

Burgos, Alexander N

Subject: FW: [External] Re: CJETS - Rules for January 2026 RRC Meeting - Request for Changes
Attachments: 12 NCAC 09B .0305 Terms and Conditions of Specialized Instructor Certification.docx; 12 NCAC 09C .0601 Approved Speed Measuring Instruments.docx; 12 NCAC 09C .0607 Speed Measuring Instrument Accuracy Tests and Operational Procedures.docx

From: Cardoza, Holly <hcardoza@NCDOJ.GOV>
Sent: Tuesday, January 27, 2026 1:54 PM
To: Miller, Christopher S <christopher.miller@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Schilling, Michelle <mschilling@ncdoj.gov>; Lock, Meghan E <mlock@ncdoj.gov>; Dismukes, Leslie <leslie.dismukes@dac.nc.gov>
Subject: Re: [External] Re: CJETS - Rules for January 2026 RRC Meeting - Request for Changes

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Good Afternoon Chris,

Attached above are the three updated rules based the additional comments. All of the additional requested changes have been incorporated. Please let me know if there is anything else you need from me at this time.

Thank you,

Holly



Holly M. Cardoza
CJETS Rulemaking Coordinator
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Please note messages to or from this address may be public records.

12 NCAC 09B .0305 is amended with changes as published in 40:06 NCR 518-561 as follows:

**12 NCAC 09B .0305 TERMS AND CONDITIONS OF SPECIALIZED INSTRUCTOR
CERTIFICATION**

(a) An applicant meeting the requirements for Specialized Instructor Certification as set forth in Rule .0304 of this Section shall be issued a certification to expire three years from the date of issuance.

(b) The applicant shall apply for certification as a Specialized Instructor within 60 days after the date the applicant achieved a passing score on the state comprehensive exam for the respective Specialized Instructor training course.

(c) The instructor is required to instruct, within three years after Specialized Instructor Certification is issued, a minimum of 12 hours in each of the topics for which Specialized Instructor Certification was granted, and that granted. The instruction was shall be provided in a ~~Commission-accredited~~ Commission-approved basic training, Specialized Instructor Training, Commission-recognized in-service training course, or training course delivered pursuant to 12 NCAC 10B .0601, .1302, or .2005.

(d) An application for certification renewal shall contain, in addition to the requirements listed in Rule .0304 of this Section, documentary evidence that the applicant has remained active in the instructional process during the previous three-year period. Such documentary evidence shall include the following:

- (1) proof that the applicant has, within the three-year period preceding application for renewal, instructed at least 12 hours in each of the topics for which Specialized Instructor Certification was granted, and that instruction was provided in a ~~Commission-accredited~~ Commission-approved basic training, Specialized Instructor Training, Commission-recognized in-service training course, or training course delivered pursuant to 12 NCAC 10B .0601, .1302, or .2005. Acceptable documentary evidence shall include official Commission records submitted by School Directors or In-Service Training Coordinators and written attestation ~~certification~~ from a School Director or In-Service Training Coordinator;
- (2) proof that the applicant has, within the three-year period preceding application for renewal, attended and completed all instructor updates that have been issued by the Commission. Acceptable documentary evidence shall include official Commission records submitted by School Directors or In-Service Training Coordinators, or copies of certificates of completion issued by the institution which provided the instructor updates; and

- (3) (A) a favorable written recommendation from a School Director or In-Service Training Coordinator completed on an Application for Instructor and Professional Lecturer Certification Form (~~Form F-12~~) (Form [F-12], F-12), pursuant to 12 NCAC 09I [~~.0102~~, .0101(a)(1)], stating the instructor taught at least 12 hours in each of the topics for which Specialized Instructor Certification was granted. The teaching shall have been provided in a ~~Commission-accredited~~ Commission-approved basic training, Specialized Instructor Training course, pursuant to Rule 12 NCAC 09C .0401, Commission-recognized in-service training course, or training course delivered pursuant to 12 NCAC 09F .0101, 12

1 NCAC 09H, 12 NCAC 10B .0601, .1302, or .2005; ~~.2005. The Application for Instructor~~
2 ~~and Professional Lecturer Certification (Form F-12) shall include the following: the~~
3 ~~applicant's name, address, phone, and email address; the type of certification applying~~
4 ~~for; the applicant's education level; the applicant's signature; the Commission accredited~~
5 ~~school or agency where the training was delivered; and the signature of the~~
6 ~~recommending school director or in-service training coordinator;~~

7 (4) (B) a favorable written evaluation by a School Director, Qualified Assistant, In-Service
8 Training Coordinator, or another Specialized Instructor certified in the same specialized
9 subject, based on an on-site classroom evaluation of a presentation by the instructor in a
10 ~~Commission accredited~~ Commission-approved basic training, Specialized Instructor
11 Training, Commission-recognized in-service training course, or in-service training course
12 delivered pursuant to 12 NCAC 10B .0601, .1302, or .2005 during the three-year period
13 of Specialized Instructor Certification. Such evaluation shall be ~~presented~~ certified on a
14 Criminal Justice Instructor Evaluation Form F-16, pursuant to Rule .0202 of this
15 ~~Subchapter, Subchapter, and 12 NCAC 09I [.0402; .0101(a)(2);~~

16 (5) (C) proof that the individual applying for renewal as a Specialized Firearms Instructor has
17 achieved a minimum score of 92 on the day and night Basic Law Enforcement Training
18 firearms qualification courses, administered by a certified Specialized Firearms
19 Instructor, within the three-year period preceding the application for renewal;

20 (6) (D) proof that the individual applying for renewal as a Specialized Physical Fitness Instructor
21 has passed the Basic Law Enforcement Training Police Officer Physical Abilities Test,
22 administered by a certified Specialized Physical Fitness Instructor, within the three-year
23 period preceding the application for ~~renewal.~~ renewal.

24 (7) (E) proof that the individual applying for renewal as a Specialized Driver Instructor has
25 achieved the following minimum scores ~~in accordance with the procedural and evaluative~~
26 ~~requirements listed in the "Course Description Packet (CDP) for Driver Instructor~~
27 ~~Certification Renewal" as published by the North Carolina Justice Academy~~ within the
28 three-year period preceding the application for renewal. The individual applying for
29 renewal must achieve a minimum score of 85 on two out of three attempts for the "Off-
30 Set Lane Maneuver" and "Serpentine" courses during the daytime, a minimum score of
31 85 on two out of three attempts for the "Precision" course during both day and night
32 evaluation, a score of "Pass" on two out of three attempts for each command for the
33 "Evasive Action/Maneuver" course during the daytime, and a score of Pass on two out of
34 three attempts in each direction for the "Fixed Radius Curve" course during the daytime.
35 Evaluations ~~will~~ shall be administered by a certified Specialized Driving ~~Instructor.~~
36 Instructor.

(8) (F) proof that the individual applying for renewal as a Specialized ~~Subject Control Arrest Techniques Instructor or Compliance and Control Techniques Instructor (CCT)~~ has satisfactorily completed the technique evaluations skills of the Basic Law Enforcement Training ~~SCAT or CCT courses, course,~~ administered by a certified Specialized ~~SCAT or CCT Instructor~~, within the three-year period preceding the application for ~~renewal.~~

~~renewal; and~~

(3)(9) Acceptable documentary evidence for proof of completion requirements as specified in Part (d)(3)-(8) (e)(2)(A) (F) of this ~~rule~~ Rule shall include the practical skill assessment submitted by School Directors or In-Service Training Coordinators and written ~~attestation certification~~ from a School Director or In-Service Training ~~Coordinator;~~ Coordinator.

(d)(e) Certification as a Specialized Instructor in the Standard Field Sobriety Testing, First Responder, Physical Fitness, Explosive and Hazardous Materials, and Juvenile Justice Medical Emergencies topic areas as outlined in Rule .0304(e), (h), (k), and (l) of this Section shall remain in effect for 36 months from the date of issuance. During the 36 month term all non-Commission certificates required in Rule .0304(e), (h), (k), and (l) of this Section for Specialized Instructor certification in the Standard Field Sobriety Testing, First Responder, Physical Fitness, Explosive and Hazardous Materials, and Juvenile Justice Medical Emergencies topical areas shall be maintained.

~~(e)(f)~~ Individuals who hold Specialized Instructor certification may, for just cause, be granted an extension of the three-year period to teach the 12 hour minimum requirement, pursuant to paragraph (b) of this Rule. The Director may grant such extensions on a one-time basis only not to exceed 12 months. For purposes of this Rule, just cause means accident, illness, emergency, course cancellation, or other exceptional circumstances which precluded the instructor from fulfilling the teaching requirement.

~~(F)(g)~~ Upon expiration of their Specialized Instructor certification, instructors have 90 days to submit renewal documentation to the Division for review and approval. During this 90-day period, instructors are not permitted to teach any Commission-approved courses or blocks of instruction that require instruction by a Specialized ~~Instructor;~~ Instructor outlined in 12 NCAC 09B .0304(a). The Director may, for just cause, grant an extension of the 90-day period in which an instructor's renewal application must be submitted, however, such extension shall not exceed 12 months and shall not extend the instructor's certification period beyond its specified expiration period.

~~(e)(g)~~ (h) Those individuals who have previously held Specialized Instructor Certification and have not exceeded a three year time period from when his or her Specialized Instructor Certification expired are eligible to ~~apply~~ reapply for re-issuance of the previously held Specialized Instructor Certification. An application for re-issuance shall contain documentation that the applicant:

- (1) holds a current General Instructor certification;
- (2) has completed the pre-qualification skills assessment for that specialty;
- (3) has passed the state examination for that specialty with a minimum score of 75; and
- (4) has maintained non-Commission certificates required in Rule .0304(e), (h), (k), and (l) of this Section for Specialized Instructor certification in the Standard Field Sobriety Testing, First

Responder, Physical Fitness, Explosive and Hazardous Materials, and Juvenile Justice Medical
Emergencies topical areas, areas, if applicable.

~~(f)~~~~(h)~~~~(i)~~ Applicants for re-issuance of the Specialized Instructor Certification shall have one opportunity to pass the prequalification skills assessment and the state examination for that specialty. Should an applicant not achieve a passing score on either the prequalification skills assessment or the state examination for that specialty, the applicant shall complete the specific Specialized Instructor Course in its entirety.

~~(g)~~~~(i)~~~~(j)~~ Applicants whose Specialized Instructor Certification is suspended or revoked shall not qualify for re-issuance. ~~The applicant shall complete the specific Specialized Instructor Course in its entirety.~~

~~(h)~~~~(j)~~~~(k)~~ After re-issuance of certification, the instructor shall complete eight hours of evaluated instruction in the specialty where re-issuance of certification is sought, as documented on an F-16 **Form** located on the agency's website: <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/>. The eight hours of instruction shall be taught within 60 days of the Specialized Instructor Certification being reissued and evaluated by a Specialized Instructor certified in that specialty. Failure to complete the required eight hours of evaluated instruction will result in the reissued Specialized Instructor Certification being revoked.

History Note: Authority G.S. 17C-6;

Eff. January 1, 1981;

Amended Eff. January 1, 2017; February 1, 2016; August 1, 2015; May 1, 2014; June 1, 2012;

November 1, 2007; January 1, 2006; December 1, 2004; August 1, 2004; August 1, 2000; July 1, 1991; July 1, 1989; December 1, 1987; February 1, 1987;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019;

Amended Eff. February 1, 2026; January 1, 2025; May 1, 2023; January 1, 2022; January 1, 2020; August 1, 2019.

12 NCAC 09C .0601 is amended with changes as published in 40:06 NCR 518-561 as follows:

SECTION .0600 - EQUIPMENT AND PROCEDURES

12 NCAC 09C .0601 APPROVED SPEED-MEASURING INSTRUMENTS

(a) Prior to approval as a ~~[speed measuring]~~ speed measuring instrument, the manufacturer of said instrument shall certify in writing to the Criminal Justice Standards Division that said instrument meets or exceeds the applicable standards set out in the "Model Performance Specifications for Police Traffic Radar Devices" as published by the National Highway Traffic Safety Administration, United States Department of Transportation (as in effect July 1, 1982) which is hereby incorporated by reference, and shall ~~[automatically]~~ include any later amendments and editions of the incorporated material as provided by G.S. 150B-21.6. Copies of this publication may be obtained at no cost from the Department of Justice website: <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/#91-105-wpfd-smi>. ~~[https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/]~~

(b) ~~[All speed measuring]~~ Prior to approval, speed measuring instruments shall be evaluated for law-enforcement use in North Carolina by representatives from the North Carolina Criminal Justice Education and Training Standards Commission and the North Carolina Department of Public ~~[Safety]~~ Safety, as outlined in "Appendix A: Approved List of Speed Measuring Instruments" as published by the North Carolina Justice Academy, which is hereby incorporated by reference, and shall include any later amendments and editions of the incorporated material as provided by G.S. 150B-21.6. Copies of this publication may be obtained at no cost from the Department of Justice website: <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/#91-105-wpfd-smi>. A summary of the findings shall be submitted in writing to the Criminal Justice Standards Division's Speed Measurement Instrument Program Administrator.

The following procedures shall be adhered to for approval of speed measuring instruments:

- (1) Prior to the inclusion as an approved speed measuring instrument, the manufacturer of said instrument shall certify in writing to the Criminal Justice Standards Division that said instrument meets or exceeds the applicable standards set out in the "Model Performance Specifications for Police Traffic Radar Devices" as published by the National Highway Traffic Safety Administration, United States Department of Transportation (as in effect July 1, 1982) which is hereby incorporated by reference, and shall automatically include any later amendments and editions of the incorporated material as provided by G.S. 150B-21.6. Copies of this publication may be inspected at the office of the agency:

Criminal Justice Standards Division
North Carolina Department of Justice
114 West Edenton Street
Old Education Building
Post Office Drawer 149

1 Raleigh, North Carolina 27602
2 and may be obtained at no cost from the National Highway Traffic Safety Administration at the following
3 address:

4 National Highway Traffic Safety Administration
5 400 Seventh Street,
6 SW Washington, DC 20590

7 The manufacturer shall provide evidence that the instrument meets or exceeds the applicable
8 standards published by the National Highway Traffic Safety Administration, United States
9 Department of Transportation.

10 (2) All speed measuring instruments shall be evaluated by representatives from the North Carolina
11 Criminal Justice Education and Training Standards Commission and the North Carolina
12 Department of Crime Control and Public Safety. A summary of the findings shall be submitted in
13 writing to the Criminal Justice Standards Division's Speed Measurement Instrument Program
14 Administrator.

15 (3) A current list of all approved speed measuring instruments shall be included in Appendix "A" of
16 the Supplement for Speed Measurement Instrument Training Courses published by the North
17 Carolina Justice Academy.

18 (4) The "Speed Measurement Instrument Operator Training Course Manuals" as published by the
19 North Carolina Justice Academy shall be applied as the basic curriculum for the speed measuring
20 instrument operator training courses for speed measuring instrument operators as administered by
21 the North Carolina Criminal Justice Education and Training Standards Commission. Copies of
22 these publications may be inspected at the office of the agency:

23 Criminal Justice Standards Division
24 North Carolina Department of Justice
25 114 West Edenton Street
26 Old Education Building
27 Post Office Drawer 149
28 Raleigh, North Carolina 27602

29 and may be obtained at cost from the Academy at the following address:

30 North Carolina Justice Academy
31 Post Office Box 99
32 Salemburg, North Carolina 28385

33
34 *History Note:* Authority G.S. 17C-6;
35 Eff. November 1, 1981;
36 Readopted w/change Eff. July 1, 1982;
37 Amended Eff. November 1, 2007; May 1, 2004; November 1, 1998; August 1, 1998; August 1,

1 1995; January 1, 1995; November 1, 1993; February 1, 1991;
2 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,
3 ~~2019.~~ 2019.
4 Amended Eff. February 1, 2026.
5

12 NCAC 09C .0607 is amended with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09C .0607 SPEED-MEASURING INSTRUMENT ANNUAL ACCURACY ~~TEST~~ TESTS AND
DAILY OPERATIONAL PROCEDURES

(a) The purpose of this Rule is to establish the minimum requirements [for accuracy testing methods and operational procedures for] and test methods for determining the accuracy of speed measuring instruments used by law enforcement agencies to measure the speed of vehicles for enforcement of speed laws and regulations. All requirements [for accuracy testing methods and operational procedures for speed measuring instruments used by law enforcement officers and agencies to measure the speed of vehicles for enforcement of speed laws and regulations and tests shall conform with G.S. 8-50.2 and G.S. 17C-6.

(b) Each speed measuring instrument shall be tested for accuracy within a [12-month] 12-month period prior to each use of the instrument for speed enforcement [purposes,] purposes, as outlined in “Appendix B: Annual Tests for Accuracy Requirements” published by the North Carolina Justice Academy, which is hereby incorporated by reference, and shall include any later amendments and editions of the incorporated material as provided by G.S. 150B-21.6. Copies of this publication may be obtained at no cost from the Department of Justice website: <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/#91-105-wpfd-smi>. The results of the tests shall be recorded on Form SMI-9 for RADAR instruments and Form SMI-12 for LIDAR instruments, pursuant to 12 NCAC 09I .0106.

(c) On a daily basis, speed measuring instruments must be calibrated and tested for accuracy by the certified SMI operator prior to using the instrument for speed enforcement purposes. The tests shall be conducted according to the recommendations of the instrument’s [manufacturer,] manufacturer and include tuning fork tests for each of the instrument’s modes of operation.

(d) The daily operating procedures by SMI operators of each speed measuring instrument shall be in accordance with the instrument’s manufacturer recommendations and conform with G.S. 8-50.2. The daily operating procedures are outlined in “Appendix C: Daily Tests for Accuracy Requirements & Operating Procedures” as published by the North Carolina Justice Academy, which is hereby incorporated by reference, and shall include any later amendments and editions of the incorporated material as provided by G.S. 150B-21.6. Copies of this publication may be obtained at no cost from the Department of Justice website <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/#91-105-wpfd-smi>.

(1) ~~Accuracy test standard:~~

- (a) ~~Annual tests of all speed measuring instruments shall be in conformance with G.S. 8-50.2(c). The results of these tests shall be recorded on forms provided by the Commission.~~**
- (b) ~~Daily tests of all speed measuring instruments shall be in conformance with G.S. 8-50.2(b)(4) and G.S. 17C-6(13).~~**

(2) ~~Accuracy requirements and test methods:~~

- (a) ~~Annual:~~**

1 ~~The annual tests for accuracy requirements for each specific Radar, Time Distance, and~~
2 ~~Lidar speed measuring instrument, as outlined in Appendix "B" of the Supplement for~~
3 ~~Speed Measurement Instrument Training Courses published by the North Carolina Justice~~
4 ~~Academy, are hereby incorporated by reference, and shall automatically include any later~~
5 ~~amendments and editions of the incorporated material as provided by G.S. 150B-21.6.~~
6 ~~Copies of this publication may be inspected at the office of the agency:~~

7 ~~Criminal Justice Standards Division~~
8 ~~North Carolina Department of Justice~~
9 ~~114 West Edenton Street~~
10 ~~Old Education Building~~
11 ~~Post Office Drawer 149~~
12 ~~Raleigh, North Carolina 27602~~

13 ~~and may be obtained at a cost of seven dollars and twelve cents (\$7.12) from the Academy at the following address:~~

14 ~~North Carolina Justice Academy~~
15 ~~Post Office Box 99~~
16 ~~Salemburg, North Carolina 28385~~

17 (b) Daily:

18 ~~The daily tests for accuracy requirements for each specific Radar, Time Distance, and~~
19 ~~Lidar speed measuring instrument, as outlined in Appendix "C" of the Supplement for~~
20 ~~Speed Measurement Instrument Training Courses published by the North Carolina Justice~~
21 ~~Academy, are hereby incorporated by reference, and shall automatically include any later~~
22 ~~amendments and editions of the incorporated material as provided by G.S. 150B-21.6.~~
23 ~~Copies of this publication may be inspected at the office of the agency:~~

24 ~~Criminal Justice Standards Division~~
25 ~~North Carolina Department of Justice~~
26 ~~114 West Edenton Street~~
27 ~~Old Education Building~~
28 ~~Post Office Drawer 149~~
29 ~~Raleigh, North Carolina 27602~~

30 ~~and may be obtained at a cost of seven dollars and twelve cents (\$7.12) from the Academy at the following address:~~

31 ~~North Carolina Justice Academy~~
32 ~~Post Office Box 99~~
33 ~~Salemburg, North Carolina 28385~~

34
35 History Note: Authority G.S. 8-50.2; 17C-6;
36 Eff. August 1, 1998;
37 Amended Eff: May 1, 2004;

1 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
2 *~~2019.~~ 2019.*
3 *Amended Eff. February 1, 2026.*
4

Burgos, Alexander N

Subject: FW: [External] Re: CJETS - Rules for January 2026 RRC Meeting - Request for Changes
Attachments: RRC Requested Changes (1-26-26).zip

From: Miller, Christopher S <christopher.miller@oah.nc.gov>
Sent: Tuesday, January 27, 2026 11:25 AM
To: Cardoza, Holly <hcardoza@ncdoj.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Schilling, Michelle <mschilling@ncdoj.gov>; Lock, Meghan E <mlock@ncdoj.gov>; Dismukes, Leslie <leslie.dismukes@dac.nc.gov>; Miller, Christopher S <christopher.miller@oah.nc.gov>
Subject: RE: [External] Re: CJETS - Rules for January 2026 RRC Meeting - Request for Changes

Holly – These changes look good to me. Just a few additional comments below. Please provide us with the final versions today. Then we should be good to go for Thursday's meeting.

12 NCAC 09B .0305:

- New (d)(9): Change “Part (c)(3)-(8)” to “Part (d)(3)-(8)”.

12 NCAC 09C .0601:

- (b), lines 17-18: Please put the document name in quotation marks.

12 NCAC 09C .0607:

- Please update the web links in this rule like you have done for 09C .0601.
- (b) and (d): Please put the document names in quotation marks.

Regards,
Chris

Burgos, Alexander N

Subject: FW: [External] Re: CJETS - Rules for January 2026 RRC Meeting - Request for Changes
Attachments: RRC Requested Changes (1-26-26).zip

From: Cardoza, Holly <hcardoza@NCDOJ.GOV>
Sent: Monday, January 26, 2026 4:57 PM
To: Miller, Christopher S <christopher.miller@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Schilling, Michelle <mschilling@ncdoj.gov>; Lock, Meghan E <mlock@ncdoj.gov>; Dismukes, Leslie <leslie.dismukes@dac.nc.gov>
Subject: Re: [External] Re: CJETS - Rules for January 2026 RRC Meeting - Request for Changes

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Good Afternoon Chris,

The final drafts of our rules for RRC consideration are attached in the zip file above. Responses to the additional requests for changes are noted below in red.

Additionally, after further discussion, **we respectfully request to withdraw 12 NCAC 09B .0301 from RRC consideration.** The CJETS Commission has decided to put together a working group with the Sheriffs' Education and Training Standards Commission to develop a new definition for "good moral character." All of our rules referencing "good moral character" will be amended and submitted altogether once a new definition has been approved by both Commissions.

Please let me know if you have any questions or if there is anything else you need from me at this time.

All the best,
Holly

Responses:

General Comment: For all rules where changes were made in response to my Request for Changes, the **introductory statement** needs to say "... is amended/adopted/repealed with changes as published in ..." Please see an example here: <https://www.oah.nc.gov/documents/rules/permanent-amendment-text-added-after-publication/download?attachment>. Please check and update accordingly.

Response: Introductory statements amended.

12 NCAC 09B .0104:

- (b)(1): After re-reading this, is this Form actually meant to be completed and signed by the applicant rather than the examiner? (a), lines 4-6 indicate that this is the applicant's responsibility. So the new text in (b)(1) seems to contradict this, unless both parties are required to complete and sign the Form F-1.

Response: Language clarified.

12 NCAC 09B .0212:

- (e), page 3, line 5: Add “of this Rule” after “set forth in Paragraphs (a) and (c)”.

Response: Language added.

12 NCAC 09B .0214: We confirm receipt of your request to withdraw this rule from RRC consideration. I will note this for the upcoming meeting.

Thank you.

12 NCAC 09B .0215:

- (b)(2): The period at the end of this item should be changed to a semi-colon.
- (e), page 2, line 6: Given the new edits to the rule, I think this should be designated as (d).
- (e), page 2, line 6: Remove the word “additional”. This is redundant.

Response: Edits made.

12 NCAC 09B .0238:

- (e), page 3, line 5: Add “of this Rule” after “set forth in Paragraphs (a) and (c)”.

Response: Language added.

12 NCAC 09B .0242:

- Rule Title: “RADAR AND LIDAR” should also be highlighted.
- (a), line 5: “Radar/Lidar Operator Training Course” should also be highlighted.
- (e), page 3, line 9: Add “of this Rule” after “set forth in Paragraphs (a) and (c)”.

Response: Edits made.

12 NCAC 09B .0301: As mentioned, the RRC will consider the extension request at its meeting on January 29th.

Response: As noted above, we respectfully request to withdraw 12 NCAC 09B .0301 from RRC consideration.

12 NCAC 09B .0305:

- New (c), line 10: Was “granted” accidentally struck through here?
- New (d)(2): Remove the “and” after the semi-colon.
- New (d)(9): You reference “requirements as specified in Part (c)(2)(A)-(F) of this rule”. This needs to be updated based on the new changes made in (c).
- New (d)(9): This should end with a period rather than a semi-colon.

Response: Edits made.

12 NCAC 09B .0408:

- (b), line 25 and (c), line 31: Change “trainee” to “student”.
- (b), line 10: For consistency, should “radar, lidar, or radar/lidar” be capitalized here?

Response: Edits made.

12 NCAC 09B .0409:

- (a)(4), line 21: Change “Subparagraph” to “Paragraph”.

Response: Edit made.

12 NCAC 09B .0501:

- (a), line 7: Now that “continuously” has been removed, is “and remain” necessary? Or would it make sense to revise to something like, “... remain certified while serving in such role ...”?

Response: Language incorporated.

12 NCAC 09C .0308:

- (a), line 7: Change “uses” to “use”.
- (a), line 9: Change “type(s)” to “types”.
- (c), line 25: Which “course” are you referring to here? The training programs mentioned in (b)(1) and (b)(2)? A different course?

Response: Edits made and language clarified.

12 NCAC 09C .0311:

- (c): Please apply the same capitalization change to (c) for “Chief Court Counselors” and the “/” change for “Safety/Division”.
- (c): After re-reading this, it appears as if something is missing from this paragraph. Should it end with, “... before having their certification reinstated.”? Or are these persons not eligible for recertification?

Response: Edits made and clarifying language ("to be eligible for subsequent certification") added.

12 NCAC 09C .0601:

- Links on lines 12-13 and line 20: Are you able to provide a direct link to these documents? Or would that be problematic? It may be confusing for some to navigate through all of the different Forms folders on the website. This same comment applies to the other links used in this Rule Section.
- (b), line 16: “Appendix A” to what? Or is this a standalone document available on DOJ’s website?

Response: The links in the rule have been updated to bring you directly to the specific folder on that page containing the referenced documents. We are currently in the process of updating our website pages, which may result in a direct link to a document not working.

"Appendix A" is a standalone document available on the DOJ website.

12 NCAC 09C .0607:

- (d): Thank you for the clarifying edits. This is helpful. However, the new language fails to state a requirement or prohibition. This results from the deletion of “shall be”. Please consider revising further.

Response: Language has been revised.

12 NCAC 09D .0101:

- New (j): Is Form F-7 also included in 12 NCAC 09I .0107? If so, you should add a reference to that rule.

Response: Reference added.

12 NCAC 09D .0201:

- New (j), line 29: Add “submitting” between “by” and “a completed”.

Response: "submitting" added.

12 NCAC 09G .0205:

- (b)(2), line 17-18: Move the word “Form” to follow directly after “Report”. Response: Edit made.
- (d)(2): What kind of “agency”? A law enforcement agency?

Response: "Agency" is defined in 12 NCAC 09G .0102--which is written to apply to all Rules in the 09G Subchapter--as "those state and local agencies identified in G.S. 17C-2(2)."

12 NCAC 09G .0311:

- Old (2)(A) and (2)(B): The struck through (A) and (B) should also be placed in brackets.
- (d), line 11: Change “are not permitted to” to “shall not”.
- (h): After re-reading this, is the last sentence even necessary? If you aren’t eligible for re-certification, wouldn’t you presumably have to start the entire certification process over again?
- (i), page 3, line 4: Change “will” to “shall”.

Response: Edits made.

12 NCAC 09G .0601:

- New (j), line 29: Add “submitting” between “by” and “a completed”.

Response: "submitting" added.

12 NCAC 09I .0101:

- (a)(1)(A) and (H): After re-reading this, should this just say, “name of applicant”?

Response: Edits made.

12 NCAC 09I .0104:

- (a)(1)(B), line 8: After re-reading, I would remove the parenthesis and state, “last four digits of social security number”.

Response: Edit made.

12 NCAC 09I .0106:

- (a)(2)(B), line 22: Remove the comma after “on” for consistency.
- (b)(1), line 13: Add a comma after “.0242(a)”.

Response: Edits made.



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Please note messages to or from this address may be public records.

12 NCAC 09B .0104 is amended with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09B .0104 MEDICAL EXAMINATION

(a) Each applicant for certification or enrollment in a ~~Commission-approved~~ Commission-approved basic law enforcement training course pursuant to ~~Rule~~ 12 NCAC 09B .0205, shall complete, sign, and date the Commission's Medical History Statement Form ~~(F-1)~~ (F-1), pursuant to 12 NCAC 09I .0105, and shall be examined by either a physician, physician assistant, or nurse practitioner who holds a current license in the United States to practice medicine, as issued by a state medical board, to help determine his or her fitness to carry out the physical requirements of the position of law enforcement officer.

(b) Prior to being examined, the applicant shall provide the examining physician, physician physician's assistant, or nurse practitioner with:

- (1) the Medical History Statement Form (F-1), [(F-1), pursuant to 12 NCAC 09I .0105,] which must be read, completed, and signed; completed by the applicant and signed by the examiner; and
- (2) the ~~Instructions to Agency and Examiner for Completion of Medical Examination Report (F-2A)~~ Form (F-2), the Tuberculosis [Questionnaire, Questionnaire] Form (F-2A), and the Medical Examination Report [Addendum, Addendum] Form (F-2B), pursuant to 12 NCAC 09I .0105.

(c) The examining physician, physician's assistant, or nurse practitioner, shall record the results of the examination on the Medical Examination Report Form (F-2) and shall sign and date the form. ~~The Medical Examination Report Form (F-2) shall contain the following information:~~

- (1) ~~Name, date of birth, employing agency, height, weight, and last 4 digits of the Social Security Number for the person being examined;~~
- (2) ~~Results of Vision Acuity;~~
- (3) ~~Results of Hearing Acuity;~~
- (4) ~~Results of Cardiovascular Examination;~~
- (5) ~~Abnormal Findings;~~
- (6) ~~Tuberculosis Risk Questionnaire;~~
- (7) ~~Tuberculosis Symptom Questionnaire; and~~
- (8) ~~Name, signature, and medical license number of examining medical professional.~~

(d) The Medical Examination Report Form ~~(F-2)~~ and (F-2), the Tuberculosis Questionnaire Form (F-2A), and the Medical History Statement Form (F-1) shall be valid for one year after the date the examination was conducted and shall be completed prior to:

- (1) the ~~applicant's~~ applicant beginning the ~~Commission-approved~~ Commission-approved basic law enforcement training course; and
- (2) the employing agency submission of application for certification to the Commission.

*History Note: Authority G.S. 17C-6; 17C-10;
Eff. January 1, 1981;*

1 *Amended Eff. April 1, 2018; October 1, 2017; November 1, 1993; February 1, 1991; March 1,*
2 *1990; April 1, 1985;*
3 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
4 *2019;*
5 *Amended Eff. February 1, 2026; November 1, 2024; October 1, 2022.*

12 NCAC 09B .0212 is amended with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09B .0212 CERTIFICATION AND RE-CERTIFICATION TRAINING FOR RADAR OPERATORS

(a) The ~~radar operator training course~~ Radar Operator Training Course for law enforcement officers shall be designed to provide the ~~trainee~~ student with the skills and knowledge to perform the function of a law enforcement radar operator. This course shall be for a period not to exceed four consecutive ~~weeks~~, weeks and shall consist of a minimum of 30 hours of instruction, including the following topic areas and minimum hours for each:

(1)	<u>Course Orientation</u>	<u>0.5 [hours] Hours</u>
(2)	<u>Introduction to Radar Training</u>	<u>0.5 Hours</u>
(3)	<u>Speed Offenses and Speed Enforcement</u>	<u>2 Hours</u>
(4)	<u>Basic Principles of Radar Speed Measurement</u>	<u>5 Hours</u>
(5)	<u>Legal and Operational Considerations</u>	<u>4 Hours</u>
(6)	<u>Familiarization and Operation of Specific Radar Instruments</u>	<u>10 Hours</u>
(7)	<u>Courtroom Preparation</u>	<u>3 Hours</u>
(8)	<u>Motor-Skill Performance Testing</u>	<u>4 Hours</u>
(9)	<u>Course Review</u>	<u>1 Hour</u>

~~[The number of hours required to complete each of the topic areas (6) Familiarization and Operation of Specific Radar Instruments and (8) Motor Skill Performance Testing shall be based on the number of students and number of instructors to ensure] This course shall have~~ a minimum ratio of one instructor per six students. ~~If the Governor declares a State of Emergency pursuant to G.S. 166A-19.3(19), the Director of the Criminal Justice Standards Division shall allow additional breaks in a specific course delivery when the Director determines that doing so is necessary based on consideration of the following factors:~~

- ~~(1) Whether instruction has begun in the course or whether course initiation may be postponed;~~
- ~~(2) The risk of harm to students that may be caused by continuation of the course;~~
- ~~(3) Whether those enrolled in the course have been or will likely be called to action to help address—the State of Emergency;~~
- ~~(4) The specific need for the waiver; and~~
- ~~(5) The degree of benefit to the public in allowing a break in instruction.~~

~~Notice of waivers granted pursuant to the Section shall be posted on the CJETS website <https://ncdoj.gov/law-enforcement-training/criminal-justice/>. The waivers granted pursuant to this Section shall only apply to courses that began during the effective period of the State of Emergency.~~

(b) Only ~~employed~~ those individuals currently certified as a law enforcement officer ~~employed~~ or appointed personnel of a law enforcement agency shall be enrolled in the Radar Operator Training Course. ~~radar operator training course.~~ Such a trainee shall not be certified as a radar operator until the basic law enforcement training course has been completed and probationary or general law enforcement certification has been granted. Sheriffs, deputy sheriffs, and federal law enforcement personnel, including armed forces personnel, shall be allowed to

1 participate in the a Radar Operator Training Course ~~radar operator training courses~~ on a space available basis at the
2 discretion of the school director without having enrolled in or having successfully completed the basic law
3 enforcement training ~~course~~ course, pursuant to 12 NCAC 09B .0205, and without being currently certified in a
4 probationary status or ~~hold~~ holding general law enforcement certification. ~~The radar operator training course~~
5 ~~required for radar operator certification shall include the topic areas and minimum number of hours as outlined in~~
6 ~~the Radar Operator Training Course. To qualify for radar operator certification, an applicant shall meet the~~
7 ~~minimum requirements as outlined in the Radar Operator Training Course and meet the requirements of 12 NCAC~~
8 ~~09B .0408 and .0409.~~

9 ~~(c) The "Radar Operator Training Course" as published by the North Carolina Justice Academy is to be applied as~~
10 ~~basic curriculum for the radar operator training course for radar operators as administered by the Commission.~~

11 Copies of this publication may be inspected at the office of the agency:

12 Criminal Justice Standards Division
13 North Carolina Department of Justice
14 1700 Tryon Park Drive
15 Post Office Drawer 149
16 Raleigh, North Carolina 27602

17 and may be obtained at cost from the Academy at the following address:

18 North Carolina Justice Academy
19 Post Office Box 99
20 Salemburg, North Carolina 28385

21 ~~(c) The [radar operator re-certification training course] Radar Operator Re-Certification Training Course shall be~~
22 ~~designed to provide the law enforcement officer with the skills and knowledge to continue to proficiently perform~~
23 ~~the functions of a radar operator. This course shall be presented within a period not to exceed one week and shall~~
24 ~~consist of a minimum of six hours of instruction, including the following topic areas and minimum hours for each:~~

- | | | |
|----|---|------------------|
| 25 | (1) <u>Course Orientation</u> | <u>0.5 Hours</u> |
| 26 | (2) <u>Legal and Operational Considerations</u> | <u>1.5 Hours</u> |
| 27 | (3) <u>Motor-Skill Performance Testing</u> | <u>4 Hours</u> |

28 ~~[The number of hours required to complete the Motor Skill Performance Testing topic area shall be based on the~~
29 ~~number of students and number of instructors to ensure] This course shall have a minimum ratio of one instructor~~
30 ~~per six students.~~

31 ~~(d) [Trainees] Students enrolled in a [radar operator re-certification training course] Radar Operator Re-~~
32 ~~Certification Training Course shall, at the time of enrollment, hold active radar operator certification or have~~
33 ~~previously held active radar operator certification within 12 months prior to the scheduled end date of the course.~~
34 ~~Federal law enforcement personnel shall be [eligible] allowed to participate in [radar operator re-certification~~
35 ~~training courses] a Radar Operator Re-Certification Training Course at the discretion of the school director without~~
36 ~~previously having held radar operator certification, but such personnel must have completed one introductory level~~
37 ~~speed measurement instrument course that included instruction on operation of radar instruments. Courses that meet~~

1 this requirement include those described in Paragraph (a) of this Rule and those described in 12 NCAC 09B
2 .0242(a).

3 (e) If the Governor declares a State of Emergency pursuant to G.S. 166A- 19.3(19), the Director of the Criminal
4 Justice Standards Division shall allow additional [breaks in] time to complete a specific course delivery beyond the
5 time limits set forth in Paragraphs (a) and (c) of this Rule when the Director determines that doing so is necessary
6 based on consideration of the following factors:

- 7 (1) Whether instruction has begun in the course or whether course initiation may be postponed;
- 8 (2) The risk of harm to students that may be caused by the continuation of the course;
- 9 (3) Whether those enrolled in the course have been or will likely be called to action to help address
10 the State of Emergency;
- 11 (4) The specific need for the waiver; and
- 12 (5) The degree of benefit to the public in allowing a break in instruction.

13 Notice of waivers granted pursuant to [the] this Section shall be posted on the CJETS [website] website,
14 [https://ncdoj.gov/law- enforcement-training/criminal-justice/](https://ncdoj.gov/law-enforcement-training/criminal-justice/). The waivers granted pursuant to this Section shall
15 only apply to courses that began or were in progress during the effective period of the State of Emergency.

16
17 *History Note: Authority G.S. 17C-6;*
18 *Eff. November 1, 1981;*
19 *Readopted w/change Eff. July 1, 1982;*
20 *Temporary Amendment Eff. February 24, 1984 for a period of 120 days to expire on June 22,*
21 *1984;*
22 *Amended Eff. April 1, 1999; November 1, 1998; August 1, 1995; February 1, 1991; July 1, 1989;*
23 *August 1, 1984;*
24 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
25 *2019;*
26 *Amended Eff. February 1, 2026; April 1, 2022.*

1 12 NCAC 09B .0213 is repealed with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09B .0213 CERTIFICATION TRAINING FOR RADAR/TIME-DISTANCE OPERATORS**

4
5 *History Note: Authority G.S. 17C-6;*
6 *Eff. November 1, 1981;*
7 *Readopted w/change Eff. July 1, 1982;*
8 *Amended Eff. April 1, 1999; November 1, 1998; August 1, 1995; February 1, 1991; July 1, 1989;*
9 *August 1, 1984;*
10 *Under G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019;*
11 *Amended Eff. April 1, ~~2022~~, ~~2022~~;*
12 *~~[Repeal]~~ ~~Repealed~~ Eff. February 1, 2026.*

12 NCAC 09B .0215 is amended with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09B .0215 SUPPLEMENTAL SMI TRAINING

(a) The supplemental speed measuring instrument (SMI) training course for law enforcement officers shall be designed to allow officers an opportunity to be certified on additional speed ~~measuring measurement~~ instruments and modes, as defined in 12 NCAC 09C .0308(h), not included on the officers' initial speed ~~measuring measurement~~ instrument certification. The course shall be designed to provide the trainee with the skills and knowledge to ~~proficiently~~ perform those tasks essential to function as an instructor or operator using the additional speed measuring ~~instrument(s), instruments and modes.~~

(b) Each applicant for supplemental ~~speed measuring instrument~~ SMI training shall:

- (1) possess a valid ~~radar radar, time-distance,~~ or lidar speed measuring instrument instructor or operator certification as a result of successful completion of a training course set forth in 12 NCAC 09B .0210, .0211, .0212, .0213, .0214, .0237, .0238, or .0242; .0242, or .0244;
- (2) present the endorsement of a ~~Commission-recognized~~ Commission-certified school director or in-service training coordinator, or agency head or his or her designee by submitting ~~[form]~~ Form SMI-16, pursuant to 12 NCAC 09I .0106(a)(4); [.0106(h);] executive officer or his designee.
- (3) present a copy of the applicant's active SMI operator or instructor certification, which lists the instruments and modes that the officer is certified to operate;
- (4) demonstrate proficiency in the motor-skill and performance subject areas with the instrument and modes as evidenced by completion of the Commission's SMI-1 Form, SMI-1A Form, or SMI-13 Form pursuant to 12 NCAC 09I .0106; and
- (5) for individuals seeking certification on modes which are not included on their current SMI certification, complete 240 minutes of supervised field practice for each additional mode on Form SMI-15 pursuant to 12 NCAC 09I .0106. For dual antenna instruments, 120 of the 240 minutes must be completed using each antenna.

(c) The supplemental SMI training course required for certification on the additional ~~instrument(s)~~ instruments shall include the topic areas and number of hours as outlined in the Supplemental SMI Training Course. To qualify for certification on the additional instrument(s) an applicant shall meet the requirements as outlined in the Supplemental SMI Training Course and meet the requirements of 12 NCAC 09B .0409, consist of a minimum of 1.5 hours, hours of instruction, including the following topic areas and minimum hours for each:

- | | | |
|-----|--|-----------------|
| (1) | <u>Course Orientation</u> | <u>0.5 hour</u> |
| (2) | <u>Familiarization & Operation of Specific SMI Instruments</u> | <u>0.5 hour</u> |
| (3) | <u>Motor Skills Testing (per instrument per student)</u> | <u>0.5 hour</u> |

~~(d) To qualify for certification on an additional instrument, an applicant shall:~~

- ~~(1) present a copy of the individual's active SMI operator or instructor certification, which lists the instruments and modes that the officer is certified to operate;~~
- ~~(2) Demonstrate proficiency in the motor skill and performance subject areas with the instrument as~~

evidenced by completion of the Commission's SMI-1 form, SMI-1A form, or SMI-13 form pursuant to 12 NCAC 09I .0106; and

(3) — for individuals seeking certification with additional modes than those currently certified with, complete 240 minutes of supervised field practice for each additional mode. For dual antenna instruments, 120 of the 240 minutes must be completed using each antenna.]

(d)(e) Adding [additional] instruments and modes to an individual's SMI operator or instructor certification shall not extend the certification period as prescribed in 12 NCAC 09B .0310 .0308 and 09C .0308. Certification as instructor or operator of the additional speed measuring instruments shall expire on midnight of the date of expiration of the instructor or operator certification referred to in 12 NCAC 09B .0215(b) and .0310(a).

(e) The "Supplemental SMI Training Course" as published by the North Carolina Justice Academy shall be applied as basic curriculum for the supplemental SMI training course for SMI instructors or operators as administered by the Commission. Copies of this publication may be inspected at the office of the agency:

Criminal Justice Standards Division
North Carolina Department of Justice
114 West Edenton Street
Post Office Drawer 149
Raleigh, North Carolina 27602

and may be obtained at cost from the Academy at the following address:

North Carolina Justice Academy
Post Office Box 99
Salemberg, North Carolina 28385

(f) Commission-certified schools that are certified to offer the "Supplemental SMI Training Course" for Instructors are: The North Carolina Justice Academy.

History Note: Authority G.S. 17C-6;
Eff. November 1, 1981;
Readopted Eff. July 1, 1982;
Amended Eff. November 1, 2007; May 1, 2004; August 1, 2002; April 1, 1999;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,
2019. 2019;
Amended Eff. February 1, 2026.

1 12 NCAC 09B .0220 is repealed with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09B .0220 RE-CERTIFICATION COURSE FOR RADAR OPERATORS**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Eff. October 1, 1983;*

7 *Temporary Amendment Eff. February 24, 1984 for a period of 120 days to expire on June 22,*
8 *1984;*

9 *Amended Eff. November 1, 2007; April 1, 1999; November 1, 1993; August 1, 1984;*

10 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

11 ~~2019.~~ **2019.**

12 *Repealed Eff. February 1, 2026.*

1 12 NCAC 09B .0221 is repealed with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09B .0221 RE-CERTIFICATION COURSE FOR RADAR/TIME-DISTANCE OPERATORS**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Eff. October 1, 1983;*

7 *Amended Eff. November 1, 2007; April 1, 1999; November 1, 1993; August 1, 1984;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ **2019.**

10 *Repealed Eff. February 1, 2026.*

1 12 NCAC 09B .0222 is repealed with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09B .0222 RE-CERTIFICATION COURSE FOR TIME-DISTANCE OPERATORS**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Eff. October 1, 1983;*

7 *Amended Eff. November 1, 2007; April 1, 1999; November 1, 1993; July 1, 1989; August 1, 1984;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ 2019.

10 Repealed Eff. February 1, 2026.

12 NCAC 09B .0238 is amended with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09B .0238 CERTIFICATION AND RE-CERTIFICATION TRAINING FOR LIDAR OPERATORS

(a) The Lidar Operator Training Course for law enforcement officers shall be designed to provide the trainee student with the skills and knowledge to perform the function of a law enforcement lidar operator. This course shall be for a period not to exceed four consecutive ~~weeks~~, weeks, and shall consist of a minimum of 30 hours of instruction and shall include the following topic areas and minimum hours for each:

(1)	<u>Course Orientation</u>	<u>0.5 Hours</u>
(2)	<u>Introduction to Lidar Training</u>	<u>0.5 Hours</u>
(3)	<u>Basic Principles of Lidar Speed Measurement</u>	<u>1 Hour</u>
(4)	<u>Legal and Operational Considerations</u>	<u>1 Hour</u>
(5)	<u>Familiarization and Operation of Specific Lidar Instruments</u>	<u>2 Hours</u>
(6)	<u>Courtroom Preparation</u>	<u>1 Hour</u>
(7)	<u>Motor-Skill Performance Testing</u>	<u>3 Hours</u>
(8)	<u>Course Review</u>	<u>1 Hour</u>

~~The number of hours required to complete each of the topic areas (5) Familiarization and Operation of Specific Lidar Instruments and (7) Motor Skill Performance Testing shall be based on the number of students and number of instructors to ensure~~ This course shall have a minimum ratio of one instructor per six students. If the Governor declares a State of Emergency pursuant to G.S. 166A-19.3(19), the Director of the Criminal Justice Standards Division shall allow additional breaks in a specific course delivery when the Director determines that doing so is necessary based on consideration of the following factors:

- (1) ~~Whether instruction has begun in the course or whether course initiation may be postponed;~~
- (2) ~~The risk of harm to students that may be caused by continuation of the course;~~
- (3) ~~Whether those enrolled in the course have been or will likely be called to action to help address the State of Emergency;~~
- (4) ~~The specific need for the waiver; and~~
- (5) ~~The degree of benefit to the public in allowing a break in instruction.~~

~~Notice of waivers granted pursuant to the Section shall be posted on the CJETS website <https://ncdoj.gov/law-enforcement-training/criminal-justice/>. The waivers granted pursuant to this Section shall only apply to courses that began during the effective period of the State of Emergency.~~

(b) To be eligible for enrollment in the Lidar Operator Training Course, applicants shall meet the following requirements at the time of enrollment:

- (1) have completed a Commission-approved Basic Law Enforcement Training (BLET) [Course; Course, pursuant to 12 NCAC 09B .0205;
- (2) hold active law enforcement certification; and
- (3) hold active radar operator certification or be enrolled in a radar operator training course or a radar

operator re-certification training course as outlined in 12 NCAC 09B .0212; or

(4) hold active radar instructor certification or be enrolled in a radar instructor training course or a radar instructor re-certification training course as outlined in 12 NCAC 09B .0210.

Sheriffs, deputy sheriffs, and federal law enforcement personnel, including armed forces personnel, who do not meet these requirements shall be allowed to participate in a ~~[lidar operator training course]~~ Lidar Operator Training Course at the discretion of the school director.

~~(b) Only employed or appointed personnel of a law enforcement agency shall be enrolled in the Lidar Operator Training Course. Such a trainee shall not be certified as a lidar operator until the Basic Law Enforcement Training Course has been completed and probationary or general law enforcement certification has been granted. Sheriffs, deputy sheriffs and federal law enforcement personnel, including armed forces personnel, shall be allowed to participate in the lidar operator training courses on a space available basis at the discretion of the school director without having enrolled in or having completed the Basic Law Enforcement Training Course and without being currently certified in a probationary status or holding general law enforcement certification. The Lidar Operator Training Course required for lidar operator certification shall include the topic areas and number of hours as outlined in the Lidar Operator Training Course. To qualify for lidar operator certification, an applicant shall meet the requirements as outlined in the Lidar Operator Training Course and meet the requirements of 12 NCAC 09B .0408 and .0409.~~

(c) The Lidar Operator Re-Certification Training Course shall be designed to provide the law enforcement officer with the skills and knowledge to continue to perform the functions of a lidar operator. This course shall be presented within a period not to exceed one week and shall consist of a minimum of four hours of instruction, including the following topic areas and minimum hours for each:

(1)	<u>Course Orientation</u>	<u>0.5 Hours</u>
(2)	<u>Legal and Operational Considerations</u>	<u>1 Hour</u>
(3)	<u>Motor-Skill Performance Testing</u>	<u>2.5 Hours</u>

~~[The number of hours required to complete the Motor Skill Performance Testing topic area shall be based on the number of students and the number of instructors to ensure]~~ This course shall have a minimum ratio of one instructor per six students.

(d) To be eligible for enrollment in the Lidar Operator Re-Certification Training Course, applicants shall meet the following requirements at the time of enrollment:

- (1) hold active law enforcement certification;
- (2) hold active lidar operator certification or have previously held active lidar operator certification within the 12 months prior to the scheduled end date of the course; and
- (3) hold active radar operator certification or be enrolled in a radar operator training course or a radar operator re-certification training course as outlined in 12 NCAC 09B .0212.

Federal law enforcement personnel who do not meet these requirements shall be [eligible] allowed to participate in a ~~[lidar operator re-certification course]~~ Lidar Operator Re-Certification Training Course at the discretion of the school director, but such personnel must have completed one introductory-level speed measurement instrument

1 course that included instruction on the operation of lidar instruments. Courses that meet this requirement include
2 those described in Paragraph (a) of this Rule and those described in 12 NCAC 09B .0242(a).

3 (e) If the Governor declares a State of Emergency pursuant to G.S. 166A- 19.3(19), the Director of the Criminal
4 Justice Standards Division shall allow additional [breaks in] time to complete a specific course delivery beyond the
5 time limits set forth in Paragraphs (a) and (c) of this Rule when the Director determines that doing so is necessary
6 based on consideration of the following factors:

- 7 (1) Whether instruction has begun in the course or whether course initiation may be postponed;
- 8 (2) The risk of harm to students that may be caused by continuation of the course;
- 9 (3) Whether those enrolled in the course have been or will likely be called to action to help address
10 the State of Emergency;
- 11 (4) The specific need for the waiver; and
- 12 (5) The degree of benefit to the public in allowing a break in instruction.

13 Notice of waivers granted pursuant to [the] this Section shall be posted on the CJETS [website] website,
14 <https://ncdoj.gov/law-enforcement-training/criminal-justice/>. The waivers granted pursuant to this Section shall
15 only apply to courses that began or were in progress during the effective period of the State of Emergency.

16 ~~(e) The "Lidar Operator Training Course" as published by the North Carolina Justice Academy shall be applied as~~
17 ~~basic curriculum for the Lidar Operator Training Course for lidar operators as administered by the Commission.~~
18 ~~Copies of this publication may be inspected at the office of the agency:~~

19 Criminal Justice Standards Division
20 North Carolina Department of Justice
21 1700 Tyron Park Drive
22 Post Office Drawer 149
23 Raleigh, North Carolina 27602

24 ~~and may be obtained at cost from the Academy at the following address: North Carolina Justice Academy~~

25 Post Office Box 99
26 Salemburg, North Carolina 28385

27
28 *History Note: Authority G.S. 17C-6;*
29 *Eff. May 1, 2004;*
30 *Amended Eff. November 1, 2007;*
31 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
32 *2019;*
33 *Amended Eff. February 1, 2026; April 1, 2022.*

1 12 NCAC 09B .0240 is repealed with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09B .0240 RE-CERTIFICATION TRAINING COURSE FOR LIDAR OPERATORS**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Eff. May 1, 2004;*

7 *Amended Eff. November 1, 2007;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ **2019.**

10 *Repealed Eff. February 1, 2026.*

12 NCAC 09B .0242 is amended with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09B .0242 CERTIFICATION AND RE-CERTIFICATION TRAINING FOR RADAR AND LIDAR RADAR/LIDAR OPERATORS

(a) The radar/lidar operator training course Radar/Lidar Operator Training Course for law enforcement officers shall be designed to provide the trainee student with the skills and knowledge to perform the function of a radar and lidar operator. This course shall be for a period not to exceed four consecutive ~~weeks.~~ weeks, and shall consist of a minimum of 36 hours of instruction and shall include the following topic areas and minimum hours for each:

(1)	<u>Course Orientation</u>	<u>0.5 [hours]</u> <u>Hours</u>
(2)	<u>Introduction to Radar/Lidar Training</u>	<u>0.5 Hours</u>
(3)	<u>Speed Offenses and Speed Enforcement</u>	<u>2 Hours</u>
(4)	<u>Basic Principles of Radar/Lidar Speed Measurement</u>	<u>6 Hours</u>
(5)	<u>Legal and Operational Considerations</u>	<u>5 Hours</u>
(6)	<u>Familiarization and Operation of Specific Radar and Lidar Instruments</u>	<u>12 Hours</u>
(7)	<u>Courtroom Preparation</u>	<u>4 Hours</u>
(8)	<u>Motor-Skill Performance Testing</u>	<u>5 Hours</u>
(9)	<u>Course Review</u>	<u>1 Hour</u>

[The number of hours required to complete each of the topic areas (6) Familiarization and Operation of Specific Radar and Lidar Instruments and (8) Motor Skill Performance Testing shall be based on the number of students and number of instructors to ensure] This course shall have a minimum ratio of one instructor per six students. ~~If the Governor declares a State of Emergency pursuant to G.S. 166A-19.3(19), the Director of the Criminal Justice Standards Division shall allow additional breaks in a specific course delivery when the Director determines that doing so is necessary based on consideration of the following factors:~~

- ~~(1) Whether instruction has begun in the course or whether course initiation may be postponed;~~
- ~~(2) The risk of harm to students that may be caused by continuation of the course;~~
- ~~(3) Whether those enrolled in the course have been or will likely be called to action to help address—the State of Emergency;~~
- ~~(4) The specific need for the waiver; and~~
- ~~(5) The degree of benefit to the public in allowing a break in instruction.~~

~~Notice of waivers granted pursuant to the Section shall be posted on the CJETS website <https://ncdoj.gov/law-enforcement-training/criminal-justice/>. The waivers granted pursuant to this Section shall only apply to courses that began during the effective period of the State of Emergency.~~

(b) Only ~~employed~~ those individuals currently certified as a law enforcement officer or appointed personnel of a law enforcement agency may be enrolled in the Radar/Lidar Operator Training Course. ~~radar/lidar speed-measurement instrument operator training course.~~ Such a trainee shall not be certified as a radar and lidar speed-measurement instrument operator until the basic law enforcement training course has been completed and probationary or general law enforcement certification has been granted. Sheriffs, deputy sheriffs, and federal law

enforcement personnel, including armed forces personnel, shall be allowed to participate in a Radar/Lidar Operator Training Course ~~radar/lidar speed measurement instrument operator training [course]~~ ~~courses on a space available basis at the discretion of the school director without having enrolled in or having completed the basic law enforcement training~~ ~~course~~ course, pursuant to 12 NCAC 09B .0205 and without being currently certified in a probationary status or holding general law enforcement certification. ~~The radar/lidar operator training course required for radar and lidar operator certification shall include the topic areas and number of hours as outlined in the Radar/Lidar Operator Training Course. To qualify for radar and lidar operator certification, an applicant shall meet the requirements as outlined in the Radar/Lidar Operator Training Course and meet the requirements of 12 NCAC 09B .0408 and .0409.~~

~~(c) The "Radar/Lidar Operator Training Course" as published by the North Carolina Justice Academy shall be applied as basic curriculum for the radar/lidar operator training course for radar and lidar instrument operators as administered by the Commission. Copies of this publication may be inspected at the office of the agency:~~

~~Criminal Justice Standards Division
North Carolina Department of Justice
1700 Tryon Park Drive
Post Office Drawer 149
Raleigh, North Carolina 27602~~

~~and may be obtained at cost from the Academy at the following address:~~

~~North Carolina Justice Academy
Post Office Box 99
Salemberg, North Carolina 28385~~

(c) The Radar/Lidar Operator Re-Certification Training Course shall be designed to provide the law enforcement officer with the skills and knowledge to continue to proficiently perform the function of a radar and lidar operator. This course shall be presented within a period not to exceed one week and shall consist of a minimum of eight hours of instruction, including the following topic areas and minimum hours for each:

- | | | |
|-----|---|------------------|
| (1) | <u>Course Orientation</u> | <u>0.5 Hours</u> |
| (2) | <u>Legal and Operational Considerations</u> | <u>2.5 Hours</u> |
| (3) | <u>Motor-Skill Performance Testing</u> | <u>5 Hours</u> |

~~[The number of hours required to complete the Motor Skill Performance Testing topic area shall be based on the number of students and number of instructors to ensure]~~ This course shall have a minimum ratio of one instructor per six students.

(d) To be eligible for enrollment in the Radar/Lidar Operator Re-Certification Training Course, applicants shall meet the following requirements at the time of enrollment:

- (1) hold active radar operator certification or have previously held active radar operator certification within 12 months prior to the scheduled end date of the course; and
- (2) hold active lidar operator certification or have previously held active lidar operator certification within the 12 months prior to the scheduled end date of the course.

1 Federal law enforcement personnel who do not meet these requirements shall be eligible allowed to participate in a
2 radar/lidar operator re-certification course Radar/Lidar Operator Re-Certification Training Course at the discretion
3 of the school director, but such personnel must have completed one or more introductory level speed measurement
4 instrument course courses that included instruction on operation of radar instruments and lidar instruments.

5 Courses that meet this requirement include those described in Paragraph (a) of this Rule, 12 NCAC 09B .0212(a),
6 and 12 NCAC 09B .0238(a).

7 (e) If the Governor declares a State of Emergency pursuant to G.S. 166A- 19.3(19), the Director of the Criminal
8 Justice Standards Division shall allow additional breaks in time to complete a specific course delivery beyond the
9 time limits set forth in Paragraphs (a) and (c) of this Rule when the Director determines that doing so is necessary
10 based on consideration of the following factors:

- 11 (1) Whether instruction has begun in the course or whether course initiation may be postponed;
- 12 (2) The risk of harm to students that may be caused by continuation of the course;
- 13 (3) Whether those enrolled in the course have been or will likely be called to action to help address
14 the State of Emergency;
- 15 (4) The specific need for the waiver; and
- 16 (5) The degree of benefit to the public in allowing a break in instruction.

17 Notice of waivers granted pursuant to the this Section shall be posted on the CJETS website website.
18 <https://ncdoj.gov/law-enforcement-training/criminal-justice/>. The waivers granted pursuant to this Section shall
19 only apply to courses that began or were in progress during the effective period of the State of Emergency.

20
21 *History Note: Authority G.S. 17C-6;*
22 *Eff. November 1, 2007;*
23 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
24 *2019;*
25 *Amended Eff. February 1, 2026; April 1, 2022.*

1 12 NCAC 09B .0243 is repealed with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09B .0243 RE-CERTIFICATION TRAINING COURSE FOR RADAR/LIDAR OPERATORS**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Eff. November 1, 2007;*

7 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

8 ~~2019.~~ **2019.**

9 *Repealed Eff. February 1, 2026.*

1 12 NCAC 09B .0244 is repealed with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09B .0244 CERTIFICATION TRAINING FOR RADAR/TIME-DISTANCE/LIDAR**
4 **OPERATORS**

5
6 *History Note:* *Authority G.S. 17C-6;*
7 *Eff. November 1, 2007;*
8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
9 *2019;*
10 *Amended Eff. April 1, ~~2022~~, 2022;*
11 *Repealed Eff. February 1, 2026.*

1 12 NCAC 09B .0245 is repealed with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09B .0245 RE-CERTIFICATION TRAINING COURSE FOR RADAR/TIME-**
4 **DISTANCE/LIDAR OPERATORS**

5
6 *History Note: Authority G.S. 17C-6;*

7 *Eff. November 1, 2007;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ **2019.**

10 *Repealed Eff. February 1, 2026.*

12 NCAC 09B .0305 is amended with changes as published in 40:06 NCR 518-561 as follows:

**12 NCAC 09B .0305 TERMS AND CONDITIONS OF SPECIALIZED INSTRUCTOR
CERTIFICATION**

(a) An applicant meeting the requirements for Specialized Instructor Certification as set forth in Rule .0304 of this Section shall be issued a certification to expire three years from the date of issuance.

(b) The applicant shall apply for certification as a Specialized Instructor within 60 days after the date the applicant achieved a passing score on the state comprehensive exam for the respective Specialized Instructor training course.

(c) The instructor is required to instruct, within three years after Specialized Instructor Certification is issued, a minimum of 12 hours in each of the topics for which Specialized Instructor Certification was granted, and that granted. The instruction was shall be provided in a ~~Commission-accredited~~ Commission-approved basic training, Specialized Instructor Training, Commission-recognized in-service training course, or training course delivered pursuant to 12 NCAC 10B .0601, .1302, or .2005.

(d) An application for certification renewal shall contain, in addition to the requirements listed in Rule .0304 of this Section, documentary evidence that the applicant has remained active in the instructional process during the previous three-year period. Such documentary evidence shall include the following:

- (1) proof that the applicant has, within the three-year period preceding application for renewal, instructed at least 12 hours in each of the topics for which Specialized Instructor Certification was granted, and that instruction was provided in a ~~Commission-accredited~~ Commission-approved basic training, Specialized Instructor Training, Commission-recognized in-service training course, or training course delivered pursuant to 12 NCAC 10B .0601, .1302, or .2005. Acceptable documentary evidence shall include official Commission records submitted by School Directors or In-Service Training Coordinators and written attestation ~~certification~~ from a School Director or In-Service Training Coordinator;
- (2) proof that the applicant has, within the three-year period preceding application for renewal, attended and completed all instructor updates that have been issued by the Commission. Acceptable documentary evidence shall include official Commission records submitted by School Directors or In-Service Training Coordinators, or copies of certificates of completion issued by the institution which provided the instructor updates; and

- (3) (A) a favorable written recommendation from a School Director or In-Service Training Coordinator completed on an Application for Instructor and Professional Lecturer Certification Form (~~Form F-12~~) (Form [F-12], F-12), pursuant to 12 NCAC 09I [~~.0102~~, .0101(a)(1)], stating the instructor taught at least 12 hours in each of the topics for which Specialized Instructor Certification was granted. The teaching shall have been provided in a ~~Commission-accredited~~ Commission-approved basic training, Specialized Instructor Training course, pursuant to Rule 12 NCAC 09C .0401, Commission-recognized in-service training course, or training course delivered pursuant to 12 NCAC 09F .0101, 12

1 NCAC 09H, 12 NCAC 10B .0601, .1302, or .2005; ~~.2005. The Application for Instructor~~
2 ~~and Professional Lecturer Certification (Form F-12) shall include the following: the~~
3 ~~applicant's name, address, phone, and email address; the type of certification applying~~
4 ~~for; the applicant's education level; the applicant's signature; the Commission accredited~~
5 ~~school or agency where the training was delivered; and the signature of the~~
6 ~~recommending school director or in-service training coordinator;~~

7 (4) (B) a favorable written evaluation by a School Director, Qualified Assistant, In-Service
8 Training Coordinator, or another Specialized Instructor certified in the same specialized
9 subject, based on an on-site classroom evaluation of a presentation by the instructor in a
10 ~~Commission accredited~~ Commission-approved basic training, Specialized Instructor
11 Training, Commission-recognized in-service training course, or in-service training course
12 delivered pursuant to 12 NCAC 10B .0601, .1302, or .2005 during the three-year period
13 of Specialized Instructor Certification. Such evaluation shall be ~~presented~~ certified on a
14 Criminal Justice Instructor Evaluation Form F-16, pursuant to Rule .0202 of this
15 ~~Subchapter, Subchapter, and 12 NCAC 09I [.0402; .0101(a)(2);~~

16 (5) (C) proof that the individual applying for renewal as a Specialized Firearms Instructor has
17 achieved a minimum score of 92 on the day and night Basic Law Enforcement Training
18 firearms qualification courses, administered by a certified Specialized Firearms
19 Instructor, within the three-year period preceding the application for renewal;

20 (6) (D) proof that the individual applying for renewal as a Specialized Physical Fitness Instructor
21 has passed the Basic Law Enforcement Training Police Officer Physical Abilities Test,
22 administered by a certified Specialized Physical Fitness Instructor, within the three-year
23 period preceding the application for ~~renewal.~~ renewal.

24 (7) (E) proof that the individual applying for renewal as a Specialized Driver Instructor has
25 achieved the following minimum scores ~~in accordance with the procedural and evaluative~~
26 ~~requirements listed in the "Course Description Packet (CDP) for Driver Instructor~~
27 ~~Certification Renewal" as published by the North Carolina Justice Academy~~ within the
28 three-year period preceding the application for renewal. The individual applying for
29 renewal must achieve a minimum score of 85 on two out of three attempts for the "Off-
30 Set Lane Maneuver" and "Serpentine" courses during the daytime, a minimum score of
31 85 on two out of three attempts for the "Precision" course during both day and night
32 evaluation, a score of "Pass" on two out of three attempts for each command for the
33 "Evasive Action/Maneuver" course during the daytime, and a score of Pass on two out of
34 three attempts in each direction for the "Fixed Radius Curve" course during the daytime.
35 Evaluations ~~will~~ shall be administered by a certified Specialized Driving ~~Instructor.~~
36 Instructor.

(8) (F) proof that the individual applying for renewal as a Specialized ~~Subject Control Arrest Techniques Instructor or~~ Compliance and Control Techniques Instructor (CCT) has satisfactorily completed the technique evaluations skills of the Basic Law Enforcement Training SCAT or CCT courses, course, administered by a certified Specialized SCAT or CCT Instructor, within the three-year period preceding the application for renewal.

renewal; and

(3)(9) Acceptable documentary evidence for proof of completion requirements as specified in Part (c)(3)-

(8) (e)(2)(A)-(F) of this ~~rule~~ Rule shall include the practical skill assessment submitted by School

Directors or In-Service Training Coordinators and written attestation certification from a School

Director or In-Service Training ~~Coordinator;~~ Coordinator.

(d)(e) Certification as a Specialized Instructor in the Standard Field Sobriety Testing, First Responder, Physical Fitness, Explosive and Hazardous Materials, and Juvenile Justice Medical Emergencies topic areas as outlined in Rule .0304(e), (h), (k), and (l) of this Section shall remain in effect for 36 months from the date of issuance. During the 36 month term all non-Commission certificates required in Rule .0304(e), (h), (k), and (l) of this Section for Specialized Instructor certification in the Standard Field Sobriety Testing, First Responder, Physical Fitness, Explosive and Hazardous Materials, and Juvenile Justice Medical Emergencies topical areas shall be maintained.

~~(e)(f)~~ Individuals who hold Specialized Instructor certification may, for just cause, be granted an extension of the three-year period to teach the 12 hour minimum requirement, pursuant to paragraph (b) of this Rule. The Director may grant such extensions on a one-time basis only not to exceed 12 months. For purposes of this Rule, just cause means accident, illness, emergency, course cancellation, or other exceptional circumstances which precluded the instructor from fulfilling the teaching requirement.

~~(f)(g)~~ Upon expiration of their Specialized Instructor certification, instructors have 90 days to submit renewal documentation to the Division for review and approval. During this 90-day period, instructors are not permitted to teach any Commission-approved courses or blocks of instruction that require instruction by a Specialized ~~Instructor.~~ Instructor outlined in 12 NCAC 09B .0304(a). The Director may, for just cause, grant an extension of the 90-day period in which an instructor's renewal application must be submitted, however, such extension shall not exceed 12 months and shall not extend the instructor's certification period beyond its specified expiration period.

~~(e)(g)~~ (h) Those individuals who have previously held Specialized Instructor Certification and have not exceeded a three year time period from when his or her Specialized Instructor Certification expired are eligible to apply ~~reapply~~ for re-issuance of the previously held Specialized Instructor Certification. An application for re-issuance shall contain documentation that the applicant:

- (1) holds a current General Instructor certification;
- (2) has completed the pre-qualification skills assessment for that specialty;
- (3) has passed the state examination for that specialty with a minimum score of 75; and
- (4) has maintained non-Commission certificates required in Rule .0304(e), (h), (k), and (l) of this Section for Specialized Instructor certification in the Standard Field Sobriety Testing, First

Responder, Physical Fitness, Explosive and Hazardous Materials, and Juvenile Justice Medical
Emergencies topical areas, areas, if applicable.

~~(f)~~~~(h)~~~~(i)~~ Applicants for re-issuance of the Specialized Instructor Certification shall have one opportunity to pass the prequalification skills assessment and the state examination for that specialty. Should an applicant not achieve a passing score on either the prequalification skills assessment or the state examination for that specialty, the applicant shall complete the specific Specialized Instructor Course in its entirety.

~~(g)~~~~(i)~~~~(j)~~ Applicants whose Specialized Instructor Certification is suspended or revoked shall not qualify for re-issuance. ~~The applicant shall complete the specific Specialized Instructor Course in its entirety.~~

~~(h)~~~~(j)~~~~(k)~~ After re-issuance of certification, the instructor shall complete eight hours of evaluated instruction in the specialty where re-issuance of certification is sought, as documented on an F-16 **Form** located on the agency's website: <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/>. The eight hours of instruction shall be taught within 60 days of the Specialized Instructor Certification being reissued and evaluated by a Specialized Instructor certified in that specialty. Failure to complete the required eight hours of evaluated instruction will result in the reissued Specialized Instructor Certification being revoked.

History Note: Authority G.S. 17C-6;

Eff. January 1, 1981;

Amended Eff. January 1, 2017; February 1, 2016; August 1, 2015; May 1, 2014; June 1, 2012;

November 1, 2007; January 1, 2006; December 1, 2004; August 1, 2004; August 1, 2000; July 1, 1991; July 1, 1989; December 1, 1987; February 1, 1987;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019;

Amended Eff. February 1, 2026; January 1, 2025; May 1, 2023; January 1, 2022; January 1, 2020; August 1, 2019.

1 12 NCAC 09B .0312 is repealed with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09B .0312 INSTRUCTOR CERTIFICATION RENEWAL**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Eff. March 1, 1990;*

7 *Amended Eff. January 1, 2017; August 1, 2006; January 1, 2006; August 1, 2000; January 1, 1995;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ 2019.

10 Repeal Eff. February 1, 2026.

12 NCAC 09B .0408 is amended with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09B .0408 COMPREHENSIVE WRITTEN STATE EXAMINATION – BASIC SMI
OPERATOR CERTIFICATION

(a) Within 60 days of the conclusion of the classroom instruction portion of a school's offering of any speed measuring ~~measurement~~-instrument (SMI) operator course or re-certification course, the Commission shall administer a comprehensive ~~state written~~ examination to each trainee student who has completed all of the required course work. The examination shall be an objective test covering the topic areas contained in the certified course curriculum, pursuant to 12 NCAC 09B .0212, .0238, and .0242.

(b) A trainee student of a ~~radar, lidar, or radar/lidar~~ RADAR, LIDAR, or RADAR/LIDAR operator training shall achieve a passing score on the comprehensive state examination upon answering a minimum of 70 percent of the questions correctly. A trainee student who fails to achieve a passing score on a RADAR, LIDAR, or RADAR/LIDAR operator training comprehensive state examination shall be eligible to request re-examination with the following conditions:

- (1) The trainee student must have achieved a minimum score of 60 percent on the initial examination;
- (2) The trainee's student's request for re-examination shall be made in writing on the Commission's Examination Request Form (F-23) pursuant to 12 NCAC 09B .0406(c), and shall be received by the Standards Division within 15 days of the initial examination;
- (3) The trainee student shall have, within 30 days of the date of initial examination, only one opportunity for re-examination; and
- (4) The student must have completed each motor-skill and performance area of the course curriculum.

A trainee student who fails to achieve the minimum passing score of 70 percent on the re-examination, or who fails to achieve a minimum score of 60 percent on the initial examination, shall not be eligible for SMI operator certification until a subsequent SMI operator training course offering and examination are ~~completed~~ completed by the student.

(c) A trainee student of a RADAR operator re-certification, LIDAR operator re-certification, or RADAR/LIDAR operator re-certification training course, pursuant to paragraph (a) of this rule, shall achieve a passing score on the comprehensive state examination upon answering a minimum of 75 percent of the questions correctly. At the time a trainee student fails to achieve the minimum passing score, the trainee's student's SMI operator certifications shall be immediately revoked, and the trainee student shall not be eligible for re-certification until a subsequent SMI operator training course offering and further examination ~~is completed~~ are completed by the student.

~~(b) The examination shall be an objective test covering the topic areas contained in the certified course curriculum.~~

~~(c) The Commission's representative shall submit to the school director within five business days of the administration of the examination a report of the results of the test for each candidate for certification.~~

~~(d) A trainee shall pass the operator training course as required in 12 NCAC 09B .0212, .0213, .0214, .0238, .0242, or .0244 by achieving 70 percent correct answers.~~

1 ~~(e) An operator seeking recertification shall pass the operator training recertification course as specified in 12-~~
2 ~~NCAC 09B .0220, .0221, .0222 .0240, .0243, or .0245 by achieving 75 percent correct answers.~~

3 ~~(f) A trainee who has participated in a scheduled delivery of a certified training course and has demonstrated 100-~~
4 ~~percent competence in each motor skill or performance area of the course curriculum, but has failed to achieve a~~
5 ~~passing score, as specified in Paragraph (d) of this Rule, on the Commission's comprehensive written examination,~~
6 ~~may request the Director of the Standards Division to authorize a re-examination of the trainee under the following~~
7 ~~requirements:~~

8 (1) ~~The trainee's request for re-examination shall be made in writing on the Commission's Re-~~
9 ~~Examination Request form, located on the agency's website:-~~

10 ~~<http://www.ncdoj.gov/getdoc/b38b7eee-e311-4ee3-8f9e-bd8fd58f6281/SMI-6-Reexam-6-11.aspx>-~~

11 ~~The Re-Examination Request form shall be received by the Standards Division within 30 days of~~
12 ~~the examination;~~

13 (2) ~~The trainee's request for re-examination shall include the favorable recommendation of the school-~~
14 ~~director who administered the course;~~

15 (3) ~~A trainee shall have, within 60 days of the original examination, only one opportunity for-~~
16 ~~re-examination and shall achieve a passing score on the subsequent examination; and~~

17 (4) ~~The trainee shall be notified by the Standards Division staff of a place, time, and date for~~
18 ~~re-examination-~~

19 ~~(g) If the trainee fails to achieve the minimum score as specified in Paragraph (d) of this Rule on the~~
20 ~~re-examination, the trainee may not be recommended for certification and shall enroll and complete a subsequent~~
21 ~~course offering before further examination may be permitted.~~

22
23 *History Note: Authority G.S. 17C-6;*

24 *Eff. November 1, 1981;*

25 *Readopted Eff. July 1, 1982;*

26 *Amended Eff. January 1, 2015; November 1, 2007; May 1, 2004; April 1, 1999; December 1,*
27 *1987; October 1, 1983; April 1, 1983;*

28 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
29 *~~2019.~~ 2019;*

30 *Amended Eff. February 1, 2026.*

1 12 NCAC 09B .0409 is amended with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09B .0409 SATISFACTION OF TRAINING -- SMI OPERATORS**

4 (a) To satisfy the training requirements for operator certification, a trainee shall complete all of the following:

- 5 (1) achieve a minimum score of 70 percent correct answers on the comprehensive state examination as
6 outlined in 12 NCAC 09B .0408; ~~comprehensive written examination, provided for in 12 NCAC~~
7 09B .0408(d);
- 8 (2) ~~demonstrate successful completion~~ complete a Commission-approved of a certified offering of
9 courses course as prescribed under 12 NCAC 09B .0212(a), .0238(a), or .0242(a) as evidenced by
10 a completed Post Delivery Form (F-10B) pursuant to 12 NCAC 09I .0102; .0212, .0213, .0214,
11 .0215, .0238, .0242, or .0244 as shown by the certification of the school director;
- 12 (3) ~~demonstrate 100 percent~~ proficiency in the motor-skill and performance subject areas as
13 demonstrated to a certified Speed Measurement Instrument (SMI) instructor and further as
14 evidenced on ~~through~~ documentation on the Commission's SMI-1 [form] Form for radar
15 instruments and SMI-13 [form] Form for lidar instruments, pursuant to 12 NCAC 09I .0106; SMI
16 forms and by the subscribing instructor's certification of trainee competence;
- 17 (4) ~~present evidence showing prior North Carolina certification in a Commission-certified operator~~
18 ~~training course as prescribed in 12 NCAC 09B .0212 .0213, .0214, .0238, .0242, .0244 or present~~
19 ~~evidence showing prior certification that meets or exceeds North Carolina certification, or present~~
20 ~~evidence showing completion of 12 hours of supervised field practice practice, as outlined in~~
21 Paragraph (c) of this Rule, within 90 days after completing a ~~Commission-certified~~ RADAR or
22 RADAR/LIDAR operator training course as prescribed in 12 NCAC 09B .0212 .0212, .0215, and
23 .0242. Evidence of completion shall consist of a completed SMI-15 [form] Form pursuant to 12
24 NCAC 09I .0106. Individuals applying for SMI operator certification may request an extension of
25 up to 12 months for the 90-day requirement to complete the 12 hours of supervised field practice.
26 The Director shall grant the extension request upon a showing of just cause which, for the
27 purposes of this rule includes, rule, includes accident, illness, emergency, course cancellation, or
28 other exceptional circumstance that prevents the applicant from completing the required
29 supervised field practice time; .0213, .0242, .0244; and

- 30 (5) (A) Individuals shall be exempt from some or all of the 12 hours of supervised field practice upon
31 presenting evidence of having completed the required supervised field practice, pursuant to
32 Subparagraph (b)(5) of this Rule, at a prior date. Individuals shall be exempt from the portions
33 of the required supervised field practice, as outlined in Subparagraph (c)(4) of this Rule, which
34 they have completed at a prior date, upon providing evidence of prior completion; and
- 35 (B) Evidence shall include a completed SMI-14 [form] Form pursuant to 12 NCAC 09I .0106,
36 and a copy of the individual's prior SMI operator or instructor certification which lists the
37 instruments and modes which the officer is certified to operate. Division staff shall evaluate the

evidence of prior completion to determine which portions of the supervised field practice have been completed at a prior date.

(5) Individuals applying for SMI operator certification may request an extension of the 90 day requirement to complete the 12 hours of supervised field practice required pursuant to Subparagraph (a)(4) of this Rule. The requested extension shall not exceed 12 months. The Director shall grant the extension request upon a showing of just cause. For purposes of this Rule, "just cause" means an accident, illness, emergency, course cancellation, or other exceptional circumstance that prevents the applicant from completing the required supervised field practice time.

(b) Any trainee failing to achieve 100 percent proficiency in the motor-skill area may request written permission from the Director of the Standards Division for re-examination. The trainee's request for re-examination shall be made in writing and must be received by the Standards Division within 30 re-examination within 15 days of the original examination. The trainee's request for re-examination shall consist of a completed F-23 Exam Admission Form, pursuant to 12 NCAC 09I .0102, include the favorable recommendation of the school director who administered the course. A trainee shall have, within 30 90 days of the original examination, only one opportunity for motor-skill re-examination and must satisfactorily complete each identified area of deficiency on the original motor-skill examination. The trainee shall be notified by the Standards Division staff of a place, time and date for re-examination. If the trainee fails to achieve the prescribed score on the examination, the trainee's active SMI operator certifications shall be immediately revoked, and the trainee shall not be eligible recommended for certification or re-certification until a subsequent SMI operator training course offering is completed, as prescribed under 12 NCAC 09B .0212(a), .0238(a), or .0242(a) and further examination is completed, and shall enroll and complete a subsequent course offering in its entirety before further examination may be permitted.

(c) The 12 hours of supervised field practice shall be completed as follows:

(1) Within 90 days after completing a RADAR training course as prescribed under 12 NCAC 09B .0212, .0215, and .0242;

(2)(1) The trainee must conduct the 12 hours of field practice using the radar instrument with the most modes, pursuant to 12 NCAC 09C .0308(h), that the trainee is seeking certification to operate;

(3)(2) The trainee shall operate the police vehicle and the radar instrument while being supervised by a currently certified radar instructor or operator who is certified to operate the radar instrument used by the trainee during the field practice;

(4)(3) Speed measuring instruments SMIs shall not be used to enforce speed violations by the trainee or by the supervising radar operator or instructor during the 12 hours of field practice;

(5)(4) The 12 hours of field practice shall be completed according to the following time requirements:

(A) for trainees seeking certification with a dual antenna unit and with stationary, moving-opposite direction, and moving-same direction modes: 120 minutes in each mode while using the front antenna and 120 minutes in each mode while using the rear antenna;

(B) for trainees seeking certification with a dual antenna unit and with stationary and

moving-opposite modes only: 180 minutes in each mode while using the front antenna and 180 minutes in each mode while using the rear antenna;

(C) for trainees seeking certification with a dual antenna unit and with stationary mode only: 360 minutes in stationary mode while using the front antenna and 360 minutes in stationary mode while using the rear antenna;

(D) for trainees seeking certification with a single antenna unit and with stationary, moving-opposite direction, and moving-same direction modes: 240 minutes in each mode while using the front antenna;

(E) for trainees seeking certification with a single antenna unit and with stationary and moving-opposite modes only: 360 minutes in each mode while using the front antenna; or

(F) for trainees seeking certification with a single antenna unit and with stationary mode only: 720 minutes in stationary mode while using the front antenna.

~~(e)~~(d) To satisfy the training requirements for operator re-certification, an operator seeking re-certification shall:

(1) Achieve a score of 75 percent correct answers on the comprehensive ~~written~~ state examination provided for in 12 NCAC 09B .0408(c); ~~.0408(e)~~;

(2) ~~Complete a Commission-approved course. Demonstrate successful completion of a certified offering of courses~~ prescribed under 12 NCAC 09B .0210(d), .0212(c), .0237(d), .0238(c), or .0242(c); [~~.0242(e)~~] .0218, .0219, .0220, .0221, .0222, .0239, .0240, .0243, or .0245 as shown by [presentation of a form F-10B, pursuant to 12 NCAC 09I .0102;] the certification of the school director; and

(3) Satisfy all motor-skill requirements as required in Subparagraph (a)(3) of this Rule; and ~~Rule.~~

(4) For individuals seeking supplemental certification or re-certification to operate instruments with additional modes than those currently or previously certified to operate, complete 240 minutes of supervised field practice for each additional mode. For dual antenna instruments, 120 of the 240 minutes must be completed using each antenna.

~~(d) At the time a trainee seeking operator re-certification fails to achieve the prescribed requirements on the comprehensive written examination as specified in 12 NCAC 09B .0409(e)(1), certification of the officer automatically and immediately terminates and that officer shall not be re-certified until successful completion of a subsequent course offering as prescribed under either 12 NCAC 09B .0212, .0213, .0214, .0238, .0242, or .0244 before further examination is permitted.~~

~~(e) At the time a trainee seeking operator re-certification fails to achieve the prescribed motor skill requirements as specified in 12 NCAC 09B .0409(e)(3), certification of the officer automatically and immediately terminates and that officer shall not be re-certified until successful completion of the required motor skill testing. Provided, however, such an officer may request re-examination as prescribed in Paragraph (b) of this Rule.~~

*History Note: Authority G.S. 17C-6;
Eff. November 1, 1981;*

1 *Readopted w/change Eff. July 1, 1982;*
2 *Amended Eff. November 1, 2007; May 1, 2004; April 1, 1999; December 1, 1987; August 1, 1984;*
3 *October 1, 1983; April 1, 1983;*
4 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
5 *2019;*
6 *Emergency Amendment Eff. May 5, 2020; Emergency Amendment Expired Eff. July 31, 2020;*
7 *Amended Eff. February 1, 2026; January 1, 2021.*
8

12 NCAC 09B .0501 is amended with changes as published in 40:06 NCR 518-561 as follows:

SECTION .0500 - MINIMUM STANDARDS FOR CRIMINAL JUSTICE SCHOOL DIRECTORS

12 NCAC 09B .0501 CERTIFICATION OF SCHOOL DIRECTORS

(a) Any person designated to act as, or who performs the duties of, a School Director in the delivery or presentation of a ~~Commission-certified~~ Commission-approved criminal justice training course shall be and continuously remain certified by the Commission as a school ~~director.~~ director while serving in such role.

(b) To qualify for initial certification as a School Director, an applicant shall:

- (1) hold current General Instructor certification as issued by the ~~North Carolina Criminal Justice Education and Training Standards Commission;~~ Commission, pursuant to 12 NCAC 09B .0302 and .0303;
- (2) furnish documentary evidence to the Standards Division of high school, college, or university graduation as outlined in 12 NCAC 09B ~~.0106.~~ .0106;
- (3) attend or must have attended the most current offering of the School Director's orientation as developed and presented by the Commission staff, otherwise an individual orientation with a staff member shall be required; and
- (4) submit a Form F-10 School Director/Qualified Assistant ~~Application~~ Application, pursuant to 12 NCAC 09I .0104, to the Commission for the issuance of such certification. This application shall be executed by the executive officer of the institution or agency currently ~~certified, accredited, or~~ which may be seeking certification, accreditation by the Commission to make presentation of ~~certified~~ Commission-approved training programs and for whom the applicant will be the designated School Director. ~~The F-10 School Director/Qualified Assistant Application shall contain:~~
 - (A) ~~the name of the appointing institution or agency;~~
 - (B) ~~the name, date of birth, social security number (last 4 numbers), phone number, email, instructor certification number, location, and the date the applicant completed orientation training;~~
 - (C) ~~the applicant's educational background, specifically, the dates of attendance, the institution attended, and the degree or diploma attained from each institution;~~
 - (D) ~~the applicant's criminal justice experience, specifically, the agency for which the applicant worked, the applicant's duties in each position, and the dates of employment.~~

~~The applicant shall have acquired four years of practical experience as a criminal justice officer or as an administrator or specialist in a field directly related to the criminal justice system. At least one year of the required four years experience must have been while actively participating in criminal justice training as a Commission-certified instructor;~~

- 1 ~~(E) the signature of the applicant certifying the accuracy of the contents of the application,~~
2 ~~and~~
3 ~~(F) the signature of the appointing institution's executive officer signifying recommendation~~
4 ~~of an applicant to be a School Director; or~~
5 ~~(G) the signature of the School Director signifying recommendation of an applicant to be a~~
6 ~~Qualified Assistant.~~

7 (c) In addition to the requirements identified in Paragraph (b) of this Rule, to qualify for certification as a School
8 Director in the presentation of the Criminal Justice Instructor Training Course, an applicant shall document
9 completion of the Instructor Training Orientation presented by the North Carolina Justice Academy on delivery of
10 instructor training course and student evaluations.

11
12 *History Note: Authority G.S. 17C-6;*
13 *Eff. January 1, 1985;*
14 *Amended Eff. February 1, 2016; November 1, 2015; July 1, 2004;*
15 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
16 *2019;*
17 *Amended Eff. February 1, 2026; December 1, 2023.*
18

1 12 NCAC 09C .0212 is repealed with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09C .0212 POST-DELIVERY REPORT OF TRAINING COURSE PRESENTATION**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Eff. January 1, 1981;*

7 *Amended Eff. August 1, 2000;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
9 *2019;*

10 *Amended Eff. January 1, ~~2025~~, 2025;*

11 *Repealed Eff. February 1, 2026.*

12 NCAC 09C .0308 is amended with changes as published in 40:06 NCR 518-561 as follows:

**12 NCAC 09C .0308 SPEED MEASURING MEASUREMENT INSTRUMENT (SMI) OPERATORS
CERTIFICATION PROGRAM**

(a) ~~Every person employed~~ Only those individuals currently certified as a law enforcement officer or appointed by the state or any political subdivision thereof as a law enforcement officer personnel of a law enforcement agency who ~~uses~~ use a Speed Measuring Instrument SMI for enforcement purposes shall hold certification from the Commission authorizing the officer to operate the speed-measuring instrument, SMI. Certification in one or more categories reflects operational proficiency in the designated [type(s)] types of approved equipment for which the trainee has been examined and tested.

(b) Standards Division staff shall issue SMI certification in ~~one of~~ the following categories:

- (1) RADAR operator speed measurement [measuring] instrument (SMI) SMI certification or re-certification requiring ~~successful~~ completion of the training program as required in 12 NCAC 09B .0210, .0212, ~~.0213~~, .0218, or .0242; .0220, .0221, .0242, .0243, .0244, or .0245;
- ~~(2)~~ time-distance speed measurement instrument operator certification or re-certification requiring successful completion of the training program as required in 12 NCAC 09B .0211, .0213, .0214, .0219, .0221, .0222, .0244, or .0245;
- ~~(3)~~(2) LIDAR speed-measurement instrument SMI operator certification or re-certification requiring successful completion of the training program as required in 12 NCAC 09B .0237, .0238, .0239, or .0242, [.0242;] .0240, .0242, .0243, .0244, or .0245.

(c) ~~Certification in one or more categories reflects operational proficiency in the designated type(s) of approved equipment for which the trainee has been examined and tested. Such certification is for a three year period from the date of issue and re-certifications is for a three year period from the date of issue, unless sooner terminated by the Commission.~~ The applicant shall meet the following requirements for SMI operator certification or re-certification within 90 days of completing a SMI course outlined in 12 NCAC 09B .0212, .0238, or .0242; [the] course [completion;] completion and upon the presentation of documentary evidence showing that the applicant:

- (1) have completed course requirements as outlined in 12 NCAC 09B .0212, .0238, or .0242;
- (2) have passed the comprehensive state exam as prescribed in 12 NCAC 09B .0408;
- (3) have completed the 12 hours of field practice training as outlined in 12 NCAC 09B .0409; and
- (4)** meet one of the following requirements:
 - (A) hold active certification as a law enforcement officer; or
 - (B) be employed as a sheriff, deputy sheriff, or other sworn appointee with arrest authority governed by the provisions of G.S. 17E and be in compliance with the employment and training standards as established by the North Carolina Sheriffs' Education and Training Standards [Commission;] Commission, pursuant to 12 NCAC 10B .0400.
- ~~(1)~~ has successfully completed the training program as required in 12 NCAC 09B .0210, .0211, .0212, .0213, .0214, .0218, .0219, .0220, .0221, .0222, .0237, .0238, .0239, .0240, .0242, .0243, .0244, or

1 ~~.0245; and~~

2 (2) ~~has successfully completed a Commission-certified basic law enforcement training course as~~
3 ~~required in 12 NCAC 09B .0400 and is currently certified in a probationary status or holds general~~
4 ~~law enforcement certification; or~~

5 (3) ~~if the applicant is a sheriff, deputy sheriff, or other sworn appointee with arrest authority governed~~
6 ~~by the provisions of G.S. 17E has met and is in compliance with the employment and training~~
7 ~~standards as established and made effective for such position by the North Carolina Sheriffs'~~
8 ~~Education and Training Standards Commission.~~

9 (d) Certified SMI operators shall be notified by email via the North Carolina Justice Training and Certification
10 portal by the Commission not less than 90 days prior to the expiration of certification. All applicants for re-
11 certification shall ~~successfully~~ complete a Commission-approved re-certification course within 12 months from the
12 expiration of the previous certification. ~~If re-certification is not obtained within the 12-month period, successful~~
13 ~~completion of the appropriate operator training programs as required by 12 NCAC 09B .0409(a) shall be required to~~
14 ~~obtain operator certification.~~ This prescribed 12 month period shall not extend the operator certification period
15 beyond its specified expiration date. When a re-certification course is successfully completed prior to the expiration
16 of the previous certification, the new certification shall be issued by the Criminal Justice Standards Division
17 effective upon the receipt and review by Division staff of the required documentation outlined in 12 NCAC 09B
18 .0409, of the Post-Delivery Report of Training Course Presentation. Operator re-certification shall be issued only to
19 officers with active law enforcement certification.

