

NORTH CAROLINA REGISTER

VOLUME 36 • ISSUE 06 • Pages 358 – 386

September 15, 2021

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For questions or concerns regarding the Administrative Procedure Act or any of its components, consult with the agencies below. The bolded headings are typical issues which the given agency can address but are not inclusive.

Rule Notices, Filings, Register, Deadlines, Copies of Proposed Rules, etc.

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NORTH CAROLINA REGISTER
Publication Schedule for January 2021 – December 2021

FILING DEADLINES			NOTICE OF TEXT		PERMANENT RULE			TEMPORARY RULES
Volume & issue number	Issue date	Last day for filing	Earliest date for public hearing	End of required comment Period	Deadline to submit to RRC for review at next meeting	RRC Meeting Date	Earliest Eff. Date of Permanent Rule	270 th day from publication in the Register
35:13	01/04/21	12/08/20	01/19/21	03/05/21	03/22/21	04/15/21	05/01/21	10/01/21
35:14	01/15/21	12/21/20	01/30/21	03/16/21	03/22/21	04/15/21	05/01/21	10/12/21
35:15	02/01/21	01/08/21	02/16/21	04/05/21	04/20/21	05/20/21	06/01/21	10/29/21
35:16	02/15/21	01/25/21	03/02/21	04/16/21	04/20/21	05/20/21	06/01/21	11/12/21
35:17	03/01/21	02/08/21	03/16/21	04/30/21	05/20/21	06/17/21	07/01/21	11/26/21
35:18	03/15/21	02/22/21	03/30/21	05/14/21	05/20/21	06/17/21	07/01/21	12/10/21
35:19	04/01/21	03/11/21	04/16/21	06/01/21	06/21/21	07/15/21	08/01/21	12/27/21
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36:07	10/01/21	09/10/21	10/16/21	11/30/21	12/20/21	01/20/22	02/01/22	06/28/22
36:08	10/15/21	09/24/21	10/30/21	12/14/21	12/20/21	01/20/22	02/01/22	07/12/22
36:09	11/01/21	10/11/21	11/16/21	01/03/22	01/20/22	02/17/22	03/01/22	07/29/22
36:10	11/15/21	10/22/21	11/30/21	01/14/22	01/20/22	02/17/22	03/01/22	08/12/22
36:11	12/01/21	11/05/21	12/16/21	01/31/22	02/21/22	03/17/22	04/01/22	08/28/22
36:12	12/15/21	11/22/21	12/30/21	02/14/22	02/21/22	03/17/22	04/01/22	09/11/22

This document is prepared by the Office of Administrative Hearings as a public service and is not to be deemed binding or controlling.

EXPLANATION OF THE PUBLICATION SCHEDULE

This Publication Schedule is prepared by the Office of Administrative Hearings as a public service and the computation of time periods are not to be deemed binding or controlling. Time is computed according to 26 NCAC 2C .0302 and the Rules of Civil Procedure, Rule 6.

GENERAL

The North Carolina Register shall be published twice a month and contains the following information submitted for publication by a state agency:

- (1) temporary rules;
- (2) text of proposed rules;
- (3) text of permanent rules approved by the Rules Review Commission;
- (4) emergency rules
- (5) Executive Orders of the Governor;
- (6) final decision letters from the U.S. Attorney General concerning changes in laws affecting voting in a jurisdiction subject of Section 5 of the Voting Rights Act of 1965, as required by G.S. 120-30.9H; and
- (7) other information the Codifier of Rules determines to be helpful to the public.

COMPUTING TIME: In computing time in the schedule, the day of publication of the North Carolina Register is not included. The last day of the period so computed is included, unless it is a Saturday, Sunday, or State holiday, in which event the period runs until the preceding day which is not a Saturday, Sunday, or State holiday.

FILING DEADLINES

ISSUE DATE: The Register is published on the first and fifteen of each month if the first or fifteenth of the month is not a Saturday, Sunday, or State holiday for employees mandated by the State Personnel Commission. If the first or fifteenth of any month is a Saturday, Sunday, or a holiday for State employees, the North Carolina Register issue for that day will be published on the day of that month after the first or fifteenth that is not a Saturday, Sunday, or holiday for State employees.

LAST DAY FOR FILING: The last day for filing for any issue is 15 days before the issue date excluding Saturdays, Sundays, and holidays for State employees.

NOTICE OF TEXT

EARLIEST DATE FOR PUBLIC HEARING: The hearing date shall be at least 15 days after the date a notice of the hearing is published.

END OF REQUIRED COMMENT PERIOD
An agency shall accept comments on the text of a proposed rule for at least 60 days after the text is published or until the date of any public hearings held on the proposed rule, whichever is longer.

DEADLINE TO SUBMIT TO THE RULES REVIEW COMMISSION: The Commission shall review a rule submitted to it on or before the twentieth of a month by the last day of the next month.



State of North Carolina

ROY COOPER
GOVERNOR

August 6, 2021

EXECUTIVE ORDER NO. 225

EXTENDING CERTAIN HEALTH AND HUMAN SERVICES PROVISIONS IN PREVIOUS EXECUTIVE ORDERS AND DELEGATIONS OF AUTHORITY

WHEREAS, on March 10, 2020, the undersigned issued Executive Order No. 116, 34 N.C. Reg. 1744-1749 (April 1, 2020), which declared a State of Emergency to coordinate the state's response and protective actions to address the Coronavirus Disease 2019 ("COVID-19") public health emergency and to provide for the health, safety, and welfare of residents and visitors located in North Carolina; and

WHEREAS, on March 13, 2020, the President of the United States issued an emergency declaration for all states, tribes, territories, and the District of Columbia, retroactive to March 1, 2020, and the President declared that the COVID-19 pandemic in the United States constitutes a national emergency; and

WHEREAS, on March 25, 2020, the President approved a Major Disaster Declaration, FEMA-4487-DR, for the state of North Carolina; and

WHEREAS, in responding to the COVID-19 pandemic, and for the purpose of protecting the health, safety, and welfare of the people of North Carolina, the undersigned has issued Executive Order Nos. 116-122, 124-125, 129-131, 133-136, 138-144, 146-153, 155-157, 161-165, 169-173, 176-177, 180-181, 183-185, 188-193, 195, 197-198, 200, 204-207, 209-212, 215-217 219-221, and 224, and;

WHEREAS, as of the date of this Executive Order, the state is experiencing rapidly increasing rates of the percent of emergency department visits that are due to COVID-19-like illness, the daily number of new diagnosed COVID-19 cases, the percent of total COVID-19 tests that are positive, and the number of COVID-19 hospitalizations; and

WHEREAS, COVID-19 continues to inflict an unprecedented toll on human life in North Carolina; and

WHEREAS, more than one million seventy-one thousand (1,071,000) people in North Carolina have been diagnosed with COVID-19, and more than thirteen thousand seven hundred (13,700) people in North Carolina have died from the disease; and

WHEREAS, the continued prevalence of variants of concern, chiefly the Delta variant, across the state, the fact that our key COVID-19 metrics remain elevated, and the need to make additional progress in the state's ongoing vaccination efforts together require continuation of the measures specified herein; and

WHEREAS, in Executive Order Nos. 130, 139 and 152, the undersigned, with the concurrence of the Council of State, determined that the Secretary of NCDHHS (the “Secretary”) required authority to modify or waive enforcement of certain legal constraints or regulations which restrict the immediate relief of human suffering; and

WHEREAS, certain provisions of Executive Order Nos. 130 and 139 were extended by Executive Order Nos. 144, 148, 152, 165, 177, 193 and 211, but these provisions are set to expire unless the undersigned takes further action; and

WHEREAS, it is anticipated that the need for these measures will continue for at least a period of sixty (60) days; and

WHEREAS, since the Declaration of a State of Emergency in Executive Order No. 116, North Carolina has accumulated increased personal protective equipment (“PPE”) for health care workers and first responders, developed health care protocols and procedures for the treatment of COVID-19, and adopted personal recommendations to promote social distancing and reduce transmission of COVID-19; and

WHEREAS, despite the accumulation of additional PPE, the advancements made by health care professionals to treat the disease, and the efforts made by the undersigned’s administration and all North Carolinians to reduce transmission of the disease across the state, hospital administrators and health care providers continue to express concerns that unless the spread of COVID-19 is limited, existing health care facilities may be insufficient to care for those who become sick or need hospital-level care for other conditions; and

WHEREAS, until enough North Carolinians are vaccinated, COVID-19 will continue to cause devastating illness and death; and

WHEREAS, as of the date of this Executive Order, the United States Food and Drug Administration (the “FDA”) has authorized three vaccines for COVID-19, it is anticipated that the vaccines may be authorized for additional age groups, and more vaccines may be authorized in the future; and

WHEREAS, rigorous clinical trials have demonstrated that the FDA-authorized COVID-19 vaccinations are safe and effective, and that the known and potential benefits of the FDA-authorized COVID-19 vaccines outweigh the known and potential harms of contracting the COVID-19 virus; and

WHEREAS, the vaccine is free to all North Carolinians, regardless of insurance status; and

WHEREAS, North Carolina and its mental health, developmental disabilities, and substance abuse facility and service providers need to take all reasonable actions to expand capacity as to improve the ability to efficiently respond to the COVID-19 pandemic, thereby reducing the probability that the demand for care in North Carolina will outpace capacity; and

WHEREAS, in some cases, these actions have required and will continue to require temporarily waiving or modifying legal and regulatory constraints so that these mental health, developmental disability, and substance abuse facilities and providers can maintain licensure and continue to provide necessary services; and

WHEREAS, decisions about adding and transferring resources continue to require real-time decision-making; and

WHEREAS, to continue to enable rapid decision-making, the undersigned has determined that it is in the best interest of the people of North Carolina to provide the Secretary with authority to modify or waive enforcement of certain legal and regulatory constraints as necessary in order to expand capacity and save lives; and

WHEREAS, for example, there is a growing need of health care providers to administer the vaccine, however, many individuals with medical training are not authorized to administer vaccines due to licensing requirements; accordingly, the undersigned wishes to remove any such barriers which would prevent or impair the ability of these medical personnel from assisting with vaccine administration; and

WHEREAS, to prevent barriers to vaccine administration that would leave doses unadministered and would leave people unprotected, it is also critically important that those administering the vaccine, and those providing their property and facilities for purposes of vaccine administration, are provided with insulation from liability to the maximum extent permitted by law; and

WHEREAS, the process of vaccinating North Carolinians to levels sufficient to protect the population requires comprehensive and aggressive statewide efforts together with robust community participation; and

WHEREAS, accordingly, state officials are directed to marshal all available state property, equipment, and personnel towards facilitating the statewide vaccination effort; and

WHEREAS, the State Health Director has been assigned authority by the Secretary, pursuant to N.C. Gen. Stat. § 130A-3, to exercise authorities under N.C. Gen. Stat. § 130A-5, including to investigate the causes of communicable disease affecting the public health in order to control and prevent those diseases, to provide, under the rules of the North Carolina Commission for Public Health, for the prevention, detection, reporting, and control of communicable diseases, and to develop and carry out health programs necessary for the protection and promotion of the public health and the control of diseases; and

WHEREAS, to support local health departments on the front lines responding to the COVID-19 pandemic, it has been necessary to waive certain local health department regulations in Executive Orders Nos. 119, 139, and subsequent extensions, including requirements around accreditation, and as local health departments have been for a year and will continue to be the lead agencies in the state's efforts to combat the COVID virus, additional waivers are needed to provide relief to local health departments on the front lines responding to the COVID-19 pandemic; and

Statutory Authority and Determinations

WHEREAS, Executive Order No. 116 invoked the Emergency Management Act, and authorizes the undersigned to exercise the powers and duties set forth therein to direct and aid in the response to, recovery from, and mitigation against emergencies; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.10(b)(2) the undersigned may make, amend, or rescind necessary orders, rules, and regulations within the limits of the authority conferred upon the Governor in the Emergency Management Act; and

WHEREAS, N.C. Gen. Stat. § 166A-19.10(b)(3) authorizes and empowers the undersigned to delegate any Gubernatorial vested authority under the Emergency Management Act and to provide for the subdelegation of any authority; and

WHEREAS, N.C. Gen. Stat. § 166A-19.10(b)(4) gives the undersigned the authority to "cooperate and coordinate" with the President of the United States; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.10(b)(7) the undersigned is authorized and empowered to utilize the services, equipment, supplies, and facilities of departments, offices, and agencies of the state in response to the emergency; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.30(a)(1) the undersigned may utilize all available state resources as reasonably necessary to cope with an emergency, including the transfer and direction of personnel or functions of state agencies or units thereof for the purpose of performing or facilitating emergency services; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.30(a)(2) the undersigned may take such action and give such directions to state and local law enforcement officers and agencies as may be reasonable and necessary for the purpose of securing compliance with the provisions of the Emergency Management Act and with the orders, rules, and regulations made thereunder; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.30(b)(2), the undersigned, with the concurrence of the Council of State, may establish a system of economic controls over all resources, materials, and services, including shelter and rents; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.30(b)(4), the undersigned, with the concurrence of the Council of State, may waive a provision of any regulation or ordinance of a state agency or political subdivision which restricts the immediate relief of human suffering; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.30(b)(5) the undersigned, with the concurrence of the Council of State, may perform and exercise such other functions, powers, and duties as are necessary to promote and secure the safety and protection of the civilian population; and

WHEREAS, the undersigned has sought and obtained concurrence from the Council of State on the provisions of this Executive Order requiring concurrence, consistent with the Governor's emergency powers authority in N.C. Gen. Stat. § 166A-19.30; and

WHEREAS, all the authority granted by this Executive Order is intended to be temporary, and the waivers and modifications of enforcement set out in this Executive Order are intended to extend only through the period where they are needed to address the COVID-19 pandemic.

