

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0201

DEADLINE FOR RECEIPT: Wednesday, July 6, 2022.

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 email the reviewing attorney to inquire concerning the staff recommendation.

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

In (a), line 4, and in (d), line 29, when the Rule states "...submit an online application on the website provided by the Board" would it be more accurate to say "...submit an online application provided by the Board on its website"?

In (a)(2), lines 10-11, is "and uploaded with the application submission" necessary, given the language in (a), lines 4-5?

In (a)(3), line 14, please delete the "and" at the end of the line.

In (a)(5), lines 17-18, I'm assuming the convenience fee and the credit card transaction fee are different fees. If so, I think the sentence should be revised to add a "the" before "credit card transaction fee".

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

Brian Liebman
Commission Counsel
Date submitted to agency: June 3, 2022

1 14B NCAC 17 .0201 is amended as published in 36:14 NCR 1200 as follows:

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3 **14B NCAC 17 .0201 APPLICATION FOR LICENSE**

4 (a) Each applicant for a license shall submit an online application on the website provided by the Board. When this
5 online application is submitted, it shall be accompanied by:

- 6 (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State
7 Bureau of Investigation or one set of classifiable fingerprints on an F.B.I. fingerprint card provided
8 by the Board and mailed separately to the Board's office;
- 9 (2) one head and shoulders digital photograph of the applicant in JPG format of sufficient quality for
10 identification, taken within six months prior to the online submission, and uploaded with the
11 application submission;
- 12 (3) statements of the results of a statewide criminal history records search by the reporting service
13 designated by the Board pursuant to G.S. 74D-2.1(a) for any state where the applicant has resided
14 within the preceding 60 months; and
- 15 (4) a minimum of three letters attesting to the good character and reputation of the applicant using the
16 online character letter submission process; and
- 17 ~~(4)~~ (5) the applicant's application fee, along with a four dollar (\$4.00) convenience fee charged by the third-
18 party vendor and credit card transaction fee charged by the applicant's credit card provider and
19 collected online.

20 (b) Each applicant shall upload evidence of high school graduation either by diploma, G.E.D. certificate, or other
21 equivalent documentation.

22 (c) Each applicant for a license shall meet personally with either a Board investigator, the Screening Committee, the
23 Director, or a Board representative designated by the Director prior to being issued a license. The applicant shall
24 discuss the provisions of G.S. 74D and the administrative rules in this Chapter during the personal meeting. The
25 applicant shall sign a form provided by the Board stating that the applicant has reviewed the information with the
26 Board's representative and that the applicant understands G.S. 74D and the administrative rules in this Chapter. During
27 a national or State declared state of emergency that restricts or prohibits travel, the personal meeting requirement may
28 be waived if requested by the applicant in favor of alternative means of communication.

29 (d) Each applicant for a branch office license shall submit an online application on the website provided by the Board.
30 This online application shall be accompanied by the branch office application fee.

31 (e) All photographs, record checks, proof of insurance, explanations of criminal charges, explanations of credit
32 history, or requested documents shall be submitted online through the Board's website by any applicant for a permit,
33 license, registration, or certificate within 60 days of the Board's receipt of the application form or a request from Board
34 staff, whichever is later. Any failure to submit required or requested documents to complete the application process
35 within this 60-day period shall void the application and require re-application.

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37 *History Note: Authority G.S. 74D-2; 74D-2.1; 74D-3; 74D-5; 74D-7; 74D-8;*

1 *Temporary Rule Eff. January 9, 1984, for a period of 120 days to expire on May 7, 1984;*
2 *Eff. May 1, 1984;*
3 *Amended Eff. December 1, 2012; February 1, 2012; January 1, 2007; September 1, 2006; March*
4 *1, 1993; July 1, 1987; January 1, 1986;*
5 *Transferred and Recodified from 12 NCAC 11 .0201 Eff. July 1, 2015;*
6 *Amended Eff. December 1, 2017;*
7 *Readopted Eff. June 1, 2018;*
8 *Amended Eff. September 1, 2019;*
9 *Emergency Amendment Eff. June 9, 2020;*
10 *Amended Eff. August 1, 2020;*
11 *Temporary Amendment Eff. August 28, 2020;*
12 *Temporary Amendment Expired Eff. June 12, 2021;*
13 *Amended Eff. November 1, 2021;*
14 *Amended Eff. July 1, 2022.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0301

DEADLINE FOR RECEIPT: Wednesday, July 6, 2022.