20 ~~(e) Operator re-certification shall be issued only to officers with current law enforcement certification.~~

21 (e) If re-certification is not obtained within the prescribed 12-month period, the officer is no longer eligible for re-
22 certification and must meet the requirements of initial operator certification, including completion of a RADAR,
23 LIDAR, or RADAR/LIDAR operator training course as outlined in 12 NCAC 09B .0212(a), 12 NCAC 09B .0238(a),
24 and 12 NCAC 09B .0242(a).

25 (f) RADAR operator certification is valid for a three-year period from the date of issue. Re-certification is also valid
26 for a three-year period from the date of issue, unless sooner terminated by the Commission.

27 (g) LIDAR operator certification and re-certification shall only be issued when the applicant holds active RADAR
28 operator certification. The expiration date of LIDAR operator certification and re-certification shall match the
29 expiration date of the applicant's [radar] RADAR operator certification.

30 (h) An individual's SMI operator certification shall apply only to the instruments and modes of operation with
31 which the individual has proven proficiency in the motor-skill and performance subject areas, pursuant to 12 NCAC
32 09B .0409(a)(3), during an SMI operator course pursuant to 12 NCAC 09B .0212, .0215, .0238, and .0242. Modes
33 of operation include: stationary, moving-same direction, and moving-opposite direction.

34 ~~(f) All certifications issued pursuant to this Rule and the standards in effect between November 1, 1981 and July 1,~~
35 ~~1982 shall continue with full force and effect; however, said certifications are subject to the provisions of 12 NCAC~~
36 ~~09C .0308(d) and (e).~~

1 *History Note:* *Authority G.S. 17C-6;*
2 *Eff. November 1, 1981;*
3 *Readopted w/change Eff. July 1, 1982;*
4 *Temporary Amendment Eff. February 24, 1984, for a period of 120 days to expire on June 22,*
5 *1984;*
6 *Amended Eff. November 1, 2007; February 1, 2006; May 1, 2004; April 1, 1999; November 1,*
7 *1993; March 1, 1992; February 1, 1991; December 1, 1987;*
8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
9 *2019;*
10 *Emergency Amendment Eff. May 5, 2020; Emergency Amendment Expired Eff. July 31, ~~2020~~,*
11 *2020;*
12 *Amended Eff. February 1, 2026.*

1 12 NCAC 09C .0311 is amended with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09C .0311 RECERTIFICATION FOLLOWING SEPARATION**

4 (a) Previously certified juvenile court counselors, Chief Court Counselors, chief court counselors, and juvenile
5 justice officers ~~with~~ who have completed a minimum of one year of service with the North Carolina Department of
6 Public [Safety/Division] Safety's Division of Juvenile Justice [prior to separation] and ~~who~~ have been separated
7 from the North Carolina Department of Public Safety [Safety/Division] Safety's Division of Juvenile Justice for less
8 than three years may have their certification reinstated to a probationary status following a reverification of
9 employment standards as outlined in 12 NCAC 09B .0116 and ~~.0117~~, but .0117. These individuals shall be ~~are~~
10 exempt from the completion of job-appropriate the appropriate basic training course as described in 12 NCAC 09B
11 .0235 and ~~.0236~~, .0236, provided the basic training was completed prior to separation.

12 (b) Previously certified juvenile court counselors, Chief Court Counselors, chief court counselors, and juvenile
13 justice officers ~~with~~ who served less than one year with the North Carolina Department of Public [Safety/Division]
14 Safety's Division of Juvenile Justice [prior to separation] and ~~of service~~ who have been separated ~~from the North~~
15 ~~Carolina Department of Public Safety~~ for less than two years may have their certification reinstated following a
16 reverification of employment standards as outlined in 12 NCAC 09B .0116 and ~~.0117~~, .0117. These individuals ~~and~~
17 shall complete the job appropriate basic training course as described in 12 NCAC 09B .0235 and ~~.0236~~, .0236 unless
18 the basic training course was successfully completed prior to [separation:] separation and the training occurred
19 within 12 months of reinstatement.

20 (c) Previously certified juvenile court counselors, Chief Court Counselors, chief court counselors, and juvenile
21 justice officers who have been separated from the North Carolina Department of Public Safety [Safety/Division]
22 Safety's Division of Juvenile Justice for more than three years, regardless of the length of prior service, upon their
23 ~~return~~ shall complete the verification of employment standards as outlined in 12 NCAC 09B .0116 and .0117 and
24 shall complete the job appropriate basic training course described in 12 NCAC 09B .0235 and ~~.0236~~, .0236, to be
25 eligible for subsequent certification.

26
27 *History Note: Authority G.S. 17C-2; 17C-6; 17C-10;*
28 *Eff. May 1, 2023. 2023;*
29 *Amended Eff. February 1, 2026.*

12 NCAC 09C .0601 is amended with changes as published in 40:06 NCR 518-561 as follows:

SECTION .0600 - EQUIPMENT AND PROCEDURES

12 NCAC 09C .0601 APPROVED SPEED-MEASURING INSTRUMENTS

(a) Prior to approval as a ~~[speed measuring]~~ speed measuring instrument, the manufacturer of said instrument shall certify in writing to the Criminal Justice Standards Division that said instrument meets or exceeds the applicable standards set out in the "Model Performance Specifications for Police Traffic Radar Devices" as published by the National Highway Traffic Safety Administration, United States Department of Transportation (as in effect July 1, 1982) which is hereby incorporated by reference, and shall ~~[automatically]~~ include any later amendments and editions of the incorporated material as provided by G.S. 150B-21.6. Copies of this publication may be obtained at no cost from the Department of Justice website: <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/#91-105-wpfd-smi>. ~~[https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/]~~

(b) ~~[All speed measuring]~~ Prior to approval, speed measuring instruments shall be evaluated for law-enforcement use in North Carolina by representatives from the North Carolina Criminal Justice Education and Training Standards Commission and the North Carolina Department of Public ~~[Safety]~~ Safety, as outlined in Appendix A: Approved List of Speed Measuring Instruments as published by the North Carolina Justice Academy, which is hereby incorporated by reference, and shall include any later amendments and editions of the incorporated material as provided by G.S. 150B-21.6. Copies of this publication may be obtained at no cost from the Department of Justice website: <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/#91-105-wpfd-smi>. A summary of the findings shall be submitted in writing to the Criminal Justice Standards Division's Speed Measurement Instrument Program Administrator.

The following procedures shall be adhered to for approval of speed measuring instruments:

- (1) Prior to the inclusion as an approved speed measuring instrument, the manufacturer of said instrument shall certify in writing to the Criminal Justice Standards Division that said instrument meets or exceeds the applicable standards set out in the "Model Performance Specifications for Police Traffic Radar Devices" as published by the National Highway Traffic Safety Administration, United States Department of Transportation (as in effect July 1, 1982) which is hereby incorporated by reference, and shall automatically include any later amendments and editions of the incorporated material as provided by G.S. 150B-21.6. Copies of this publication may be inspected at the office of the agency:

Criminal Justice Standards Division
North Carolina Department of Justice
114 West Edenton Street
Old Education Building
Post Office Drawer 149

1 Raleigh, North Carolina 27602
2 and may be obtained at no cost from the National Highway Traffic Safety Administration at the following
3 address:

4 National Highway Traffic Safety Administration
5 400 Seventh Street,
6 SW Washington, DC 20590

7 The manufacturer shall provide evidence that the instrument meets or exceeds the applicable
8 standards published by the National Highway Traffic Safety Administration, United States
9 Department of Transportation.

10 (2) All speed measuring instruments shall be evaluated by representatives from the North Carolina
11 Criminal Justice Education and Training Standards Commission and the North Carolina
12 Department of Crime Control and Public Safety. A summary of the findings shall be submitted in
13 writing to the Criminal Justice Standards Division's Speed Measurement Instrument Program
14 Administrator.

15 (3) A current list of all approved speed measuring instruments shall be included in Appendix "A" of
16 the Supplement for Speed Measurement Instrument Training Courses published by the North
17 Carolina Justice Academy.

18 (4) The "Speed Measurement Instrument Operator Training Course Manuals" as published by the
19 North Carolina Justice Academy shall be applied as the basic curriculum for the speed measuring
20 instrument operator training courses for speed measuring instrument operators as administered by
21 the North Carolina Criminal Justice Education and Training Standards Commission. Copies of
22 these publications may be inspected at the office of the agency:

23 Criminal Justice Standards Division
24 North Carolina Department of Justice
25 114 West Edenton Street
26 Old Education Building
27 Post Office Drawer 149
28 Raleigh, North Carolina 27602

29 and may be obtained at cost from the Academy at the following address:

30 North Carolina Justice Academy
31 Post Office Box 99
32 Salemburg, North Carolina 28385

33
34 *History Note:* Authority G.S. 17C-6;
35 Eff. November 1, 1981;
36 Readopted w/change Eff. July 1, 1982;
37 Amended Eff. November 1, 2007; May 1, 2004; November 1, 1998; August 1, 1998; August 1,

1 *1995; January 1, 1995; November 1, 1993; February 1, 1991;*
2 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
3 *~~2019.~~ 2019.*
4 *Amended Eff. February 1, 2026.*
5

12 NCAC 09C .0607 is amended with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09C .0607 SPEED-MEASURING INSTRUMENT ANNUAL ACCURACY ~~TEST~~ TESTS AND
DAILY OPERATIONAL PROCEDURES

(a) The purpose of this Rule is to establish the minimum requirements [for accuracy testing methods and operational procedures for] and test methods for determining the accuracy of speed measuring instruments used by law enforcement agencies to measure the speed of vehicles for enforcement of speed laws and regulations. All requirements [for accuracy testing methods and operational procedures for speed measuring instruments used by law enforcement officers and agencies to measure the speed of vehicles for enforcement of speed laws and regulations and tests shall conform with G.S. 8-50.2 and G.S. 17C-6.

(b) Each speed measuring instrument shall be tested for accuracy within a [12-month] 12-month period prior to each use of the instrument for speed enforcement [purposes.] purposes, as outlined in Appendix B: Annual Tests for Accuracy Requirements published by the North Carolina Justice Academy, which is hereby incorporated by reference, and shall include any later amendments and editions of the incorporated material as provided by G.S. 150B-21.6. Copies of this publication may be obtained at no cost from the Department of Justice website: <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/>. The results of the tests shall be recorded on Form SMI-9 for RADAR instruments and Form SMI-12 for LIDAR instruments, pursuant to 12 NCAC 09I .0106.

(c) On a daily basis, speed measuring instruments must be calibrated and tested for accuracy by the certified SMI operator prior to using the instrument for speed enforcement purposes. The tests shall be conducted according to the recommendations of the instrument's [manufacturer.] manufacturer and include tuning fork tests for each of the instrument's modes of operation.

(d) The daily operating procedures by SMI operators of each speed measuring instrument shall be in accordance with the instrument's manufacturer recommendations and conform with G.S. 8-50.2. The daily operating procedures are outlined in Appendix C: Daily Tests for Accuracy Requirements & Operating Procedures as published by the North Carolina Justice Academy, which is hereby incorporated by reference, and shall include any later amendments and editions of the incorporated material as provided by G.S. 150B-21.6. Copies of this publication may be obtained at no cost from the Department of Justice website: <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/>.

~~(1) Accuracy test standard:~~

- ~~(a) Annual tests of all speed measuring instruments shall be in conformance with G.S. 8-50.2(c). The results of these tests shall be recorded on forms provided by the Commission.~~
- ~~(b) Daily tests of all speed measuring instruments shall be in conformance with G.S. 8-50.2(b)(4) and G.S. 17C-6(13).~~

~~(2) Accuracy requirements and test methods:~~

- ~~(a) Annual:~~

1 ~~The annual tests for accuracy requirements for each specific Radar, Time Distance, and~~
2 ~~Lidar speed measuring instrument, as outlined in Appendix "B" of the Supplement for~~
3 ~~Speed Measurement Instrument Training Courses published by the North Carolina Justice~~
4 ~~Academy, are hereby incorporated by reference, and shall automatically include any later~~
5 ~~amendments and editions of the incorporated material as provided by G.S. 150B-21.6.~~
6 ~~Copies of this publication may be inspected at the office of the agency:~~

7 ~~Criminal Justice Standards Division~~
8 ~~North Carolina Department of Justice~~
9 ~~114 West Edenton Street~~
10 ~~Old Education Building~~
11 ~~Post Office Drawer 149~~
12 ~~Raleigh, North Carolina 27602~~

13 ~~and may be obtained at a cost of seven dollars and twelve cents (\$7.12) from the Academy at the following address:~~

14 ~~North Carolina Justice Academy~~
15 ~~Post Office Box 99~~
16 ~~Salemburg, North Carolina 28385~~

17 (b) Daily:

18 ~~The daily tests for accuracy requirements for each specific Radar, Time Distance, and~~
19 ~~Lidar speed measuring instrument, as outlined in Appendix "C" of the Supplement for~~
20 ~~Speed Measurement Instrument Training Courses published by the North Carolina Justice~~
21 ~~Academy, are hereby incorporated by reference, and shall automatically include any later~~
22 ~~amendments and editions of the incorporated material as provided by G.S. 150B-21.6.~~
23 ~~Copies of this publication may be inspected at the office of the agency:~~

24 ~~Criminal Justice Standards Division~~
25 ~~North Carolina Department of Justice~~
26 ~~114 West Edenton Street~~
27 ~~Old Education Building~~
28 ~~Post Office Drawer 149~~
29 ~~Raleigh, North Carolina 27602~~

30 ~~and may be obtained at a cost of seven dollars and twelve cents (\$7.12) from the Academy at the following address:~~

31 ~~North Carolina Justice Academy~~
32 ~~Post Office Box 99~~
33 ~~Salemburg, North Carolina 28385~~

34
35 History Note: Authority G.S. 8-50.2; 17C-6;
36 Eff. August 1, 1998;
37 Amended Eff: May 1, 2004;

1 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
2 *~~2019.~~ 2019.*
3 *Amended Eff. February 1, 2026.*
4

1 12 NCAC 09C .0608 is repealed with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09C .0608 SPEED-MEASURING INSTRUMENT OPERATING PROCEDURES**

4
5 *History Note: Authority G.S. 8-50.2; 17C-6;*

6 *Eff. August 1, 1998;*

7 *Amended Eff. November 1, 2007; May 1, 2004;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ 2019.

10 Repealed Eff. February 1, 2026.

12 NCAC 09D .0101 is amended with changes as published in 40:06 NCR 518-561 as follows:

SUBCHAPTER 09D – PROFESSIONAL CERTIFICATE PROGRAMS

SECTION .0100 - LAW ENFORCEMENT OFFICERS' PROFESSIONAL CERTIFICATE PROGRAM

12 NCAC 09D .0101 PURPOSE LAW ENFORCEMENT PROFESSIONAL CERTIFICATE PROGRAM

~~[(a)]~~ In order to recognize the level of competence of law enforcement officers serving the governmental ~~[criminal justice]~~ agencies within the state ~~[North Carolina, pursuant to G.S. 17C 2(2),]~~ to foster increased interest in college education and professional law enforcement training programs, and to attract ~~[retain]~~ highly qualified individuals into a law enforcement career, the ~~[North Carolina]~~ Criminal Justice Education and Training Standards Commission establishes the Law Enforcement Officers' Professional Certificate Program. This program is a method by which dedicated officers may receive statewide and nationwide recognition for education, professional training, and on-the-job experience. ~~[years of law enforcement service.]~~

~~[(b)]~~ (a) Applicants who meet the qualifications set forth in this Rule ~~[are]~~ shall be eligible to receive a Law Enforcement Officer's Professional Certificate. Based on the applicant's qualifications, this Professional Certificate is defined as either an Intermediate or Advanced Certificate. Advanced Certificates shall be approved by Commission vote at regularly scheduled meetings prior to being awarded.

~~[(c)]~~ (b) To be eligible for either Intermediate or Advanced Certificates, applicants shall meet the following qualifications:

- (1) The applicant shall be a ~~[full-time, sworn]~~ full-time employee of a law enforcement agency within the State and hold general law enforcement certification pursuant to 12 NCAC 09C .0304; or
- (2) The applicant shall be a full-time employee of a law enforcement agency within the State, who has previously held general law enforcement officer certification pursuant to 12 NCAC 09C .0304 but is presently, by virtue of direct promotion or transfer from the ~~[sworn]~~ certified law enforcement position, serving in a ~~[non-sworn]~~ position not subject to certification.
- (3) ~~[Applicants]~~ The applicant shall be in good standing with their employing agency at the date of application.

~~[(d)]~~ (c) An officer subject to suspension or revocation proceedings, probation subsequent to suspension or revocation proceedings, or ~~[is]~~ under investigation for possible decertification action by the Commission pursuant to 12 NCAC 09A .0206, the Company and Campus Police Program pursuant to either 12 NCAC 02I .0214 or 12 NCAC 09J .0211, or the North Carolina Sheriffs' Education and Training Standards Commission pursuant to 12 NCAC 10B ~~.[0206]~~ .0206, shall not be eligible for professional certificates for the pendency of the proceeding or the period of probation.

~~[(e)]~~ (d) Eligibility for either Intermediate or Advanced Certificates ~~[is]~~ shall be based upon a formula which combines formal education, law enforcement training, and service as a law enforcement employee pursuant to

~~[Subparagraph (e)(4) of this rule.]~~ Part (4) of this Subparagraph. Eligibility ~~[is]~~ shall be computed in the following manner:

- (1) The applicant's highest educational degree will be given a point value. Graduate degrees will be worth 15 points, Bachelor's degrees will be worth 12 points, and Associate's degrees will be worth 7 points;
- (2) Each semester hour of college or university credit earned in pursuit of an educational degree not yet completed by the applicant shall equal one-tenth of a point, and each quarter hour of college or university credit earned shall equal one-fifteenth of a point. The total points earned in this manner shall not equal or exceed the number of points that would be given for the degree upon completion;
- (3) Twenty classroom or practical skills assessment hours of Commission-approved law enforcement training shall equal one point. No points shall be awarded for completing Commission-approved courses that are required to obtain or maintain law enforcement certification, including basic law enforcement training and in-service training courses. Additionally, no points will be awarded for the maintenance of specialized law enforcement training;
- (4) Each full year of service as a full-time employee of a North Carolina criminal justice agency, or equivalent service as determined by the Commission, shall fulfill a requisite year of creditable service. For the purposes of this Rule, "equivalent service" includes full-time, sworn employment within the State, out-of-state, or with a federal law enforcement agency or the military police.

~~[(4)]~~ (e) Applicants for the Intermediate Law Enforcement Certificate shall have acquired a minimum of four years of full-time law enforcement service and a minimum of 30 total education ~~[and/or]~~ and training points.

~~[(e)]~~ (f) Applicants for the Advanced Law Enforcement Certificate shall have acquired a minimum of nine years of full-time law enforcement service and a minimum of 60 total education ~~[and/or]~~ and training points.

~~[(4)]~~ (g) All applicants for either Intermediate or Advanced Certificates shall submit a completed ~~["Application"]~~ Application for Award of Professional ~~[Certificate"]~~ Certificate Form F-6 (LE), pursuant to 12 NCAC 09I .0107, to the employing agency in-service training coordinator or agency head of the applicant's employing agency.

~~[(4)]~~ (h) Documentary evidence of college or university graduation shall be submitted with the application pursuant to 12 NCAC 09B .0106.

~~[(4)]~~ (i) Documentation of training ~~[shall be provided]~~ submitted to the Division ~~[by:]~~ shall include training records, signed by the employing agency in-service training coordinator or agency head, that indicate the number of training contact hours.

~~[(1)]~~ Training records signed by the employing agency in-service training coordinator or agency head;
or]

~~[(2)]~~ Providing certificates of completion indicating the number of training contact hours;]

~~[(4)]~~ (j) Replacement certificates ~~[can]~~ may be requested by a completed ~~["Request"]~~ Request for Replacement of Professional ~~[Certificate"]~~ Certificate Form ~~[F-7.]~~ F-7, pursuant to 12 NCAC 09I .0107. An applicant shall have been previously awarded either an Intermediate or Advanced Certificate to be able to receive a replacement.

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History Note: Authority G.S. 17C-6;
Eff. January 1, 1981;
Amended Eff. August 1, 2002;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,
~~2019.~~ 2019;
Amended Eff. February 1, 2026.

12 NCAC 09D .0102 is repealed with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09D .0102 GENERAL PROVISIONS

History Note: Authority G.S. 17C-6;

Eff. January 1, 1981;

Amended Eff. June 1, 2012; August 1, 2002; August 1, 1995; May 1, 1986; April 1, 1984; January 1, 1983;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,

~~2019.~~ 2019;

Repealed Eff. February 1, 2026.

1 12 NCAC 09D .0104 is repealed with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09D .0104 INTERMEDIATE LAW ENFORCEMENT CERTIFICATE**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Eff. January 1, 1981;*

7 *Amended Eff. August 1, 2002; August 1, 1995; May 1, 1986; January 1, 1983;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ 2019.

10 Repealed Eff. February 1, 2026.

1 12 NCAC 09D .0105 is repealed with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09D .0105 ADVANCED LAW ENFORCEMENT CERTIFICATE**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Eff. January 1, 1981;*

7 *Amended Eff. August 1, 2002; August 1, 1995; May 1, 1986;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ 2019.

10 Repealed Eff. February 1, 2026.

1 12 NCAC 09D .0106 is repealed with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09D .0106 METHOD OF APPLICATION**
4

5 *History Note: Authority G.S. 17C-6;*

6 *Eff. January 1, 1981;*

7 *Amended Eff. August 1, 2002; August 1, 1995; May 1, 1986;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ 2019.

10 Repealed Eff. February 1, 2026.

12 NCAC 09D .0201 is amended with changes as published in 40:06 NCR 518-561 as follows:

**SECTION .0200 - ~~CRIMINAL JUSTICE OFFICERS'~~ JUVENILE JUSTICE PROFESSIONAL
CERTIFICATE PROGRAM**

12 NCAC 09D .0201 ~~PURPOSE~~ JUVENILE JUSTICE PROFESSIONAL CERTIFICATE PROGRAM

~~[(a)] In order to recognize the level of competence of criminal justice officers [Juvenile Justice officers, court counselors, and chief court counselors] serving the governmental agencies within the State [employed by the North Carolina Department of Public Safety, Division of Juvenile Justice, pursuant to G.S. 17C-2 (2)], to foster increased interest in college education and professional criminal justice training programs, and to attract [retain] highly qualified individuals into a criminal justice career, the [North Carolina] Criminal Justice Education and Training Standards Commission establishes the [Juvenile Justice Professional Certificate Program.] criminal justice officer's professional certificate program. This program is a method by which dedicated officers may receive statewide and nationwide recognition for education, professional training, and on the job experience [years of Juvenile Justice service.]~~

~~[(b)]~~ (a) Applicants who meet the qualifications set forth in this Rule [are] shall be eligible to receive a Juvenile Justice Professional Certificate. Based on the applicant's qualifications, this Professional Certificate is defined as either an Intermediate or Advanced Certificate. Advanced Certificates shall be approved by Commission vote at regularly scheduled meetings prior to being awarded.

~~[(e)]~~ (b) To be eligible for either Intermediate or Advanced Certificates, applicants shall meet the following qualifications:

- (1) The applicant shall be a full-time employee of the Division of Juvenile Justice and shall hold general Juvenile Justice Officer certification pursuant to 12 NCAC 09D .0117 or 09D .0116; or
- (2) The applicant shall have previously held the certification listed in Subparagraph (c)(1) of this rule and, by virtue of direct promotion or transfer from a certified position, currently serve in a permanent, full-time position not subject to certification for the Division of Juvenile Justice; and
- (3) [Applicants] The applicant shall be in good standing with the Division of Juvenile Justice at the date of application.

~~[(d)]~~ (c) An applicant subject to suspension or revocation proceedings, probation subsequent to suspension or revocation proceedings, or [is] under investigation for possible decertification action by the Commission pursuant to 12 NCAC 09A .0206, the Company and Campus Police Program pursuant to either 12 NCAC 02I .0214 or 12 NCAC 09J .0211, or the North Carolina Sheriffs' Education and Training Standards Commission pursuant to 12 NCAC 10B [0206] .0206, shall not be eligible for professional certificates for the pendency of the proceeding or the period of probation.

~~[(e)]~~ (d) Eligibility for Intermediate or Advanced Certificates [is] shall be based upon a formula which combines formal education, Juvenile Justice training, and service as a Juvenile Justice employee pursuant to [subsection 4] Part (4) of this [rule.] Subparagraph. Eligibility [is] shall be computed in the following manner:

- (1) The applicant's highest educational degree will be given a point value. Graduate degrees will be worth 15 points, Bachelor's degrees will be worth 12 points, and Associate's degrees will be worth 7 points;
- (2) Each semester hour of college or university credit earned in pursuit of an educational degree not yet completed by the applicant shall equal one-tenth of a point, and each quarter hour of college or university credit earned shall equal one-fifteenth of a point. The total points earned in this manner shall not equal or exceed the number of points that would be given for the degree upon completion;
- (3) Twenty classroom or practical skills assessment hours of Commission-approved Juvenile Justice training shall equal one point. No points will be awarded for the maintenance of specialized Juvenile Justice training;
- (4) Each full year of service as a full-time employee of the Division of Juvenile Justice, or equivalent service as determined by the ~~Commission~~ Commission, shall fulfill a requisite year of creditable service. For the purposes of this Rule, "equivalent service" includes service in a permanent, full-time, paid position in a federal or out-of-state Juvenile Justice institution.
- ~~(4)~~(e) Applicants for the Intermediate Juvenile Justice Certificate shall have acquired a minimum of four years of full-time Juvenile Justice service and a minimum of 30 total education ~~and/or~~ and training points.
- ~~(5)~~(f) Applicants for the Advanced Juvenile Justice Certificate shall have acquired a minimum of nine years of full-time criminal justice service and a minimum of 80 total education ~~and/or~~ and training points.
- ~~(4)~~(g) All applicants for either Intermediate or Advanced Certificates shall submit a completed ~~complete an~~ "Application" Application for Award of Professional ~~Certificate~~ Certificate Form F-6 (DJJ), pursuant to 12 NCAC 09I .0107, to the Division of Juvenile Justice agency head.
- ~~(4)~~(h) Documentary evidence of college or university graduation shall be submitted with the application pursuant to 12 NCAC 09B .0106.
- ~~(4)~~(i) Documentation of training ~~shall be provided~~ submitted to the Division ~~by~~ shall include training records, signed by the Division of Juvenile Justice agency head, that indicate the number of training contact hours.
- (1) Training records signed by the Division of Juvenile Justice agency head; or
- (2) Providing certificates of completion indicating the number of training contact hours;
- ~~(4)~~(j) Replacement certificates ~~can~~ may be requested by submitting a completed ~~"Request"~~ Request for Replacement of Professional ~~Certificate~~ Certificate Form F-7, pursuant to 12 NCAC 09I .0107. An applicant shall have been previously awarded either an Intermediate or Advanced Certificate to be able to receive a replacement.

History Note: Authority G.S. 17C-6;
Eff. August 15, 1981;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019; 2019;
Amended Eff. February 1, 2026.

1 12 NCAC 09D .0202 is repealed with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09D .0202 GENERAL PROVISIONS**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Eff. August 15, 1981;*

7 *Amended Eff. June 1, 2012; August 1, 2002; December 1, 1987; May 1, 1986; July 1, 1982;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ 2019.

10 Repealed Eff. February 1, 2026.

11

1 12 NCAC 09D .0204 is repealed with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09D .0204 INTERMEDIATE CRIMINAL JUSTICE CERTIFICATE**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Eff. August 15, 1981;*

7 *Amended Eff. August 1, 2002;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ **2019.**

10 *Repealed Eff. February 1, 2026.*

1 12 NCAC 09D .0205 is repealed with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09D .0205 ADVANCED CRIMINAL JUSTICE CERTIFICATE**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Eff. August 15, 1981;*

7 *Amended Eff. August 1, 2002;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ 2019.

10 Repealed Eff. February 1, 2026.

1 12 NCAC 09D .0206 is repealed with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09D .0206 METHOD OF APPLICATION**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Eff. August 15, 1981;*

7 *Amended Eff. May 1, 1986;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ 2019.

10 Repealed Eff. February 1, 2026.

12 NCAC 09G .0205 is amended with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09G .0205 MEDICAL EXAMINATION

(a) Each applicant for certification or enrollment in a basic correctional officer or probation/parole officer training course shall complete, sign, and date the Commission's Medical History Statement Form (F-1) and shall be examined by either a physician, physician assistant, or nurse practitioner who holds a current license in the United States to practice medicine, as issued by a state medical board, to help determine his or her fitness to carry out the physical requirements of the position of correctional officer or probation/parole officer as listed in the current job description provided by the North Carolina Department of Adult Correction.

(b) Prior to being examined, the applicant shall provide the examining physician, physician's assistant, or nurse practitioner with:

(1) the Medical History Statement Form ~~(F-1)~~ (F-1), pursuant to 12 NCAC 09I .0105, which must be read, completed, and signed by the applicant; and

(2) the ~~Instructions to Agency and Examiner for Completion of Medical Examination Report (F-2A)~~ Form (F-2), the Tuberculosis Questionnaire Form ~~[(F-2A)]~~ (F-2A), and ~~attached to the Medical Examination Report Form Addendum Form (F-2).~~ ~~[(F-2B)]~~ (F-2B), pursuant to 12 NCAC 09I .0105. The ~~Instructions to Agency and Examiner for Completion of Medical Examination Report (F-2A)~~ (F-2) Form shall notify the examining physician, physician's assistant, or nurse practitioner that the "Medical Screening Guidelines for the Certification of Criminal Justice Officers in North Carolina" "Minimum Medical Qualifications for Law Enforcement Officers, Corrections Officers, Juvenile Justice Officers, Court Counselors, Chief Court Counselors, Detention Officers and Telecommunicators" as published by the North Carolina ~~Department of Justice~~ Criminal Justice Educations and Training Standards Commission is available at no cost at <https://ncdoj.gov/law-enforcement-training/criminal-justice/>.

(c) The examining physician, physician's assistant, or nurse practitioner shall record the results of the examination on the Medical Examination Report Form (F-2) and shall sign and date the form.

(d) The Medical Examination Report Form ~~(F-2)~~ (F-2), the Tuberculosis Questionnaire Form (F-2A), and the Medical History Statement Form (F-1) shall be valid for one year after the date of the examination was conducted and shall be completed prior to:

(1) the applicant's beginning the basic correctional officer or basic probation/parole officer training course, and

(2) an agency's submission of application for certification to the Commission.

History Note: Authority G.S. 17C-6; 17C-10;
Temporary Adoption Eff. January 1, 2001;
Eff. August 1, 2002;
Amended Eff. January 1, 2015; April 1, 2009; August 1, 2004;

1 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
2 *2019;*
3 *Temporary Amendment Eff. February 15, 2022;*
4 *Amended Eff. February 1, 2026; November 1, 2024; May 1, 2023; October 1, 2022; August 23,*
5 *2022.*

12 NCAC 09G .0311 is amended with changes as published in 40:06 NCR 518-561 as follows:

**12 NCAC 09G .0311 TERMS AND CONDITIONS OF SPECIALIZED INSTRUCTOR
CERTIFICATION**

(a) An applicant meeting the requirements for Specialized Instructor Certification as set forth in Rule .0310 of this Section shall be issued a certification to expire three years from the date of issuance. The applicant shall apply for certification as a Specialized Instructor within 60 days after the date the applicant achieved a passing score on the state comprehensive exam for the respective Specialized Instructor training ~~[course-]~~ course, pursuant to Rule .0315 of this Section.

(b) The instructor ~~[is required to]~~ shall instruct, within three years after Specialized Instructor Certification is issued, a minimum of 12 hours in each of the topics for which Specialized Instructor Certification was granted, and that instruction ~~[was]~~ shall be provided in a Commission-approved basic training, Specialized Instructor Training, Commission-recognized in-service training course, or training course delivered pursuant to 12 NCAC 10B .0601, .1302, or .2005.

(c) An application for certification renewal shall contain, in addition to the requirements listed in Rule .0310 of this Section, documentary evidence that the applicant has remained active in the instructional process during the previous three-year period. Such documentary evidence shall include the following:

- (1) proof that the applicant has, within the three-year period preceding application for renewal, instructed at least 12 hours in each of the topics for which Specialized Instructor Certification was granted, and that instruction was provided in a Commission-approved basic training, Specialized Instructor Training, Commission-recognized in-service training course, or training course delivered pursuant to 12 NCAC 10B .0601, .1302, or .2005. Acceptable documentary evidence shall include official Commission records submitted by School Directors or In-Service Training Coordinators and written attestation from a School Director or In-Service Training Coordinator;
- (2) proof that the applicant has, within the three-year period preceding application for renewal, attended and completed all instructor updates that have been issued by the Commission. Acceptable documentary evidence shall include official Commission records submitted by School Directors or In-Service Training Coordinators, or copies of certificates of completion issued by the institution which provided the instructor updates; and
- (3) ~~(A)~~ a favorable written recommendation from a School Director or In-Service Training Coordinator completed on an Application for Instructor and Professional Lecturer Certification Form (Form F-12), pursuant to 12 NCAC 09I ~~[.0102]~~ .0101(a)(1), stating the instructor taught at least 12 hours in each of the topics for which Specialized Instructor Certification was granted. The teaching shall have been provided in a Commission-approved basic training, or Commission-recognized in-service training course, or training course delivered pursuant to 12 NCAC 09G .0411 or 09G .0412;

1 (4) ~~(B)~~ a favorable written evaluation by a School Director, Qualified Assistant, In-Service
2 Training Coordinator, or another Specialized Instructor certified in the same specialized
3 subject, based on an on-site classroom evaluation of a presentation by the instructor in a
4 Commission-approved basic training, Specialized Instructor Training, Commission-
5 recognized in-service training course, or training course delivered, pursuant to 12 NCAC
6 09G .0411 or 09G .0412, during the three-year period of Specialized Instructor
7 Certification. Such evaluation shall be presented on a Criminal Justice Instructor
8 Evaluation Form F-16, pursuant to Rule .0202 of this Subchapter and 12 NCAC 09I
9 ~~.0102;~~ .0101(a)(2).

10 (d) Upon expiration of their Specialized Instructor certification, instructors have 90 days to submit renewal
11 documentation to the Division for review and approval. During this 90-day period, instructors ~~are not permitted to~~
12 shall not teach any Commission-approved courses or blocks of instruction that require instruction by a Specialized
13 Instructor. The Director may, for just cause, grant an extension of the 90-day period in which an instructor's renewal
14 application must be submitted, however, such extension shall not exceed 12 months and shall not extend the
15 instructor's certification period beyond its specified expiration period. For purposes of this Rule, just cause means
16 accident, illness, emergency, or other exceptional circumstances that precluded the instructor from submitting the
17 renewal documentation.

18 (e) Individuals who hold Specialized Instructor certification may, for just cause, be granted an extension of the
19 three-year period to teach the 12 hour minimum requirement, pursuant to paragraph (b) of this Rule. The Director
20 may grant such extensions on a one-time basis only not to exceed 12 months. For purposes of this Rule, just cause
21 means accident, illness, emergency, course cancellation, or other exceptional circumstances that precluded the
22 instructor from fulfilling the teaching requirement.

23 (f) Those individuals who have previously held Specialized Instructor Certification and have not exceeded a ~~three~~
24 year, ~~three-year~~ time period from when his or her Specialized Instructor Certification expired are eligible to apply
25 for re-issuance of the previously held Specialized Instructor Certification. An application for re-issuance shall
26 contain documentation that the applicant:

- 27 (1) holds a current General Instructor ~~certification;~~ certification, pursuant to 12 NCAC 09G .0308;
28 (2) has completed the pre-qualification skills assessment for that specialty; and
29 (3) has passed the state examination for that specialty with a minimum score of 75.

30 (g) Applicants for re-issuance of the Specialized Instructor Certification shall have one opportunity to pass the
31 prequalification skills assessment and the state examination for that specialty. Should an applicant not ~~achieve a~~
32 passing score on pass either the prequalification skills assessment or the state examination for that specialty, the
33 applicant shall complete the specific Specialized Instructor Course in its entirety.

34 (h) Applicants whose Specialized Instructor Certification is suspended or revoked shall not qualify for re-issuance.
35 ~~The applicant shall complete the specific Specialized Instructor Course in its entirety.~~

36 (i) After re-issuance of certification, the instructor shall complete eight hours of evaluated instruction in the specialty
37 where re-issuance of certification is sought, as documented on an F-16 ~~Form~~ located on the agency's website:

1 <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/>. The eight hours of instruction
2 shall be taught within 60 days of the Specialized Instructor Certification being reissued and evaluated by a
3 Specialized Instructor certified in that specialty. Failure to complete the required eight hours of evaluated instruction
4 ~~[will]~~ shall result in the reissued Specialized Instructor Certification being revoked.

5 (a) ~~An applicant meeting the requirements for Specialized Instructor Certification shall be issued a certification to~~
6 ~~expire three years from the date of issuance. The applicant shall apply for certification as a specialized instructor~~
7 ~~within 60 days from the date of completion of a specialized instructor course.~~

8 (b) ~~Where certifications for both General Probationary Instructor and Specialized Instructor are issued on the same~~
9 ~~date, the instructor shall be required to instruct within three years after certification, a minimum of 12 hours in each~~
10 ~~of the topics for which Specialized Instructor Certification was granted in a Commission accredited basic training,~~
11 ~~Specialized Instructor Training, Commission recognized in service training course, or training course delivered~~
12 ~~pursuant to 12 NCAC 10B .0601, .1302, or .2005. The instructor may satisfy the teaching requirement for the~~
13 ~~General Probationary Instructor certification by teaching any specialized topic for which certification has been~~
14 ~~issued.~~

15 (c) ~~When Specialized Instructor Certification is issued during an existing period of General Probationary Instructor~~
16 ~~Certification the specialized instructor may satisfy the teaching requirement for the General Probationary~~
17 ~~Certification by teaching the specialized subject for which certification has been issued.~~

18 (d) ~~The term of certification as a specialized instructor shall not exceed three years. An application for renewal shall~~
19 ~~contain, in addition to the requirements listed in Rule .0310 of this Section, documentary evidence that the applicant~~
20 ~~has remained active in the instructional process during the previous three year period. Such documentary evidence~~
21 ~~shall include the following:~~

22 (1) ~~proof that the applicant has, within the three year period preceding application for renewal,~~
23 ~~instructed at least 12 hours in each of the topics for which Specialized Instructor Certification was~~
24 ~~granted, and that instruction was provided in a Commission accredited basic training, Specialized~~
25 ~~Instructor Training, or Commission recognized in service training course. Acceptable~~
26 ~~documentary evidence shall include official Commission records submitted by School Directors or~~
27 ~~In Service Training Coordinators, and written certification from a School Director or In Service~~
28 ~~Training Coordinator;~~

29 (2) ~~proof that the applicant has, within the three year period preceding application for renewal,~~
30 ~~attended and completed all instructor updates that have been issued by the Commission.~~
31 ~~Acceptable documentary evidence shall include official Commission records submitted by School~~
32 ~~Directors or In Service Training Coordinators, or copies of certificates of completion issued by the~~
33 ~~institution which provided the instructor updates; and~~

34 (A) ~~a favorable written recommendation from a School Director or In Service Training~~
35 ~~Coordinator completed on a Commission Renewal of Instructor and Professional Lecturer~~
36 ~~Certification Form stating the instructor taught at least 12 hours in each of the topics for~~
37 ~~which Specialized Instructor Certification was granted. The teaching shall have been~~

provided in a Commission accredited basic training, Specialized Instructor Training course, pursuant to Rule .0310 of this Section, or Commission recognized in-service training course;

(B) a favorable written evaluation by a School Director, Qualified Assistant, In Service Training Coordinator, or another instructor certified in the same specialized subject, based on an on-site classroom evaluation of a presentation by the instructor in a Commission accredited basic training, Specialized Instructor Training, or Commission recognized in-service training course, during the three-year period of Specialized Instructor Certification. Such evaluation shall be certified on a Criminal Justice Instructor Evaluation Form F-16, located on the agency's website:

<http://www.ncdoj.gov/getdoc/c2eba6aa-12be-4303-bf4b-5fa0431ef5a1/F-16-6-11.aspx>.

(C) has met the requirement set forth in Rule .0309(c) of this Section.

(e) The use of guest participants in a delivery of a Commission mandated training course pursuant to this Section shall be permissible. However, such guest participants are subject to the on-site supervision of a Commission-certified instructor and shall be authorized by the School Director. A guest participant shall be used only to complement the primary certified instructor of the block of instruction and shall not replace the primary instructor.

History Note: Authority G.S. 17C-6;

Temporary Adoption Eff. January 1, 2001;

Eff. August 1, 2002;

Amended Eff. January 1, 2017; May 1, 2014; June 1, 2012; January 1, 2006;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019;

Amended Eff. February 1, 2026; January 1, 2020.

12 NCAC 09G .0601 is amended with changes as published in 40:06 NCR 518-561 as follows:

SECTION .0600 - PROFESSIONAL CERTIFICATE PROGRAM

12 NCAC 09G .0601 PURPOSE STATE CORRECTIONS PROFESSIONAL CERTIFICATE PROGRAM

~~[(a)] In order to recognize the level of competence of corrections officers serving within the State, [pursuant to G.S. 17C-2 (2),] to foster increased interest in college education and professional corrections training programs, and to retain highly qualified individuals into a corrections career, the [North Carolina] Criminal Justice Education and Training Standards Commission establishes the State Corrections Officer's Professional Certificate Program. This program is a method by which dedicated officers may receive statewide and nationwide recognition for education, professional training, and on the job experience [years of corrections service.]~~

~~[(b)]~~ (a) Applicants who meet the qualifications set forth in this Rule ~~[are]~~ shall be eligible to receive a State Corrections Officer's Professional Certificate. Based on the applicant's qualifications, this Professional Certificate is defined as either an Intermediate or Advanced Certificate. Advanced Certificates shall be approved by Commission vote at regularly scheduled meetings prior to being awarded.

~~[(c)]~~ (b) To be eligible for either Intermediate or Advanced Certificates, applicants shall meet the following qualifications:

(1) The applicant shall be a full-time employee of the North Carolina Department of Adult Correction (DAC), and shall hold general correctional officer certification, pursuant to 12 NCAC 09G .0208, or probation/parole officer certification, pursuant to 12 NCAC 09G .0209; or

(2) The applicant shall have previously held one of the certifications listed in Subparagraph ~~[(c)](1)~~ (b)(1) of this ~~[rule]~~ Rule and, by virtue of direct promotion or transfer from a certified position, currently serve in a permanent, full-time position not subject to certification.

(3) ~~[Applicants]~~ The applicant shall be in good standing with DAC at the date of application.

~~[(d)]~~ (c) An officer subject to suspension or revocation proceedings, probation subsequent to suspension or revocation proceedings, or ~~[is]~~ under investigation for possible decertification action by the Commission pursuant to 12 NCAC 09A .0206, the Company and Campus Police Program pursuant to either 12 NCAC 02I .0214 or 12 NCAC 09J .0211, or the North Carolina Sheriffs' Education and Training Standards Commission pursuant to 12 NCAC 10B ~~[-0206]~~ .0206, shall not be eligible for professional certificates for the pendency of the proceeding or the period of probation.

~~[(e)]~~ (d) Eligibility for Intermediate or Advanced Certificates ~~[is]~~ shall be based upon a formula which combines formal education, correctional training, and service as a corrections pursuant to ~~[subsection 4 of this subparagraph]~~ Part (4) of this Subparagraph. Eligibility ~~[is]~~ shall be computed in the following manner:

(1) The applicant's highest educational degree will be given a point value. Graduate degrees will be worth 15 points, Bachelor's degrees will be worth 12 points, and Associate's degrees will be worth 7 points;

- (2) Each semester hour of college or university credit earned in pursuit of an educational degree not yet completed by the applicant shall equal one-tenth of a point, and each quarter hour of college or university credit earned shall equal one-fifteenth of a point. The total points earned in this manner shall not equal or exceed the number of points that would be given for the degree upon completion;
- (3) Twenty classroom or practical skills assessment hours of Commission-approved criminal justice training shall equal one point. No points will be awarded for the maintenance of specialized criminal justice training;
- (4) Each full year of service as a full-time employee of the North Carolina Department of Adult Correction, or equivalent service as determined by the ~~Commission~~ Commission, shall fulfill a requisite year of creditable service. For the purposes of this Rule, "equivalent service" includes service in a permanent, full-time, paid position in a federal or out-of-state correctional or criminal justice institution.
- ~~(f)~~(e) Applicants for the Intermediate State Corrections Officer Certificate shall have acquired a minimum of four years of full-time criminal justice service and a minimum of 30 total education ~~and/or~~ and training points.
- ~~(g)~~(f) Applicants for the Advanced State Corrections Officer Certificate shall have acquired a minimum of nine years of full-time criminal justice service and a minimum of 80 total education ~~and/or~~ and training points.
- ~~(h)~~(g) All applicants for either Intermediate or Advanced Certificates shall ~~complete an "Application"~~ submit a completed Application for Award of Professional ~~Certificate"~~ Certificate Form F-6 (DAC), pursuant to 12 NCAC 09I .0107, to the DAC training coordinator or agency head.
- ~~(i)~~(h) Documentary evidence of college or university graduation shall be submitted with the application pursuant to 12 NCAC 09B .0106.
- ~~(j)~~(i) Documentation of training ~~shall be provided~~ submitted to the Division ~~by~~ shall include training records, signed by the employing agency in-service training coordinator or agency head, that indicate the number of training contact hours.
- (1) Training records signed by the employing agency in-service training coordinator or agency head;
- (2) Providing certificates of completion indicating the number of training contact hours;
- ~~(k)~~(j) Replacement certificates ~~can~~ may be requested by submitting a completed ~~"Request"~~ Request for Replacement of Professional ~~Certificate"~~ Certificate Form F-7. An applicant shall have been previously awarded either an Intermediate or Advanced Certificate to be able to receive a replacement.

