

G.S. 150B-21.3A Report for 14B NCAC 18, Division of Criminal Information												
Agency - Department of Public Safety												
Comment Period - June 17, 2024 - August 16, 2024												
Date Submitted to APO - October 31, 2024												
Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SUBCHAPTER 18A – ORGANIZATIONAL FUNCTIONS AND DEFINITIONS	SECTION .0100 – GENERAL PROVISIONS	14B NCAC 18A .0101	SCOPE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18A .0102	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18A .0103	FUNCTION OF DCIN	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0200 – REQUIREMENTS FOR ACCESS	14B NCAC 18A .0201	ELIGIBILITY FOR ACCESS TO DCIN	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18A .0202	MANAGEMENT CONTROL REQUIREMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18A .0203	NON TERMINAL ACCESS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0300 - AGREEMENTS	14B NCAC 18A .0301	USER AGREEMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18A .0302	SERVICING AGREEMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18A .0303	CONTROL AGREEMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18A .0304	DISCLOSURE AGREEMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0400 – STANDARDS AND CERTIFICATION AS A DCIN USER	14B NCAC 18A .0401	DCIN USERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18A .0402	CERTIFICATION AND RECERTIFICATION OF DCIN USERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18A .0403	ENROLLMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
SUBCHAPTER 18B – SECURITY AND PRIVACY	SECTION .0100 – SECURITY AT DCIN DEVICE SITES	14B NCAC 18B .0101	SECURITY OF DCIN DEVICES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18B .0102	OFFICIAL USE OF DCIN	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18B .0103	PERSONNEL SECURITY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18B .0104	SECURITY AWARENESS TRAINING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0200 – RESTRICTED AND RESTRICTED FILES	14B NCAC 18B .0201	DOCUMENTATION AND ACCURACY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18B .0202	TIMELINESS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		14B NCAC 18B .0203	VALIDATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18B .0204	HIT CONFIRMATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0300 -- SUBMISSION OF DATA FOR CRIMINAL HISTORY RECORDS	14B NCAC 18B .0301	ARREST FINGERPRINT CARD	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18B .0302	FINAL DISPOSITION INFORMATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18B .0303	INCARCERATION INFORMATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0400 -- USE AND ACCESS REQUIREMENTS FOR CRIMINAL HISTORY RECORD INFORMATION, NICS INFORMATION, AND N-DEX INFORMATION	14B NCAC 18B .0401	DISSEMINATION AND LOGGING OF CHRI AND NICS RECORDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18B .0402	ACCESSING OF CCH RECORDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18B .0403	USE OF CHRI FOR CRIMINAL JUSTICE EMPLOYMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18B .0404	RIGHT TO REVIEW	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18B .0405	CCH USE IN LICENSING AND NON CRIMINAL JUSTICE EMPLOYMENT PURPOSES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18B .0406	RESTRICTIVE USE OF CCH FOR EMPLOYMENT PURPOSES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18B .0407	RESEARCH USE AND ACCESS OF CCH RECORDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18B .0408	LIMITATION REQUIREMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18B .0409	ACCESS TO CHRI BY ATTORNEYS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18B .0410	ACCESS TO CHRI IN CIVIL PROCEEDINGS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0500 -- REMOVAL OF CRIMINAL HISTORY RECORD INFORMATION	14B NCAC 18B .0501	EXPUNGEMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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	SECTION .0600 -- STATEWIDE AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM	14B NCAC 18B .0601	STATEWIDE AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18B .0602	AVAILABLE DATA	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18B .0603	FINGERPRINTING OF CONVICTED SEX OFFENDERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0700 -- DIVISION OF MOTOR VEHICLE INFORMATION	14B NCAC 18B .0701	DISSEMINATION OF DIVISION OF MOTOR VEHICLES INFORMATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0800 - AUDITS	14B NCAC 18B .0801	AUDITS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
SUBCHAPTER 18C PENALTIES AND ADMINISTRATIVE HEARINGS	SECTION .0100 DEFINITIONS AND PENALTY PROVISIONS	14B NCAC 18C .0101	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18C .0102	SANCTIONS FOR VIOLATIONS BY INDIVIDUALS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		14B NCAC 18C .0103	SANCTIONS FOR VIOLATIONS BY AGENCIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0200 APPEALS	14B NCAC 18C .0201	NOTICE OF VIOLATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0300 INFORMAL PROCEDURES	14B NCAC 18C .0301	INFORMAL PROCEDURE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt