RECEIPT: Friday, January 26, 2024**

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The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*In (c), do you mean “may” or “shall?” If “may” is intended, under what circumstances will the Commission recognize a certificate of competency from another state or province? Under what circumstances will the Commission not recognize a certificate of competency from another state or province?*

*In (c), are the standards of the International Hunter Education Association incorporated by reference elsewhere in your Rules? If not, please do so. Are the standards used in compliance with 113-270.1A (b)(4) and similar to the rules and regulations in North Carolina?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609

Travis Wiggs  
Rules Commission Counsel

1 15A NCAC 10K .0102 is readopted as published in 38:07 NCR 418 as follows:

2

3 **15A NCAC 10K .0102 ISSUANCE OF CERTIFICATE OF COMPETENCY**

4 (a) Upon ~~the conclusion~~ successful completion of a basic hunter safety education course, ~~the instructor shall complete~~  
5 ~~a card for each participant who successfully completed the course~~ in accordance with ~~15A NCAC 10K Rule .0101 of~~  
6 ~~this Section, and forward the card record to the North Carolina Wildlife Resources~~ a certificate of competency shall  
7 be issued by the Commission. ~~Commission for processing.~~

8 ~~(b) After receiving the completed card referred to in Paragraph (a) of this Rule, the Commission shall issue a~~  
9 ~~Certificate of Competency to each participant who successfully completes the course. This certificate shall include:~~

- 10 (1) ~~— a certification number;~~
- 11 (2) ~~— the participant's name, address, and date of birth;~~
- 12 (3) ~~— the hunter safety course instructor's name; and~~
- 13 (4) ~~— course completion date.~~

14 ~~(e)(b) The Commission shall maintain permanent files of all successful participants in hunter safety courses who were~~  
15 ~~issued a certificate of competency. Duplicate certificates may be obtained from the Commission. Commission free of~~  
16 ~~charge upon request.~~

17 ~~(c) The Commission may recognize a certificate of competency from another state or province so long as the hunter~~  
18 ~~education course met or exceeded the standards of the International Hunter Education Association, including~~  
19 ~~subsequent amendments and editions, found at [ihe-a-usa.org/resources/#Standards](http://ihe-a-usa.org/resources/#Standards).~~

20

21 *History Note: Authority G.S. 113-134; 113-270.1A;*  
22 *Eff. September 1, 1991;*  
23 *Amended Eff. April 1, 2003; May 1, 1995;*  
24 *Readopted Eff. February 1, 2024.*

25

## **REQUEST FOR TECHNICAL CHANGE**

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10K .0103

**DEADLINE FOR RECEIPT: Friday, January 26, 2024**

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In reviewing this Rule, the staff recommends the following technical changes be made:

*In (b)(2), "Basic Hunter Education Course" does not need to be capitalized. Those words were not capitalized in 15A NCAC 10K .0102 (a).*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609

1 15A NCAC 10K .0103 is readopted as published in 38:07 NCR 419 as follows:

2  
3 **15A NCAC 10K .0103 INSTRUCTOR CERTIFICATION**

4 (a) Hunter Education Instructors shall be certified by the Commission prior to delivering basic hunter education  
5 courses.

6 (b) To be eligible for Hunter ~~Safety~~ Education Instructor Certification an individual ~~must~~ shall:

- 7 (1) ~~Be~~ be at least 21 years of age upon at the time of application;
- 8 (2) ~~Be a graduate of~~ possess a certificate of competency from a Commission-approved Basic Hunter  
9 Education Safety Course approved by the Wildlife Resources Commission. Approved  
10 courses must satisfy the requirements set out in 15A NCAC 10K .0101 or be certified by a state or  
11 province that meets and or exceeds the requirements set out in 15A NCAC 10K .0101;
- 12 (3) ~~Complete~~ complete and submit to the Commission, the North Carolina Hunter ~~Safety~~ Education  
13 Instructors Application; application, available at ncwildlife.org, with the following information:
- 14 (A) name, address, email, phone number; and
- 15 (B) date of birth.
- 16 (4) ~~Complete~~ complete the 12-hour Commission-led Hunter ~~Safety~~ Education Instructors Course, and  
17 course and score 75 80 percent or higher on the written examination. Teachers certified by the North  
18 Carolina Department of Public Instruction and persons who have been certified as hunter safety  
19 instructors by another state may take an abbreviated course that is less than 12 hours;
- 20 (5) ~~Submit~~ submit to a background investigation including a records check which reveals no with none  
21 of the following disqualifying convictions identified: convictions. Disqualifying convictions are  
22 listed as follows:
- 23 (a)(A) ~~a felony; or felony;~~
- 24 (b)(B) ~~a crime or unlawful act defined as a "Class 1" misdemeanor within the five-year~~ five-year  
25 period prior to the date of application; or
- 26 (c)(C) ~~any conviction of the game and fish law which would require a mandatory suspension and~~  
27 or revocation of a license as indicated in G.S. 113-276.3 within the three-year three-year  
28 period prior to the date of application.

29  
30 *History Note: Authority G.S. 113-134; 113-270.1A;*

31 *Eff. May 1, 1996;*

32 *Amended Eff. April 1, 2003.*

33 *Readopted Eff. February 1, 2024.*