History Note: Authority G.S. 17C-6;
Eff. August 15, 1981;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019; 2019;
Amended Eff. February 1, 2026.

1 12 NCAC 09G .0602 is repealed with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09G .0602 GENERAL PROVISIONS**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Temporary Adoption Eff. January 1, 2001;*

7 *Eff. August 1, 2002;*

8 *Amended Eff. January 1, 2015; June 1, 2012; August 1, 2004;*

9 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

10 ~~2019.~~ **2019;**

11 *Repealed Eff. February 1, 2026.*

1 12 NCAC 09G .0604 is repealed with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09G .0604 INTERMEDIATE STATE CORRECTIONS CERTIFICATE**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Temporary Adoption Eff. January 1, 2001;*

7 *Eff. August 1, 2002;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ **2019.**

10 *Repealed Eff. February 1, 2026.*

1 12 NCAC 09G .0605 is repealed with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09G .0605 ADVANCED STATE CORRECTIONS CERTIFICATE**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Temporary Adoption Eff. January 1, 2001;*

7 *Eff. August 1, 2002;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ 2019.

10 Repealed Eff. February 1, 2026.

1 12 NCAC 09G .0606 is repealed with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09G .0606 METHOD OF APPLICATION**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Temporary Adoption Eff. January 1, 2001;*

7 *Eff. August 1, 2002;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ 2019.

10 [~~Repeal~~] Repealed Eff. February 1, 2026.

12 NCAC 09I .0101 is adopted with changes as published in 40:06 NCR 518-561 as follows:

**SUBCHAPTER 09I – FORMS FOR CRIMINAL JUSTICE ~~EMPLOYMENT, EDUCATION,~~
EMPLOYMENT, EDUCATION, AND TRAINING**

SECTION .0100- FORMS FOR USE IN TRAINING PROGRAMS AND INSTRUCTOR CERTIFICATION

**12 NCAC ~~09I.0101~~ 09I.0101 INSTRUCTOR AND PROFESSIONAL LECTURER CERTIFICATION
FORMS**

(a) The following ~~are~~ Commission-approved forms ~~to~~ shall be used by individuals applying for ~~the~~ initial or renewal of certification as an instructor or professional ~~lecturer~~, lecturer, pursuant to 12 NCAC 09B .0300:

- (1) Form ~~F-12~~ F-12, Application for Instructor or Professional Lecturer ~~Certification~~ Certification, shall contain the following information:
 - (A) name of ~~applicant/instructor~~; applicant;
 - (B) address, ~~phone~~, phone number, email address, date of birth, age, last four of Social Security Number, and ~~Aeadis~~ academy ID number;
 - (C) current ~~agency/firm~~, agency or firm, status (Retired, Civilian, Sworn), agency address, and business phone number;
 - (D) type of instructor certification applying for;
 - (E) supporting documents for specific certification sought;
 - (F) highest education level, school attended, school location, and graduation date;
 - (G) criminal justice experience;
 - (H) signature of ~~applicant/instructor~~; applicant;
 - (I) Commission-accredited school taught at, ~~school~~, course title, hours taught, course ~~date(s)~~, dates, and whether the course was a requirement of Mandatory In-Service ~~Training~~, Training; and
 - (J) signature of certifying School Director or In-Service Training Coordinator, school or ~~agency~~, agency name, phone number, and email address.
- (2) Form ~~F-16~~ F-16, Criminal Justice Instructor ~~Evaluation~~ Evaluation, shall contain the following information:
 - (A) instructor's name, date of birth, and ~~Aeadis~~ academy ID number;
 - (B) evaluator's ~~name~~, name and ~~Aeadis~~ academy ID number;
 - (C) block of ~~Instruction~~, instruction, date, location, and total hours of instruction;
 - (D) scores for Instructional Ability and Strategies; and
 - (E) Presentation Evaluation ~~Criteria~~ Criteria.

History Note: Authority G.S. 17C-6;

12 NCAC 09I .0102 is adopted with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09I .0102 COURSE MANAGEMENT FORMS

(a) The following ~~are~~ Commission-approved forms ~~to~~ shall be used by certified School Directors ~~instructors~~ during the administration of Commission-approved courses:

(1) Form F-10A, Pre-Delivery Report of Training Course Presentation, shall include the following:

- (A) Name of delivery site (academy);
- (B) Proposed Commission course being requested to administer;
- (C) Number of course hours;
- (D) Location of course delivery;
- (E) Commencement and completion dates;
- (F) Anticipated class size;
- (G) Names ~~on~~ of all delivery site (academy) staff requiring administrative access to the course page on the North Carolina Justice Training and Certification Portal; Acadis-
access; and
- (H) Name and signature of certified School Director.

(2) Form F-10B and Web Form F-10B, Post Delivery Report of Training Course Presentation, shall include the following:

- (A) Name of delivery site (academy);
- (B) Commission course administered;
- (C) Number of course hours;
- (D) Location of course delivery;
- (E) Commencement and completion dates;
- (F) Final class size; and
- (G) Name and signature of certified School Director.

(3) Form F-23, Commission Exam Admission ~~Form~~ Form, shall include the following:

- (A) Course pre-delivery number, exam ~~location~~ location, and exam date;
- (B) First-Time Exam Admission information;
- (C) Re-Examination Admission information;
- (D) Name and signature of certified School Director; and
- (E) List of all trainees.

(4) Web Form ~~WF-6~~ WF-6, CJ Standards Specialized Training Departure Report, shall include the following:

- (A) Course name, course dates, and training location;
- (B) Departing student's name, date of birth, and academy ID #; number; and
- (C) ~~Departure information.~~ Date, reason for, and explanation of departure.

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3 *History Note: Authority G.S. 17C-6;*

4 ~~*Adoption Eff. February 1, 2026.*~~

12 NCAC 09I .0103 is adopted with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09I .0103 BASIC LAW ENFORCEMENT TRAINING (BLET) COURSE FORMS

(a) The following ~~are~~ Commission-approved forms to shall be used by certified School Directors and instructors during the administration of a Commission-approved Basic Law Enforcement Training (BLET) course:

- (1) Form F-13, Request for Deficiency Remediation, shall include the following:
 - (A) Name of certified School Director and delivery site (academy);
 - (B) Date of ~~request, Pre-Delivery number,~~ request and state exam date;
 - (C) Student's name and academy ID number;
 - (D) Block of instruction and ~~date(s)~~ dates of deficiency;
 - (E) Instructor's name and academy ID number;
 - (F) Remediation location and ~~date(s)~~ dates of remediation;
 - (G) Details of remediation plan; and
 - (H) Signature of certified School Director.
- (2) Form F-14, Request for Limited Enrollment, shall include the following:
 - (A) Name of certified School Director and delivery site (academy);
 - (B) Date of ~~request, Pre-Delivery number,~~ request and original BLET start date;
 - (C) Student's name and academy ID number;
 - (D) ~~Block(s)~~ Blocks of instruction for make-up training; and
 - (E) Delivery site (academy) where make-up training will be conducted.
- (3) Form F-17, Student Evaluation of Instructors, shall include the following:
 - (A) Name of delivery site (academy);
 - (B) Instructor's name;
 - (C) Block of instruction and date;
 - (D) ~~Delivery~~ Evaluation of delivery of course material by instructor; and
 - (E) ~~Organization~~ Evaluation of organization and presentation of delivery of instruction;
- (4) Form F-25, Criminal Record Conviction History for ~~BLET BLET,~~ shall include the following:
 - (A) Agency name and address;
 - (B) Applicant's full name and former names;
 - (C) Applicant's address; and
 - (D) Name and signature of Agency head.
- (5) Form F-26, BLET Student Absence Report, shall include the following:
 - (A) ~~School/academy~~ School or academy name and class name;
 - (B) Student's name and ~~Academy~~ academy ID number;
 - (C) Course topic and date;
 - (D) Hours missed and made up;
 - (E) Reason for missed time;

- (F) Student's and certified School Director's signature and date; and
- (G) Name of instructor conducting the make-up training.
- (6) Form F-32, BLET Request for Early Enrollment, shall include the following:
- (A) Name and signature of certified School Director and delivery site (academy);
- (B) Student's name and date of birth; and
- (C) BLET ~~state~~ start date and date of state exam.
- (7) Web Form WF-1, BLET Student Injury Report, shall include the following:
- (A) Student's name, date of birth, and ~~Aeadis~~ academy ID number;
- (B) Date and details of ~~injury~~ injury;
- (C) Student's status (returned to training on same day or required hospital ~~care~~; care); and
- (D) Email address of School Director.
- (8) Web Form WF-2, BLET Departure Report, shall include the following:
- (A) Student's name and ~~Aeadis~~ academy ID number;
- (B) Date, reason, and details of departure; and
- (C) Email address of School Director.
- (9) Web Form WF-3, BLET Student Enrollment Questionnaire, shall include the following:
- (A) Student's demographic ~~information~~; information, including gender and employment status;
- (B) Student's education ~~information~~; information, including highest education level, name of institution, and degree earned;
- (C) ~~Military~~ Student's ~~military~~ service ~~information~~; history, including dates and branch of service and current status; and
- (D) ~~Primary~~ Student's primary language.
- (10) Web Form WF-4, BLET Student Course Completion Record, shall include the following:
- (A) Student's ~~name~~, name and ~~Aeadis #~~; academy ID number;
- (B) Student's gender;
- (C) Student's employment status on last day of class;
- (D) Student's hiring status with a law enforcement agency; and
- (E) Course completion ~~information~~; information, including whether the student completed all course requirements and passed the state exam.
- (11) Web Form WF-13B, BLET Deficiency, Report of Completed Training, shall include the following:
- (A) Student's name and ~~Aeadis #~~; academy ID number;
- (B) Deficiency ~~information~~; information, including the number and names of instructional topics which the student is deficient in;
- (C) Deficiency make-up ~~information~~; information, including whether the student completed all required coursework for the instructional topic in which he or she is remediating and

1 whether the remediation occurred outside of the scheduled course hours;

2 (D) Date the deficiency remediation was completed; and

3 (E) School Director's name, signature, and email address.

4

5 *History Note:* *Authority G.S. 17C-6;*

6 ~~*Adoption*~~ *Eff. February 1, 2026.*

12 NCAC 09I .0104 is adopted with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09I .0104 COMMISSION-ACCREDITED DELIVERY SITE ADMINISTRATION FORMS

(a) The following ~~are~~ Commission-approved forms ~~to~~ shall be used by Commission-accredited delivery sites to administer Commission-approved courses:

(1) Form F-10, School Director/Qualified Assistant Application, shall include the following:

- (A) the name of the appointing institution or agency;
- (B) the applicant's name, date of birth, last four digits of social security number, ~~number (last 4 four numbers)~~, phone number, ~~email~~, email address, instructor certification number, and the location ~~location~~, and ~~the~~ date the applicant completed orientation training;
- (C) the applicant's educational background, specifically, the dates of attendance, the institution attended, and the degree or diploma attained from each institution;
- (D) the applicant's criminal justice experience, specifically, the agency for which the applicant worked, the applicant's duties in each position, and the dates of employment. The applicant shall have acquired four years of practical experience as a criminal justice officer or as an administrator or specialist in a field directly related to the criminal justice system. At least one year of the required four years of experience must have been completed while actively participating in criminal justice training as a ~~Commission-certified~~ Commission-certified instructor;
- (E) the signature of the applicant certifying the accuracy of the contents of the ~~application~~, application; and
- (F) the signature of the appointing institution's executive officer signifying recommendation of an applicant to be a School Director; or
- (G) the signature of the School Director signifying recommendation of an applicant to be a Qualified Assistant.

(2) Form F-10 (SA), Accreditation of Criminal Justice Schools, shall include the following:

- (A) the name of the requesting ~~institution/agency~~, institution or agency;
- (B) the mailing address, phone number, and name of the institution head or executive officer;
- (C) the name, title or rank, ~~address~~ address, and phone number of the School ~~Director~~ Director;
- (D) the type of ~~Commission-approved~~ Commission-approved training course in which accreditation is being sought;
- (E) the type and location of all facilities to be used in administering the Commission-approved training course; and
- (F) the signature of the institution head or executive officer.

History Note: Authority G.S. 17C-6;

12 NCAC 09I .0105 is adopted with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09I .0105 MEDICAL FORMS

(a) The following ~~are~~ Commission-approved forms ~~to~~ shall be used by agencies and Commission-accredited delivery sites during the application for criminal justice certification or Commission-approved training course enrollment:

(1) Form F-1, Medical History Statement, shall include the following:

(A) ~~Name,~~ Applicant's name, date of birth, address, and telephone number;

(B) Current medications, allergies, and past medical history;

(C) Occupational history; ~~and~~

(D) Applicant's signature; and

~~(D)(E)~~ (E) Name and signature of a physician, physician assistant, or nurse practitioner who holds a current license in the United States to practice medicine, as issued by a state medical board.

(2) Form F-2, Medical Examination Report, shall include the following:

(A) Name, date of birth, employing agency, height, weight, and last ~~4~~ four digits of the Social Security Number for the person being examined;

(B) Results of Vision Acuity;

(C) Results of Hearing Acuity;

(D) Results of Cardiovascular Examination;

(E) Certification that the individual being examined does or does not ~~meet medical standards;~~ have any conditions, physical, emotional, or mental, that suggest further medical examination; and

(F) Name, signature, and medical license number of the examining medical professional.

(3) Form F-2A, Tuberculosis Questionnaire, shall include the following:

(A) ~~Name,~~ Applicant's name, date of birth, and employing agency; ~~agency of individual completing the form;~~

(B) Tuberculosis Risk Questions and individual's response; and

(C) Tuberculosis Symptoms Questions and individual's response.

(4) Form F-2B, Medical Examination Report Addendum, shall include the following:

(A) Name, date of birth, and employing agency of individual being examined;

(B) Additional Exam Notes, if any;

(C) Certification that the individual being examined does or does not ~~meet medical standards;~~ have any conditions, physical, emotional, or mental, that suggest further medical examination; and

(D) Name, signature, and medical license number of examining medical professional.

(5) Form F-31, Request for Accommodation, shall include the following:

- 1 (A) Name, signature, and date of birth of requesting student;
2 (B) Accredited delivery site, and name of certified ~~school director~~; School Director;
3 (C) Reason for Accommodation; and
4 (D) Proposed ~~Accommodation~~; Accommodation.
- 5 (6) Web Form ~~WF-5~~ WF-5, CJ Standards Specialized Training Student Injury Report for SMI,
6 Instructor Courses, shall include the following:
7 (A) Course name, course dates, and training location;
8 (B) Injured student's name, date of birth, and academy ID #; ~~and number~~;
9 (C) ~~Injury information~~. Date of the injury;
10 (D) Details of the injury, including what the injury is, when and where it took place, and how
11 the injury occurred;
12 (E) Whether the student was able to return to training on the same day as the injury occurred;
13 and
14 (F) Whether the student was transported to a hospital or other medical facility for assessment
15 or treatment of the injury.

16
17 *History Note:* *Authority G.S 17C-6;*
18 *~~Adoption~~ Eff. February 1, 2026.*

12 NCAC 09I .0106 is adopted with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09I .0106 SPEED-MEASURING INSTRUMENT (SMI) FORMS

(a) The following ~~are~~ Commission-approved forms shall ~~to~~ be used by certified SMI instructors during the administration of ~~speed-measuring instrument~~ SMI courses:

(1) Form SMI-1, Moving/Stationary ~~RADAR~~ Radar Motor Skill Performance Test, shall include the following:

(A) Trainee's full name, employing law enforcement agency, date of birth, ~~Aeadis~~ academy ID number, email address, and phone number;

(B) ~~RADAR~~ Radar instrument being tested ~~on~~, on and name of the instrument's manufacturer;

(C) Modes being tested on;

(D) Verification by the evaluating instructor that the trainee completed each step of the instrument sign-off, evidenced by the instructor's initials;

(E) Timing and results of the trainee's motor skills testing; and

(F) Name, ~~Aeadis~~ academy ID number, and signature of each evaluating instructor verifying whether the trainee successfully completed the motor skill performance test.

(2) Form SMI-1A, Moving/Stationary ~~RADAR Motor Skill Performance Test~~ Radar Instrument Sign-Off, shall include the following:

(A) Trainee's full name, employing law enforcement agency, date of birth, ~~Aeadis~~ academy ID number, email address, and phone number;

(B) ~~RADAR~~ Radar instrument being tested ~~on~~, on and the name of the instrument's manufacturer;

(C) Modes being tested on;

(D) Verification by the evaluating instructor that the trainee completed each step of the instrument sign-off, evidenced by the instructor's initials; and

(E) Name, ~~Aeadis~~ academy ID number, and signature of each evaluating instructor verifying whether the trainee successfully completed the motor skill performance test.

(3) Form SMI-13, Lidar Motor Skill Performance Test, shall include the following:

(A) Trainee's full name, employing law enforcement agency, date of birth, ~~Aeadis~~ academy ID number, email address, and phone number;

(B) Lidar instrument being tested on and name of the instrument's manufacturer;

(C) Verification by the evaluating instructor that the trainee completed each step of the instrument sign-off, evidenced by the instructor's initials; and

(D) Name, ~~Aeadis~~ academy ID number, and signature of each evaluating instructor verifying whether the trainee successfully completed the motor skill performance test.

(4) Form SMI-16, Written Endorsement to Attend Supplemental SMI Training, shall include the

following:

- (A) Name, ~~Aeadis~~ Academy ID number, date of birth, email address, and employing law enforcement agency of each trainee enrolled in the course;
- (B) List of speed measuring instruments each trainee is currently certified to operate;
- (C) Dates and location of training;
- (D) Name, ~~Aeadis~~ Academy ID number, and signature of each instructor of the course; and
- (E) Name, employing agency, title, email address, phone number, and signature of School Director, agency head, agency head designee, or in-service training coordinator.

(b) The following ~~are~~ Commission-approved forms ~~to~~ shall be used by individuals applying for certification as a ~~radar~~ Radar operator:

- (1) Form SMI-14, Trainee's Statement of Prior Radar Training, ~~is a form to~~ shall be filled out by a trainee enrolled in a radar or radar/lidar operator training course, as prescribed by 12 NCAC 09B .0212(a) and ~~.0242(a)~~ .0242(a), who has previously been certified by the Commission as a radar operator. The trainee ~~must~~ shall sign and date the form prior to submission. The form shall also include the following:

- (A) Trainee's full name, ~~Aeadis~~ Academy ID number, date of birth, and employing law enforcement agency;
- (B) Name of the institution or agency at which the trainee received prior training;
- (C) Location where the prior radar training took place; and
- (D) End date and total hours of prior radar training.

- (2) Form SMI-15, SMI Operator Supervised Field Instruction/Practice Log, ~~is a form to~~ shall be completed by a trainee completing Supervised Field Practice within the 90 days following the completion of a SMI operator ~~course~~ course, pursuant to 12 NCAC 09B .0409(a)(4) and (c). The form shall include the following:

- (A) Trainee's full name, employing law enforcement agency, ~~Aeadis~~ Academy ID number, email address, and phone number;
- (B) Dates and times of supervised field practice;
- (C) Name, ~~Aeadis~~ Academy ID number, and signature of each evaluator providing supervision;
- (D) Location and end date of the trainee's SMI operator course;
- (E) Name and modes of instrument used during the supervised field practice;
- (F) Total time of supervised field practice; and
- (G) Trainee's signature and date of form completion.

(c) The following ~~are~~ Commission-approved forms ~~to~~ shall be used during annual accuracy tests of speed measuring instruments:

- (1) Form SMI-9, Record of Radar Instrument Calibration and Accuracy Tests, shall include the following:

- 1 (A) Agency or organization name;
- 2 (B) Instrument model, manufacturer, serial number, modes, and features;
- 3 (C) Accuracy ~~and Standards tests~~ test results for the counter box, antennas, and tuning forks;
- 4 and
- 5 (D) Name, license or certification information, and signature of the testing technician
- 6 verifying that the instrument passed the tests.
- 7 (2) Form SMI-12, Record of Lidar Instrument Calibration and Accuracy Tests, shall include the
- 8 following:
- 9 (A) Agency or organization name;
- 10 (B) Instrument model, manufacturer, serial number, modes, and features;
- 11 (C) Accuracy ~~and Standards tests~~ test results as indicated by Pass or Fail; and
- 12 (D) Name, license or certification information, and signature of the testing technician
- 13 verifying that the instrument passed the tests.
- 14

15 *History Note:* *Authority G.S. 8-50.2; 17C-6;*

16 ~~*Adoption*~~ *Eff. February 1, 2026.*

12 NCAC 09I .0107 is adopted with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09I .0107 PROFESSIONAL CERTIFICATES FORMS

(a) The following ~~are~~ Commission-approved forms ~~to~~ shall be used by individuals to apply for a new or replacement Professional Certificate:

(1) Form ~~6~~ F-6 (LE), Application for Award of Law Enforcement Certificate, shall include the following:

- (A) Applicant's name, date of birth, and last four digits of Social Security Number;
- (B) Applicant's address, ~~phone,~~ phone number, and email address;
- (C) ~~Employing~~ Applicant's employing agency and agency address;
- (D) Type of award applying for;
- (E) Law enforcement experience (agencies and years of law enforcement experience);
- (F) Completed law enforcement training courses;
- (G) Level of college education;
- (H) Name and signature of applicant; and
- (I) Name and signature of agency head or In-Service Training Coordinator.

(2) Form ~~6~~ F-6 (DAC), Application for Award of Criminal Justice Certificate, shall include the following:

- (A) Applicant's name, date of birth, and last four digits of Social Security Number;
- (B) Applicant's address, ~~phone,~~ phone number, and email address;
- (C) ~~Employing~~ Applicant's employing agency and agency address;
- (D) Type of award applying for;
- (E) Criminal justice experience (agencies and years of criminal justice experience);
- (F) Completed criminal justice training courses;
- (G) Level of college education;
- (H) Name and signature of applicant; and
- (I) Name and signature of agency head or In-Service Training Coordinator.

(3) Form ~~6~~ F-6 (DJJ), Application for Award of Juvenile Justice Certificate, shall include the following:

- (A) Applicant's name, date of birth, and last four digits of Social Security Number;
- (B) Applicant's address, ~~phone,~~ phone number, and email address;
- (C) ~~Employing~~ Applicant's employing agency and agency address;
- (D) Type of award applying for;
- (E) Juvenile justice experience (agencies and years of juvenile justice experience);
- (F) Completed juvenile justice training courses;
- (G) Level of college education;
- (H) Name and signature of applicant; and

- 1 (I) Name and signature of agency head or In-Service Training Coordinator.
- 2 (4) Form F-7, Request for Replacement of Professional Certificate, shall include the following:
- 3 (A) Awardee's name, date of birth, and last four digits of Social Security Number;
- 4 (B) Awardee's address, ~~phone~~, phone number, and email address;
- 5 (C) Type of replacement certificate;
- 6 (D) Printed name and signature of awardee; and
- 7 (E) Name and signature of agency head or In-Service Training Coordinator, if still employed
- 8 at an agency.
- 9

10 *History Note:* *Authority G.S. 17C-6;*

11 *~~Adoption~~-Eff. February 1, 2026.*

Burgos, Alexander N

Subject: FW: [External] Re: CJETS - Rules for January 2026 RRC Meeting - Request for Changes

From: Cardoza, Holly <hcardoza@NCDOJ.GOV>

Sent: Friday, January 23, 2026 2:49 PM

To: Miller, Christopher S <christopher.miller@oah.nc.gov>

Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Schilling, Michelle <mschilling@ncdoj.gov>; Lock, Meghan E <mlock@ncdoj.gov>; Dismukes, Leslie <leslie.dismukes@dac.nc.gov>

Subject: Re: [External] Re: CJETS - Rules for January 2026 RRC Meeting - Request for Changes

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Good Afternoon Chris,

Yes, I will get these revisions to you before Tuesday morning.

Thank you,

Holly



Holly M. Cardoza

CJETS Rulemaking Coordinator

Criminal Justice Standards Division

Phone: (919) 661-5991

hcardoza@ncdoj.gov

1700 Tryon Park Drive

Raleigh, North Carolina 27610

ncdoj.gov

Please note messages to or from this address may be public records.

Burgos, Alexander N

Subject: FW: [External] Re: CJETS - Rules for January 2026 RRC Meeting - Request for Changes

From: Miller, Christopher S <christopher.miller@oah.nc.gov>

Sent: Friday, January 23, 2026 12:19 PM

To: Cardoza, Holly <hcardoza@ncdoj.gov>

Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Schilling, Michelle <mschilling@ncdoj.gov>; Lock, Meghan E <mlock@ncdoj.gov>; Dismukes, Leslie <leslie.dismukes@dac.nc.gov>; Miller, Christopher S <christopher.miller@oah.nc.gov>

Subject: RE: [External] Re: CJETS - Rules for January 2026 RRC Meeting - Request for Changes

Thank you, Holly. Please see some additional comments below. Given that most of these requests are minor, would you be able to provide revisions **before Tuesday (the 27th) morning?**

General Comment: For all rules where changes were made in response to my Request for Changes, the **introductory statement** needs to say "... is amended/adopted/repealed with changes as published in ..." Please see an example here: <https://www.oah.nc.gov/documents/rules/permanent-amendment-text-added-after-publication/download?attachment>. Please check and update accordingly.

12 NCAC 09B .0104:

- (b)(1): After re-reading this, is this Form actually meant to be completed and signed by the applicant rather than the examiner? (a), lines 4-6 indicate that this is the applicant's responsibility. So the new text in (b)(1) seems to contradict this, unless both parties are required to complete and sign the Form F-1.

12 NCAC 09B .0212:

- (e), page 3, line 5: Add "of this Rule" after "set forth in Paragraphs (a) and (c)".

12 NCAC 09B .0214: We confirm receipt of your request to withdraw this rule from RRC consideration. I will note this for the upcoming meeting.

12 NCAC 09B .0215:

- (b)(2): The period at the end of this item should be changed to a semi-colon.
- (e), page 2, line 6: Given the new edits to the rule, I think this should be designated as (d).
- (e), page 2, line 6: Remove the word "additional". This is redundant.

12 NCAC 09B .0238:

- (e), page 3, line 5: Add "of this Rule" after "set forth in Paragraphs (a) and (c)".

12 NCAC 09B .0242:

- Rule Title: "RADAR AND LIDAR" should also be highlighted.
- (a), line 5: "Radar/Lidar Operator Training Course" should also be highlighted.
- (e), page 3, line 9: Add "of this Rule" after "set forth in Paragraphs (a) and (c)".

12 NCAC 09B .0301: As mentioned, the RRC will consider the extension request at its meeting on January 29th.

12 NCAC 09B .0305:

- New (c), line 10: Was “granted” accidentally struck through here?
- New (d)(2): Remove the “and” after the semi-colon.
- New (d)(9): You reference “requirements as specified in Part (c)(2)(A)-(F) of this rule”. This needs to be updated based on the new changes made in (c).
- New (d)(9): This should end with a period rather than a semi-colon.

12 NCAC 09B .0408:

- (b), line 25 and (c), line 31: Change “trainee” to “student”.
- (b), line 10: For consistency, should “radar, lidar, or radar/lidar” be capitalized here?

12 NCAC 09B .0409:

- (a)(4), line 21: Change “Subparagraph” to “Paragraph”.

12 NCAC 09B .0501:

- (a), line 7: Now that “continuously” has been removed, is “and remain” necessary? Or would it make sense to revise to something like, “... remain certified while serving in such role ...”?

12 NCAC 09C .0308:

- (a), line 7: Change “uses” to “use”.
- (a), line 9: Change “type(s)” to “types”.
- (c), line 25: Which “course” are you referring to here? The training programs mentioned in (b)(1) and (b)(2)? A different course?

12 NCAC 09C .0311:

- (c): Please apply the same capitalization change to (c) for “Chief Court Counselors” and the “/” change for “Safety/Division”.
- (c): After re-reading this, it appears as if something is missing from this paragraph. Should it end with, “... before having their certification reinstated.”? Or are these persons not eligible for recertification?

12 NCAC 09C .0601:

- Links on lines 12-13 and line 20: Are you able to provide a direct link to these documents? Or would that be problematic? It may be confusing for some to navigate through all of the different Forms folders on the website. This same comment applies to the other links used in this Rule Section.
- (b), line 16: “Appendix A” to what? Or is this a standalone document available on DOJ’s website?

12 NCAC 09C .0607:

- (d): Thank you for the clarifying edits. This is helpful. However, the new language fails to state a requirement or prohibition. This results from the deletion of “shall be”. Please consider revising further.

12 NCAC 09D .0101:

- New (j): Is Form F-7 also included in 12 NCAC 09I .0107? If so, you should add a reference to that rule.

12 NCAC 09D .0201:

- New (j), line 29: Add “submitting” between “by” and “a completed”.

12 NCAC 09G .0205:

- (b)(2), line 17-18: Move the word “Form” to follow directly after “Report”.
- (d)(2): What kind of “agency”? A law enforcement agency?

12 NCAC 09G .0311:

- Old (2)(A) and (2)(B): The struck through (A) and (B) should also be placed in brackets.
- (d), line 11: Change “are not permitted to” to “shall not”.
- (h): After re-reading this, is the last sentence even necessary? If you aren’t eligible for re-certification, wouldn’t you presumably have to start the entire certification process over again?
- (i), page 3, line 4: Change “will” to “shall”.

12 NCAC 09G .0601:

- New (j), line 29: Add “submitting” between “by” and “a completed”.

12 NCAC 09I .0101:

- (a)(1)(A) and (H): After re-reading this, should this just say, “name of applicant”?

12 NCAC 09I .0104:

- (a)(1)(B), line 8: After re-reading, I would remove the parenthesis and state, “last four digits of social security number”.

12 NCAC 09I .0106:

- (a)(2)(B), line 22: Remove the comma after “on” for consistency.
- (b)(1), line 13: Add a comma after “.0242(a)”.

Regards,
Chris

Chris Miller

Rules Review Commission Counsel
North Carolina Office of Administrative Hearings | Rules Division
1711 New Hope Church Road
Raleigh, NC 27609
(984) 236-1935

NOTICE: E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by authorized State officials.

Burgos, Alexander N

Subject: FW: [External] Re: CJETS - Rules for January 2026 RRC Meeting - Request for Changes
Attachments: Request for Changes - 12 NCAC 09B to 09I - Miller.docx; RRC Requested Changes v2.zip

From: Cardoza, Holly <hcardoza@NCDOJ.GOV>
Sent: Wednesday, January 21, 2026 11:52 AM
To: Miller, Christopher S <christopher.miller@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Schilling, Michelle <mschilling@ncdoj.gov>; Lock, Meghan E <mlock@ncdoj.gov>; Dismukes, Leslie <leslie.dismukes@dac.nc.gov>
Subject: [External] Re: CJETS - Rules for January 2026 RRC Meeting - Request for Changes

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Good Morning,

The responses and updated rules based on the Request for Changes are attached above. Due to the number of attachments, the rules have been compressed in a zip file. Please let me know if you would like me to send them in a different format.

Additionally, I respectfully request to withdraw the proposed repeal of 12 NCAC 09B .0214 from RRC consideration due to the rule's expiration effective July 1, 2025.

Please let me know if there is anything else you need from me at this time.

All the best,

Holly



Holly M. Cardoza

CJETS Rulemaking Coordinator

Criminal Justice Standards Division

Phone: (919) 661-5991

hcardoza@ncdoj.gov

1700 Tryon Park Drive

Raleigh, North Carolina 27610

ncdoj.gov

Please note messages to or from this address may be public records.

Request for Changes Pursuant to
N.C. Gen. Stat. § 150B-21.10

Staff reviewed these Rules to ensure that each Rule is within the agency's statutory authority, reasonably necessary, clear, and unambiguous, and adopted in accordance with Part 2 of the North Carolina Administrative Procedure Act. Following review, staff has issued this document that may request changes pursuant to G.S. 150B-21.10 from your agency or ask clarifying questions.

Questions contained herein suggest that the rule as written is unclear or there is some ambiguity. If this document includes questions and you do not understand the question, please contact the reviewing attorney to discuss. Failure to respond may result in a staff opinion recommending objection.

Staff may suggest the agency "consider" an idea or language in this document. This is in no way a formal request that the agency adopt the idea or language but rather is offered merely for the agency's consideration which the agency may find preferable and clarifying.

To properly submit rewritten rules, please refer to the following Rules in the NC Administrative Code:

- Rule 26 NCAC 02C .0108 – The Rule addresses general formatting.
- Rule 26 NCAC 02C .0404 – The Rule addresses changing the introductory statement.
- Rule 26 NCAC 02C .0405 – The Rule addresses properly formatting changes made after publication in the NC Register.

Note the following general instructions:

1. You must submit the revised rule via email to oah.rules@oah.nc.gov and copy RRC Counsel. The electronic copy must be saved as the official rule name (XX NCAC XXXX).
2. For rules longer than one page, insert a page number.
3. Use line numbers; if the rule spans more than one page, have the line numbers reset at one for each page.
4. Do not use track changes. Make all changes using manual strikethroughs, underlines and highlighting.
5. You cannot change just one part of a word. For example:
 - Wrong: "association"
 - Right: "~~association~~ Association"
6. Treat punctuation as part of a word. For example:
 - Wrong: "day;;and"
 - Right: "~~day;~~ day;and"
7. Formatting instructions and examples may be found at:
www.ncoah.com/rules/examples.html

If you have any questions regarding proper formatting of edits after reviewing the rules and examples, please contact the reviewing attorney.

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0104

DEADLINE FOR RECEIPT: January 21, 2026

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:

(a), line 5: For consistency, you can remove "Rule" before "12 NCAC 09B .0205".

Response: "Rule" removed.

(b), line 9: Should this instead say, "... shall provide the examining physician, physician's assistant, or nurse practitioner with: ..."?

Response: Resolved.

(b)(1): I would recommend moving the reference to 12 NCAC 09I .0105 up to the first instance in the Rule where you mention the Medical History Form, on page 1, line 6.

Response: Resolved.

(b)(1): "[R]ead, completed, and signed" by whom? The examiner?

Response: Language clarified.

(b)(2): Remove the commas directly after "Questionnaire" and "Addendum".

Response: Resolved.

(c), line 15: Insert "or" before "nurse practitioner".

Response: "or" added.

(d)(1): I think this should say "the applicant beginning" rather than "the applicant's beginning".

Response: Resolved.

(d)(1): "Commission approved" should be hyphenated.

Response: Resolved.

History Note: Paragraph spacing needs to be the same as the format used for the rest of the rule text. Please update.

Response: Resolved.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0212

DEADLINE FOR RECEIPT: January 21, 2026

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:

(a), line 5: You use the word “trainee” here, but then use “student” in other places throughout the Rule. Pick one to use throughout the Rule for consistency, unless they have different meanings.

Response: Resolved.

(a)(1): Capitalize “hours” for consistency.

Response: Resolved.

*(a), line 20: Consider rewording this sentence to, “This course **shall have** a minimum ratio of one instructor per six students.”*

Response: Resolved.

(a), line 20: I believe the struck through “~~weeks~~” should not be here. It looks to be duplicated.

Response: Resolved.

(b), page 2, line 3: Change “hold” to “holding”.

Response: Resolved.

*(c), lines 28-29: Consider rewording this sentence to, “This course **shall have** a minimum ratio of one instructor per six students.”*

Response: Resolved.

(d), line 32: I believe “eligible” should be changed to “allowed”, for consistency.

Response: Resolved.

(e), page 3, line 1: What are “additional” breaks? Where are the “original” breaks explained or defined? I don’t see anything on this in the Rule.

Response: Language clarified.

(e), page 3, line 9: Change “the Section” to “this Section”.

Response: Resolved.

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

(e), page 3, line 9: Insert a comma before the website URL.

Response: Comma added.

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

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0213

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

Response: Resolved.

History Note, page 2, line 13: The period after "2022" should be replaced with a semi-colon.

Response: Resolved.

History Note, page 2, line 14: Please change "Repeal" to "Repealed".

Response: Resolved.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0214

DEADLINE FOR RECEIPT: January 21, 2026

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:

The current version of the Code shows that this rule “Expired Eff. July 1, 2025 pursuant to G.S. 150B-21.3A.” As such, this rule is no longer in the Code.

If the Rule already expired, why is this repeal necessary? If it’s not necessary, please withdraw this rule from RRC consideration.

Response: Withdrawal of the rule has been requested.

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

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0215

DEADLINE FOR RECEIPT: January 21, 2026

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:

(a), line 8: Change "instrument(s)" to "instruments".

Response: Resolved.

(b), line 9: You can use the abbreviated "SMI" here.

Response: Resolved.

*(b)(1): For clarity, consider revising the end of this sentence to something like, "... as a result of successful completion of **a training course set forth in ...**".*

Response: Language incorporated.

(b)(1): Add "and" after the semi-colon.

Response: Resolved.

(b)(2), line 14: Capitalize the F in "form".

Response: Resolved.

(c), line 16: Change "instrument(s)" to "instruments".

Response: Resolved.

(c), line 19: Add "of instruction" after "1.5 hours".

Response: Language incorporated.

(d): Can this not be combined with (b)? Both sections set forth requirements for applicants.

Response: Paragraphs (b) and (d) have been combined.

(d)(2): "Demonstrate" does not need to be capitalized.

Response: Resolved.

(d)(2): The words "form" can be capitalized.

Response: Resolved.

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

(d)(3): What is a “mode”? Isn’t this section about “additional instruments”, not “modes”?
Response: Additional language to address “modes” has been incorporated into Paragraph (a).

(d)(3): This is not very clear. Consider revising the beginning of this sentence to read as, “for individuals seeking certification for with additional modes on additional instruments ~~than those currently certified with, ...~~”.

Response: Language clarified under (b)(5) on Page 1, line 22.

(e): 12 NCAC 09B .0310 was repealed in October 2025. Please update this reference.

Response: Reference updated.

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

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0220

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

Response: Resolved.

History Note, line 37: The period after "2019" should be replaced with a semi-colon.

Response: Resolved.

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

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0221

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

Response: Resolved.

History Note, page 2, line 1: The period after "2019" should be replaced with a semi-colon.

Response: Resolved.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0222

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

Response: Resolved.

History Note, line 36: The period after "2019" should be replaced with a semi-colon.

Response: Resolved.

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

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0238

DEADLINE FOR RECEIPT: **January 21, 2026**

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:

(a), line 5: You use the word “trainee” here, but then use “student” in other places throughout the Rule. Pick one to use throughout the Rule for consistency, unless they have different meanings.

Response: Resolved.

*(a), line 19: Consider rewording this sentence to, “This course **shall have** a minimum ratio of one instructor per six students.”*

Response: Language clarified.

(a), line 19: I believe the struck through “~~weeks~~” should not be here. It looks to be duplicated.

Response: Resolved.

(b)(1): Consider adding a reference here to 12 NCAC 09B .0205, which contains the details of the BLET course.

Response: Reference incorporated.

*(c), lines 25-26: Consider rewording this sentence to, “This course **shall have** a minimum ratio of one instructor per six students.”*

Response: Language clarified.

(d), line 34: I believe “eligible” should be changed to “allowed”, for consistency.

Response: Resolved.

(e), page 3, line 3: What are “additional” breaks? Where are the “original” breaks explained or defined? I don’t see anything on this in the Rule. Does this just mean that the course can last longer than the time limits set forth in (a) and (c)?

Response: Language clarified.

(e), page 3, line 11: Change “the Section” to “this Section”.

Response: Resolved.

(e), page 3, line 11: Insert a comma before the website URL.

Response: Resolved.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0240

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

Response: Resolved.

History Note, line 35: The period after "2019" should be replaced with a semi-colon.

Response: Resolved.

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

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0242

DEADLINE FOR RECEIPT: January 21, 2026

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:

General Comment: You use the term “radar/lidar” throughout this Rule. Avoid using slashes unless “radar/lidar” is a defined term or term of art. See OAH’s style guide for more info. Could this be hyphenated or changed to “and”?

Response: All instances of radar/lidar in this rule that are not in the names of courses or course topics have been replaced with “radar and lidar.” The remaining instances are part of course titles.

(a), line 5: You use the word “trainee” here, but then use “student” in other places throughout the Rule. Pick one to use throughout the Rule for consistency, unless they have different meanings.

Response: Resolved.

(a)(1): Capitalize “hours” for consistency.

Response: Resolved.

*(a), line 20: Consider rewording this sentence to, “This course **shall have** a minimum ratio of one instructor per six students.”*

Response: Resolved.

(a), line 20: I believe the struck through “~~weeks~~” should not be here. It looks to be duplicated.

Response: Resolved.

(b), page 2, lines 2-3: Consider adding a reference here to 12 NCAC 09B .0205, which contains the details of the BLET course.

Response: Reference incorporated.

(c): Why is “Radar/Lidar Operator Re-Certification Training Course” capitalized but “radar/lidar operator training course” is not?

Response: Resolved.

(c), lines 28-29: Consider rewording this sentence to, “This course **shall have** a minimum ratio of one instructor per six students.”

Response: Resolved.

(d), line 36: I believe “eligible” should be changed to “allowed”, for consistency.

Response: Resolved.

(d), line 37: Why is the course name not capitalized here? Be consistent.

Response: Resolved.

(d), page 3, line 1: Change “course” to “courses”.

Response: Resolved.

(e), page 3, line 5: What are “additional” breaks? Where are the “original” breaks explained or defined? I don’t see anything on this in the Rule. Does this just mean that the course can last longer than the time limits set forth in (a) and (c)?

Response: Language Clarified.

(e), page 3, line 13: Change “the Section” to “this Section”.

Response: Resolved.

(e), page 3, line 13: Insert a comma before the website URL.

Response: Resolved.

(e), page 3, lines 14-15: In other rules, you use the following language: “The waivers granted pursuant to this Section shall only apply to courses **that began or were in progress during the effective period** of the State of Emergency.” Why is the language used in this Rule different? Is this intentional?

Response: Language incorporated.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0243

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

Response: Resolved.

History Note, line 35: The period after "2019" should be replaced with a semi-colon.

Response: Resolved.

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

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0244

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

Response: Resolved.

History Note, line 15: The period after "2022" should be replaced with a semi-colon.

Response: Resolved.

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

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0245

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

Response: Resolved.

History Note, page 2, line 1: The period after "2019" should be replaced with a semi-colon.

Response: Resolved.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0301

DEADLINE FOR RECEIPT: January 21, 2026

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:

Response: 12 NCAC 09B .0301 has been requested for postponement of RRC consideration until the February 2026 RRC meeting.

(a), line 7: Remove the extra space before “lecturer”.

(b), line 10: Add a comma after “.0304”.

(b), line 13: Add the word “Form” before “F-12”.

(c), line 32: Are these “updated instructor training courses” set forth elsewhere in your rules? Are they specific courses? If so, you may want to add a reference here for clarity.

(d), line 34: How do these Commission actions “correct” the violation? Wouldn’t the instructor have to take action to “correct” his or her violation? You may want to re-word this.

*(e)(1): Is this supposed to say, “... for **instructor** qualification”?*

(e)(3): Are these cross-references correct? These two rules don’t contain any details regarding “lesson plans”.

(e)(4), line 9: The quotation marks here are probably not necessary.

(e)(4), line 9: Hyphenate “Commission approved”.

(e)(4): Is this list exhaustive?

(e)(4)(B): Can you be more specific with regard to “12 NCAC 09A .0204”? Is this a reference to (a) or (b)? That rule contains a lot of different language regarding crimes.

(e)(5), line 24: “Immediate” is not a clear time standard.

Christopher S. Miller
Commission Counsel
Date submitted to agency: January 8, 2026

(e)(7): “Good moral character” can be an unclear and ambiguous standard. As you may recall, at the September 2025 RRC Meeting, the Commission looked at similar language contained in 12 NCAC 09G .0209. Specifically, for that Rule, the Commission requested that the case citations be removed from (b)(11) but add any character traits the majority opinions used in those cases to define “good moral character”. These same changes will need to be made to 12 NCAC 09B .0301. Otherwise, I anticipate that the Commission will object to this Rule based on your current definition of “good moral character.”

(e)(10): Isn’t this already covered by the “unprofessional personal conduct” standard set forth in (e)(4)? Make sure that this is not redundant.

(f), lines 22-23: Why is CJETS Commission fully spelled out here? Wouldn’t “Commission” be sufficient? You use “Commission” throughout the rest of this Rule.

(f), line 24: “out of state” should be hyphenated and should be followed with a comma.

(f), line 25: Add a comma after “certifying”.

(f), line 26: “within five days” from when? Specify the action that triggers the five days.

(h), line 31: “General Instructors” are not outlined in this Rule. Is this supposed to reference .0302 instead?

(h), line 33: Is “officer” supposed to be in between “justice” and “certification”?

History Note: The paragraph/spacing formatting for the History Note should be consistent with the rest of the rule. Please update.

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

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0305

DEADLINE FOR RECEIPT: **January 21, 2026**

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:

(a): Wouldn't it make more sense if these two sentences were broken out into separate paragraphs? The first sentence relates to how long a certificate lasts. And the second sentence relates to when an application needs to be submitted. This doesn't flow very well.

Response: Resolved.

*(b): This requirement is also wordy. Consider breaking this into two separate sentences after, "... in each of the topics for which Specialized Instructor Certification was granted, ...". Also, on lines 10-11, shouldn't this say, "... that instruction **shall be** provided in a ..."? This would be better phrasing for a requirement.*

Response: Resolved.

(c), line 14: Insert "certification" before "renewal".

Response: Resolved.

(c)(2)(A-F): Please explain to me how these Parts relate to (c)(2)? I don't think it makes sense to break out this list in this manner. (c)(2) talks about completing instructor updates. Any Parts under (c)(2) should relate back to that provision. However, Part (c)(2)(A) then talks about proving hours of relevant instruction, which is actually related to (c)(1). You should consider reorganizing this. Couldn't (c)(2)(A) just be (c)(3)?

Response: Subparagraphs (c)(2)(A-F) have been reorganized to be (c)(3-8).

(c)(2)(B), line 10: Should "Commission-accredited" be changed to "Commission-approved"?

Response: Resolved.

(c)(2)(D-E): Why do these two Parts end with a period? Please change this.

Response: Resolved.

*(c)(2)(E), line 35: Shouldn't this say, "Evaluations **shall** be administered by a certified Specialized Driving Instructor."*

Response: Resolved.

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

(f), line 21: What are “blocks of instruction that require instruction by a Specialized Instructor”?

Response: Citation to rule incorporated.

(g)(4): Shouldn’t this include limiting language such as, “if applicable”? Isn’t it possible that the re-issuance relates to a different topic other than the ones mentioned here?

Response: Resolved.

(i), line 4: If these persons don’t qualify for re-issuance, then how does the second sentence apply to them? Shouldn’t the second sentence be deleted or state that they have to go back through the full application process?

Response: Sentence removed.

(j), line 6: Add “Form” after “F-16”.

Response: Resolved.

History Note: The paragraph/spacing formatting for the History Note should be consistent with the rest of the rule. Please update.

Response: Resolved.

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

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0312

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

Response: Resolved.

History Note: The paragraph/spacing formatting should match the rest of the rule text. Please correct.

Response: Resolved.

History Note, line 18: The period after "2019" should be replaced with a semi-colon.

Response: Resolved.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0408

DEADLINE FOR RECEIPT: January 21, 2026

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:

(b): As previously mentioned, avoid using slashes in rule text when possible. Please see OAH's Style Guide for more information.

Response: The "radar/lidar" term in this Rule is used in reference to course titles.

(b)(4): You use "student" here and "trainee" in other places in the Rule. Is this intentional? If not, pick one and use it consistently.

Response: Resolved.

(b), lines 21-23: Consider adding "by the trainee" to the end of this sentence.

Response: Language incorporated.

(c), lines 26-29: Consider adding "by the trainee" to the end of this sentence.

Response: Language incorporated.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0409

DEADLINE FOR RECEIPT: January 21, 2026

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:

(a)(3), lines 14 and 15: Capitalize the word “form”.

Response: Resolved.

(a)(4), line 23: Capitalize the word “form”.

Response: Resolved.

(a)(4), line 26: I think the comma following “includes” should be moved to follow “rule” instead.

Response: Resolved.

(a)(5): This subparagraph does not make sense given the language in (a). (a) states: “a trainee shall complete all of the following:”. However, (a)(5) only sets forth an exemption. Consider making this a new paragraph or a subpart to (a)(4). The current organization is unclear.

Response: Resolved.

(a)(5): What does “some or all” mean? How is it determined whether to exempt “some” or “all” required hours? And who makes this call? There is no standard here.

Response: Clarifying language has been incorporated in Subparagraphs (a)(4)(A) and (B).

(a)(5), line 30: “Subparagraph (b)(5) of this Rule” does not exist. Please correct this reference.

Response: Resolved.

(a)(5), line 31: Capitalize the word “form”.

Response: Resolved.

(b), line 4: You removed “100 percent” proficiency from the requirement in (a)(3). Shouldn't this also be changed here?

Response: Resolved.

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

(c)(1): Isn't this already covered under the language in (a)(4)? This seems like it may be redundant.

Response: Subparagraph (c)(1) has been removed.

(c)(3), line 23: The word "currently" is probably not necessary.

Response: Resolved.

(c)(4): You can use the SMI acronym here.

Response: Resolved.

(d)(2), line 13: Capitalize the word "form".

Response: Resolved.

(d)(2), line 13: Is this the correct form? Form F-10B is used and submitted by School Directors. How would an operator-trainee have access to this?

Response: Resolved.

(d)(4), line 16: Add the word "those" in between "than" and "currently". Also, change "certification" to "re-certification".

Response: Resolved. "certification" has been updated to say "supplemental certification or re-certification".

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

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0501

DEADLINE FOR RECEIPT: January 21, 2026

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:

(a), line 7: What does “continuously” mean in this context? Can you be more specific as to the timeframe? “Continuously” is generally viewed as being unclear.

Response: “continuously” removed.

(b)(1): Consider adding reference here to the Rule that sets forth certification standards for General Instructors.

Response: Citation incorporated.

(b)(1): Can’t you just use “Commission” here, rather than “North Carolina Criminal Justice Education and Training Standards Commission”?

Response: Resolved.

(b)(2): This should end with a semi-colon rather than a period.

Response: Resolved.

(b)(3), line 14: Remove “must have”.

Response: Resolved.

History Note: The paragraph /space formatting needs to match the rest of the rule text. Please update.

Response: Resolved.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09C .0212

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

Response: Resolved.

History Note: The paragraph/spacing formatting should match the rest of the rule text. Please correct.

Response: Resolved.

History Note, line 15: The period after "2025" should be replaced with a semi-colon.

Response: Resolved.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09C .0308

DEADLINE FOR RECEIPT: January 21, 2026

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:

(a), line 5: I believe the word "officer" is missing after "law enforcement".

Response: Resolved.

(a), lines 7-8: You can use the abbreviation SMI here. Also, check the rest of the rule as well for this. You inconsistently switch between speed measuring instrument and SMI.

Response: Resolved.

(b)(2): This should end with a period rather than a semi-colon.

Response: Resolved.

(c)(4): You should create a new subparagraph, (c)(4), to follow (c)(3). This can be done by starting the new subparagraph on line 29 with "meet one of the following requirements:".

Response: Resolved.

(c)(3)(B), lines 33-34: Which "training standards as established by the North Carolina Sheriffs' Education and Training Standards Commission"? Can you be more specific?

Response: Resolved.

(g), line 28: "radar" should be capitalized.

Response: Resolved.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09C .0311

DEADLINE FOR RECEIPT: January 21, 2026

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:

(a): Why is "Chief Court Counselors" capitalized? Is this a special program or title?

Response: Resolved.

(a): Rather than using a slash, could you say, "North Carolina Department of Public Safety's Division of Juvenile Justice"? If so, please correct throughout this rule.

Response: Resolved.

*(a), line 6: "prior to separation" does not appear to be necessary here. Could you complete service with the Division of Juvenile Justice **after** separation but before reinstatement?*

Response: Resolved.

(b): All three comments above also apply to the rule text in (b).

Response: Resolved.

(b), line 16 and (c), line 22: The highlighted "appropriate" also needs to be underlined.

Response: The word "appropriate" in both of these instances is in the currently-published version of this rule. It was previously proposed to be deleted but then determined to be necessary for clarification purposes. Therefore, this word was struck through in the NC Register, but is now being restored. According to the [OAH website](#), "existing text that was proposed to be deleted but is now being restored shall be highlighted" but not underlined.

History Note: The paragraph/spacing format should match the rest of the rule text above. Please correct.

Response: Resolved.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09C .0601

DEADLINE FOR RECEIPT: January 21, 2026

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:

Rule Title and General Comment: Why is "speed-measuring instrument" hyphenated here? In other places in 09B and 09C, the term is never hyphenated.

Response: Resolved.

(a), line 10: The word "automatically" is not necessary.

Response: Resolved.

*(a): Please include information regarding the **cost** to obtain copies of said materials (per requirement in 150B-21.6).*

Response: Resolved.

(b), line 13: "[E]valuated" for what? Can you be more specific? What are the evaluation findings used for?

Response: Clarifying language incorporated.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09C .0607

DEADLINE FOR RECEIPT: January 21, 2026

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:

(a), first sentence: "Purpose" statements are generally viewed as unnecessary for rules. They have no binding effect on regulated parties. Is there a reason why this needs to be included in the rule? Please explain.

Response: Resolved.

(b), line 9: "12 month period" should be hyphenated.

Response: Resolved.

(c): How is the annual "test for accuracy" in (b) different from the daily "test for accuracy" mentioned in (c)? Consider using separate terminology in order to avoid confusion.

Response: Clarifying language incorporated.

(c), line 14: Remove the comma after "manufacturer".

Response: Resolved.

(d): I am concerned that the language used here is vague and ambiguous. Do all manufacturers publish official "recommendations"? Is there only one set of "recommendations" per device? Are "recommendations" regularly updated? Will regulated persons know what exactly this means? Alternatively, is there some sort of industry-wide standard on this that could be incorporated into the rule?

Response: Clarifying language incorporated.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09C .0608

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

Response: Resolved.

History Note, line 26: The period after "2019" should be replaced with a semi-colon.

Response: Resolved.

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

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09D .0101

DEADLINE FOR RECEIPT: January 21, 2026

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:

(a): Why is this paragraph needed? Purpose statements in rules are generally viewed as unnecessary as they do not have any binding effect on regulated parties. Consider removing this paragraph.

Response: Paragraph removed.

*(b), line 16: Should "are eligible" be changed to "**shall be** eligible"?*

Response: Resolved.

(c)(1), line 22: What is a "sworn employee"? I haven't seen this language used anywhere else in your rules.

Response: Resolved.

(d), line 30: Remove the word "is" before "under investigation".

Response: Resolved.

(d), line 33: Add a comma after ".0206".

Response: Resolved.

*(e), lines 34 and 36: Change "is" to "**shall be**".*

Response: Resolved.

(f), line 18: Do not use "and/or" in rules as it is unclear and ambiguous. Please pick one or the other to use.

Response: Resolved.

(g), line 20: Same comment as above.

Response: Resolved.

(h), lines 21-22: The quotation marks around the form name are not necessary.

Response: Resolved.

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

(h), line 22: In 12 NCAC 09I .0107, this form is labeled as Form 6 (LE), not Form F-6 (LE). Please correct either this rule or 12 NCAC 09I .0107.

Response: Form name corrected in 12 NCAC 09I .0107 to say “Form F-6 (LE)”.

(h), line 22: Update the citation here to read as the full rule, “12 NCAC 09I .0107.”

Response: Resolved.

(j)(2): Are “certificates of completion” a uniform thing for agencies? Are they referenced in another rule?

Response: Resolved.

(k), line 30: Change “can” to “may”.

Response: Resolved.

(k), line 30: The quotation marks around the form name are not necessary.

Response: Resolved.

History Note: The paragraph/spacing format needs to match the rest of the rule text above. Please correct.

Response: Resolved.

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

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09D .0102

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

Response: Resolved.

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

Response: Resolved.

History Note, page 2, line 2: The period after "2019" should be replaced with a semi-colon.

Response: Resolved.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09D .0104

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

Response: Resolved.

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

Response: Resolved.

History Note, line 29: The period after "2019" should be replaced with a semi-colon.

Response: Resolved.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09D .0105

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

Response: Resolved.

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

Response: Resolved.

History Note, line 29: The period after "2019" should be replaced with a semi-colon.

Response: Resolved.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09D .0106

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

Response: Resolved.

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

Response: Resolved.

History Note, line 18: The period after "2019" should be replaced with a semi-colon.

Response: Resolved.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09D .0201

DEADLINE FOR RECEIPT: January 21, 2026

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:

(a): Why is this paragraph needed? Purpose statements in rules are generally viewed as unnecessary as they do not have any binding effect on regulated parties and do not meet the definitions set forth in G.S. 150B-2(8a). Consider removing this paragraph.

Response: Paragraph Removed.

*(b), line 15: Should "are eligible" be changed to "**shall be** eligible"?*

Response: Resolved.

(c)(3): For consistency, change the start of the requirement to, "The applicant shall ...".

Response: Resolved.

(d), line 29: Remove the word "is" before "under investigation".

Response: Resolved.

(d), line 32: Add a comma after ".0206".

Response: Resolved.

*(e), lines 33 and 35: Change "is" to "**shall be**".*

Response: Resolved.

(e), line 34: Change "subsection 4 of this subparagraph" to "Part (4) of this Subparagraph".

Response: Resolved.

(e)(4), line 11: Add a comma after "Commission".

Response: Resolved.

(f), line 15: Do not use "and/or" in rules as it is unclear and ambiguous. Please pick one or the other to use.

Response: Resolved.

(g), line 17: Same comment as above.

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

Response: Resolved.

(h), lines 18-19: The quotation marks around the form name are not necessary.

Response: Resolved.

(h), line 19: In 12 NCAC 09I .0107, this form is labeled as Form 6 (DJJ), not Form F-6 (DJJ). Please correct either this rule or 12 NCAC 09I .0107.

Response: Form name corrected in 12 NCAC 09I .0107 to say “Form F-6 (DJJ)”.

(h), line 19: Update the citation here to read as the full rule, “12 NCAC 09I .0107.”

Response: Resolved.

*(h), line 19: Something is missing at the end of this. Should this say, “ ..., **and submit it** to the Division of ...”?*

Response: Resolved.

(j)(2): Are “certificates of completion” a uniform thing for agencies? Are they referenced in another rule?

Response: Resolved.

(k), line 25: Change “can” to “may”.

Response: Resolved.

(k), line 25: The quotation marks around the form name are not necessary.

Response: Resolved.

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

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09D .0202

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

Response: Resolved.

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

Response: Resolved.

History Note, line 30: The period after "2019" should be replaced with a semi-colon.

Response: Resolved.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09D .0204

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

Response: Resolved.

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

Response: Resolved.

History Note, line 29: The period after "2019" should be replaced with a semi-colon.

Response: Resolved.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09D .0205

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

Response: Resolved.

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

Response: Resolved.

History Note, line 29: The period after "2019" should be replaced with a semi-colon.

Response: Resolved.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09D .0206

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

Response: Resolved.

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

Response: Resolved.

History Note, line 18: The period after "2019" should be replaced with a semi-colon.

Response: Resolved.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09G .0205

DEADLINE FOR RECEIPT: January 21, 2026

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:

(a), line 4: Avoid using slashes in rule text unless absolutely necessary. Could this be “probation or parole office” rather than “probation/parole officer”? Same applies to line 8.

Response: “Probation/Parole Officer” is a title name as defined in 12 NCAC 09G .0102(14). It is a title that is widely used by the Department of Adult Correction.

(b)(2), line 15: Add an oxford comma after “(F-2A)”.

Response: Comma added.

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

Response: Resolved.

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

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09G .0311

DEADLINE FOR RECEIPT: January 21, 2026

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:

(a), line 8: If this training course/exam is set forth in another rule, it may be worth adding a reference here to that rule for clarity.

Response: Citation incorporated.

*(b), line 9: Consider changing this to, "The instructor **shall** instruct ..."*

Response: Resolved.

*(b), lines 10-11: Should this say, "... and that instruction **shall be** provided in a Commission-approved basic training ..."?*

Response: Resolved.

(c), line 13: Add "certification" before "renewal".

Response: Resolved.

(c)(2)(A) and (B): I don't think this organization makes sense. These two items do not flow from the requirement set forth in (C)(2). I would recommend making these their own subparagraphs ((C)(3) and (C)(4)).

Response: Resolved.

(c)(2)(A), line 30: Add a comma after ".0101(a)(1)".

Response: Resolved.

(c)(2)(B): This should end with a period rather than a semi-colon.

Response: Resolved.

(d): You need to explain what "just cause" means for the purposes of this paragraph, similar to how you have done it for (e).

Response: Resolved.

(f), lines 18-19: "three year time period" should be hyphenated.

Response: Resolved.

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

(f)(1): You may want to reference the General Instructor certification rule for clarity.

Response: Resolved.

(g), lines 26-27: There is no “passing score” mentioned in (f) for the pre-qualification skills assessment. Does the language used here still make sense?

Response: Resolved.

(i), line 32: Add “Form” after “F-16”.

Response: Resolved.

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

Response: Resolved.

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

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09G .0601

DEADLINE FOR RECEIPT: January 21, 2026

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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 email the reviewing attorney to inquire concerning the staff recommendation.

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

(a): Why is this paragraph needed? Purpose statements in rules are generally viewed as unnecessary as they do not have any binding effect on regulated parties and do not meet the definitions set forth in G.S. 150B-2(8a). Consider removing this paragraph.

Response: Resolved.

(a), lines 7-8: G.S. 17C-2 (2) is the definition of a "criminal justice agency". Is this the correct citation? I'm not sure that it fits here.

Response: Resolved.

*(b), line 13: Should "are eligible" be changed to "**shall be** eligible"?*

Response: Resolved.

(c)(2), line 23: Capitalize "rule".

Response: Resolved.

(c)(3): For consistency, change the start of the requirement to, "The applicant shall ...".

Response: Resolved.

(d), line 27: Remove the word "is" before "under investigation".

Response: Resolved.

(d), line 29: Add a comma after ".0206".

Response: Resolved.

*(e), lines 31 and 32: Change "is" to "**shall be**".*

Response: Resolved.

(e), line 32: Change "subsection 4 of this subparagraph" to "Part (4) of this Subparagraph".

Response: Resolved.

(e)(4), line 7: Add a comma after "Commission".

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

Response: Resolved.

(f), line 12: Do not use “and/or” in rules as it is unclear and ambiguous. Please pick one or the other to use.

Response: Resolved.

(g), line 14: Same comment as above.

Response: Resolved.

(h), lines 15-16: The quotation marks around the form name are not necessary.

Response: Resolved.

(h), line 16: In 12 NCAC 09I .0107, this form is labeled as Form 6 (DJJ), not Form F-6 (DJJ). Please correct either this rule or 12 NCAC 09I .0107.

Response: Form name corrected in 12 NCAC 09I .0107 to say “Form F-6 (DAC)”.

(h), line 16: Update the citation here to read as the full rule, “12 NCAC 09I .0107.”

Response: Resolved.

*(h), line 16: Something is missing at the end of this. Should this say, “ ..., **and submit it** to the DAC training coordinator ...”?*

Response: Resolved.

(j)(2): Are “certificates of completion” a uniform thing for agencies? Are they referenced in another rule?

Response: Resolved.

(k), line 22: Change “can” to “may”.

Response: Resolved.

(k), line 22: The quotation marks around the form name are not necessary.

Response: Resolved.

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

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09G .0602

DEADLINE FOR RECEIPT: January 21, 2026

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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 email the reviewing attorney to inquire concerning the staff recommendation.

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

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

Response: Resolved.

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

Response: Resolved.

History Note, page 2, line 5: The period after "2019" should be replaced with a semi-colon.

Response: Resolved.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09G .0604

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

Response: Resolved.

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

Response: Resolved.

History Note, line 27: The period after "2019" should be replaced with a semi-colon.

Response: Resolved.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09G .0605

DEADLINE FOR RECEIPT: January 21, 2026

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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 email the reviewing attorney to inquire concerning the staff recommendation.

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

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

Response: Resolved.

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

Response: Resolved.

History Note, line 27: The period after "2019" should be replaced with a semi-colon.

Response: Resolved.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09G .0606

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

Response: Resolved.

History Note: The paragraph / spacing formatting should match the rest of the rule text above. Please correct.

Response: Resolved.

History Note, line 18: The period after "2019" should be replaced with a semi-colon.

Response: Resolved.

History Note, line 19: This should read as, "Repealed Eff. February 1, 2026."

Response: Resolved.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09I .0101

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: The rule format is incorrect. This is a permanent adoption with changes from publication. Please see the following example from OAH's website: <https://www.oah.nc.gov/documents/rules/permanent-adoption-changes-publication/download?attachment>. Please update accordingly.

Response: Resolved.

Subchapter Title: Remove the semi-colon following "EDUCATION".

Response: The two colons in the Subchapter Title have been replaced with commas.

Line 8: Move the period following "09I" to directly in front of "0101".

Response: Resolved.

*(a): To make this sentence a requirement, I would recommend revising to say: "The following Commission-approved forms **shall** be used by individuals applying ...".*

Response: Resolved.

(a), line 9: Recommend removing "the" before "initial".

Response: Resolved.

(a), line 10: You should add a reference here to the Rules for instructor and professional lecturer certification, for clarity.

Response: Reference incorporated.

(a)(1): For consistency with your other Rules, add commas after "Form F-12" and before "shall".

Response: Resolved.

(a)(1)(A): As stated previously, avoid using slashes in rule text unless absolutely necessary. Consider replacing with "or".

Response: Resolved.

(a)(1)(B): Add "number" after "phone".

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Commission Counsel

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Response: Resolved.

(a)(1)(C): Same comment as above regarding slashes.

Response: Resolved.

(a)(1)(H): Same comment as above regarding slashes.

Response: Resolved.

(a)(1)(I): What kind of “school”? Be specific, if possible.

Response: Language clarified.

(a)(1)(I): Change “date(s)” to “dates”.

Response: Resolved.

(a)(1)(J): Add “name” after “school or agency”.

Response: Resolved.

(a)(2): For consistency with your other Rules, add commas after “Form F-16” and before “shall”.

Response: Resolved.

History Note, line 35: Add a period after “2026”.

Response: Resolved.

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

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09I .0102

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: The rule format is incorrect. This is a permanent adoption with changes from publication. Please see the following example from OAH's website: <https://www.oah.nc.gov/documents/rules/permanent-adoption-changes-publication/download?attachment>. Please update accordingly.

Response: Resolved.

*(a): To make this sentence a requirement, I would recommend revising to say: "The following Commission-approved forms **shall** be used by certified School Directors ...".*

Response: Resolved.

(a)(1)(G): I believe "on" should be changed to "of".

Response: Resolved.

(a)(1)(G): Why was "Acadis" removed from the requirements in 09I .0101 but it is still used here in 09I .0102?

Response: Clarifying language incorporated.

(a)(3), line 24: Add a comma before "shall", for consistency.

Response: Resolved.

(a)(4), line 30: Add a comma after "WF-6", for consistency.

Response: Resolved.

(4)(C): What is "Departure information"? Could you be more specific?

Response: Language clarified.

History Note, page 2, line 2: Remove "Adoption" from the History Note.

Response: Resolved.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09I .0103

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: The rule format is incorrect. This is a permanent adoption with changes from publication. Please see the following example from OAH's website: <https://www.oah.nc.gov/documents/rules/permanent-adoption-changes-publication/download?attachment>. Please update accordingly.

Response: Resolved.

General Comment: You use the term "information" several times throughout this rule when describing required form information. This is vague and unspecific. Could you add more detail so that persons know what kinds of "information" are being collected? For example, does "military service information" include dates of service, branch, status, etc.?

Response: Clarifying language incorporated.

*(a): To make this sentence a requirement, I would recommend revising to say: "The following Commission-approved forms **shall** be used by certified School Directors ...".*

Response: Resolved.

(a)(1)(B): What is a "Pre-Delivery number"?

Response: Language removed.

(a)(1)(D) and (F): Change "date(s)" to "dates".

Response: Resolved.

(a)(3)(D) and (E): Should this say something along the lines of, "Evaluation of delivery of course material by instructor" and "Evaluation of organization and presentation of delivery of instruction"? As written, it seems as if something is missing from the description of these two items.

Response: Clarifying language incorporated.

(a)(4): Add a comma after "BLET" for consistency.

Response: Resolved.

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Date submitted to agency: January 8, 2026

(a)(5)(A): Remove the slash and replace with “or”.

Response: Resolved.

(a)(7)(D) and (a)(8)(C): Use “Email address” instead of “Email” for completeness.

Response: Resolved.

(a)(9)(C) and (D): These should start with “Student’s”, for consistency and clarity.

Response: Resolved.

(a)(10)(E): What is “course completion information”? Be specific, if possible.

Response: Clarifying language incorporated.

(a)(11)(B) and (C): See comment above regarding the term “information”.

Response: Clarifying language incorporated.

History Note, line 36: Remove “Adoption” from the History Note.

Response: Resolved.

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

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09I .0104

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: The rule format is incorrect. This is a permanent adoption with changes from publication. Please see the following example from OAH's website: <https://www.oah.nc.gov/documents/rules/permanent-adoption-changes-publication/download?attachment>. Please update accordingly.

Response: Resolved.

*(a): To make this sentence a requirement, I would recommend revising to say: "The following Commission-approved forms **shall** be used by Commission-accredited delivery sites ...".*

Response: Resolved.

(a)(1)(B), line 8: "4" should be spelled out as "four".

Response: Resolved.

(a)(1)(B), line 9: Change "email" to "email address".

Response: Resolved.

(a)(1)(B), line 9: What "location"? Do you mean home address? Or location of training?

Response: Language clarified.

(a)(1)(D), line 17: Insert "of" between "years" and "experience".

Response: Resolved.

(a)(1)(D), line 17: Add "completed" or a similar verb following "have been".

Response: Resolved.

(a)(1)(D), line 18: "Commission certified" should probably be hyphenated.

Response: Resolved.

(a)(2)(A): Remove the slash and replace with "or".

Response: Resolved.

History Note, line 37: Remove “Adoption” from the History Note.

Response: Resolved.

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

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09I .0105

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: The rule format is incorrect. This is a permanent adoption with changes from publication. Please see the following example from OAH's website: <https://www.oah.nc.gov/documents/rules/permanent-adoption-changes-publication/download?attachment>. Please update accordingly.

Response: Resolved.

*(a): To make this sentence a requirement, I would recommend revising to say: "The following Commission-approved forms **shall** be used by agencies and ...".*

Response: Resolved.

(a)(1)(A): Insert "and" before "telephone number".

Response: Resolved.

(a)(2)(A): "4" should be spelled out as "four".

Response: Resolved.

(a)(2)(E): What "medical standards" are you referring to? Can you be more specific? The current language is not clear.

Response: Clarifying language incorporated.

(a)(3)(A): Who is the "individual completing the form"? The applicant? The doctor?

Response: Resolved.

(a)(4)(C): What "medical standards" are you referring to? Can you be more specific? The current language is not clear.

Response: Clarifying language incorporated.

(a)(5)(B): Should "school director" be capitalized, like it is in other rules?

Response: Resolved.

(a)(5)(D): This should end in a period rather than a semi-colon.

Response: Resolved.

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Date submitted to agency: January 8, 2026

(a)(6), line 36: Add a comma after “WF-5” for consistency.

Response: Resolved.

(a)(6)(C): What is “Injury information”? Can you be more specific as to what exactly is being requested?

Response: Resolved.

History Note, page 2, line 6: Remove “Adoption” from the History Note.

Response: Resolved.

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

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09I .0106

DEADLINE FOR RECEIPT: January 21, 2026

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:

Formatting: The rule format is incorrect. This is a permanent adoption with changes from publication. Please see the following example from OAH's website: <https://www.oah.nc.gov/documents/rules/permanent-adoption-changes-publication/download?attachment>. Please update accordingly.

Response: Resolved.

*(a): To make this sentence a requirement, I would recommend revising to say: "The following Commission-approved forms **shall** be used by certified SMI instructors ...".*

Response: Resolved.

(a), line 5: Should "speed measuring" be hyphenated here?

Response: Resolved.

(a)(2)(B): Remove the comma after "on".

Response: Resolved.

(a)(1) and (a)(2): How are these two forms different from each other? They require the exact same information. Is it necessary to require both?

Response: The SMI-1 Form includes Motor Skills Testing results as noted in (a)(1)(E), but the SMI-1A Form does not include Motor Skills Testing results.

*(b): To make this sentence a requirement, I would recommend revising to say: "The following Commission-approved forms **shall** be used by individuals applying ...".*

Response: Resolved.

(b): Does "radar" need to be capitalized here?

Response: Resolved.

*(b)(1): To make this a requirement, consider revising to read as, "Form SMI-14, Trainee's Statement of Prior Radar Training, **shall** be filled out by a trainee enrolled in a radar or radar/lidar operator training course, as prescribed by 12 NCAC 09B .0212(a) and .0242(a), who has previously been certified by the Commission as a radar*

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Date submitted to agency: January 8, 2026

operator. The trainee **shall** sign and date the form prior to submission. The form shall also include the following:"

Response: Resolved.

(b)(2): To make this a requirement, consider revising to read as, "Form SMI-15, SMI Operator Supervised Field Instruction/Practice Log, **shall** be completed by a trainee completing Supervised Field Practice within the 90 days following the completion of a SMI operator [~~course~~] course, pursuant to 12 NCAC 09B .0409(a)(4) and (c). The form shall include the following:"

Response: Resolved.

(c): To make this sentence a requirement, I would recommend revising to say: "The following Commission-approved forms **shall** be used during ...".

Response: Resolved.

(c)(1)(C) and (c)(2)(C): Which "Standards"? Can you be more specific?

Response: Resolved.

History Note, page 2, line 12: Remove "Adoption" from the History Note.

Response: Resolved.

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

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09I .0107

DEADLINE FOR RECEIPT: January 21, 2026

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:

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Response: Resolved.

*(a): To make this sentence a requirement, I would recommend revising to say: "The following Commission-approved forms **shall** be used by individuals to apply ...".*

Response: Resolved.

(a)(1)(A): Add "and" before "last four digits ...".

Response: Resolved.

(a)(1)(B): Add "number" after "phone".

Response: Resolved.

(a)(1)(C): Add "Applicant's" at the beginning of this item.

Response: Resolved.

(a)(2)(A): Add "and" before "last four digits ...".

Response: Resolved.

(a)(2)(B): Add "number" after "phone".

Response: Resolved.

(a)(2)(C): Add "Applicant's" at the beginning of this item.

Response: Resolved.

(a)(3)(A): Add "and" before "last four digits ...".

Response: Resolved.

(a)(3)(B): Add "number" after "phone".

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Date submitted to agency: January 8, 2026

Response: Resolved.

(a)(3)(C): Add "Applicant's" at the beginning of this item.

Response: Resolved.

(a)(4)(B): Add "number" after "phone".

Response: Resolved.

History Note, page 2, line 8: Remove "Adoption" from the History Note.

Response: Resolved.

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

1 12 NCAC 09B .0104 is amended as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09B .0104 MEDICAL EXAMINATION**

4 (a) Each applicant for certification or enrollment in a ~~Commission-approved~~ Commission-approved basic law
5 enforcement training course pursuant to ~~Rule~~ 12 NCAC 09B .0205, shall complete, sign, and date the Commission's
6 Medical History Statement Form ~~(F-1)~~ (F-1), pursuant to 12 NCAC 09I .0105, and shall be examined by either a
7 physician, physician assistant, or nurse practitioner who holds a current license in the United States to practice
8 medicine, as issued by a state medical board, to help determine his or her fitness to carry out the physical
9 requirements of the position of law enforcement officer.

10 (b) Prior to being examined, the applicant shall provide the examining physician, physician physician's assistant, or
11 nurse practitioner with:

12 (1) the Medical History Statement Form (F-1), ~~[(F-1), pursuant to 12 NCAC 09I .0105,]~~ which must
13 be read, completed, and ~~signed;~~ signed by the examiner; and

14 (2) the ~~Instructions to Agency and Examiner for Completion of~~ Medical Examination Report ~~(F-2A)~~
15 Form ~~(F-2), the Tuberculosis~~ Questionnaire, Questionnaire Form ~~(F-2A), and the Medical~~
16 Examination Report Addendum, Addendum Form ~~(F-2B), pursuant to 12 NCAC 09I .0105.~~

17 (c) The examining physician, physician's assistant, or nurse practitioner, shall record the results of the examination
18 on the Medical Examination Report Form (F-2) and shall sign and date the form. ~~The Medical Examination Report~~
19 ~~Form (F-2) shall contain the following information:~~

20 (1) ~~Name, date of birth, employing agency, height, weight, and last 4 digits of the Social Security~~
21 ~~Number for the person being examined;~~

22 (2) ~~Results of Vision Acuity;~~

23 (3) ~~Results of Hearing Acuity;~~

24 (4) ~~Results of Cardiovascular Examination;~~

25 (5) ~~Abnormal Findings;~~

26 (6) ~~Tuberculosis Risk Questionnaire;~~

27 (7) ~~Tuberculosis Symptom Questionnaire; and~~

28 (8) ~~Name, signature, and medical license number of examining medical professional.~~

29 (d) ~~The Medical Examination Report Form (F-2) and (F-2), the Tuberculosis Questionnaire Form (F-2A), and the~~
30 ~~Medical History Statement Form (F-1) shall be valid for one year after the date the examination was conducted and~~
31 ~~shall be completed prior to:~~

32 (1) the ~~applicant's~~ applicant beginning the ~~Commission-approved~~ Commission-approved basic law
33 enforcement training course; and

34 (2) the employing agency submission of application for certification to the Commission.

35
36 *History Note:* *Authority G.S. 17C-6; 17C-10;*

37 *Eff. January 1, 1981;*

1 *Amended Eff. April 1, 2018; October 1, 2017; November 1, 1993; February 1, 1991; March 1,*
2 *1990; April 1, 1985;*
3 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
4 *2019;*
5 *Amended Eff. February 1, 2026; November 1, 2024; October 1, 2022.*

12 NCAC 09B .0212 is amended with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09B .0212 CERTIFICATION AND RE-CERTIFICATION TRAINING FOR RADAR OPERATORS

(a) The ~~radar operator training course~~ Radar Operator Training Course for law enforcement officers shall be designed to provide the ~~trainee~~ student with the skills and knowledge to perform the function of a law enforcement radar operator. This course shall be for a period not to exceed four consecutive ~~weeks~~, weeks and shall consist of a minimum of 30 hours of instruction, including the following topic areas and minimum hours for each:

(1)	<u>Course Orientation</u>	0.5 [hours] <u>Hours</u>
(2)	<u>Introduction to Radar Training</u>	0.5 <u>Hours</u>
(3)	<u>Speed Offenses and Speed Enforcement</u>	2 <u>Hours</u>
(4)	<u>Basic Principles of Radar Speed Measurement</u>	5 <u>Hours</u>
(5)	<u>Legal and Operational Considerations</u>	4 <u>Hours</u>
(6)	<u>Familiarization and Operation of Specific Radar Instruments</u>	10 <u>Hours</u>
(7)	<u>Courtroom Preparation</u>	3 <u>Hours</u>
(8)	<u>Motor-Skill Performance Testing</u>	4 <u>Hours</u>
(9)	<u>Course Review</u>	1 <u>Hour</u>

~~[The number of hours required to complete each of the topic areas (6) Familiarization and Operation of Specific Radar Instruments and (8) Motor Skill Performance Testing shall be based on the number of students and number of instructors to ensure]~~ This course shall have a minimum ratio of one instructor per six students. ~~If the Governor declares a State of Emergency pursuant to G.S. 166A-19.3(19), the Director of the Criminal Justice Standards Division shall allow additional breaks in a specific course delivery when the Director determines that doing so is necessary based on consideration of the following factors:~~

- ~~(1) Whether instruction has begun in the course or whether course initiation may be postponed;~~
- ~~(2) The risk of harm to students that may be caused by continuation of the course;~~
- ~~(3) Whether those enrolled in the course have been or will likely be called to action to help address—the State of Emergency;~~
- ~~(4) The specific need for the waiver; and~~
- ~~(5) The degree of benefit to the public in allowing a break in instruction.~~

~~Notice of waivers granted pursuant to the Section shall be posted on the CJETS website <https://ncdoj.gov/law-enforcement-training/criminal-justice/>. The waivers granted pursuant to this Section shall only apply to courses that began during the effective period of the State of Emergency.~~

(b) Only ~~employed~~ those individuals currently certified as a law enforcement officer ~~employed~~ or appointed personnel of a law enforcement agency shall be enrolled in the Radar Operator Training Course. ~~radar operator training course.~~ Such a trainee shall not be certified as a radar operator until the basic law enforcement training course has been completed and probationary or general law enforcement certification has been granted. Sheriffs, deputy sheriffs, and federal law enforcement personnel, including armed forces personnel, shall be allowed to

participate in the a Radar Operator Training Course ~~radar operator training courses~~ on a space available basis at the discretion of the school director without having enrolled in or having successfully completed the basic law enforcement training ~~course~~ course, pursuant to 12 NCAC 09B .0205, and without being currently certified in a probationary status or ~~hold~~ holding general law enforcement certification. ~~The radar operator training course required for radar operator certification shall include the topic areas and minimum number of hours as outlined in the Radar Operator Training Course. To qualify for radar operator certification, an applicant shall meet the minimum requirements as outlined in the Radar Operator Training Course and meet the requirements of 12 NCAC 09B .0408 and .0409.~~

~~(c) The "Radar Operator Training Course" as published by the North Carolina Justice Academy is to be applied as basic curriculum for the radar operator training course for radar operators as administered by the Commission.~~

~~Copies of this publication may be inspected at the office of the agency:~~

~~Criminal Justice Standards Division
North Carolina Department of Justice
1700 Tryon Park Drive
Post Office Drawer 149
Raleigh, North Carolina 27602~~

~~and may be obtained at cost from the Academy at the following address:~~

~~North Carolina Justice Academy
Post Office Box 99
Salemberg, North Carolina 28385~~

(c) The ~~[radar operator re-certification training course]~~ Radar Operator Re-Certification Training Course shall be designed to provide the law enforcement officer with the skills and knowledge to continue to proficiently perform the functions of a radar operator. This course shall be presented within a period not to exceed one week and shall consist of a minimum of six hours of instruction, including the following topic areas and minimum hours for each:

- | | | |
|-----|---|------------------|
| (1) | <u>Course Orientation</u> | <u>0.5 Hours</u> |
| (2) | <u>Legal and Operational Considerations</u> | <u>1.5 Hours</u> |
| (3) | <u>Motor-Skill Performance Testing</u> | <u>4 Hours</u> |

~~[The number of hours required to complete the Motor Skill Performance Testing topic area shall be based on the number of students and number of instructors to ensure]~~ This course shall have a minimum ratio of one instructor per six students.

(d) ~~[Trainees]~~ Students enrolled in a ~~[radar operator re-certification training course]~~ Radar Operator Re-Certification Training Course shall, at the time of enrollment, hold active radar operator certification or have previously held active radar operator certification within 12 months prior to the scheduled end date of the course. Federal law enforcement personnel shall be ~~[eligible]~~ allowed to participate in ~~[radar operator re-certification training courses]~~ a Radar Operator Re-Certification Training Course at the discretion of the school director without previously having held radar operator certification, but such personnel must have completed one introductory level speed measurement instrument course that included instruction on operation of radar instruments. Courses that meet

1 this requirement include those described in Paragraph (a) of this Rule and those described in 12 NCAC 09B
2 .0242(a).

3 (e) If the Governor declares a State of Emergency pursuant to G.S. 166A- 19.3(19), the Director of the Criminal
4 Justice Standards Division shall allow additional [breaks in] time to complete a specific course delivery beyond the
5 time limits set forth in Paragraphs (a) and (c) when the Director determines that doing so is necessary based on
6 consideration of the following factors:

- 7 (1) Whether instruction has begun in the course or whether course initiation may be postponed;
- 8 (2) The risk of harm to students that may be caused by the continuation of the course;
- 9 (3) Whether those enrolled in the course have been or will likely be called to action to help address
10 the State of Emergency;
- 11 (4) The specific need for the waiver; and
- 12 (5) The degree of benefit to the public in allowing a break in instruction.

13 Notice of waivers granted pursuant to [the] this Section shall be posted on the CJETS [website] website,
14 <https://ncdoj.gov/law-enforcement-training/criminal-justice/>. The waivers granted pursuant to this Section shall
15 only apply to courses that began or were in progress during the effective period of the State of Emergency.

16
17 *History Note: Authority G.S. 17C-6;*
18 *Eff. November 1, 1981;*
19 *Readopted w/change Eff. July 1, 1982;*
20 *Temporary Amendment Eff. February 24, 1984 for a period of 120 days to expire on June 22,*
21 *1984;*
22 *Amended Eff. April 1, 1999; November 1, 1998; August 1, 1995; February 1, 1991; July 1, 1989;*
23 *August 1, 1984;*
24 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
25 *2019;*
26 *Amended Eff. February 1, 2026; April 1, 2022.*

1 12 NCAC 09B .0213 is repealed as published in 40:06 NCR 518-561 as follows:

2
3 12 NCAC 09B .0213 CERTIFICATION TRAINING FOR RADAR/TIME-DISTANCE OPERATORS
4

5 *History Note: Authority G.S. 17C-6;*
6 *Eff. November 1, 1981;*
7 *Readopted w/change Eff. July 1, 1982;*
8 *Amended Eff. April 1, 1999; November 1, 1998; August 1, 1995; February 1, 1991; July 1, 1989;*
9 *August 1, 1984;*
10 *Under G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019;*
11 *Amended Eff. April 1, ~~2022~~, 2022:*
12 *~~[Repeal]~~ Repealed Eff. February 1, 2026.*

1 12 NCAC 09B .0215 is amended with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09B .0215 SUPPLEMENTAL SMI TRAINING**

4 (a) The supplemental speed measuring instrument (SMI) training course for law enforcement officers shall be
5 designed to allow officers an opportunity to be certified on additional speed ~~measuring measurement~~
6 and modes, as defined in 12 NCAC 09C .0308(h), not included on the officers' initial speed ~~measuring measurement~~
7 instrument certification. The course shall be designed to provide the trainee with the skills and knowledge to
8 ~~proficiently~~ perform those tasks essential to function as an instructor or operator using the additional speed
9 measuring ~~instrument(s),~~ instruments and modes.

10 (b) Each applicant for supplemental ~~speed measuring instrument~~ SMI training shall:

- 11 (1) possess a valid ~~radar radar, time-distance,~~ or lidar speed measuring instrument instructor or
12 operator certification as a result of successful completion of a training course set forth in 12
13 NCAC 09B .0210, ~~.0211,~~ .0212, ~~.0213, .0214,~~ .0237, .0238, or .0242; .0242, or .0244;
14 (2) present the endorsement of a ~~Commission-recognized~~ Commission-certified school director or in-
15 service training coordinator, or agency head or his or her designee by submitting, ~~[form]~~ Form
16 SMI-16, pursuant to 12 NCAC 09I .0106(a)(4), ~~[.0106(h),]~~ executive officer or his designee.
17 (3) present a copy of the applicant's active SMI operator or instructor certification, which lists the
18 instruments and modes that the officer is certified to operate;
19 (4) demonstrate proficiency in the motor-skill and performance subject areas with the instrument and
20 modes as evidenced by completion of the Commission's SMI-1 Form, SMI-1A Form, or SMI-13
21 Form pursuant to 12 NCAC 09I .0106; and
22 (5) for individuals seeking certification on modes which are not included on their current SMI
23 certification, complete 240 minutes of supervised field practice for each additional mode on Form
24 SMI-15 pursuant to 12 NCAC 09I .0106. For dual antenna instruments, 120 of the 240 minutes
25 must be completed using each antenna.

26 (c) The supplemental SMI training course required for certification on the additional ~~instrument(s)~~ instruments shall
27 include the topic areas and number of hours as outlined in the Supplemental SMI Training Course. To qualify for
28 certification on the additional instrument(s) an applicant shall meet the requirements as outlined in the
29 Supplemental SMI Training Course and meet the requirements of 12 NCAC 09B .0409, consist of a minimum of 1.5
30 [hours,] hours of instruction, including the following topic areas and minimum hours for each:

- 31 (1) Course Orientation 0.5 hour
32 (2) Familiarization & Operation of Specific SMI Instruments 0.5 hour
33 (3) Motor Skills Testing (per instrument per student) 0.5 hour

34 ~~[(d) To qualify for certification on an additional instrument, an applicant shall:~~

- 35 (1) ~~present a copy of the individual's active SMI operator or instructor certification, which lists the~~
36 ~~instruments and modes that the officer is certified to operate;~~
37 (2) ~~Demonstrate proficiency in the motor skill and performance subject areas with the instrument as~~

evidenced by completion of the Commission's SMI-1 form, SMI-1A form, or SMI-13 form pursuant to 12 NCAC 09I .0106; and

(3) — for individuals seeking certification with additional modes than those currently certified with, complete 240 minutes of supervised field practice for each additional mode. For dual antenna instruments, 120 of the 240 minutes must be completed using each antenna.]

~~(d)(e)~~ Adding additional instruments and modes to an individual's SMI operator or instructor certification shall not extend the certification period as prescribed in 12 NCAC 09B .[.0310] .0308 and 09C .0308. Certification as instructor or operator of the additional speed measuring instruments shall expire on midnight of the date of expiration of the instructor or operator certification referred to in 12 NCAC 09B .0215(b) and .0310(a).

~~(e)~~ The "Supplemental SMI Training Course" as published by the North Carolina Justice Academy shall be applied as basic curriculum for the supplemental SMI training course for SMI instructors or operators as administered by the Commission. Copies of this publication may be inspected at the office of the agency:

Criminal Justice Standards Division
North Carolina Department of Justice
114 West Edenton Street
Post Office Drawer 149
Raleigh, North Carolina 27602

and may be obtained at cost from the Academy at the following address:

North Carolina Justice Academy
Post Office Box 99
Salemberg, North Carolina 28385

~~(f)~~ Commission-certified schools that are certified to offer the "Supplemental SMI Training Course" for Instructors are: The North Carolina Justice Academy.

*History Note: Authority G.S. 17C-6;
Eff. November 1, 1981;
Readopted Eff. July 1, 1982;
Amended Eff. November 1, 2007; May 1, 2004; August 1, 2002; April 1, 1999;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019. 2019;
Amended Eff. February 1, 2026.*

1 12 NCAC 09B .0220 is repealed as published in 40:06 NCR 518-561 as follows:

2
3 12 NCAC 09B .0220 RE-CERTIFICATION COURSE FOR RADAR OPERATORS

4
5 *History Note: Authority G.S. 17C-6;*
6 *Eff. October 1, 1983;*
7 *Temporary Amendment Eff. February 24, 1984 for a period of 120 days to expire on June 22,*
8 *1984;*
9 *Amended Eff. November 1, 2007; April 1, 1999; November 1, 1993; August 1, 1984;*
10 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
11 ~~2019.~~ **2019.**
12 *Repealed Eff. February 1, 2026.*

1 12 NCAC 09B .0221 is repealed as published in 40:06 NCR 518-561 as follows:

2
3 12 NCAC 09B .0221 RE-CERTIFICATION COURSE FOR RADAR/TIME-DISTANCE OPERATORS

4
5 *History Note: Authority G.S. 17C-6;*

6 *Eff. October 1, 1983;*

7 *Amended Eff. November 1, 2007; April 1, 1999; November 1, 1993; August 1, 1984;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ ~~2019.~~

10 *Repealed Eff. February 1, 2026.*

1 12 NCAC 09B .0222 is repealed as published in 40:06 NCR 518-561 as follows:

2
3 12 NCAC 09B .0222 RE-CERTIFICATION COURSE FOR TIME-DISTANCE OPERATORS
4

5 *History Note: Authority G.S. 17C-6;*

6 *Eff. October 1, 1983;*

7 *Amended Eff. November 1, 2007; April 1, 1999; November 1, 1993; July 1, 1989; August 1, 1984;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ ~~2019.~~

10 *Repealed Eff. February 1, 2026.*

12 NCAC 09B .0238 is amended with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09B .0238 CERTIFICATION AND RE-CERTIFICATION TRAINING FOR LIDAR OPERATORS

(a) The Lidar Operator Training Course for law enforcement officers shall be designed to provide the trainee student with the skills and knowledge to perform the function of a law enforcement lidar operator. This course shall be for a period not to exceed four consecutive ~~weeks~~, weeks, and shall consist of a minimum of 30 hours of instruction and shall include the following topic areas and minimum hours for each:

(1)	<u>Course Orientation</u>	<u>0.5 Hours</u>
(2)	<u>Introduction to Lidar Training</u>	<u>0.5 Hours</u>
(3)	<u>Basic Principles of Lidar Speed Measurement</u>	<u>1 Hour</u>
(4)	<u>Legal and Operational Considerations</u>	<u>1 Hour</u>
(5)	<u>Familiarization and Operation of Specific Lidar Instruments</u>	<u>2 Hours</u>
(6)	<u>Courtroom Preparation</u>	<u>1 Hour</u>
(7)	<u>Motor-Skill Performance Testing</u>	<u>3 Hours</u>
(8)	<u>Course Review</u>	<u>1 Hour</u>

~~The number of hours required to complete each of the topic areas (5) Familiarization and Operation of Specific Lidar Instruments and (7) Motor Skill Performance Testing shall be based on the number of students and number of instructors to ensure~~ This course shall have a minimum ratio of one instructor per six students. If the Governor declares a State of Emergency pursuant to G.S. 166A-19.3(19), the Director of the Criminal Justice Standards Division shall allow additional breaks in a specific course delivery when the Director determines that doing so is necessary based on consideration of the following factors:

- (1) ~~Whether instruction has begun in the course or whether course initiation may be postponed;~~
- (2) ~~The risk of harm to students that may be caused by continuation of the course;~~
- (3) ~~Whether those enrolled in the course have been or will likely be called to action to help address the State of Emergency;~~
- (4) ~~The specific need for the waiver; and~~
- (5) ~~The degree of benefit to the public in allowing a break in instruction.~~

~~Notice of waivers granted pursuant to the Section shall be posted on the CJETS website <https://ncdoj.gov/law-enforcement-training/criminal-justice/>. The waivers granted pursuant to this Section shall only apply to courses that began during the effective period of the State of Emergency.~~

(b) To be eligible for enrollment in the Lidar Operator Training Course, applicants shall meet the following requirements at the time of enrollment:

- (1) have completed a Commission-approved Basic Law Enforcement Training (BLET) [Course; Course, pursuant to 12 NCAC 09B .0205;
- (2) hold active law enforcement certification; and
- (3) hold active radar operator certification or be enrolled in a radar operator training course or a radar

operator re-certification training course as outlined in 12 NCAC 09B .0212; or

(4) hold active radar instructor certification or be enrolled in a radar instructor training course or a radar instructor re-certification training course as outlined in 12 NCAC 09B .0210.

Sheriffs, deputy sheriffs, and federal law enforcement personnel, including armed forces personnel, who do not meet these requirements shall be allowed to participate in a ~~[lidar operator training course]~~ Lidar Operator Training Course at the discretion of the school director.

~~(b) Only employed or appointed personnel of a law enforcement agency shall be enrolled in the Lidar Operator Training Course. Such a trainee shall not be certified as a lidar operator until the Basic Law Enforcement Training Course has been completed and probationary or general law enforcement certification has been granted. Sheriffs, deputy sheriffs and federal law enforcement personnel, including armed forces personnel, shall be allowed to participate in the lidar operator training courses on a space available basis at the discretion of the school director without having enrolled in or having completed the Basic Law Enforcement Training Course and without being currently certified in a probationary status or holding general law enforcement certification. The Lidar Operator Training Course required for lidar operator certification shall include the topic areas and number of hours as outlined in the Lidar Operator Training Course. To qualify for lidar operator certification, an applicant shall meet the requirements as outlined in the Lidar Operator Training Course and meet the requirements of 12 NCAC 09B .0408 and .0409.~~

(c) The Lidar Operator Re-Certification Training Course shall be designed to provide the law enforcement officer with the skills and knowledge to continue to perform the functions of a lidar operator. This course shall be presented within a period not to exceed one week and shall consist of a minimum of four hours of instruction, including the following topic areas and minimum hours for each:

(1)	<u>Course Orientation</u>	<u>0.5 Hours</u>
(2)	<u>Legal and Operational Considerations</u>	<u>1 Hour</u>
(3)	<u>Motor-Skill Performance Testing</u>	<u>2.5 Hours</u>

~~[The number of hours required to complete the Motor Skill Performance Testing topic area shall be based on the number of students and the number of instructors to ensure]~~ This course shall have a minimum ratio of one instructor per six students.

(d) To be eligible for enrollment in the Lidar Operator Re-Certification Training Course, applicants shall meet the following requirements at the time of enrollment:

- (1) hold active law enforcement certification;
- (2) hold active lidar operator certification or have previously held active lidar operator certification within the 12 months prior to the scheduled end date of the course; and
- (3) hold active radar operator certification or be enrolled in a radar operator training course or a radar operator re-certification training course as outlined in 12 NCAC 09B .0212.

Federal law enforcement personnel who do not meet these requirements shall be [eligible] allowed to participate in a ~~[lidar operator re-certification course]~~ Lidar Operator Re-Certification Training Course at the discretion of the school director, but such personnel must have completed one introductory-level speed measurement instrument

1 course that included instruction on the operation of lidar instruments. Courses that meet this requirement include
2 those described in Paragraph (a) of this Rule and those described in 12 NCAC 09B .0242(a).

3 (e) If the Governor declares a State of Emergency pursuant to G.S. 166A- 19.3(19), the Director of the Criminal
4 Justice Standards Division shall allow additional [breaks in] time to complete a specific course delivery beyond the
5 time limits set forth in Paragraphs (a) and (c) when the Director determines that doing so is necessary based on
6 consideration of the following factors:

- 7 (1) Whether instruction has begun in the course or whether course initiation may be postponed;
- 8 (2) The risk of harm to students that may be caused by continuation of the course;
- 9 (3) Whether those enrolled in the course have been or will likely be called to action to help address
10 the State of Emergency;
- 11 (4) The specific need for the waiver; and
- 12 (5) The degree of benefit to the public in allowing a break in instruction.

13 Notice of waivers granted pursuant to [the] this Section shall be posted on the CJETS [website] website,
14 [https://ncdoj.gov/law- enforcement-training/criminal-justice/](https://ncdoj.gov/law-enforcement-training/criminal-justice/). The waivers granted pursuant to this Section shall
15 only apply to courses that began or were in progress during the effective period of the State of Emergency.

16 ~~(e) The "Lidar Operator Training Course" as published by the North Carolina Justice Academy shall be applied as~~
17 ~~basic curriculum for the Lidar Operator Training Course for lidar operators as administered by the Commission.~~
18 ~~Copies of this publication may be inspected at the office of the agency:~~

19 Criminal Justice Standards Division
20 North Carolina Department of Justice
21 1700 Tyron Park Drive
22 Post Office Drawer 149
23 Raleigh, North Carolina 27602

24 ~~and may be obtained at cost from the Academy at the following address: North Carolina Justice Academy~~

25 Post Office Box 99
26 Salemburg, North Carolina 28385

27
28 *History Note: Authority G.S. 17C-6;*
29 *Eff. May 1, 2004;*
30 *Amended Eff. November 1, 2007;*
31 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
32 *2019;*
33 *Amended Eff. February 1, 2026; April 1, 2022.*

1 12 NCAC 09B .0240 is repealed as published in 40:06 NCR 518-561 as follows:

2
3 12 NCAC 09B .0240 RE-CERTIFICATION TRAINING COURSE FOR LIDAR OPERATORS

4
5 *History Note: Authority G.S. 17C-6;*

6 *Eff. May 1, 2004;*

7 *Amended Eff. November 1, 2007;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ ~~2019.~~

10 *Repealed Eff. February 1, 2026.*

12 NCAC 09B .0242 is amended with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09B .0242 CERTIFICATION AND RE-CERTIFICATION TRAINING FOR RADAR AND LIDAR OPERATORS

(a) The radar/lidar operator training course Radar/Lidar Operator Training Course for law enforcement officers shall be designed to provide the trainee student with the skills and knowledge to perform the function of a radar and lidar operator. This course shall be for a period not to exceed four consecutive ~~weeks.~~ weeks, and shall consist of a minimum of 36 hours of instruction and shall include the following topic areas and minimum hours for each:

(1)	<u>Course Orientation</u>	0.5 [hours] <u>Hours</u>
(2)	<u>Introduction to Radar/Lidar Training</u>	0.5 <u>Hours</u>
(3)	<u>Speed Offenses and Speed Enforcement</u>	2 <u>Hours</u>
(4)	<u>Basic Principles of Radar/Lidar Speed Measurement</u>	6 <u>Hours</u>
(5)	<u>Legal and Operational Considerations</u>	5 <u>Hours</u>
(6)	<u>Familiarization and Operation of Specific Radar and Lidar Instruments</u>	12 <u>Hours</u>
(7)	<u>Courtroom Preparation</u>	4 <u>Hours</u>
(8)	<u>Motor-Skill Performance Testing</u>	5 <u>Hours</u>
(9)	<u>Course Review</u>	1 <u>Hour</u>

[The number of hours required to complete each of the topic areas (6) Familiarization and Operation of Specific Radar and Lidar Instruments and (8) Motor Skill Performance Testing shall be based on the number of students and number of instructors to ensure] This course shall have a minimum ratio of one instructor per six students. ~~If the Governor declares a State of Emergency pursuant to G.S. 166A-19.3(19), the Director of the Criminal Justice Standards Division shall allow additional breaks in a specific course delivery when the Director determines that doing so is necessary based on consideration of the following factors:~~

- (1) ~~Whether instruction has begun in the course or whether course initiation may be postponed;~~
- (2) ~~The risk of harm to students that may be caused by continuation of the course;~~
- (3) ~~Whether those enrolled in the course have been or will likely be called to action to help address—the State of Emergency;~~
- (4) ~~The specific need for the waiver; and~~
- (5) ~~The degree of benefit to the public in allowing a break in instruction.~~

~~Notice of waivers granted pursuant to the Section shall be posted on the CJETS website <https://ncdoj.gov/law-enforcement-training/criminal-justice/>. The waivers granted pursuant to this Section shall only apply to courses that began during the effective period of the State of Emergency.~~

(b) Only ~~employed~~ those individuals currently certified as a law enforcement officer or appointed personnel of a law enforcement agency may be enrolled in the Radar/Lidar Operator Training Course. ~~radar/lidar speed-measurement instrument operator training course.~~ Such a trainee shall not be certified as a radar and lidar speed-measurement instrument operator until the basic law enforcement training course has been completed and probationary or general law enforcement certification has been granted. Sheriffs, deputy sheriffs, and federal law

enforcement personnel, including armed forces personnel, shall be allowed to participate in a Radar/Lidar Operator Training Course ~~radar/lidar speed measurement instrument operator training [course]~~ ~~courses on a space available basis at the discretion of the school director without having enrolled in or having completed the basic law enforcement training course~~ course, pursuant to 12 NCAC 09B .0205 and without being currently certified in a probationary status or holding general law enforcement certification. ~~The radar/lidar operator training course required for radar and lidar operator certification shall include the topic areas and number of hours as outlined in the Radar/Lidar Operator Training Course. To qualify for radar and lidar operator certification, an applicant shall meet the requirements as outlined in the Radar/Lidar Operator Training Course and meet the requirements of 12 NCAC 09B .0408 and .0409.~~

~~(c) The "Radar/Lidar Operator Training Course" as published by the North Carolina Justice Academy shall be applied as basic curriculum for the radar/lidar operator training course for radar and lidar instrument operators as administered by the Commission. Copies of this publication may be inspected at the office of the agency:~~

~~Criminal Justice Standards Division
North Carolina Department of Justice
1700 Tryon Park Drive
Post Office Drawer 149
Raleigh, North Carolina 27602~~

~~and may be obtained at cost from the Academy at the following address:~~

~~North Carolina Justice Academy
Post Office Box 99
Salemberg, North Carolina 28385~~

(c) The Radar/Lidar Operator Re-Certification Training Course shall be designed to provide the law enforcement officer with the skills and knowledge to continue to proficiently perform the function of a radar and lidar operator. This course shall be presented within a period not to exceed one week and shall consist of a minimum of eight hours of instruction, including the following topic areas and minimum hours for each:

- | | | |
|-----|---|------------------|
| (1) | <u>Course Orientation</u> | <u>0.5 Hours</u> |
| (2) | <u>Legal and Operational Considerations</u> | <u>2.5 Hours</u> |
| (3) | <u>Motor-Skill Performance Testing</u> | <u>5 Hours</u> |

~~[The number of hours required to complete the Motor Skill Performance Testing topic area shall be based on the number of students and number of instructors to ensure]~~ This course shall have a minimum ratio of one instructor per six students.

(d) To be eligible for enrollment in the Radar/Lidar Operator Re-Certification Training Course, applicants shall meet the following requirements at the time of enrollment:

- (1) hold active radar operator certification or have previously held active radar operator certification within 12 months prior to the scheduled end date of the course; and
- (2) hold active lidar operator certification or have previously held active lidar operator certification within the 12 months prior to the scheduled end date of the course.

1 Federal law enforcement personnel who do not meet these requirements shall be eligible allowed to participate in a
2 radar/lidar operator re-certification course Radar/Lidar Operator Re-Certification Training Course at the discretion
3 of the school director, but such personnel must have completed one or more introductory level speed measurement
4 instrument course courses that included instruction on operation of radar instruments and lidar instruments.
5 Courses that meet this requirement include those described in Paragraph (a) of this Rule, 12 NCAC 09B .0212(a),
6 and 12 NCAC 09B .0238(a).

7 (e) If the Governor declares a State of Emergency pursuant to G.S. 166A- 19.3(19), the Director of the Criminal
8 Justice Standards Division shall allow additional breaks in time to complete a specific course delivery beyond the
9 time limits set forth in Paragraphs (a) and (c) when the Director determines that doing so is necessary based on
10 consideration of the following factors:

- 11 (1) Whether instruction has begun in the course or whether course initiation may be postponed;
- 12 (2) The risk of harm to students that may be caused by continuation of the course;
- 13 (3) Whether those enrolled in the course have been or will likely be called to action to help address
14 the State of Emergency;
- 15 (4) The specific need for the waiver; and
- 16 (5) The degree of benefit to the public in allowing a break in instruction.

17 Notice of waivers granted pursuant to the this Section shall be posted on the CJETS website website.
18 <https://ncdoj.gov/law-enforcement-training/criminal-justice/>. The waivers granted pursuant to this Section shall
19 only apply to courses that began or were in progress during the effective period of the State of Emergency.
20

21 *History Note: Authority G.S. 17C-6;*
22 *Eff. November 1, 2007;*
23 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
24 *2019;*
25 *Amended Eff. February 1, 2026; April 1, 2022.*

1 12 NCAC 09B .0243 is repealed as published in 40:06 NCR 518-561 as follows:

2
3 12 NCAC 09B .0243 RE-CERTIFICATION TRAINING COURSE FOR RADAR/LIDAR OPERATORS

4
5 *History Note: Authority G.S. 17C-6;*

6 *Eff. November 1, 2007;*

7 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

8 ~~2019.~~ 2019.

9 *Repealed Eff. February 1, 2026.*

1 12 NCAC 09B .0244 is repealed as published in 40:06 NCR 518-561 as follows:

2
3 12 NCAC 09B .0244 CERTIFICATION TRAINING FOR RADAR/TIME-DISTANCE/LIDAR
4 OPERATORS
5

6 *History Note: Authority G.S. 17C-6;*

7 *Eff. November 1, 2007;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
9 *2019;*

10 *Amended Eff. April 1, ~~2022~~, 2022;*

11 *Repealed Eff. February 1, 2026.*

1 12 NCAC 09B .0245 is repealed as published in 40:06 NCR 518-561 as follows:

2
3 12 NCAC 09B .0245 RE-CERTIFICATION TRAINING COURSE FOR RADAR/TIME-
4 DISTANCE/LIDAR OPERATORS

5
6 *History Note: Authority G.S. 17C-6;*

7 *Eff. November 1, 2007;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ 2019.

10 Repealed Eff. February 1, 2026.

12 NCAC 09B .0305 is amended with changes as published in 40:06 NCR 518-561 as follows:

**12 NCAC 09B .0305 TERMS AND CONDITIONS OF SPECIALIZED INSTRUCTOR
CERTIFICATION**

(a) An applicant meeting the requirements for Specialized Instructor Certification as set forth in Rule .0304 of this Section shall be issued a certification to expire three years from the date of issuance.

(b) The applicant shall apply for certification as a Specialized Instructor within 60 days after the date the applicant achieved a passing score on the state comprehensive exam for the respective Specialized Instructor training course.

(c) The instructor is required to instruct, within three years after Specialized Instructor Certification is issued, a minimum of 12 hours in each of the topics for which Specialized Instructor Certification was granted, and that The instruction was shall be provided in a ~~Commission-accredited~~ Commission-approved basic training, Specialized Instructor Training, Commission-recognized in-service training course, or training course delivered pursuant to 12 NCAC 10B .0601, .1302, or .2005.

(d) An application for certification renewal shall contain, in addition to the requirements listed in Rule .0304 of this Section, documentary evidence that the applicant has remained active in the instructional process during the previous three-year period. Such documentary evidence shall include the following:

- (1) proof that the applicant has, within the three-year period preceding application for renewal, instructed at least 12 hours in each of the topics for which Specialized Instructor Certification was granted, and that instruction was provided in a ~~Commission-accredited~~ Commission-approved basic training, Specialized Instructor Training, Commission-recognized in-service training course, or training course delivered pursuant to 12 NCAC 10B .0601, .1302, or .2005. Acceptable documentary evidence shall include official Commission records submitted by School Directors or In-Service Training Coordinators and written attestation ~~certification~~ from a School Director or In-Service Training Coordinator;
- (2) proof that the applicant has, within the three-year period preceding application for renewal, attended and completed all instructor updates that have been issued by the Commission. Acceptable documentary evidence shall include official Commission records submitted by School Directors or In-Service Training Coordinators, or copies of certificates of completion issued by the institution which provided the instructor updates; and

- (3) (A) a favorable written recommendation from a School Director or In-Service Training Coordinator completed on an Application for Instructor and Professional Lecturer Certification Form (~~Form F-12~~) (Form F-12), F-12, pursuant to 12 NCAC 09I ~~[.0102,~~ .0101(a)(1), stating the instructor taught at least 12 hours in each of the topics for which Specialized Instructor Certification was granted. The teaching shall have been provided in a ~~Commission-accredited~~ Commission-approved basic training, Specialized Instructor Training course, pursuant to Rule 12 NCAC 09C .0401, Commission-recognized in-service training course, or training course delivered pursuant to 12 NCAC 09F .0101, 12

1 NCAC 09H, 12 NCAC 10B .0601, .1302, or .2005; ~~.2005. The Application for Instructor~~
2 ~~and Professional Lecturer Certification (Form F-12) shall include the following: the~~
3 ~~applicant's name, address, phone, and email address; the type of certification applying~~
4 ~~for; the applicant's education level; the applicant's signature; the Commission accredited~~
5 ~~school or agency where the training was delivered; and the signature of the~~
6 ~~recommending school director or in-service training coordinator;~~

7 (4) (B) a favorable written evaluation by a School Director, Qualified Assistant, In-Service
8 Training Coordinator, or another Specialized Instructor certified in the same specialized
9 subject, based on an on-site classroom evaluation of a presentation by the instructor in a
10 ~~Commission accredited~~ Commission-approved basic training, Specialized Instructor
11 Training, Commission-recognized in-service training course, or in-service training course
12 delivered pursuant to 12 NCAC 10B .0601, .1302, or .2005 during the three-year period
13 of Specialized Instructor Certification. Such evaluation shall be ~~presented~~ certified on a
14 Criminal Justice Instructor Evaluation Form F-16, pursuant to Rule .0202 of this
15 ~~Subchapter, Subchapter, and 12 NCAC 09I [.0402; .0101(a)(2);~~

16 (5) (C) proof that the individual applying for renewal as a Specialized Firearms Instructor has
17 achieved a minimum score of 92 on the day and night Basic Law Enforcement Training
18 firearms qualification courses, administered by a certified Specialized Firearms
19 Instructor, within the three-year period preceding the application for renewal;

20 (6) (D) proof that the individual applying for renewal as a Specialized Physical Fitness Instructor
21 has passed the Basic Law Enforcement Training Police Officer Physical Abilities Test,
22 administered by a certified Specialized Physical Fitness Instructor, within the three-year
23 period preceding the application for ~~renewal.~~ renewal.

24 (7) (E) proof that the individual applying for renewal as a Specialized Driver Instructor has
25 achieved the following minimum scores ~~in accordance with the procedural and evaluative~~
26 ~~requirements listed in the "Course Description Packet (CDP) for Driver Instructor~~
27 ~~Certification Renewal" as published by the North Carolina Justice Academy~~ within the
28 three-year period preceding the application for renewal. The individual applying for
29 renewal must achieve a minimum score of 85 on two out of three attempts for the "Off-
30 Set Lane Maneuver" and "Serpentine" courses during the daytime, a minimum score of
31 85 on two out of three attempts for the "Precision" course during both day and night
32 evaluation, a score of "Pass" on two out of three attempts for each command for the
33 "Evasive Action/Maneuver" course during the daytime, and a score of Pass on two out of
34 three attempts in each direction for the "Fixed Radius Curve" course during the daytime.
35 Evaluations ~~will~~ shall be administered by a certified Specialized Driving ~~Instructor.~~
36 Instructor.

(8) (F) proof that the individual applying for renewal as a Specialized ~~Subject Control Arrest Techniques Instructor or~~ Compliance and Control Techniques Instructor (CCT) has satisfactorily completed the technique evaluations skills of the Basic Law Enforcement Training ~~SCAT or CCT courses, course,~~ administered by a certified Specialized ~~SCAT or~~ CCT Instructor, within the three-year period preceding the application for ~~renewal.~~ renewal; and

(3)(9) Acceptable documentary evidence for proof of completion requirements as specified in Part (c)(2)(A)-(F) of this rule shall include the practical skill assessment submitted by School Directors or In-Service Training Coordinators and written attestation ~~certification~~ from a School Director or In-Service Training Coordinator;

(4)(e) Certification as a Specialized Instructor in the Standard Field Sobriety Testing, First Responder, Physical Fitness, Explosive and Hazardous Materials, and Juvenile Justice Medical Emergencies topic areas as outlined in Rule .0304(e), (h), (k), and (l) of this Section shall remain in effect for 36 months from the date of issuance. During the 36 month term all non-Commission certificates required in Rule .0304(e), (h), (k), and (l) of this Section for Specialized Instructor certification in the Standard Field Sobriety Testing, First Responder, Physical Fitness, Explosive and Hazardous Materials, and Juvenile Justice Medical Emergencies topical areas shall be maintained.

~~(e)(f)~~ Individuals who hold Specialized Instructor certification may, for just cause, be granted an extension of the three-year period to teach the 12 hour minimum requirement, pursuant to paragraph (b) of this Rule. The Director may grant such extensions on a one-time basis only not to exceed 12 months. For purposes of this Rule, just cause means accident, illness, emergency, course cancellation, or other exceptional circumstances which precluded the instructor from fulfilling the teaching requirement.

~~(F)(g)~~ Upon expiration of their Specialized Instructor certification, instructors have 90 days to submit renewal documentation to the Division for review and approval. During this 90-day period, instructors are not permitted to teach any Commission-approved courses or blocks of instruction that require instruction by a Specialized ~~Instructor.~~ Instructor outlined in 12 NCAC 09B .0304(a). The Director may, for just cause, grant an extension of the 90-day period in which an instructor's renewal application must be submitted, however, such extension shall not exceed 12 months and shall not extend the instructor's certification period beyond its specified expiration period.

~~(e)(g)~~ (h) Those individuals who have previously held Specialized Instructor Certification and have not exceeded a three year time period from when his or her Specialized Instructor Certification expired are eligible to apply ~~reapply~~ for re-issuance of the previously held Specialized Instructor Certification. An application for re-issuance shall contain documentation that the applicant:

- (1) holds a current General Instructor certification;
- (2) has completed the pre-qualification skills assessment for that specialty;
- (3) has passed the state examination for that specialty with a minimum score of 75; and
- (4) has maintained non-Commission certificates required in Rule .0304(e), (h), (k), and (l) of this Section for Specialized Instructor certification in the Standard Field Sobriety Testing, First

Responder, Physical Fitness, Explosive and Hazardous Materials, and Juvenile Justice Medical
Emergencies topical areas, areas, if applicable.

~~(f)~~~~(h)~~~~(i)~~ Applicants for re-issuance of the Specialized Instructor Certification shall have one opportunity to pass the prequalification skills assessment and the state examination for that specialty. Should an applicant not achieve a passing score on either the prequalification skills assessment or the state examination for that specialty, the applicant shall complete the specific Specialized Instructor Course in its entirety.

~~(g)~~~~(i)~~~~(j)~~ Applicants whose Specialized Instructor Certification is suspended or revoked shall not qualify for re-issuance. ~~The applicant shall complete the specific Specialized Instructor Course in its entirety.~~

~~(h)~~~~(j)~~~~(k)~~ After re-issuance of certification, the instructor shall complete eight hours of evaluated instruction in the specialty where re-issuance of certification is sought, as documented on an F-16 **Form** located on the agency's website: <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/>. The eight hours of instruction shall be taught within 60 days of the Specialized Instructor Certification being reissued and evaluated by a Specialized Instructor certified in that specialty. Failure to complete the required eight hours of evaluated instruction will result in the reissued Specialized Instructor Certification being revoked.

History Note: Authority G.S. 17C-6;

Eff. January 1, 1981;

Amended Eff. January 1, 2017; February 1, 2016; August 1, 2015; May 1, 2014; June 1, 2012;

November 1, 2007; January 1, 2006; December 1, 2004; August 1, 2004; August 1, 2000; July 1, 1991; July 1, 1989; December 1, 1987; February 1, 1987;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019;

Amended Eff. February 1, 2026; January 1, 2025; May 1, 2023; January 1, 2022; January 1, 2020; August 1, 2019.

1 **12 NCAC 09B .0312 is repealed as published in 40:06 NCR 518-561 as follows:**

2
3 **12 NCAC 09B .0312 INSTRUCTOR CERTIFICATION RENEWAL**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Eff. March 1, 1990;*

7 *Amended Eff. January 1, 2017; August 1, 2006; January 1, 2006; August 1, 2000; January 1, 1995;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ **2019.**

10 *Repeal Eff. February 1, 2026.*

12 NCAC 09B .0408 is amended as published in 40:06 NCR 518-561 as follows:

12 NCAC 09B .0408 COMPREHENSIVE WRITTEN STATE EXAMINATION – BASIC SMI
OPERATOR CERTIFICATION

(a) Within 60 days of the conclusion of the classroom instruction portion of a school's offering of any speed measuring ~~measurement~~-instrument (SMI) operator course or re-certification course, the Commission shall administer a comprehensive ~~state written~~ examination to each ~~trainee~~ ~~student~~ who has completed all of the required course work. The examination shall be an objective test covering the topic areas contained in the certified course curriculum, pursuant to 12 NCAC 09B .0212, .0238, and .0242.

(b) A ~~trainee~~ ~~student~~ of a radar, lidar, or radar/lidar operator training shall achieve a passing score on the comprehensive state examination upon answering a minimum of 70 percent of the questions correctly. A ~~trainee~~ ~~student~~ who fails to achieve a passing score on a RADAR, LIDAR, or RADAR/LIDAR operator training comprehensive state examination shall be eligible to request re-examination with the following conditions:

- (1) The ~~trainee~~ ~~student~~ must have achieved a minimum score of 60 percent on the initial examination;
- (2) The ~~trainee's~~ ~~student's~~ request for re-examination shall be made in writing on the Commission's Examination Request Form (F-23) pursuant to 12 NCAC 09B .0406(c), and shall be received by the Standards Division within 15 days of the initial examination;
- (3) The ~~trainee~~ ~~student~~ shall have, within 30 days of the date of initial examination, only one opportunity for re-examination; and
- (4) The student must have completed each motor-skill and performance area of the course curriculum.

A ~~trainee~~ ~~student~~ who fails to achieve the minimum passing score of 70 percent on the re-examination, or who fails to achieve a minimum score of 60 percent on the initial examination, shall not be eligible for SMI operator certification until a subsequent SMI operator training course offering and examination are ~~completed~~ ~~completed~~ by the trainee.

(c) A ~~trainee~~ ~~student~~ of a RADAR operator re-certification, LIDAR operator re-certification, or RADAR/LIDAR operator re-certification training course, pursuant to paragraph (a) of this rule, shall achieve a passing score on the comprehensive state examination upon answering a minimum of 75 percent of the questions correctly. At the time a ~~trainee~~ ~~student~~ fails to achieve the minimum passing score, the ~~trainee's~~ ~~student's~~ SMI operator certifications shall be immediately revoked, and the ~~trainee~~ ~~student~~ shall not be eligible for re-certification until a subsequent SMI operator training course offering and further examination ~~is completed~~ ~~are completed by the trainee~~.

~~(b) The examination shall be an objective test covering the topic areas contained in the certified course curriculum.~~

~~(c) The Commission's representative shall submit to the school director within five business days of the administration of the examination a report of the results of the test for each candidate for certification.~~

~~(d) A trainee shall pass the operator training course as required in 12 NCAC 09B .0212, .0213, .0214, .0238, .0242, or .0244 by achieving 70 percent correct answers.~~

~~(e) An operator seeking recertification shall pass the operator training recertification course as specified in 12-~~

1 NCAC 09B .0220, .0221, .0222 .0240, .0243, or .0245 by achieving 75 percent correct answers.

2 ~~(f) A trainee who has participated in a scheduled delivery of a certified training course and has demonstrated 100-~~
3 ~~percent competence in each motor skill or performance area of the course curriculum, but has failed to achieve a~~
4 ~~passing score, as specified in Paragraph (d) of this Rule, on the Commission's comprehensive written examination,~~
5 ~~may request the Director of the Standards Division to authorize a re-examination of the trainee under the following~~
6 ~~requirements:~~

7 (1) ~~The trainee's request for re-examination shall be made in writing on the Commission's Re-~~
8 ~~Examination Request form, located on the agency's website:-~~

9 ~~http://www.ncdoj.gov/getdoc/b38b7eee-e311-4ee3-8f9e-bd8fd58f6281/SMI_6_Reexam_6-11.aspx.~~

10 ~~The Re-Examination Request form shall be received by the Standards Division within 30 days of~~
11 ~~the examination;~~

12 (2) ~~The trainee's request for re-examination shall include the favorable recommendation of the school-~~
13 ~~director who administered the course;~~

14 (3) ~~A trainee shall have, within 60 days of the original examination, only one opportunity for~~
15 ~~re-examination and shall achieve a passing score on the subsequent examination; and~~

16 (4) ~~The trainee shall be notified by the Standards Division staff of a place, time, and date for~~
17 ~~re-examination.~~

18 ~~(g) If the trainee fails to achieve the minimum score as specified in Paragraph (d) of this Rule on the~~
19 ~~re-examination, the trainee may not be recommended for certification and shall enroll and complete a subsequent~~
20 ~~course offering before further examination may be permitted.~~

21
22 *History Note: Authority G.S. 17C-6;*

23 *Eff. November 1, 1981;*

24 *Readopted Eff. July 1, 1982;*

25 *Amended Eff. January 1, 2015; November 1, 2007; May 1, 2004; April 1, 1999; December 1,*
26 *1987; October 1, 1983; April 1, 1983;*

27 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
28 *2019; 2019;*

29 *Amended Eff. February 1, 2026.*

12 NCAC 09G .0311 is amended with changes as published in 40:06 NCR 518-561 as follows:

**12 NCAC 09G .0311 TERMS AND CONDITIONS OF SPECIALIZED INSTRUCTOR
CERTIFICATION**

(a) An applicant meeting the requirements for Specialized Instructor Certification as set forth in Rule .0310 of this Section shall be issued a certification to expire three years from the date of issuance. The applicant shall apply for certification as a Specialized Instructor within 60 days after the date the applicant achieved a passing score on the state comprehensive exam for the respective Specialized Instructor training ~~[course-]~~ **course, pursuant to Rule .0315 of this Section.**

(b) The instructor ~~[is required to]~~ **shall** instruct, within three years after Specialized Instructor Certification is issued, a minimum of 12 hours in each of the topics for which Specialized Instructor Certification was granted, and that instruction ~~[was]~~ **shall be** provided in a Commission-approved basic training, Specialized Instructor Training, Commission-recognized in-service training course, or training course delivered pursuant to 12 NCAC 10B .0601, .1302, or .2005.

(c) An application for **certification** renewal shall contain, in addition to the requirements listed in Rule .0310 of this Section, documentary evidence that the applicant has remained active in the instructional process during the previous three-year period. Such documentary evidence shall include the following:

- (1) proof that the applicant has, within the three-year period preceding application for renewal, instructed at least 12 hours in each of the topics for which Specialized Instructor Certification was granted, and that instruction was provided in a Commission-approved basic training, Specialized Instructor Training, Commission-recognized in-service training course, or training course delivered pursuant to 12 NCAC 10B .0601, .1302, or .2005. Acceptable documentary evidence shall include official Commission records submitted by School Directors or In-Service Training Coordinators and written attestation from a School Director or In-Service Training Coordinator;
- (2) proof that the applicant has, within the three-year period preceding application for renewal, attended and completed all instructor updates that have been issued by the Commission. Acceptable documentary evidence shall include official Commission records submitted by School Directors or In-Service Training Coordinators, or copies of certificates of completion issued by the institution which provided the instructor updates; and
- (3) (A)** a favorable written recommendation from a School Director or In-Service Training Coordinator completed on an Application for Instructor and Professional Lecturer Certification Form (Form F-12), pursuant to 12 NCAC 09I ~~[.0102]~~ **.0101(a)(1)**, stating the instructor taught at least 12 hours in each of the topics for which Specialized Instructor Certification was granted. The teaching shall have been provided in a Commission-approved basic training, or Commission-recognized in-service training course, or training course delivered pursuant to 12 NCAC 09G .0411 or 09G .0412;

1 (4) (B) a favorable written evaluation by a School Director, Qualified Assistant, In-Service
2 Training Coordinator, or another Specialized Instructor certified in the same specialized
3 subject, based on an on-site classroom evaluation of a presentation by the instructor in a
4 Commission-approved basic training, Specialized Instructor Training, Commission-
5 recognized in-service training course, or training course delivered, pursuant to 12 NCAC
6 09G .0411 or 09G .0412, during the three-year period of Specialized Instructor
7 Certification. Such evaluation shall be presented on a Criminal Justice Instructor
8 Evaluation Form F-16, pursuant to Rule .0202 of this Subchapter and 12 NCAC 09I
9 ~~-.0402-;~~ .0101(a)(2).

10 (d) Upon expiration of their Specialized Instructor certification, instructors have 90 days to submit renewal
11 documentation to the Division for review and approval. During this 90-day period, instructors are not permitted to
12 teach any Commission-approved courses or blocks of instruction that require instruction by a Specialized Instructor.
13 The Director may, for just cause, grant an extension of the 90-day period in which an instructor's renewal
14 application must be submitted, however, such extension shall not exceed 12 months and shall not extend the
15 instructor's certification period beyond its specified expiration period. For purposes of this Rule, just cause means
16 accident, illness, emergency, or other exceptional circumstances that precluded the instructor from submitting the
17 renewal documentation.

18 (e) Individuals who hold Specialized Instructor certification may, for just cause, be granted an extension of the
19 three-year period to teach the 12 hour minimum requirement, pursuant to paragraph (b) of this Rule. The Director
20 may grant such extensions on a one-time basis only not to exceed 12 months. For purposes of this Rule, just cause
21 means accident, illness, emergency, course cancellation, or other exceptional circumstances that precluded the
22 instructor from fulfilling the teaching requirement.

23 (f) Those individuals who have previously held Specialized Instructor Certification and have not exceeded a ~~three~~
24 ~~year~~ ~~three-year~~ time period from when his or her Specialized Instructor Certification expired are eligible to apply
25 for re-issuance of the previously held Specialized Instructor Certification. An application for re-issuance shall
26 contain documentation that the applicant:

- 27 (1) holds a current General Instructor ~~certification;~~ certification, pursuant to 12 NCAC 09G .0308;
- 28 (2) has completed the pre-qualification skills assessment for that specialty; and
- 29 (3) has passed the state examination for that specialty with a minimum score of 75.

30 (g) Applicants for re-issuance of the Specialized Instructor Certification shall have one opportunity to pass the
31 prequalification skills assessment and the state examination for that specialty. Should an applicant not ~~achieve a~~
32 ~~passing score on~~ ~~pass~~ either the prequalification skills assessment or the state examination for that specialty, the
33 applicant shall complete the specific Specialized Instructor Course in its entirety.

34 (h) Applicants whose Specialized Instructor Certification is suspended or revoked shall not qualify for re-issuance.
35 The applicant shall complete the specific Specialized Instructor Course in its entirety.

36 (i) After re-issuance of certification, the instructor shall complete eight hours of evaluated instruction in the specialty
37 where re-issuance of certification is sought, as documented on an F-16 ~~Form~~ located on the agency's website:

1 <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/>. The eight hours of instruction
2 shall be taught within 60 days of the Specialized Instructor Certification being reissued and evaluated by a
3 Specialized Instructor certified in that specialty. Failure to complete the required eight hours of evaluated instruction
4 will result in the reissued Specialized Instructor Certification being revoked.

5 (a) ~~An applicant meeting the requirements for Specialized Instructor Certification shall be issued a certification to~~
6 ~~expire three years from the date of issuance. The applicant shall apply for certification as a specialized instructor~~
7 ~~within 60 days from the date of completion of a specialized instructor course.~~

8 (b) ~~Where certifications for both General Probationary Instructor and Specialized Instructor are issued on the same~~
9 ~~date, the instructor shall be required to instruct within three years after certification, a minimum of 12 hours in each~~
10 ~~of the topics for which Specialized Instructor Certification was granted in a Commission accredited basic training,~~
11 ~~Specialized Instructor Training, Commission recognized in service training course, or training course delivered~~
12 ~~pursuant to 12 NCAC 10B .0601, .1302, or .2005. The instructor may satisfy the teaching requirement for the~~
13 ~~General Probationary Instructor certification by teaching any specialized topic for which certification has been~~
14 ~~issued.~~

15 (c) ~~When Specialized Instructor Certification is issued during an existing period of General Probationary Instructor~~
16 ~~Certification the specialized instructor may satisfy the teaching requirement for the General Probationary~~
17 ~~Certification by teaching the specialized subject for which certification has been issued.~~

18 (d) ~~The term of certification as a specialized instructor shall not exceed three years. An application for renewal shall~~
19 ~~contain, in addition to the requirements listed in Rule .0310 of this Section, documentary evidence that the applicant~~
20 ~~has remained active in the instructional process during the previous three year period. Such documentary evidence~~
21 ~~shall include the following:~~

22 (1) ~~proof that the applicant has, within the three year period preceding application for renewal,~~
23 ~~instructed at least 12 hours in each of the topics for which Specialized Instructor Certification was~~
24 ~~granted, and that instruction was provided in a Commission accredited basic training, Specialized~~
25 ~~Instructor Training, or Commission recognized in service training course. Acceptable~~
26 ~~documentary evidence shall include official Commission records submitted by School Directors or~~
27 ~~In Service Training Coordinators, and written certification from a School Director or In Service~~
28 ~~Training Coordinator;~~

29 (2) ~~proof that the applicant has, within the three year period preceding application for renewal,~~
30 ~~attended and completed all instructor updates that have been issued by the Commission.~~
31 ~~Acceptable documentary evidence shall include official Commission records submitted by School~~
32 ~~Directors or In Service Training Coordinators, or copies of certificates of completion issued by the~~
33 ~~institution which provided the instructor updates; and~~

34 (A) ~~a favorable written recommendation from a School Director or In Service Training~~
35 ~~Coordinator completed on a Commission Renewal of Instructor and Professional Lecturer~~
36 ~~Certification Form stating the instructor taught at least 12 hours in each of the topics for~~
37 ~~which Specialized Instructor Certification was granted. The teaching shall have been~~

provided in a Commission accredited basic training, Specialized Instructor Training course, pursuant to Rule .0310 of this Section, or Commission recognized in-service training course;

(B) a favorable written evaluation by a School Director, Qualified Assistant, In Service Training Coordinator, or another instructor certified in the same specialized subject, based on an on-site classroom evaluation of a presentation by the instructor in a Commission accredited basic training, Specialized Instructor Training, or Commission-recognized in-service training course, during the three-year period of Specialized Instructor Certification. Such evaluation shall be certified on a Criminal Justice Instructor Evaluation Form F-16, located on the agency's website:

<http://www.ncdoj.gov/getdoc/c2eba6aa-12bc-4303-bf4b-5fa0431ef5a1/F-16-6-11.aspx>.

(C) has met the requirement set forth in Rule .0309(c) of this Section.

(e) The use of guest participants in a delivery of a Commission mandated training course pursuant to this Section shall be permissible. However, such guest participants are subject to the on-site supervision of a Commission-certified instructor and shall be authorized by the School Director. A guest participant shall be used only to complement the primary certified instructor of the block of instruction and shall not replace the primary instructor.

History Note: Authority G.S. 17C-6;

Temporary Adoption Eff. January 1, 2001;

Eff. August 1, 2002;

Amended Eff. January 1, 2017; May 1, 2014; June 1, 2012; January 1, 2006;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019;

Amended Eff. February 1, 2026; January 1, 2020.

1 12 NCAC 09B .0409 is amended as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09B .0409 SATISFACTION OF TRAINING -- SMI OPERATORS**

4 (a) To satisfy the training requirements for operator certification, a trainee shall complete all of the following:

- 5 (1) achieve a minimum score of 70 percent correct answers on the comprehensive state examination as
6 outlined in 12 NCAC 09B .0408; ~~comprehensive written examination, provided for in 12 NCAC~~
7 09B .0408(d);
- 8 (2) ~~demonstrate successful completion~~ complete a Commission-approved of a certified offering of
9 courses course as prescribed under 12 NCAC 09B .0212(a), .0238(a), or .0242(a) as evidenced by
10 a completed Post Delivery Form (F-10B) pursuant to 12 NCAC 09I .0102; .0212, .0213, .0214,
11 .0215, .0238, .0242, or .0244 as shown by the certification of the school director;
- 12 (3) ~~demonstrate 100 percent proficiency in the motor-skill and performance subject areas as~~
13 ~~demonstrated~~ to a certified Speed Measurement Instrument (SMI) instructor and further as
14 evidenced on ~~through~~ documentation on the Commission's SMI-1 [form] Form for radar
15 instruments and SMI-13 [form] Form for lidar instruments, pursuant to 12 NCAC 09I .0106; SMI
16 forms and by the subscribing instructor's certification of trainee competence;
- 17 (4) ~~present evidence showing prior North Carolina certification in a Commission-certified operator~~
18 ~~training course as prescribed in 12 NCAC 09B .0212 .0213, .0214, .0238, .0242, .0244 or present~~
19 ~~evidence showing prior certification that meets or exceeds North Carolina certification, or present~~
20 ~~evidence showing completion of 12 hours of supervised field practice practice, as outlined in~~
21 Subparagraph (c) of this Rule, within 90 days after completing a ~~Commission-certified RADAR or~~
22 RADAR/LIDAR operator training course as prescribed in 12 NCAC 09B .0212 .0212, .0215, and
23 .0242. Evidence of completion shall consist of a completed SMI-15 [form] Form pursuant to 12
24 NCAC 09I .0106. Individuals applying for SMI operator certification may request an extension of
25 up to 12 months for the 90-day requirement to complete the 12 hours of supervised field practice.
26 The Director shall grant the extension request upon a showing of just cause which, for the
27 purposes of this [rule includes,] rule, includes accident, illness, emergency, course cancellation, or
28 other exceptional circumstance that prevents the applicant from completing the required
29 supervised field practice time; .0213, .0242, .0244; and
- 30 (5) (A) Individuals shall be exempt from some or all of the 12 hours of supervised field practice upon
31 presenting evidence of having completed the required supervised field practice, pursuant to
32 Subparagraph (b)(5) of this Rule, at a prior date. Individuals shall be exempt from the portions
33 of the required supervised field practice, as outlined in Subparagraph (c)(4) of this Rule, which
34 they have completed at a prior date, upon providing evidence of prior completion; and
- 35 (B) Evidence shall include a completed SMI-14 [form,] Form pursuant to 12 NCAC 09I .0106,
36 and a copy of the individual's prior SMI operator or instructor certification which lists the
37 instruments and modes which the officer is certified to operate. Division staff shall evaluate the

evidence of prior completion to determine which portions of the supervised field practice have been completed at a prior date.

(5) Individuals applying for SMI operator certification may request an extension of the 90 day requirement to complete the 12 hours of supervised field practice required pursuant to Subparagraph (a)(4) of this Rule. The requested extension shall not exceed 12 months. The Director shall grant the extension request upon a showing of just cause. For purposes of this Rule, "just cause" means an accident, illness, emergency, course cancellation, or other exceptional circumstance that prevents the applicant from completing the required supervised field practice time.

