

G.S. 150B-21.3A Report for 14B NCAC 18, Division of Criminal Information

Agency - Department of Public Safety

Comment Period -

Date Submitted to APO - Filled in by RRC staff

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)]
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
		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
		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
	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
		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
		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
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
		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
		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
		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
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
		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

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		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
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
		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
		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
		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
	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
		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
		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
		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
	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
		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
		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

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	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
		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
		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
		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
		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
		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
		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
		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
		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
		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

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	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
	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
		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
		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
	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
	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
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
		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
		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
	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
	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