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

In (a), lines 4-5, when the Rule states "...submit an online application . . . on the website provided by the Board" would it be more accurate to say "...submit an online application provided by the Board on its website"?

In (a)(3), should the language here mirror the equivalent in R. 0201(a)(2)? Rule .0201 specifies the format of the digital photograph and states that the photograph shall be of "sufficient quality for identification" rather than "acceptable quality for identification".

In (a)(5), line 17, I'm assuming the convenience fee and the credit card transaction fee are different fees. If so, I think the sentence should be revised to add a "the" before "credit card transaction fee".

In (a)(6), are the contents of the affidavit form and public notice statement form specified in another Rule or in a statute? If not, please state the contents of each form here.

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

Brian Liebman
Commission Counsel

Date submitted to agency: June 3, 2022

1 14B NCAC 17 .0301 is amended as published in 36:14 NCR 1200 as follows:

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3 **14B NCAC 17 .0301 APPLICATION FOR REGISTRATION**

4 (a) Each licensee or qualifying agent shall submit an online application for the registration of his or her employee on
5 the website provided by the Board. When this online application is submitted, it shall be accompanied by:

- 6 (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State
7 Bureau of Investigation or one set of classifiable fingerprints on a standard F.B.I. fingerprint card
8 mailed separately to the Board's office;
- 9 (2) one original signed S.B.I. release of information form uploaded online and the original mailed
10 separately to the Board's office;
- 11 (3) one head and shoulders digital photograph of the applicant of acceptable quality for identification,
12 taken within six months prior to online submission, and uploaded with the application submission;
- 13 (4) statements of the results of a statewide criminal history records search by the reporting service
14 designated by the Board pursuant to G.S. 74D-2.1(a) for any state where the applicant has resided
15 within the preceeding 60 months;
- 16 (5) the registration fee required by Rule .0302 of this Section, along with a four dollar (\$4.00)
17 convenience fee charged by the third-party provider and credit card transaction fee charged by the
18 applicant's credit card provider and collected online; and
- 19 (6) a completed affidavit form and public notice statement form.

20 (b) The employer of an applicant who is currently registered with another alarm business shall complete an online
21 application form provided by the Board. This form shall be accompanied by the applicant's multiple registration fee
22 along with a four dollar (\$4.00) convenience fee charged by the third-party provider and credit card transaction fee
23 charged by the applicant's credit card provider and collected online. This online application shall be accompanied by
24 a completed affidavit form and public notice statement form.

25 (c) The employer of each applicant for registration shall print and retain a copy of the applicant's online application
26 in the individual applicant's personnel file in the employer's office.

27 (d) All photographs, record checks, proof of insurance, explanations of criminal charges, explanations of credit
28 history, or requested documents shall be submitted online through the Board's website by any applicant for a permit,
29 license, registration, or certificate within 60 days of the Board's receipt of the application form or a request from Board
30 staff, whichever is later. Any failure to submit required or requested documents to complete the application process
31 within this 60-day period shall void the application and require re-application.

32
33 *History Note: Authority G.S. 74D-2.1; 74D-5; 74D-8;*
34 *Temporary Rule Eff. January 9, 1984 for a Period of 120 Days to Expire on May 7, 1984;*
35 *Eff. May 1, 1984;*
36 *Amended Eff. December 1, 2012; January 1, 2007; July 1, 1993; March 1, 1993; September 1, 1990;*
37 *November 1, 1988;*

1 *Transferred and Recodified from 12 NCAC 11 .0301 Eff. July 1, 2015;*
2 *Amended Eff. December 1, 2017;*
3 *Readopted Eff. June 1, 2018;*
4 *Amended Eff. August 1, 2020; September 1, 2019;*
5 *Amended Eff. July 1, 2022.*