(b) Any trainee failing to achieve 100 percent proficiency in the motor-skill area may request written permission from the Director of the Standards Division for re-examination. The trainee's request for re-examination shall be made in writing and must be received by the Standards Division within 30 re-examination within 15 days of the original examination. The trainee's request for re-examination shall consist of a completed F-23 Exam Admission Form, pursuant to 12 NCAC 09I .0102, include the favorable recommendation of the school director who administered the course. A trainee shall have, within 30 90 days of the original examination, only one opportunity for motor-skill re-examination and must satisfactorily complete each identified area of deficiency on the original motor-skill examination. The trainee shall be notified by the Standards Division staff of a place, time and date for re-examination. If the trainee fails to achieve the prescribed score on the examination, the trainee's active SMI operator certifications shall be immediately revoked, and the trainee shall not be eligible recommended for certification or re-certification until a subsequent SMI operator training course offering is completed, as prescribed under 12 NCAC 09B .0212(a), .0238(a), or .0242(a) and further examination is completed, and shall enroll and complete a subsequent course offering in its entirety before further examination may be permitted.

(c) The 12 hours of supervised field practice shall be completed as follows:

(1) Within 90 days after completing a RADAR training course as prescribed under 12 NCAC 09B .0212, .0215, and .0242;

(2)(1) The trainee must conduct the 12 hours of field practice using the radar instrument with the most modes, pursuant to 12 NCAC 09C .0308(h), that the trainee is seeking certification to operate;

(3)(2) The trainee shall operate the police vehicle and the radar instrument while being supervised by a currently certified radar instructor or operator who is certified to operate the radar instrument used by the trainee during the field practice;

(4)(3) Speed measuring instruments SMIs shall not be used to enforce speed violations by the trainee or by the supervising radar operator or instructor during the 12 hours of field practice;

(5)(4) The 12 hours of field practice shall be completed according to the following time requirements:

(A) for trainees seeking certification with a dual antenna unit and with stationary, moving-opposite direction, and moving-same direction modes: 120 minutes in each mode while using the front antenna and 120 minutes in each mode while using the rear antenna;

(B) for trainees seeking certification with a dual antenna unit and with stationary and

moving-opposite modes only: 180 minutes in each mode while using the front antenna and 180 minutes in each mode while using the rear antenna;

(C) for trainees seeking certification with a dual antenna unit and with stationary mode only: 360 minutes in stationary mode while using the front antenna and 360 minutes in stationary mode while using the rear antenna;

(D) for trainees seeking certification with a single antenna unit and with stationary, moving-opposite direction, and moving-same direction modes: 240 minutes in each mode while using the front antenna;

(E) for trainees seeking certification with a single antenna unit and with stationary and moving-opposite modes only: 360 minutes in each mode while using the front antenna; or

(F) for trainees seeking certification with a single antenna unit and with stationary mode only: 720 minutes in stationary mode while using the front antenna.

~~(e)~~(d) To satisfy the training requirements for operator re-certification, an operator seeking re-certification shall:

(1) Achieve a score of 75 percent correct answers on the comprehensive ~~written~~ state examination provided for in 12 NCAC 09B .0408(c); ~~.0408(e)~~;

(2) ~~Complete a Commission-approved course. Demonstrate successful completion of a certified offering of courses~~ prescribed under 12 NCAC 09B .0210(d), .0212(c), .0237(d), .0238(c), or .0242(c); [~~.0242(e)~~] .0218, .0219, .0220, .0221, .0222, .0239, .0240, .0243, or .0245 as shown by [presentation of a form F-10B, pursuant to 12 NCAC 09I .0102;] the certification of the school director; and

(3) Satisfy all motor-skill requirements as required in Subparagraph (a)(3) of this Rule; and ~~Rule.~~

(4) For individuals seeking supplemental certification or re-certification to operate instruments with additional modes than those currently or previously certified to operate, complete 240 minutes of supervised field practice for each additional mode. For dual antenna instruments, 120 of the 240 minutes must be completed using each antenna.

~~(d) At the time a trainee seeking operator re-certification fails to achieve the prescribed requirements on the comprehensive written examination as specified in 12 NCAC 09B .0409(e)(1), certification of the officer automatically and immediately terminates and that officer shall not be re-certified until successful completion of a subsequent course offering as prescribed under either 12 NCAC 09B .0212, .0213, .0214, .0238, .0242, or .0244 before further examination is permitted.~~

~~(e) At the time a trainee seeking operator re-certification fails to achieve the prescribed motor skill requirements as specified in 12 NCAC 09B .0409(e)(3), certification of the officer automatically and immediately terminates and that officer shall not be re-certified until successful completion of the required motor skill testing. Provided, however, such an officer may request re-examination as prescribed in Paragraph (b) of this Rule.~~

*History Note: Authority G.S. 17C-6;
Eff. November 1, 1981;*

1 *Readopted w/change Eff. July 1, 1982;*
2 *Amended Eff. November 1, 2007; May 1, 2004; April 1, 1999; December 1, 1987; August 1, 1984;*
3 *October 1, 1983; April 1, 1983;*
4 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
5 *2019;*
6 *Emergency Amendment Eff. May 5, 2020; Emergency Amendment Expired Eff. July 31, 2020;*
7 *Amended Eff. February 1, 2026; January 1, 2021.*
8

12 NCAC 09B .0501 is amended as published in 40:06 NCR 518-561 as follows:

SECTION .0500 - MINIMUM STANDARDS FOR CRIMINAL JUSTICE SCHOOL DIRECTORS

12 NCAC 09B .0501 CERTIFICATION OF SCHOOL DIRECTORS

(a) Any person designated to act as, or who performs the duties of, a School Director in the delivery or presentation of a ~~Commission-certified~~ Commission-approved criminal justice training course shall be and continuously remain certified by the Commission as a school director.

(b) To qualify for initial certification as a School Director, an applicant shall:

- (1) hold current General Instructor certification as issued by the North Carolina Criminal Justice Education and Training Standards Commission; Commission, pursuant to 12 NCAC 09B .0302 and .0303;
- (2) furnish documentary evidence to the Standards Division of high school, college, or university graduation as outlined in 12 NCAC 09B ~~.0106~~ .0106;
- (3) attend or must have attended the most current offering of the School Director's orientation as developed and presented by the Commission staff, otherwise an individual orientation with a staff member shall be required; and
- (4) submit a Form F-10 School Director/Qualified Assistant ~~Application~~ Application, pursuant to 12 NCAC 09I .0104, to the Commission for the issuance of such certification. This application shall be executed by the executive officer of the institution or agency currently ~~certified, accredited, or~~ which may be seeking certification, accreditation by the Commission to make presentation of ~~certified~~ Commission-approved training programs and for whom the applicant will be the designated School Director. ~~The F-10 School Director/Qualified Assistant Application shall contain:~~
 - (A) ~~the name of the appointing institution or agency;~~
 - (B) ~~the name, date of birth, social security number (last 4 numbers), phone number, email, instructor certification number, location, and the date the applicant completed orientation training;~~
 - (C) ~~the applicant's educational background, specifically, the dates of attendance, the institution attended, and the degree or diploma attained from each institution;~~
 - (D) ~~the applicant's criminal justice experience, specifically, the agency for which the applicant worked, the applicant's duties in each position, and the dates of employment.~~

~~The applicant shall have acquired four years of practical experience as a criminal justice officer or as an administrator or specialist in a field directly related to the criminal justice system. At least one year of the required four years experience must have been while actively participating in criminal justice training as a Commission-certified instructor;~~

- 1 ~~(E) the signature of the applicant certifying the accuracy of the contents of the application,~~
2 ~~and~~
3 ~~(F) the signature of the appointing institution's executive officer signifying recommendation~~
4 ~~of an applicant to be a School Director; or~~
5 ~~(G) the signature of the School Director signifying recommendation of an applicant to be a~~
6 ~~Qualified Assistant.~~

7 (c) In addition to the requirements identified in Paragraph (b) of this Rule, to qualify for certification as a School
8 Director in the presentation of the Criminal Justice Instructor Training Course, an applicant shall document
9 completion of the Instructor Training Orientation presented by the North Carolina Justice Academy on delivery of
10 instructor training course and student evaluations.

11
12 *History Note: Authority G.S. 17C-6;*
13 *Eff. January 1, 1985;*
14 *Amended Eff. February 1, 2016; November 1, 2015; July 1, 2004;*
15 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
16 *2019;*
17 *Amended Eff. February 1, 2026; December 1, 2023.*
18

1 **12 NCAC 09C .0212 is repealed as published in 40:06 NCR 518-561 as follows:**

2
3 **12 NCAC 09C .0212 POST-DELIVERY REPORT OF TRAINING COURSE PRESENTATION**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Eff. January 1, 1981;*

7 *Amended Eff. August 1, 2000;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
9 *2019;*

10 *Amended Eff. January 1, ~~2025~~, 2025;*

11 *Repealed Eff. February 1, 2026.*

12 NCAC 09C .0308 is amended as published in 40:06 NCR 518-561 as follows:

**12 NCAC 09C .0308 SPEED MEASURING MEASUREMENT INSTRUMENT (SMI) OPERATORS
CERTIFICATION PROGRAM**

(a) ~~Every person employed~~ Only those individuals currently certified as a law enforcement officer or appointed by the state or any political subdivision thereof as a law enforcement officer personnel of a law enforcement agency who uses a Speed Measuring Instrument SMI for enforcement purposes shall hold certification from the Commission authorizing the officer to operate the speed-measuring instrument, SMI. Certification in one or more categories reflects operational proficiency in the designated type(s) of approved equipment for which the trainee has been examined and tested.

(b) Standards Division staff shall issue SMI certification in ~~one of~~ the following categories:

- (1) RADAR operator speed measurement [measuring] instrument (SMI) SMI certification or re-certification requiring ~~successful~~ completion of the training program as required in 12 NCAC 09B .0210, .0212, ~~.0213~~, .0218, or .0242; .0220, .0221, .0242, .0243, .0244, or .0245;
- ~~(2) time distance speed measurement instrument operator certification or re-certification requiring successful completion of the training program as required in 12 NCAC 09B .0211, .0213, .0214, .0219, .0221, .0222, .0244, or .0245;~~
- ~~(3)~~(2) LIDAR speed-measurement instrument SMI operator certification or re-certification requiring successful completion of the training program as required in 12 NCAC 09B .0237, .0238, .0239, or .0242, [.0242;] .0240, .0242, .0243, .0244, or .0245.

(c) ~~Certification in one or more categories reflects operational proficiency in the designated type(s) of approved equipment for which the trainee has been examined and tested. Such certification is for a three year period from the date of issue and re-certifications is for a three year period from the date of issue, unless sooner terminated by the Commission.~~ The applicant shall meet the following requirements for SMI operator certification or re-certification within 90 days of the course completion; completion and upon the presentation of documentary evidence showing that the applicant:

- (1) have completed course requirements as outlined in 12 NCAC 09B .0212, .0238, or .0242;
- (2) have passed the comprehensive state exam as prescribed in 12 NCAC 09B .0408;
- (3) have completed the 12 hours of field practice training as outlined in 12 NCAC 09B .0409; and
- (4)** meet one of the following requirements:
 - (A) hold active certification as a law enforcement officer; or
 - (B) be employed as a sheriff, deputy sheriff, or other sworn appointee with arrest authority governed by the provisions of G.S. 17E and be in compliance with the employment and training standards as established by the North Carolina Sheriffs' Education and Training Standards [Commission; Commission, pursuant to 12 NCAC 10B .0400.
- ~~(1) has successfully completed the training program as required in 12 NCAC 09B .0210, .0211, .0212, .0213, .0214, .0218, .0219, .0220, .0221, .0222, .0237, .0238, .0239, .0240, .0242, .0243, .0244, or~~

1 ~~.0245; and~~

2 (2) ~~has successfully completed a Commission-certified basic law enforcement training course as~~
3 ~~required in 12 NCAC 09B .0400 and is currently certified in a probationary status or holds general~~
4 ~~law enforcement certification; or~~

5 (3) ~~if the applicant is a sheriff, deputy sheriff, or other sworn appointee with arrest authority governed~~
6 ~~by the provisions of G.S. 17E has met and is in compliance with the employment and training~~
7 ~~standards as established and made effective for such position by the North Carolina Sheriffs'~~
8 ~~Education and Training Standards Commission.~~

9 (d) Certified SMI operators shall be notified by email via the North Carolina Justice Training and Certification
10 portal by the Commission not less than 90 days prior to the expiration of certification. All applicants for re-
11 certification shall ~~successfully~~ complete a Commission-approved re-certification course within 12 months from the
12 expiration of the previous certification. ~~If re-certification is not obtained within the 12-month period, successful~~
13 ~~completion of the appropriate operator training programs as required by 12 NCAC 09B .0409(a) shall be required to~~
14 ~~obtain operator certification.~~ This prescribed 12 month period shall not extend the operator certification period
15 beyond its specified expiration date. When a re-certification course is successfully completed prior to the expiration
16 of the previous certification, the new certification shall be issued by the Criminal Justice Standards Division
17 effective upon the receipt and review by Division staff of the required documentation outlined in 12 NCAC 09B
18 .0409, of the Post-Delivery Report of Training Course Presentation. Operator re-certification shall be issued only to
19 officers with active law enforcement certification.

20 ~~(e) Operator re-certification shall be issued only to officers with current law enforcement certification.~~

21 (e) If re-certification is not obtained within the prescribed 12-month period, the officer is no longer eligible for re-
22 certification and must meet the requirements of initial operator certification, including completion of a RADAR,
23 LIDAR, or RADAR/LIDAR operator training course as outlined in 12 NCAC 09B .0212(a), 12 NCAC 09B .0238(a),
24 and 12 NCAC 09B .0242(a).

25 (f) RADAR operator certification is valid for a three-year period from the date of issue. Re-certification is also valid
26 for a three-year period from the date of issue, unless sooner terminated by the Commission.

27 (g) LIDAR operator certification and re-certification shall only be issued when the applicant holds active RADAR
28 operator certification. The expiration date of LIDAR operator certification and re-certification shall match the
29 expiration date of the applicant's [radar] RADAR operator certification.

30 (h) An individual's SMI operator certification shall apply only to the instruments and modes of operation with
31 which the individual has proven proficiency in the motor-skill and performance subject areas, pursuant to 12 NCAC
32 09B .0409(a)(3), during an SMI operator course pursuant to 12 NCAC 09B .0212, .0215, .0238, and .0242. Modes
33 of operation include: stationary, moving-same direction, and moving-opposite direction.

34 ~~(f) All certifications issued pursuant to this Rule and the standards in effect between November 1, 1981 and July 1,~~
35 ~~1982 shall continue with full force and effect; however, said certifications are subject to the provisions of 12 NCAC~~
36 ~~09C .0308(d) and (e).~~

1 *History Note:* *Authority G.S. 17C-6;*
2 *Eff. November 1, 1981;*
3 *Readopted w/change Eff. July 1, 1982;*
4 *Temporary Amendment Eff. February 24, 1984, for a period of 120 days to expire on June 22,*
5 *1984;*
6 *Amended Eff. November 1, 2007; February 1, 2006; May 1, 2004; April 1, 1999; November 1,*
7 *1993; March 1, 1992; February 1, 1991; December 1, 1987;*
8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
9 *2019;*
10 *Emergency Amendment Eff. May 5, 2020; Emergency Amendment Expired Eff. July 31, ~~2020~~,*
11 *2020;*
12 *Amended Eff. February 1, 2026.*

12 NCAC 09C .0601 is amended as published in 40:06 NCR 518-561 as follows:

SECTION .0600 - EQUIPMENT AND PROCEDURES

12 NCAC 09C .0601 APPROVED SPEED-MEASURING INSTRUMENTS

(a) Prior to approval as a ~~speed measuring~~ speed measuring instrument, the manufacturer of said instrument shall certify in writing to the Criminal Justice Standards Division that said instrument meets or exceeds the applicable standards set out in the "Model Performance Specifications for Police Traffic Radar Devices" as published by the National Highway Traffic Safety Administration, United States Department of Transportation (as in effect July 1, 1982) which is hereby incorporated by reference, and shall ~~automatically~~ include any later amendments and editions of the incorporated material as provided by G.S. 150B-21.6. Copies of this publication may be obtained at no cost from the Department of Justice website: <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/>.

(b) ~~All speed measuring~~ Prior to approval, speed measuring instruments shall be evaluated for law-enforcement use in North Carolina by representatives from the North Carolina Criminal Justice Education and Training Standards Commission and the North Carolina Department of Public ~~Safety.~~ Safety, as outlined in Appendix A: Approved List of Speed Measuring Instruments as published by the North Carolina Justice Academy, which is hereby incorporated by reference, and shall include any later amendments and editions of the incorporated material as provided by G.S. 150B-21.6. Copies of this publication may be obtained at no cost from the Department of Justice website: <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/>. A summary of the findings shall be submitted in writing to the Criminal Justice Standards Division's Speed Measurement Instrument Program Administrator.

The following procedures shall be adhered to for approval of speed measuring instruments:

- (1) Prior to the inclusion as an approved speed measuring instrument, the manufacturer of said instrument shall certify in writing to the Criminal Justice Standards Division that said instrument meets or exceeds the applicable standards set out in the "Model Performance Specifications for Police Traffic Radar Devices" as published by the National Highway Traffic Safety Administration, United States Department of Transportation (as in effect July 1, 1982) which is hereby incorporated by reference, and shall automatically include any later amendments and editions of the incorporated material as provided by G.S. 150B-21.6. Copies of this publication may be inspected at the office of the agency:

Criminal Justice Standards Division
North Carolina Department of Justice
114 West Edenton Street
Old Education Building
Post Office Drawer 149
Raleigh, North Carolina 27602

1 and may be obtained at no cost from the National Highway Traffic Safety Administration at the following
2 address:

3 National Highway Traffic Safety Administration
4 400 Seventh Street,
5 SW Washington, DC 20590

6 The manufacturer shall provide evidence that the instrument meets or exceeds the applicable
7 standards published by the National Highway Traffic Safety Administration, United States
8 Department of Transportation.

- 9 (2) All speed measuring instruments shall be evaluated by representatives from the North Carolina
10 Criminal Justice Education and Training Standards Commission and the North Carolina
11 Department of Crime Control and Public Safety. A summary of the findings shall be submitted in
12 writing to the Criminal Justice Standards Division's Speed Measurement Instrument Program
13 Administrator.
- 14 (3) A current list of all approved speed measuring instruments shall be included in Appendix "A" of
15 the Supplement for Speed Measurement Instrument Training Courses published by the North
16 Carolina Justice Academy.
- 17 (4) The "Speed Measurement Instrument Operator Training Course Manuals" as published by the
18 North Carolina Justice Academy shall be applied as the basic curriculum for the speed measuring
19 instrument operator training courses for speed measuring instrument operators as administered by
20 the North Carolina Criminal Justice Education and Training Standards Commission. Copies of
21 these publications may be inspected at the office of the agency:

22 Criminal Justice Standards Division
23 North Carolina Department of Justice
24 114 West Edenton Street
25 Old Education Building
26 Post Office Drawer 149
27 Raleigh, North Carolina 27602

28 and may be obtained at cost from the Academy at the following address:

29 North Carolina Justice Academy
30 Post Office Box 99
31 Salemburg, North Carolina 28385

32
33 *History Note: Authority G.S. 17C-6;*
34 *Eff. November 1, 1981;*
35 *Readopted w/change Eff. July 1, 1982;*
36 *Amended Eff. November 1, 2007; May 1, 2004; November 1, 1998; August 1, 1998; August 1,*
37 *1995; January 1, 1995; November 1, 1993; February 1, 1991;*

1 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
2 *~~2019.~~ 2019.*
3 *Amended Eff. February 1, 2026.*
4

12 NCAC 09C .0607 is amended as published in 40:06 NCR 518-561 as follows:

**12 NCAC 09C .0607 SPEED-MEASURING INSTRUMENT ANNUAL ACCURACY TEST TESTS AND
DAILY OPERATIONAL PROCEDURES**

(a) ~~The purpose of this Rule is to establish the minimum requirements [for accuracy testing methods and operational procedures for] and test methods for determining the accuracy of speed measuring instruments used by law enforcement agencies to measure the speed of vehicles for enforcement of speed laws and regulations. All requirements [for accuracy testing methods and operational procedures for speed measuring instruments used by law enforcement officers and agencies to measure the speed of vehicles for enforcement of speed laws and regulations and tests~~ shall conform with G.S. 8-50.2 and G.S. 17C-6.

(b) Each speed measuring instrument shall be tested for accuracy within a ~~[12-month]~~ 12-month period prior to each use of the instrument for speed enforcement ~~[purposes.]~~ purposes, as outlined in Appendix B: Annual Tests for Accuracy Requirements published by the North Carolina Justice Academy, which is hereby incorporated by reference, and shall include any later amendments and editions of the incorporated material as provided by G.S. 150B-21.6. Copies of this publication may be obtained at no cost from the Department of Justice website: <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/>. The results of the tests shall be recorded on Form SMI-9 for RADAR instruments and Form SMI-12 for LIDAR instruments, pursuant to 12 NCAC 09I .0106.

(c) On a daily basis, speed measuring instruments must be calibrated and tested for accuracy by the certified SMI operator prior to using the instrument for speed enforcement purposes. The tests shall be conducted according to the recommendations of the instrument's ~~[manufacturer,]~~ manufacturer and include tuning fork tests for each of the instrument's modes of operation.

(d) The daily operating procedures by SMI operators of each speed measuring ~~[instrument shall be]~~ instrument, in accordance with the instrument's manufacturer recommendations and ~~[conform with G.S. 8-50.2.]~~ G.S. 8-50.2, are outlined in Appendix C: Daily Tests for Accuracy Requirements & Operating Procedures as published by the North Carolina Justice Academy, which is hereby incorporated by reference, and shall include any later amendments and editions of the incorporated material as provided by G.S. 150B-21.6. Copies of this publication may be obtained at no cost from the Department of Justice website: <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/>.

~~(1) Accuracy test standard:~~

- ~~(a) Annual tests of all speed measuring instruments shall be in conformance with G.S. 8-50.2(c). The results of these tests shall be recorded on forms provided by the Commission.~~
- ~~(b) Daily tests of all speed measuring instruments shall be in conformance with G.S. 8-50.2(b)(4) and G.S. 17C-6(13).~~

~~(2) Accuracy requirements and test methods:~~

- ~~(a) Annual:~~

1 ~~The annual tests for accuracy requirements for each specific Radar, Time Distance, and~~
2 ~~Lidar speed measuring instrument, as outlined in Appendix "B" of the Supplement for~~
3 ~~Speed Measurement Instrument Training Courses published by the North Carolina Justice~~
4 ~~Academy, are hereby incorporated by reference, and shall automatically include any later~~
5 ~~amendments and editions of the incorporated material as provided by G.S. 150B-21.6.~~
6 ~~Copies of this publication may be inspected at the office of the agency:~~

7 ~~Criminal Justice Standards Division~~
8 ~~North Carolina Department of Justice~~
9 ~~114 West Edenton Street~~
10 ~~Old Education Building~~
11 ~~Post Office Drawer 149~~
12 ~~Raleigh, North Carolina 27602~~

13 ~~and may be obtained at a cost of seven dollars and twelve cents (\$7.12) from the Academy at the following address:~~

14 ~~North Carolina Justice Academy~~
15 ~~Post Office Box 99~~
16 ~~Salemburg, North Carolina 28385~~

17 (b) Daily:

18 ~~The daily tests for accuracy requirements for each specific Radar, Time Distance, and~~
19 ~~Lidar speed measuring instrument, as outlined in Appendix "C" of the Supplement for~~
20 ~~Speed Measurement Instrument Training Courses published by the North Carolina Justice~~
21 ~~Academy, are hereby incorporated by reference, and shall automatically include any later~~
22 ~~amendments and editions of the incorporated material as provided by G.S. 150B-21.6.~~
23 ~~Copies of this publication may be inspected at the office of the agency:~~

24 ~~Criminal Justice Standards Division~~
25 ~~North Carolina Department of Justice~~
26 ~~114 West Edenton Street~~
27 ~~Old Education Building~~
28 ~~Post Office Drawer 149~~
29 ~~Raleigh, North Carolina 27602~~

30 ~~and may be obtained at a cost of seven dollars and twelve cents (\$7.12) from the Academy at the following address:~~

31 ~~North Carolina Justice Academy~~
32 ~~Post Office Box 99~~
33 ~~Salemburg, North Carolina 28385~~

34
35 History Note: Authority G.S. 8-50.2; 17C-6;
36 Eff. August 1, 1998;
37 Amended Eff: May 1, 2004;

1 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
2 *~~2019.~~ 2019.*
3 *Amended Eff. February 1, 2026.*
4

1 12 NCAC 09C .0608 is repealed as published in 40:06 NCR 518-561 as follows:

2
3 12 NCAC 09C .0608 SPEED-MEASURING INSTRUMENT OPERATING PROCEDURES
4

5 *History Note: Authority G.S. 8-50.2; 17C-6;*

6 *Eff. August 1, 1998;*

7 *Amended Eff. November 1, 2007; May 1, 2004;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ 2019.

10 Repealed Eff. February 1, 2026.

1 12 NCAC 09D .0101 is amended as published in 40:06 NCR 518-561 as follows:

2
3 **SUBCHAPTER 09D – PROFESSIONAL CERTIFICATE PROGRAMS**

4
5 **SECTION .0100 - LAW ENFORCEMENT OFFICERS' PROFESSIONAL CERTIFICATE PROGRAM**

6
7 **12 NCAC 09D .0101 PURPOSE LAW ENFORCEMENT PROFESSIONAL CERTIFICATE**
8 **PROGRAM**

9 ~~[(a)]~~ In order to recognize the level of competence of law enforcement officers serving the governmental ~~[criminal~~
10 ~~justice]~~ agencies within the state ~~[North Carolina, pursuant to G.S. 17C 2(2),]~~ to foster increased interest in college
11 education and professional law enforcement training programs, and to attract ~~[retain]~~ highly qualified individuals
12 into a law enforcement career, the ~~[North Carolina]~~ Criminal Justice Education and Training Standards Commission
13 establishes the Law Enforcement Officers' Professional Certificate Program. This program is a method by which
14 dedicated officers may receive statewide and nationwide recognition for education, professional training, and on-
15 the job experience. ~~[years of law enforcement service.]~~

16 ~~[(b)]~~ (a) Applicants who meet the qualifications set forth in this Rule ~~[are]~~ shall be eligible to receive a Law
17 Enforcement Officer's Professional Certificate. Based on the applicant's qualifications, this Professional Certificate
18 is defined as either an Intermediate or Advanced Certificate. Advanced Certificates shall be approved by
19 Commission vote at regularly scheduled meetings prior to being awarded.

20 ~~[(e)]~~ (b) To be eligible for either Intermediate or Advanced Certificates, applicants shall meet the following
21 qualifications:

- 22 (1) The applicant shall be a ~~[full-time, sworn]~~ full-time employee of a law enforcement agency within
23 the State and hold general law enforcement certification pursuant to 12 NCAC 09C .0304; or
24 (2) The applicant shall be a full-time employee of a law enforcement agency within the State, who has
25 previously held general law enforcement officer certification pursuant to 12 NCAC 09C .0304 but
26 is presently, by virtue of direct promotion or transfer from the ~~[sworn]~~ certified law enforcement
27 position, serving in a ~~[non-sworn]~~ position not subject to certification.
28 (3) ~~[Applicants]~~ The applicant shall be in good standing with their employing agency at the date of
29 application.

30 ~~[(d)]~~ (c) An officer subject to suspension or revocation proceedings, probation subsequent to suspension or
31 revocation proceedings, or ~~[is]~~ under investigation for possible decertification action by the Commission pursuant to
32 12 NCAC 09A .0206, the Company and Campus Police Program pursuant to either 12 NCAC 02I .0214 or 12
33 NCAC 09J .0211, or the North Carolina Sheriffs' Education and Training Standards Commission pursuant to 12
34 NCAC 10B ~~.[0206]~~ .0206, shall not be eligible for professional certificates for the pendency of the proceeding or the
35 period of probation.

36 ~~[(e)]~~ (d) Eligibility for either Intermediate or Advanced Certificates ~~[is]~~ shall be based upon a formula which
37 combines formal education, law enforcement training, and service as a law enforcement employee pursuant to

~~[Subparagraph (e)(4) of this rule.]~~ Part (4) of this Subparagraph. Eligibility ~~[is]~~ shall be computed in the following manner:

- (1) The applicant's highest educational degree will be given a point value. Graduate degrees will be worth 15 points, Bachelor's degrees will be worth 12 points, and Associate's degrees will be worth 7 points;
- (2) Each semester hour of college or university credit earned in pursuit of an educational degree not yet completed by the applicant shall equal one-tenth of a point, and each quarter hour of college or university credit earned shall equal one-fifteenth of a point. The total points earned in this manner shall not equal or exceed the number of points that would be given for the degree upon completion;
- (3) Twenty classroom or practical skills assessment hours of Commission-approved law enforcement training shall equal one point. No points shall be awarded for completing Commission-approved courses that are required to obtain or maintain law enforcement certification, including basic law enforcement training and in-service training courses. Additionally, no points will be awarded for the maintenance of specialized law enforcement training;
- (4) Each full year of service as a full-time employee of a North Carolina criminal justice agency, or equivalent service as determined by the Commission, shall fulfill a requisite year of creditable service. For the purposes of this Rule, "equivalent service" includes full-time, sworn employment within the State, out-of-state, or with a federal law enforcement agency or the military police.

~~[(4)]~~ (e) Applicants for the Intermediate Law Enforcement Certificate shall have acquired a minimum of four years of full-time law enforcement service and a minimum of 30 total education ~~[and/or]~~ and training points.

~~[(e)]~~ (f) Applicants for the Advanced Law Enforcement Certificate shall have acquired a minimum of nine years of full-time law enforcement service and a minimum of 60 total education ~~[and/or]~~ and training points.

~~[(4)]~~ (g) All applicants for either Intermediate or Advanced Certificates shall submit a completed ~~["Application"]~~ Application for Award of Professional ~~[Certificate"]~~ Certificate Form F-6 (LE), pursuant to 12 NCAC 09I .0107, to the employing agency in-service training coordinator or agency head of the applicant's employing agency.

~~[(4)]~~ (h) Documentary evidence of college or university graduation shall be submitted with the application pursuant to 12 NCAC 09B .0106.

~~[(4)]~~ (i) Documentation of training ~~[shall be provided]~~ submitted to the Division ~~[by:]~~ shall include training records, signed by the employing agency in-service training coordinator or agency head, that indicate the number of training contact hours.

~~[(1)]~~ Training records signed by the employing agency in-service training coordinator or agency head;
or]

~~[(2)]~~ Providing certificates of completion indicating the number of training contact hours;]

~~[(4)]~~ (j) Replacement certificates ~~[can]~~ may be requested by a completed ~~["Request"]~~ Request for Replacement of Professional ~~[Certificate"]~~ Certificate Form F-7. An applicant shall have been previously awarded either an Intermediate or Advanced Certificate to be able to receive a replacement.

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History Note: Authority G.S. 17C-6;
Eff. January 1, 1981;
Amended Eff. August 1, 2002;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,
~~2019.~~ 2019;
Amended Eff. February 1, 2026.

1 12 NCAC 09D .0102 is repealed as published in 40:06 NCR 518-561 as follows:

2
3 12 NCAC 09D .0102 GENERAL PROVISIONS
4

5 *History Note: Authority G.S. 17C-6;*

6 *Eff. January 1, 1981;*

7 *Amended Eff. June 1, 2012; August 1, 2002; August 1, 1995; May 1, 1986; April 1, 1984; January*
8 *1, 1983;*

9 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

10 ~~2019.~~ **2019;**

11 *Repealed Eff. February 1, 2026.*
12

1 **12 NCAC 09D .0104 is repealed as published in 40:06 NCR 518-561 as follows:**

2
3 **12 NCAC 09D .0104 INTERMEDIATE LAW ENFORCEMENT CERTIFICATE**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Eff. January 1, 1981;*

7 *Amended Eff. August 1, 2002; August 1, 1995; May 1, 1986; January 1, 1983;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ **2019.**

10 *Repealed Eff. February 1, 2026.*

1 **12 NCAC 09D .0105 is repealed as published in 40:06 NCR 518-561 as follows:**

2
3 **12 NCAC 09D .0105 ADVANCED LAW ENFORCEMENT CERTIFICATE**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Eff. January 1, 1981;*

7 *Amended Eff. August 1, 2002; August 1, 1995; May 1, 1986;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ **2019.**

10 *Repealed Eff. February 1, 2026.*

1 **12 NCAC 09D .0106 is repealed as published in 40:06 NCR 518-561 as follows:**

2
3 **12 NCAC 09D .0106 METHOD OF APPLICATION**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Eff. January 1, 1981;*

7 *Amended Eff. August 1, 2002; August 1, 1995; May 1, 1986;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ **2019.**

10 *Repealed Eff. February 1, 2026.*

12 NCAC 09D .0201 is amended as published in 40:06 NCR 518-561 as follows:

**SECTION .0200 - ~~CRIMINAL JUSTICE OFFICERS'~~ JUVENILE JUSTICE PROFESSIONAL
CERTIFICATE PROGRAM**

12 NCAC 09D .0201 ~~PURPOSE~~ JUVENILE JUSTICE PROFESSIONAL CERTIFICATE PROGRAM

~~[(a)] In order to recognize the level of competence of criminal justice officers [Juvenile Justice officers, court counselors, and chief court counselors] serving the governmental agencies within the State [employed by the North Carolina Department of Public Safety, Division of Juvenile Justice, pursuant to G.S. 17C-2 (2)], to foster increased interest in college education and professional criminal justice training programs, and to attract [retain] highly qualified individuals into a criminal justice career, the [North Carolina] Criminal Justice Education and Training Standards Commission establishes the [Juvenile Justice Professional Certificate Program.] criminal justice officer's professional certificate program. This program is a method by which dedicated officers may receive statewide and nationwide recognition for education, professional training, and on the job experience [years of Juvenile Justice service.]~~

~~[(b)]~~ (a) Applicants who meet the qualifications set forth in this Rule [are] shall be eligible to receive a Juvenile Justice Professional Certificate. Based on the applicant's qualifications, this Professional Certificate is defined as either an Intermediate or Advanced Certificate. Advanced Certificates shall be approved by Commission vote at regularly scheduled meetings prior to being awarded.

~~[(e)]~~ (b) To be eligible for either Intermediate or Advanced Certificates, applicants shall meet the following qualifications:

- (1) The applicant shall be a full-time employee of the Division of Juvenile Justice and shall hold general Juvenile Justice Officer certification pursuant to 12 NCAC 09D .0117 or 09D .0116; or
- (2) The applicant shall have previously held the certification listed in Subparagraph (c)(1) of this rule and, by virtue of direct promotion or transfer from a certified position, currently serve in a permanent, full-time position not subject to certification for the Division of Juvenile Justice; and
- (3) [Applicants] The applicant shall be in good standing with the Division of Juvenile Justice at the date of application.

~~[(d)]~~ (c) An applicant subject to suspension or revocation proceedings, probation subsequent to suspension or revocation proceedings, or [is] under investigation for possible decertification action by the Commission pursuant to 12 NCAC 09A .0206, the Company and Campus Police Program pursuant to either 12 NCAC 02I .0214 or 12 NCAC 09J .0211, or the North Carolina Sheriffs' Education and Training Standards Commission pursuant to 12 NCAC 10B [0206] .0206, shall not be eligible for professional certificates for the pendency of the proceeding or the period of probation.

~~[(e)]~~ (d) Eligibility for Intermediate or Advanced Certificates [is] shall be based upon a formula which combines formal education, Juvenile Justice training, and service as a Juvenile Justice employee pursuant to [subsection 4] Part (4) of this [rule.] Subparagraph. Eligibility [is] shall be computed in the following manner:

- (1) The applicant's highest educational degree will be given a point value. Graduate degrees will be worth 15 points, Bachelor's degrees will be worth 12 points, and Associate's degrees will be worth 7 points;
- (2) Each semester hour of college or university credit earned in pursuit of an educational degree not yet completed by the applicant shall equal one-tenth of a point, and each quarter hour of college or university credit earned shall equal one-fifteenth of a point. The total points earned in this manner shall not equal or exceed the number of points that would be given for the degree upon completion;
- (3) Twenty classroom or practical skills assessment hours of Commission-approved Juvenile Justice training shall equal one point. No points will be awarded for the maintenance of specialized Juvenile Justice training;
- (4) Each full year of service as a full-time employee of the Division of Juvenile Justice, or equivalent service as determined by the ~~Commission~~ Commission, shall fulfill a requisite year of creditable service. For the purposes of this Rule, "equivalent service" includes service in a permanent, full-time, paid position in a federal or out-of-state Juvenile Justice institution.
- ~~(f)~~(e) Applicants for the Intermediate Juvenile Justice Certificate shall have acquired a minimum of four years of full-time Juvenile Justice service and a minimum of 30 total education ~~and/or~~ and training points.
- ~~(g)~~(f) Applicants for the Advanced Juvenile Justice Certificate shall have acquired a minimum of nine years of full-time criminal justice service and a minimum of 80 total education ~~and/or~~ and training points.
- ~~(h)~~(g) All applicants for either Intermediate or Advanced Certificates shall submit a completed ~~complete an~~ "Application" Application for Award of Professional ~~Certificate~~ Certificate Form F-6 (DJJ), pursuant to 12 NCAC 09I .0107, to the Division of Juvenile Justice agency head.
- ~~(i)~~(h) Documentary evidence of college or university graduation shall be submitted with the application pursuant to 12 NCAC 09B .0106.
- ~~(j)~~(i) Documentation of training ~~shall be provided~~ submitted to the Division ~~by~~ shall include training records, signed by the Division of Juvenile Justice agency head, that indicate the number of training contact hours.
- (1) Training records signed by the Division of Juvenile Justice agency head; or
- (2) Providing certificates of completion indicating the number of training contact hours;
- ~~(k)~~(j) Replacement certificates ~~can~~ may be requested by a completed ~~Request~~ Request for Replacement of Professional ~~Certificate~~ Certificate Form F-7, pursuant to 12 NCAC 09I .0107. An applicant shall have been previously awarded either an Intermediate or Advanced Certificate to be able to receive a replacement.

History Note: Authority G.S. 17C-6;
Eff. August 15, 1981;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019; 2019;
Amended Eff. February 1, 2026.

1 **12 NCAC 09D .0202 is repealed as published in 40:06 NCR 518-561 as follows:**

2
3 **12 NCAC 09D .0202 GENERAL PROVISIONS**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Eff. August 15, 1981;*

7 *Amended Eff. June 1, 2012; August 1, 2002; December 1, 1987; May 1, 1986; July 1, 1982;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ **2019.**

10 *Repealed Eff. February 1, 2026.*

1 **12 NCAC 09D .0204 is repealed as published in 40:06 NCR 518-561 as follows:**

2
3 **12 NCAC 09D .0204 INTERMEDIATE CRIMINAL JUSTICE CERTIFICATE**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Eff. August 15, 1981;*

7 *Amended Eff. August 1, 2002;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ **2019.**

10 *Repealed Eff. February 1, 2026.*

1 **12 NCAC 09D .0205 is repealed as published in 40:06 NCR 518-561 as follows:**

3 **12 NCAC 09D .0205 ADVANCED CRIMINAL JUSTICE CERTIFICATE**

5 *History Note: Authority G.S. 17C-6;*

6 *Eff. August 15, 1981;*

7 *Amended Eff. August 1, 2002;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ **2019.**

10 *Repealed Eff. February 1, 2026.*

1 **12 NCAC 09D .0206 is repealed as published in 40:06 NCR 518-561 as follows:**

2
3 **12 NCAC 09D .0206 METHOD OF APPLICATION**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Eff. August 15, 1981;*

7 *Amended Eff. May 1, 1986;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ **2019.**

10 *Repealed Eff. February 1, 2026.*

12 NCAC 09G .0205 is amended with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09G .0205 MEDICAL EXAMINATION

(a) Each applicant for certification or enrollment in a basic correctional officer or probation/parole officer training course shall complete, sign, and date the Commission's Medical History Statement Form (F-1) and shall be examined by either a physician, physician assistant, or nurse practitioner who holds a current license in the United States to practice medicine, as issued by a state medical board, to help determine his or her fitness to carry out the physical requirements of the position of correctional officer or probation/parole officer as listed in the current job description provided by the North Carolina Department of Adult Correction.

(b) Prior to being examined, the applicant shall provide the examining physician, physician's assistant, or nurse practitioner with:

- (1) the Medical History Statement Form ~~(F-1)~~ (F-1), pursuant to 12 NCAC 09I .0105, which must be read, completed, and signed by the applicant; and
- (2) the ~~Instructions to Agency and Examiner for Completion of~~ Medical Examination Report ~~(F-2A)~~ Form (F-2), the Tuberculosis Questionnaire Form ~~(F-2A)~~ (F-2A), and ~~attached to~~ the Medical Examination Report Addendum Form (F-2) ~~(F-2B)~~ (F-2B), pursuant to 12 NCAC 09I .0105. The ~~Instructions to Agency and Examiner for Completion of~~ Medical Examination Report ~~(F-2A)~~ (F-2) Form shall notify the examining physician, physician's assistant, or nurse practitioner that the "Medical Screening Guidelines for the Certification of Criminal Justice Officers in North Carolina" "Minimum Medical Qualifications for Law Enforcement Officers, Corrections Officers, Juvenile Justice Officers, Court Counselors, Chief Court Counselors, Detention Officers and Telecommunicators" as published by the North Carolina Department of Justice Criminal Justice Educations and Training Standards Commission is available at no cost at <https://ncdoj.gov/law-enforcement-training/criminal-justice/>.

(c) The examining physician, physician's assistant, or nurse practitioner shall record the results of the examination on the Medical Examination Report Form (F-2) and shall sign and date the form.

(d) The Medical Examination Report Form ~~(F-2)~~ (F-2), the Tuberculosis Questionnaire Form (F-2A), and the Medical History Statement Form (F-1) shall be valid for one year after the date of the examination was conducted and shall be completed prior to:

- (1) the applicant's beginning the basic correctional officer or basic probation/parole officer training course, and
- (2) an agency's submission of application for certification to the Commission.

History Note: Authority G.S. 17C-6; 17C-10;
Temporary Adoption Eff. January 1, 2001;
Eff. August 1, 2002;
Amended Eff. January 1, 2015; April 1, 2009; August 1, 2004;

1 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
2 *2019;*
3 *Temporary Amendment Eff. February 15, 2022;*
4 *Amended Eff. February 1, 2026; November 1, 2024; May 1, 2023; October 1, 2022; August 23,*
5 *2022.*

12 NCAC 09G .0311 is amended with changes as published in 40:06 NCR 518-561 as follows:

**12 NCAC 09G .0311 TERMS AND CONDITIONS OF SPECIALIZED INSTRUCTOR
CERTIFICATION**

(a) An applicant meeting the requirements for Specialized Instructor Certification as set forth in Rule .0310 of this Section shall be issued a certification to expire three years from the date of issuance. The applicant shall apply for certification as a Specialized Instructor within 60 days after the date the applicant achieved a passing score on the state comprehensive exam for the respective Specialized Instructor training ~~[course-]~~ course, pursuant to Rule .0315 of this Section.

(b) The instructor ~~[is required to]~~ shall instruct, within three years after Specialized Instructor Certification is issued, a minimum of 12 hours in each of the topics for which Specialized Instructor Certification was granted, and that instruction ~~[was]~~ shall be provided in a Commission-approved basic training, Specialized Instructor Training, Commission-recognized in-service training course, or training course delivered pursuant to 12 NCAC 10B .0601, .1302, or .2005.

(c) An application for certification renewal shall contain, in addition to the requirements listed in Rule .0310 of this Section, documentary evidence that the applicant has remained active in the instructional process during the previous three-year period. Such documentary evidence shall include the following:

- (1) proof that the applicant has, within the three-year period preceding application for renewal, instructed at least 12 hours in each of the topics for which Specialized Instructor Certification was granted, and that instruction was provided in a Commission-approved basic training, Specialized Instructor Training, Commission-recognized in-service training course, or training course delivered pursuant to 12 NCAC 10B .0601, .1302, or .2005. Acceptable documentary evidence shall include official Commission records submitted by School Directors or In-Service Training Coordinators and written attestation from a School Director or In-Service Training Coordinator;
- (2) proof that the applicant has, within the three-year period preceding application for renewal, attended and completed all instructor updates that have been issued by the Commission. Acceptable documentary evidence shall include official Commission records submitted by School Directors or In-Service Training Coordinators, or copies of certificates of completion issued by the institution which provided the instructor updates; and
- (3) (A)** a favorable written recommendation from a School Director or In-Service Training Coordinator completed on an Application for Instructor and Professional Lecturer Certification Form (Form F-12), pursuant to 12 NCAC 09I ~~[.0102]~~ .0101(a)(1), stating the instructor taught at least 12 hours in each of the topics for which Specialized Instructor Certification was granted. The teaching shall have been provided in a Commission-approved basic training, or Commission-recognized in-service training course, or training course delivered pursuant to 12 NCAC 09G .0411 or 09G .0412;

1 (4) (B) a favorable written evaluation by a School Director, Qualified Assistant, In-Service
2 Training Coordinator, or another Specialized Instructor certified in the same specialized
3 subject, based on an on-site classroom evaluation of a presentation by the instructor in a
4 Commission-approved basic training, Specialized Instructor Training, Commission-
5 recognized in-service training course, or training course delivered, pursuant to 12 NCAC
6 09G .0411 or 09G .0412, during the three-year period of Specialized Instructor
7 Certification. Such evaluation shall be presented on a Criminal Justice Instructor
8 Evaluation Form F-16, pursuant to Rule .0202 of this Subchapter and 12 NCAC 09I
9 ~~-.0402-;~~ .0101(a)(2).

10 (d) Upon expiration of their Specialized Instructor certification, instructors have 90 days to submit renewal
11 documentation to the Division for review and approval. During this 90-day period, instructors are not permitted to
12 teach any Commission-approved courses or blocks of instruction that require instruction by a Specialized Instructor.
13 The Director may, for just cause, grant an extension of the 90-day period in which an instructor's renewal
14 application must be submitted, however, such extension shall not exceed 12 months and shall not extend the
15 instructor's certification period beyond its specified expiration period. For purposes of this Rule, just cause means
16 accident, illness, emergency, or other exceptional circumstances that precluded the instructor from submitting the
17 renewal documentation.

18 (e) Individuals who hold Specialized Instructor certification may, for just cause, be granted an extension of the
19 three-year period to teach the 12 hour minimum requirement, pursuant to paragraph (b) of this Rule. The Director
20 may grant such extensions on a one-time basis only not to exceed 12 months. For purposes of this Rule, just cause
21 means accident, illness, emergency, course cancellation, or other exceptional circumstances that precluded the
22 instructor from fulfilling the teaching requirement.

23 (f) Those individuals who have previously held Specialized Instructor Certification and have not exceeded a ~~three~~
24 ~~year~~ ~~three-year~~ time period from when his or her Specialized Instructor Certification expired are eligible to apply
25 for re-issuance of the previously held Specialized Instructor Certification. An application for re-issuance shall
26 contain documentation that the applicant:

- 27 (1) holds a current General Instructor ~~certification;~~ certification, pursuant to 12 NCAC 09G .0308;
- 28 (2) has completed the pre-qualification skills assessment for that specialty; and
- 29 (3) has passed the state examination for that specialty with a minimum score of 75.

30 (g) Applicants for re-issuance of the Specialized Instructor Certification shall have one opportunity to pass the
31 prequalification skills assessment and the state examination for that specialty. Should an applicant not ~~achieve a~~
32 ~~passing score on~~ ~~pass~~ either the prequalification skills assessment or the state examination for that specialty, the
33 applicant shall complete the specific Specialized Instructor Course in its entirety.

34 (h) Applicants whose Specialized Instructor Certification is suspended or revoked shall not qualify for re-issuance.
35 The applicant shall complete the specific Specialized Instructor Course in its entirety.

36 (i) After re-issuance of certification, the instructor shall complete eight hours of evaluated instruction in the specialty
37 where re-issuance of certification is sought, as documented on an F-16 ~~Form~~ located on the agency's website:

1 <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/>. The eight hours of instruction
2 shall be taught within 60 days of the Specialized Instructor Certification being reissued and evaluated by a
3 Specialized Instructor certified in that specialty. Failure to complete the required eight hours of evaluated instruction
4 will result in the reissued Specialized Instructor Certification being revoked.

5 (a) ~~An applicant meeting the requirements for Specialized Instructor Certification shall be issued a certification to~~
6 ~~expire three years from the date of issuance. The applicant shall apply for certification as a specialized instructor~~
7 ~~within 60 days from the date of completion of a specialized instructor course.~~

8 (b) ~~Where certifications for both General Probationary Instructor and Specialized Instructor are issued on the same~~
9 ~~date, the instructor shall be required to instruct within three years after certification, a minimum of 12 hours in each~~
10 ~~of the topics for which Specialized Instructor Certification was granted in a Commission accredited basic training,~~
11 ~~Specialized Instructor Training, Commission recognized in service training course, or training course delivered~~
12 ~~pursuant to 12 NCAC 10B .0601, .1302, or .2005. The instructor may satisfy the teaching requirement for the~~
13 ~~General Probationary Instructor certification by teaching any specialized topic for which certification has been~~
14 ~~issued.~~

15 (c) ~~When Specialized Instructor Certification is issued during an existing period of General Probationary Instructor~~
16 ~~Certification the specialized instructor may satisfy the teaching requirement for the General Probationary~~
17 ~~Certification by teaching the specialized subject for which certification has been issued.~~

18 (d) ~~The term of certification as a specialized instructor shall not exceed three years. An application for renewal shall~~
19 ~~contain, in addition to the requirements listed in Rule .0310 of this Section, documentary evidence that the applicant~~
20 ~~has remained active in the instructional process during the previous three year period. Such documentary evidence~~
21 ~~shall include the following:~~

22 (1) ~~proof that the applicant has, within the three year period preceding application for renewal,~~
23 ~~instructed at least 12 hours in each of the topics for which Specialized Instructor Certification was~~
24 ~~granted, and that instruction was provided in a Commission accredited basic training, Specialized~~
25 ~~Instructor Training, or Commission recognized in service training course. Acceptable~~
26 ~~documentary evidence shall include official Commission records submitted by School Directors or~~
27 ~~In Service Training Coordinators, and written certification from a School Director or In Service~~
28 ~~Training Coordinator;~~

29 (2) ~~proof that the applicant has, within the three year period preceding application for renewal,~~
30 ~~attended and completed all instructor updates that have been issued by the Commission.~~
31 ~~Acceptable documentary evidence shall include official Commission records submitted by School~~
32 ~~Directors or In Service Training Coordinators, or copies of certificates of completion issued by the~~
33 ~~institution which provided the instructor updates; and~~

34 (A) ~~a favorable written recommendation from a School Director or In Service Training~~
35 ~~Coordinator completed on a Commission Renewal of Instructor and Professional Lecturer~~
36 ~~Certification Form stating the instructor taught at least 12 hours in each of the topics for~~
37 ~~which Specialized Instructor Certification was granted. The teaching shall have been~~

provided in a Commission accredited basic training, Specialized Instructor Training course, pursuant to Rule .0310 of this Section, or Commission recognized in-service training course;

(B) a favorable written evaluation by a School Director, Qualified Assistant, In Service Training Coordinator, or another instructor certified in the same specialized subject, based on an on-site classroom evaluation of a presentation by the instructor in a Commission accredited basic training, Specialized Instructor Training, or Commission recognized in-service training course, during the three-year period of Specialized Instructor Certification. Such evaluation shall be certified on a Criminal Justice Instructor Evaluation Form F-16, located on the agency's website:

<http://www.ncdoj.gov/getdoc/c2eba6aa-12bc-4303-bf4b-5fa0431ef5a1/F-16-6-11.aspx>.

(C) has met the requirement set forth in Rule .0309(c) of this Section.

(e) The use of guest participants in a delivery of a Commission mandated training course pursuant to this Section shall be permissible. However, such guest participants are subject to the on-site supervision of a Commission-certified instructor and shall be authorized by the School Director. A guest participant shall be used only to complement the primary certified instructor of the block of instruction and shall not replace the primary instructor.

History Note: Authority G.S. 17C-6;

Temporary Adoption Eff. January 1, 2001;

Eff. August 1, 2002;

Amended Eff. January 1, 2017; May 1, 2014; June 1, 2012; January 1, 2006;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019;

Amended Eff. February 1, 2026; January 1, 2020.

12 NCAC 09G .0601 is amended as published in 40:06 NCR 518-561 as follows:

SECTION .0600 - PROFESSIONAL CERTIFICATE PROGRAM

12 NCAC 09G .0601 PURPOSE STATE CORRECTIONS PROFESSIONAL CERTIFICATE PROGRAM

~~[(a)] In order to recognize the level of competence of corrections officers serving within the State, [pursuant to G.S. 17C-2 (2),] to foster increased interest in college education and professional corrections training programs, and to retain highly qualified individuals into a corrections career, the [North Carolina] Criminal Justice Education and Training Standards Commission establishes the State Corrections Officer's Professional Certificate Program. This program is a method by which dedicated officers may receive statewide and nationwide recognition for education, professional training, and on the job experience [years of corrections service.]~~

~~[(b)]~~ (a) Applicants who meet the qualifications set forth in this Rule ~~[are]~~ shall be eligible to receive a State Corrections Officer's Professional Certificate. Based on the applicant's qualifications, this Professional Certificate is defined as either an Intermediate or Advanced Certificate. Advanced Certificates shall be approved by Commission vote at regularly scheduled meetings prior to being awarded.

~~[(c)]~~ (b) To be eligible for either Intermediate or Advanced Certificates, applicants shall meet the following qualifications:

(1) The applicant shall be a full-time employee of the North Carolina Department of Adult Correction (DAC), and shall hold general correctional officer certification, pursuant to 12 NCAC 09G .0208, or probation/parole officer certification, pursuant to 12 NCAC 09G .0209; or

(2) The applicant shall have previously held one of the certifications listed in Subparagraph ~~[(c)](1)~~ (b)(1) of this ~~[rule]~~ Rule and, by virtue of direct promotion or transfer from a certified position, currently serve in a permanent, full-time position not subject to certification.

(3) ~~[Applicants]~~ The applicant shall be in good standing with DAC at the date of application.

~~[(d)]~~ (c) An officer subject to suspension or revocation proceedings, probation subsequent to suspension or revocation proceedings, or ~~[is]~~ under investigation for possible decertification action by the Commission pursuant to 12 NCAC 09A .0206, the Company and Campus Police Program pursuant to either 12 NCAC 02I .0214 or 12 NCAC 09J .0211, or the North Carolina Sheriffs' Education and Training Standards Commission pursuant to 12 NCAC 10B ~~[-0206]~~ .0206, shall not be eligible for professional certificates for the pendency of the proceeding or the period of probation.

~~[(e)]~~ (d) Eligibility for Intermediate or Advanced Certificates ~~[is]~~ shall be based upon a formula which combines formal education, correctional training, and service as a corrections pursuant to ~~[subsection 4 of this subparagraph]~~ Part (4) of this Subparagraph. Eligibility ~~[is]~~ shall be computed in the following manner:

(1) The applicant's highest educational degree will be given a point value. Graduate degrees will be worth 15 points, Bachelor's degrees will be worth 12 points, and Associate's degrees will be worth 7 points;

- (2) Each semester hour of college or university credit earned in pursuit of an educational degree not yet completed by the applicant shall equal one-tenth of a point, and each quarter hour of college or university credit earned shall equal one-fifteenth of a point. The total points earned in this manner shall not equal or exceed the number of points that would be given for the degree upon completion;
- (3) Twenty classroom or practical skills assessment hours of Commission-approved criminal justice training shall equal one point. No points will be awarded for the maintenance of specialized criminal justice training;
- (4) Each full year of service as a full-time employee of the North Carolina Department of Adult Correction, or equivalent service as determined by the ~~Commission~~ Commission, shall fulfill a requisite year of creditable service. For the purposes of this Rule, "equivalent service" includes service in a permanent, full-time, paid position in a federal or out-of-state correctional or criminal justice institution.
- ~~(f)~~(e) Applicants for the Intermediate State Corrections Officer Certificate shall have acquired a minimum of four years of full-time criminal justice service and a minimum of 30 total education ~~and/or~~ and training points.
- ~~(g)~~(f) Applicants for the Advanced State Corrections Officer Certificate shall have acquired a minimum of nine years of full-time criminal justice service and a minimum of 80 total education ~~and/or~~ and training points.
- ~~(h)~~(g) All applicants for either Intermediate or Advanced Certificates shall ~~complete an "Application"~~ submit a completed Application for Award of Professional ~~Certificate"~~ Certificate Form F-6 (DAC), pursuant to 12 NCAC 09I .0107, to the DAC training coordinator or agency head.
- ~~(i)~~(h) Documentary evidence of college or university graduation shall be submitted with the application pursuant to 12 NCAC 09B .0106.
- ~~(j)~~(i) Documentation of training ~~shall be provided~~ submitted to the Division ~~by~~ shall include training records, signed by the employing agency in-service training coordinator or agency head, that indicate the number of training contact hours.
- (1) Training records signed by the employing agency in-service training coordinator or agency head;
- or
- (2) Providing certificates of completion indicating the number of training contact hours;
- ~~(k)~~(j) Replacement certificates ~~can~~ may be requested by a completed ~~"Request"~~ Request for Replacement of Professional ~~Certificate"~~ Certificate Form F-7. An applicant shall have been previously awarded either an Intermediate or Advanced Certificate to be able to receive a replacement.

History Note: Authority G.S. 17C-6;
Eff. August 15, 1981;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019; 2019;
Amended Eff. February 1, 2026.

1 12 NCAC 09G .0602 is repealed as published in 40:06 NCR 518-561 as follows:

2
3 12 NCAC 09G .0602 GENERAL PROVISIONS
4

5 *History Note: Authority G.S. 17C-6;*

6 *Temporary Adoption Eff. January 1, 2001;*

7 *Eff. August 1, 2002;*

8 *Amended Eff. January 1, 2015; June 1, 2012; August 1, 2004;*

9 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

10 ~~2019.~~ 2019;

11 Repealed Eff. February 1, 2026.

1 **12 NCAC 09G .0604 is repealed as published in 40:06 NCR 518-561 as follows:**

2
3 **12 NCAC 09G .0604 INTERMEDIATE STATE CORRECTIONS CERTIFICATE**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Temporary Adoption Eff. January 1, 2001;*

7 *Eff. August 1, 2002;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ **2019.**

10 *Repealed Eff: February 1, 2026.*

1 **12 NCAC 09G .0605 is repealed as published in 40:06 NCR 518-561 as follows:**

2
3 **12 NCAC 09G .0605 ADVANCED STATE CORRECTIONS CERTIFICATE**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Temporary Adoption Eff. January 1, 2001;*

7 *Eff. August 1, 2002;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ **2019.**

10 *Repealed Eff. February 1, 2026.*

1 **12 NCAC 09G .0606 is repealed as published in 40:06 NCR 518-561 as follows:**

2
3 **12 NCAC 09G .0606 METHOD OF APPLICATION**

4
5 *History Note: Authority G.S. 17C-6;*

6 *Temporary Adoption Eff. January 1, 2001;*

7 *Eff. August 1, 2002;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

9 ~~2019.~~ ~~2019.~~

10 ~~[Repeal]~~ ~~Repealed~~ Eff. February 1, 2026.

12 NCAC 09I .0101 is adopted with changes as published in 40:06 NCR 518-561 as follows:

**SUBCHAPTER 09I – FORMS FOR CRIMINAL JUSTICE ~~EMPLOYMENT, EDUCATION,~~
EMPLOYMENT, EDUCATION, AND TRAINING**

SECTION .0100- FORMS FOR USE IN TRAINING PROGRAMS AND INSTRUCTOR CERTIFICATION

**12 NCAC ~~09I.0101~~ 09I.0101 INSTRUCTOR AND PROFESSIONAL LECTURER CERTIFICATION
FORMS**

(a) The following ~~are~~ Commission-approved forms ~~to~~ shall be used by individuals applying for ~~the~~ initial or renewal of certification as an instructor or professional ~~lecturer~~; lecturer, pursuant to 12 NCAC 09B .0300:

- (1) Form ~~F-12~~ F-12, Application for Instructor or Professional Lecturer ~~Certification~~ Certification, shall contain the following information:
 - (A) name of ~~applicant/instructor~~; applicant or instructor;
 - (B) address, ~~phone~~, phone number, email address, date of birth, age, last four of Social Security Number, and ~~Aeadis~~ academy ID number;
 - (C) current ~~agency/firm~~, agency or firm, status (Retired, Civilian, Sworn), agency address, and business phone number;
 - (D) type of instructor certification applying for;
 - (E) supporting documents for specific certification sought;
 - (F) highest education level, school attended, school location, and graduation date;
 - (G) criminal justice experience;
 - (H) signature of ~~applicant/instructor~~; applicant or instructor;
 - (I) Commission-accredited school taught at, ~~school~~, course title, hours taught, course ~~date(s)~~, dates, and whether the course was a requirement of Mandatory In-Service ~~Training~~, Training; and
 - (J) signature of certifying School Director or In-Service Training Coordinator, school or ~~agency~~, agency name, phone number, and email address.
- (2) Form ~~F-16~~ F-16, Criminal Justice Instructor ~~Evaluation~~ Evaluation, shall contain the following information:
 - (A) instructor's name, date of birth, and ~~Aeadis~~ academy ID number;
 - (B) evaluator's ~~name~~, name and ~~Aeadis~~ academy ID number;
 - (C) block of ~~Instruction~~, instruction, date, location, and total hours of instruction;
 - (D) scores for Instructional Ability and Strategies; and
 - (E) Presentation Evaluation ~~Criteria~~ Criteria.

History Note: Authority G.S. 17C-6;

12 NCAC 09I .0102 is adopted with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09I .0102 COURSE MANAGEMENT FORMS

(a) The following ~~are~~ Commission-approved forms ~~to~~ shall be used by certified School Directors ~~instructors~~ during the administration of Commission-approved courses:

(1) Form F-10A, Pre-Delivery Report of Training Course Presentation, shall include the following:

- (A) Name of delivery site (academy);
- (B) Proposed Commission course being requested to administer;
- (C) Number of course hours;
- (D) Location of course delivery;
- (E) Commencement and completion dates;
- (F) Anticipated class size;
- (G) Names ~~on~~ of all delivery site (academy) staff requiring administrative access to the course page on the North Carolina Justice Training and Certification Portal; Acadis-
access; and
- (H) Name and signature of certified School Director.

(2) Form F-10B and Web Form F-10B, Post Delivery Report of Training Course Presentation, shall include the following:

- (A) Name of delivery site (academy);
- (B) Commission course administered;
- (C) Number of course hours;
- (D) Location of course delivery;
- (E) Commencement and completion dates;
- (F) Final class size; and
- (G) Name and signature of certified School Director.

(3) Form F-23, Commission Exam Admission ~~Form~~ Form, shall include the following:

- (A) Course pre-delivery number, exam ~~location~~ location, and exam date;
- (B) First-Time Exam Admission information;
- (C) Re-Examination Admission information;
- (D) Name and signature of certified School Director; and
- (E) List of all trainees.

(4) Web Form ~~WF-6~~ WF-6, CJ Standards Specialized Training Departure Report, shall include the following:

- (A) Course name, course dates, and training location;
- (B) Departing student's name, date of birth, and academy ID #; number; and
- (C) ~~Departure information.~~ Date, reason for, and explanation of departure.

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3 *History Note: Authority G.S. 17C-6;*

4 ~~*Adoption Eff. February 1, 2026.*~~

12 NCAC 09I .0103 is adopted with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09I .0103 BASIC LAW ENFORCEMENT TRAINING (BLET) COURSE FORMS

(a) The following ~~are~~ Commission-approved forms to shall be used by certified School Directors and instructors during the administration of a Commission-approved Basic Law Enforcement Training (BLET) course:

(1) Form F-13, Request for Deficiency Remediation, shall include the following:

- (A) Name of certified School Director and delivery site (academy);
- (B) Date of ~~request, Pre-Delivery number,~~ request and state exam date;
- (C) Student's name and academy ID number;
- (D) Block of instruction and ~~date(s)~~ dates of deficiency;
- (E) Instructor's name and academy ID number;
- (F) Remediation location and ~~date(s)~~ dates of remediation;
- (G) Details of remediation plan; and
- (H) Signature of certified School Director.

(2) Form F-14, Request for Limited Enrollment, shall include the following:

- (A) Name of certified School Director and delivery site (academy);
- (B) Date of ~~request, Pre-Delivery number,~~ request and original BLET start date;
- (C) Student's name and academy ID number;
- (D) ~~Block(s)~~ Blocks of instruction for make-up training; and
- (E) Delivery site (academy) where make-up training will be conducted.

(3) Form F-17, Student Evaluation of Instructors, shall include the following:

- (A) Name of delivery site (academy);
- (B) Instructor's name;
- (C) Block of instruction and date;
- (D) ~~Delivery~~ Evaluation of delivery of course material by instructor; and
- (E) ~~Organization~~ Evaluation of organization and presentation of delivery of instruction;

(4) Form F-25, Criminal Record Conviction History for ~~BLET BLET,~~ shall include the following:

- (A) Agency name and address;
- (B) Applicant's full name and former names;
- (C) Applicant's address; and
- (D) Name and signature of Agency head.

(5) Form F-26, BLET Student Absence Report, shall include the following:

- (A) ~~School/academy~~ School or academy name and class name;
- (B) Student's name and ~~Academy~~ academy ID number;
- (C) Course topic and date;
- (D) Hours missed and made up;
- (E) Reason for missed time;

- (F) Student's and certified School Director's signature and date; and
- (G) Name of instructor conducting the make-up training.
- (6) Form F-32, BLET Request for Early Enrollment, shall include the following:
- (A) Name and signature of certified School Director and delivery site (academy);
- (B) Student's name and date of birth; and
- (C) BLET ~~state~~ start date and date of state exam.
- (7) Web Form WF-1, BLET Student Injury Report, shall include the following:
- (A) Student's name, date of birth, and ~~Aeadis~~ academy ID number;
- (B) Date and details of ~~injury~~ injury;
- (C) Student's status (returned to training on same day or required hospital ~~care~~; care); and
- (D) Email address of School Director.
- (8) Web Form WF-2, BLET Departure Report, shall include the following:
- (A) Student's name and ~~Aeadis~~ academy ID number;
- (B) Date, reason, and details of departure; and
- (C) Email address of School Director.
- (9) Web Form WF-3, BLET Student Enrollment Questionnaire, shall include the following:
- (A) Student's demographic ~~information~~; information, including gender and employment status;
- (B) Student's education ~~information~~; information, including highest education level, name of institution, and degree earned;
- (C) ~~Military~~ Student's ~~military~~ service ~~information~~; history, including dates and branch of service and current status; and
- (D) ~~Primary~~ Student's primary language.
- (10) Web Form WF-4, BLET Student Course Completion Record, shall include the following:
- (A) Student's ~~name~~, name and ~~Aeadis #~~; academy ID number;
- (B) Student's gender;
- (C) Student's employment status on last day of class;
- (D) Student's hiring status with a law enforcement agency; and
- (E) Course completion ~~information~~; information, including whether the student completed all course requirements and passed the state exam.
- (11) Web Form WF-13B, BLET Deficiency, Report of Completed Training, shall include the following:
- (A) Student's name and ~~Aeadis #~~; academy ID number;
- (B) Deficiency ~~information~~; information, including the number and names of instructional topics which the student is deficient in;
- (C) Deficiency make-up ~~information~~; information, including whether the student completed all required coursework for the instructional topic in which he or she is remediating and

1 whether the remediation occurred outside of the scheduled course hours;

2 (D) Date the deficiency remediation was completed; and

3 (E) School Director's name, signature, and email address.

4

5 *History Note:* *Authority G.S. 17C-6;*

6 ~~*Adoption*~~ *Eff. February 1, 2026.*

12 NCAC 09I .0104 is adopted with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09I .0104 COMMISSION-ACCREDITED DELIVERY SITE ADMINISTRATION FORMS

(a) The following ~~are~~ Commission-approved forms ~~to~~ shall be used by Commission-accredited delivery sites to administer Commission-approved courses:

(1) Form F-10, School Director/Qualified Assistant Application, shall include the following:

- (A) the name of the appointing institution or agency;
- (B) the applicant's name, date of birth, social security number (last ~~4~~ four numbers), phone number, ~~email~~, email address, instructor certification number, and the location ~~location~~, and ~~the~~ date the applicant completed orientation training;
- (C) the applicant's educational background, specifically, the dates of attendance, the institution attended, and the degree or diploma attained from each institution;
- (D) the applicant's criminal justice experience, specifically, the agency for which the applicant worked, the applicant's duties in each position, and the dates of employment. The applicant shall have acquired four years of practical experience as a criminal justice officer or as an administrator or specialist in a field directly related to the criminal justice system. At least one year of the required four years of experience must have been completed while actively participating in criminal justice training as a ~~Commission-certified~~ Commission-certified instructor;
- (E) the signature of the applicant certifying the accuracy of the contents of the ~~application~~, application; and
- (F) the signature of the appointing institution's executive officer signifying recommendation of an applicant to be a School Director; or
- (G) the signature of the School Director signifying recommendation of an applicant to be a Qualified Assistant.

(2) Form F-10 (SA), Accreditation of Criminal Justice Schools, shall include the following:

- (A) the name of the requesting ~~institution/agency~~, institution or agency;
- (B) the mailing address, phone number, and name of the institution head or executive officer;
- (C) the name, title or rank, ~~address~~ address, and phone number of the School ~~Director~~ Director;
- (D) the type of ~~Commission-approved~~ Commission-approved training course in which accreditation is being sought;
- (E) the type and location of all facilities to be used in administering the Commission-approved training course; and
- (F) the signature of the institution head or executive officer.

History Note: Authority G.S. 17C-6;

12 NCAC 09I .0105 is adopted with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09I .0105 MEDICAL FORMS

(a) The following ~~are~~ Commission-approved forms ~~to~~ shall be used by agencies and Commission-accredited delivery sites during the application for criminal justice certification or Commission-approved training course enrollment:

(1) Form F-1, Medical History Statement, shall include the following:

- (A) ~~Name,~~ Applicant's name, date of birth, address, and telephone number;
- (B) Current medications, allergies, and past medical history;
- (C) Occupational history; and
- (D) Name and signature of a physician, physician assistant, or nurse practitioner who holds a current license in the United States to practice medicine, as issued by a state medical board.

(2) Form F-2, Medical Examination Report, shall include the following:

- (A) Name, date of birth, employing agency, height, weight, and last ~~4~~ four digits of the Social Security Number for the person being examined;
- (B) Results of Vision Acuity;
- (C) Results of Hearing Acuity;
- (D) Results of Cardiovascular Examination;
- (E) Certification that the individual being examined does or does not ~~meet medical standards;~~ have any conditions, physical, emotional, or mental, that suggest further medical examination; and
- (F) Name, signature, and medical license number of the examining medical professional.

(3) Form F-2A, Tuberculosis Questionnaire, shall include the following:

- (A) ~~Name,~~ Applicant's name, date of birth, and employing ~~agency;~~ agency of individual completing the form;
- (B) Tuberculosis Risk Questions and individual's response; and
- (C) Tuberculosis Symptoms Questions and individual's response.

(4) Form F-2B, Medical Examination Report Addendum, shall include the following:

- (A) Name, date of birth, and employing agency of individual being examined;
- (B) Additional Exam Notes, if any;
- (C) Certification that the individual being examined does or does not ~~meet medical standards;~~ have any conditions, physical, emotional, or mental, that suggest further medical examination; and
- (D) Name, signature, and medical license number of examining medical professional.

(5) Form F-31, Request for Accommodation, shall include the following:

- (A) Name, signature, and date of birth of requesting student;

- 1 (B) Accredited delivery site, and name of certified ~~school director~~; School Director;
- 2 (C) Reason for Accommodation; and
- 3 (D) Proposed ~~Accommodation~~; Accommodation.
- 4 (6) Web Form ~~WF-5~~ WF-5, CJ Standards Specialized Training Student Injury Report for SMI,
- 5 Instructor Courses, shall include the following:
- 6 (A) Course name, course dates, and training location;
- 7 (B) Injured student's name, date of birth, and academy ID #; ~~and number~~;
- 8 (C) ~~Injury information~~; Date of the injury;
- 9 (D) Details of the injury, including what the injury is, when and where it took place, and how
- 10 the injury occurred;
- 11 (E) Whether the student was able to return to training on the same day as the injury occurred;
- 12 and
- 13 (F) Whether the student was transported to a hospital or other medical facility for assessment
- 14 or treatment of the injury.

15

16 *History Note:* *Authority G.S 17C-6;*

17 ~~Adoption~~ *Eff. February 1, 2026.*

12 NCAC 09I .0106 is adopted with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09I .0106 SPEED-MEASURING INSTRUMENT (SMI) FORMS

(a) The following ~~are~~ Commission-approved forms shall ~~to~~ be used by certified SMI instructors during the administration of ~~speed-measuring instrument~~ SMI courses:

(1) Form SMI-1, Moving/Stationary ~~RADAR~~ Radar Motor Skill Performance Test, shall include the following:

(A) Trainee's full name, employing law enforcement agency, date of birth, ~~Aeadis~~ academy ID number, email address, and phone number;

(B) ~~RADAR~~ Radar instrument being tested ~~on, on~~ and name of the instrument's manufacturer;

(C) Modes being tested on;

(D) Verification by the evaluating instructor that the trainee completed each step of the instrument sign-off, evidenced by the instructor's initials;

(E) Timing and results of the trainee's motor skills testing; and

(F) Name, ~~Aeadis~~ academy ID number, and signature of each evaluating instructor verifying whether the trainee successfully completed the motor skill performance test.

(2) Form SMI-1A, Moving/Stationary ~~RADAR Motor Skill Performance Test~~ Radar Instrument Sign-Off, shall include the following:

(A) Trainee's full name, employing law enforcement agency, date of birth, ~~Aeadis~~ academy ID number, email address, and phone number;

(B) ~~RADAR~~ Radar instrument being tested on, and the name of the instrument's manufacturer;

(C) Modes being tested on;

(D) Verification by the evaluating instructor that the trainee completed each step of the instrument sign-off, evidenced by the instructor's initials; and

(E) Name, ~~Aeadis~~ academy ID number, and signature of each evaluating instructor verifying whether the trainee successfully completed the motor skill performance test.

(3) Form SMI-13, Lidar Motor Skill Performance Test, shall include the following:

(A) Trainee's full name, employing law enforcement agency, date of birth, ~~Aeadis~~ academy ID number, email address, and phone number;

(B) Lidar instrument being tested on and name of the instrument's manufacturer;

(C) Verification by the evaluating instructor that the trainee completed each step of the instrument sign-off, evidenced by the instructor's initials; and

(D) Name, ~~Aeadis~~ academy ID number, and signature of each evaluating instructor verifying whether the trainee successfully completed the motor skill performance test.

(4) Form SMI-16, Written Endorsement to Attend Supplemental SMI Training, shall include the

following:

- (A) Name, ~~Aeadis~~ academy ID number, date of birth, email address, and employing law enforcement agency of each trainee enrolled in the course;
- (B) List of speed measuring instruments each trainee is currently certified to operate;
- (C) Dates and location of training;
- (D) Name, ~~Aeadis~~ academy ID number, and signature of each instructor of the course; and
- (E) Name, employing agency, title, email address, phone number, and signature of School Director, agency head, agency head designee, or in-service training coordinator.

(b) The following ~~are~~ Commission-approved forms ~~to~~ shall be used by individuals applying for certification as a ~~radar~~ Radar operator:

- (1) Form SMI-14, Trainee's Statement of Prior Radar Training, ~~is a form to~~ shall be filled out by a trainee enrolled in a radar or radar/lidar operator training course, as prescribed by 12 NCAC 09B .0212(a) and .0242(a) who has previously been certified by the Commission as a radar operator. The trainee ~~must~~ shall sign and date the form prior to submission. The form shall also include the following:

- (A) Trainee's full name, ~~Aeadis~~ academy ID number, date of birth, and employing law enforcement agency;
- (B) Name of the institution or agency at which the trainee received prior training;
- (C) Location where the prior radar training took place; and
- (D) End date and total hours of prior radar training.

- (2) Form SMI-15, SMI Operator Supervised Field Instruction/Practice Log, ~~is a form to~~ shall be completed by a trainee completing Supervised Field Practice within the 90 days following the completion of a SMI operator ~~course.~~ course, pursuant to 12 NCAC 09B .0409(a)(4) and (c). The form shall include the following:

- (A) Trainee's full name, employing law enforcement agency, ~~Aeadis~~ academy ID number, email address, and phone number;
- (B) Dates and times of supervised field practice;
- (C) Name, ~~Aeadis~~ academy ID number, and signature of each evaluator providing supervision;
- (D) Location and end date of the trainee's SMI operator course;
- (E) Name and modes of instrument used during the supervised field practice;
- (F) Total time of supervised field practice; and
- (G) Trainee's signature and date of form completion.

(c) The following ~~are~~ Commission-approved forms ~~to~~ shall be used during annual accuracy tests of speed measuring instruments:

- (1) Form SMI-9, Record of Radar Instrument Calibration and Accuracy Tests, shall include the following:

- (A) Agency or organization name;
- (B) Instrument model, manufacturer, serial number, modes, and features;
- (C) Accuracy ~~and Standards tests~~ test results for the counter box, antennas, and tuning forks;
and
- (D) Name, license or certification information, and signature of the testing technician
verifying that the instrument passed the tests.

(2) Form SMI-12, Record of Lidar Instrument Calibration and Accuracy Tests, shall include the following:

- (A) Agency or organization name;
- (B) Instrument model, manufacturer, serial number, modes, and features;
- (C) Accuracy ~~and Standards tests~~ test results as indicated by Pass or Fail; and
- (D) Name, license or certification information, and signature of the testing technician
verifying that the instrument passed the tests.

History Note: Authority G.S. 8-50.2; 17C-6;
~~*Adoption Eff. February 1, 2026.*~~

12 NCAC 09I .0107 is adopted with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09I .0107 PROFESSIONAL CERTIFICATES FORMS

(a) The following ~~are~~ Commission-approved forms ~~to~~ shall be used by individuals to apply for a new or replacement Professional Certificate:

(1) Form ~~6~~ F-6 (LE), Application for Award of Law Enforcement Certificate, shall include the following:

- (A) Applicant's name, date of birth, and last four digits of Social Security Number;
- (B) Applicant's address, ~~phone,~~ phone number, and email address;
- (C) ~~Employing~~ Applicant's employing agency and agency address;
- (D) Type of award applying for;
- (E) Law enforcement experience (agencies and years of law enforcement experience);
- (F) Completed law enforcement training courses;
- (G) Level of college education;
- (H) Name and signature of applicant; and
- (I) Name and signature of agency head or In-Service Training Coordinator.

(2) Form ~~6~~ F-6 (DAC), Application for Award of Criminal Justice Certificate, shall include the following:

- (A) Applicant's name, date of birth, and last four digits of Social Security Number;
- (B) Applicant's address, ~~phone,~~ phone number, and email address;
- (C) ~~Employing~~ Applicant's employing agency and agency address;
- (D) Type of award applying for;
- (E) Criminal justice experience (agencies and years of criminal justice experience);
- (F) Completed criminal justice training courses;
- (G) Level of college education;
- (H) Name and signature of applicant; and
- (I) Name and signature of agency head or In-Service Training Coordinator.

(3) Form ~~6~~ F-6 (DJJ), Application for Award of Juvenile Justice Certificate, shall include the following:

- (A) Applicant's name, date of birth, and last four digits of Social Security Number;
- (B) Applicant's address, ~~phone,~~ phone number, and email address;
- (C) ~~Employing~~ Applicant's employing agency and agency address;
- (D) Type of award applying for;
- (E) Juvenile justice experience (agencies and years of juvenile justice experience);
- (F) Completed juvenile justice training courses;
- (G) Level of college education;
- (H) Name and signature of applicant; and

- 1 (I) Name and signature of agency head or In-Service Training Coordinator.
- 2 (4) Form F-7, Request for Replacement of Professional Certificate, shall include the following:
- 3 (A) Awardee's name, date of birth, and last four digits of Social Security Number;
- 4 (B) Awardee's address, ~~phone~~, phone number, and email address;
- 5 (C) Type of replacement certificate;
- 6 (D) Printed name and signature of awardee; and
- 7 (E) Name and signature of agency head or In-Service Training Coordinator, if still employed
- 8 at an agency.
- 9

10 *History Note:* *Authority G.S. 17C-6;*

11 *~~Adoption~~-Eff. February 1, 2026.*

Burgos, Alexander N

Subject: FW: [External] Request for Postponed Review of Rule 12 NCAC 09B .0301

From: Miller, Christopher S <christopher.miller@oah.nc.gov>

Sent: Tuesday, January 20, 2026 11:26 AM

To: Cardoza, Holly <hcardoza@ncdoj.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Cc: Schilling, Michelle <mschilling@ncdoj.gov>; Lock, Meghan E <mlock@ncdoj.gov>; STRICKLAND, JENNIFER J <jstrickland@ncdoj.gov>; Miller, Christopher S <christopher.miller@oah.nc.gov>

Subject: RE: [External] Request for Postponed Review of Rule 12 NCAC 09B .0301

Hi Holly,

I confirm receipt of your request for extension of the period of review for rule 12 NCAC 09B .0301. No additional information is needed at this time. The RRC will consider the request at its meeting on January 29th. I don't anticipate any issues, but I will let you know if I hear anything before the meeting.

I will be on the lookout for the other rule changes/responses.

Thanks,
Chris

Burgos, Alexander N

From: Cardoza, Holly <hcardoza@NCDOJ.GOV>
Sent: Friday, January 16, 2026 2:25 PM
To: Miller, Christopher S; Burgos, Alexander N
Cc: Schilling, Michelle; Lock, Meghan E; STRICKLAND, JENNIFER J
Subject: [External] Request for Postponed Review of Rule 12 NCAC 09B .0301
Attachments: 12 NCAC 09B .0301 Certification of Instructors.docx

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Good Afternoon,

After discussion with our legal team, we have come to the conclusion that the requested change regarding the definition of good moral character in Rule 12 NCAC 09B .0301 Certification of Instructors (attached above) requires CJETS Commission input. Due to the limited time available to respond, we are requesting that review of the Rule be postponed until the February RRC meeting, allowing the CJETS Executive Committee to provide input during their next scheduled meeting. Accordingly, the effective date of the amended Rule will be changed to March 1, 2026. Please let me know if there's any additional information or action needed from my end at this time.

Responses to the remaining rules on for RRC review during the upcoming 1/29 meeting are currently being drafted and will be submitted by the 1/21 deadline.

Thank you,

Holly



Holly M. Cardoza
CJETS Rulemaking Coordinator
Criminal Justice Standards Division
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1700 Tryon Park Drive
Raleigh, North Carolina 27610
ncdoj.gov

Please note messages to or from this address may be public records.

12 NCAC 09B .0301 is amended with changes as published in 40:06 NCR 518-561 as follows:

SECTION .0300 - MINIMUM STANDARDS FOR CRIMINAL JUSTICE INSTRUCTORS

12 NCAC 09B .0301 CERTIFICATION OF INSTRUCTORS

(a) A person participating in a ~~Commission-certified~~ Commission-approved criminal justice training course or program as an instructor, teacher, professor, lecturer, or other participant making presentations to the class shall first be certified by the Commission as an instructor.

(b) The Commission shall certify instructors under the following categories: General Instructor Certification, Specialized Instructor Certification, or Professional Lecturer Certification as outlined in Rules .0302, .0304 and .0306 of this Section. Instructor certification shall be granted on the basis of documented qualifications of experience, education, and training in accordance with the requirements of this Section and as stated on the applicant's Application for Instructor or Professional Lecturer Certification, ~~F-12, F-12,~~ pursuant to 12 NCAC 09I

~~[-.0101-]~~ .0101(a)(1). The Application for Instructor or Professional Lecturer ~~F-12~~ shall contain:

- ~~(1) — name of applicant/instructor;~~
- ~~(2) — address, phone, email address, date of birth, age, last four of Social Security Number, and Aadis number;~~
- ~~(3) — current agency/firm, status (Retired, Civilian, Sworn), agency address, and business phone number;~~
- ~~(4) — type of instructor certification applying for;~~
- ~~(5) — supporting documents for specific certification sought;~~
- ~~(6) — highest education level, school attended, school location, and graduation date;~~
- ~~(7) — criminal justice experience;~~
- ~~(8) — signature of applicant/instructor;~~
- ~~(9) — school, course title, hours taught, course date(s) and whether course was a requirement of Mandatory In-Service Training; and~~
- ~~(10) — signature of certifying School Director or In-Service Training Coordinator, school or agency, phone number, and email address.~~

(c) In addition to all other requirements of this Section, each instructor certified by the Commission to teach in a ~~Commission-certified~~ Commission-approved course shall remain competent in his or her specialized areas. Such competence shall include remaining current in the instructor's area of expertise, which shall be demonstrated by attending and completing all updated instructor training courses required by the Commission.

(d) If a person certified as an instructor by the Commission has knowingly and willfully violated any provision or requirement of the rules in this Subchapter, the Commission shall take action to correct the violation and to ensure that the violation does not recur. The following action shall be taken by the Commission:

- (1) issue an oral warning and request for compliance; or
- (2) issue a written warning and request for compliance; or
- (3) issue an official written reprimand; or

- (4) suspend the individual's certification for no more than three years; or
- (5) revoke the individual's certification.

(e) The Commission shall deny, suspend, or revoke an instructor's certification when the Commission finds that the person:

- (1) has failed to meet and maintain any of the requirements for qualification;
- (2) has failed to remain competent in the person's areas of expertise;
- (3) has failed to deliver training in a manner consistent with the instructor lesson plans outlined in the Rules .0209 and .0205 of this Subchapter;
- (4) has demonstrated "unprofessional personal" conduct in the delivery of Commission approved or mandated training. For the purposes of this Subparagraph, unprofessional personal conduct is identified as:
 - (A) job-related conduct that constitutes a violation of state or federal law;
 - (B) a conviction or commission of a criminal offense, as set out in 12 NCAC 09A .0204;
 - (C) the willful violation of rules of this Chapter;
 - (D) conduct that is detrimental to instruction in the Commission's mandated courses. Conduct is "detrimental to instruction" if the conduct is demeaning or disruptive to the learning environment;
 - (E) the physical or verbal abuse of a client or student who the instructor is teaching or supervising; or
 - (F) falsification of an instructor application or other employment documentation;
- (5) is an instructor, School Director, or Qualified Assistant and is involved in the instruction of (for instructors) or oversight of (for School Directors and Qualified Assistants) a student with whom the instructor, School Director, or Qualified Assistant has a close personal relationship such as, familial, financial, dating, or sexual, even if consensual; and fails to take immediate and appropriate corrective action. Appropriate corrective action requires the instructor, School Director, or Qualified Assistant to notify his or her managing personnel in writing of the relationship and requires the instructor, School Director, or Qualified Assistant to stop instructing or overseeing the student with whom the relationship exists. The written notice to managing personnel shall be submitted to the Criminal Justice Standards Division within 10 days upon receipt and shall include:
 - (A) school/agency name;
 - (B) name of course;
 - (C) name of instructor, School Director, or Qualified Assistant;
 - (D) name of student;
 - (E) name of managing personnel;
 - (F) nature of the relationship; and

- (G) explanation of action taken to ensure the named instructor, School Director, or Qualified Assistant is not in violation of this Rule;
- (6) has knowingly and willfully obtained or attempted to obtain instructor certification by deceit, fraud, or misrepresentation;
- (7) has failed to meet or maintain good moral character as defined in: In re Willis, 288 N.C. 1, 215 S.E.2d 771, appeal dismissed, 423 U.S. 976 (1975); State v. Harris, 216 N.C. 746, 6 S.E.2d 854 (1940); In re Legg, 325 N.C. 658, 386 S.E. 2d 174 (1989); In re Applicants for License, 143 N.C. 1, 55 S.E. 635 (1906); In re Dillingham, 188 N.C. 162, 124 S.E. 130 (1924); State v. Benbow, 309 N.C. 538, 308 S.E.2d 647 (1983); and later court decisions that cite these cases as authority, and as required to discharge the duties of a criminal justice instructor;
- (8) has failed to deliver training in a manner consistent with the Qualified Retired Law Enforcement Officers Firearms Qualification Certification Program as found in 12 NCAC 09H .0102;
- (9) has knowingly and willfully aided or attempted to aid any person in obtaining qualification or certification under the Qualified Retired Law Enforcement Officers Firearms Qualification Certification Program by deceit, fraud, or misrepresentation;
- (10) has committed or been convicted of an offense that could result in the denial, suspension, or revocation of an officer's law enforcement certification, pursuant to 12 NCAC ~~09G-.0504~~; 09A .0204; or
- (11) has knowingly made a material ~~misrepresentation~~ misrepresentation, including knowingly providing false or omitting information. of any information required for certification or accreditation.
- (f) When a person certified as a criminal justice officer by the North Carolina Criminal Justice Education and Training Standards Commission (Commission), or the North Carolina Company/Campus Police Program, has been denied certification or had his or her certification suspended or revoked by a North Carolina, out of state or federal approving, certifying or licensing agency, the certified criminal justice officer shall report the suspension or revocation to the Criminal Justice Standards Division within five days.
- (g) Any instructor whose criminal justice officer certification or power to make arrests is suspended or revoked by the federal government, State of North Carolina or any subdivisions thereof, or by any other State or any subdivisions thereof, shall report the suspension or revocation to the Commission within five days of the officer's receipt of notice of the revocation or suspension.
- (h) Criminal justice officers certified as a General Instructor as outlined in this Rule shall have their general instructor certification automatically suspended or revoked for the same time period as his or her respective Commission criminal justice certification. The suspension or revocation of the general instructor certification shall also include suspension or revocation to any Commission recognized specialized or additional instructor certification, as outlined in Rule .0304 of this Section.
- (i) Any applicant for instructor certification whose criminal justice officer certification or power to make arrests has been denied, suspended, or revoked at any time by the federal government, State of North Carolina or any

1 subdivisions thereof, or by any other State or any subdivisions thereof, shall report the suspension or revocation to
2 the Commission at the time the application is submitted. This requirement is not withstanding any subsequent
3 reinstatement of the certification or power to make arrests.

4
5 *History Note:* *Authority G.S. 17C-6;*
6 *Eff. January 1, 1981;*
7 *Amended Eff. December 1, 2018; October 1, 2017; October 1, 2009; August 1, 2004; April 1,*
8 *1999; July 1, 1991; January 1, 1985;*
9 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
10 *2019;*
11 *Amended Eff. February 1, 2026; March 1, 2024; October 1, 2020; August 1, 2019.*

Burgos, Alexander N

From: Miller, Christopher S
Sent: Thursday, January 8, 2026 4:51 PM
To: Cardoza, Holly
Cc: Miller, Christopher S; Burgos, Alexander N
Subject: CJETS - Rules for January 2026 RRC Meeting - Request for Changes
Attachments: Request for Changes - 12 NCAC 09B to 09I - Miller.docx

Good afternoon,

I'm the staff attorney who reviewed the rules submitted by the NC Criminal Justice Education and Training Standards Commission for the January 2026 RRC meeting. The RRC will formally review these rules at its meeting on Thursday, January 29, 2026, at 10:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an evite should be sent to you as we get close to the meeting. If there are any other representatives from your agency who want to attend virtually, please let me know prior to the meeting, and we will get evites out to them as well.

Attached is the Request for Changes pursuant to G.S. 150B-21.10. Please submit the revised rules and responses to me via email, no later than 5 p.m. on **January 21, 2026**. Let me know if you have any questions.

Thanks,
Chris

Chris Miller

Rules Review Commission Counsel
North Carolina Office of Administrative Hearings | Rules Division
1711 New Hope Church Road
Raleigh, NC 27609
(984) 236-1935

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