NOW, THEREFORE, by the authority vested in me as Governor by the Constitution and the laws of the State of North Carolina, and for the reasons and pursuant to the authority in Executive Orders Nos. 130, 139, 144, 148, 152, 165, 177, 193, and 211, **IT IS ORDERED**:

Section I. Extension, Generally.

To meet the goal of providing health care, public health, and human services during the COVID-19 pandemic, which includes the administration of FDA-authorized COVID-19 vaccines, and to protect and save lives during the COVID-19 pandemic, the undersigned orders as follows:

Executive Order No. 152, as amended by Executive Order No. 165 and as extended by Executive Order No. 177, and as further modified and extended by Executive Order No. 193 and extended by Executive Order No. 211, is extended in full by this Executive Order, and is to be in effect until October 5, 2021.

For avoidance of doubt, the preceding sentence also extends through the listed date the provisions of Executive Orders Nos. 130 and 139 that were previously extended by Executive Order No. 193 and Executive Order No. 211.

References to "September 22, 2020," "November 20, 2020," "February 11, 2021," "February 18, 2021," "May 10, 2021" or "August 8, 2021" in Executive Orders Nos. 152, 165, 177, 193 and 211 shall be replaced with "October 5, 2021."

Section II. Flexibility Under Regulations to Support and Accelerate Vaccination Efforts: Amendments to Executive Order No. 130.

- A. **Flexibility to Allow Additional Persons to Administer Vaccine.** To meet the goal of providing health care and human services, which includes the administration of FDA-authorized COVID-19 vaccines, and to protect and save lives in the COVID-19 pandemic, the undersigned orders as follows:

Section 3(A) of Executive Order No. 130, as extended by Executive Order Nos. 148, 152, 165, 177, and as amended by Executive Order No. 193 and extended and modified by Section II of Executive Order 211, is extended in its entirety.

Section III. Distribution.

I hereby order that this Executive Order be: (1) distributed to the news media and other organizations calculated to bring its contents to the attention of the general public; (2) promptly filed with the Secretary of the North Carolina Department of Public Safety, the Secretary of State, and the superior court clerks in the counties to which it applies, unless the circumstances of the State of Emergency would prevent or impede such filing; and (3) distributed to others as necessary to ensure proper implementation of this Executive Order.

Section IV. Effective Date.

This Executive Order is effective immediately. Except as set forth expressly above, this Executive Order shall remain in effect until October 5, 2021, unless rescinded or replaced with a superseding Executive Order. An Executive Order rescinding the Declaration of the State of Emergency will automatically rescind this Executive Order.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this 6th day of August in the year of our Lord two thousand and twenty-one.



Roy Cooper
Governor

ATTEST:



Elaine F. Marshall
Secretary of State





State of North Carolina

ROY COOPER
GOVERNOR

August 13, 2021

EXECUTIVE ORDER NO. 226

GOVERNOR'S TEACHER ADVISORY COMMITTEE

WHEREAS, teachers are highly skilled professionals who are essential to the success of our public schools in North Carolina; and

WHEREAS, teachers are a critical component in ensuring that every student receives a sound basic education in North Carolina; and

WHEREAS, teachers work to support all students as they learn, develop, and grow; and

WHEREAS, teachers are foundational to our democracy – creating an educated and engaged citizenry; and

WHEREAS, teachers are committed to working with a wide range of community organizations, businesses, and other partners to address students' educational potential and needs; and

WHEREAS, teachers are often the first group of people a student will reach out to during times of trauma and distress; and

WHEREAS, teachers seek to develop the whole child, meeting the physical, social, and emotional needs of their students; and

WHEREAS, teachers strive to use cutting edge technology and innovative approaches to ensure that all students receive individualized instruction; and

WHEREAS, teachers pursue high quality professional development to bring best practices to the classroom; and

WHEREAS, teachers prepare students across North Carolina from pre-kindergarten through grade 12 to graduate from high school ready to pursue post-secondary education or a career; and

WHEREAS, it is important for teachers to share their specialized knowledge and skills to enhance public education and help public officials understand how the impact of their decisions affects the classroom; and

WHEREAS, pursuant to N.C. Gen. Stat. § 143B-16, the Governor shall appoint each member of a board, council, or committee based on his interest in public affairs, good judgment, knowledge, and ability in the field for which appointed, and with a view to providing diversity of interest and points of view in the membership.

NOW, THEREFORE, pursuant to the authority vested in me as Governor by the Constitution and laws of the State of North Carolina, **IT IS ORDERED:**

Section 1. Establishment

The Governor's Teacher Advisory Committee ("Committee") is hereby established.

Section 2. Membership

- a. The Committee shall be composed of up to twenty-five members appointed by the Governor. Members shall be active classroom teachers and may include other educational support personnel serving in North Carolina public schools. Members should represent diverse demographic and geographic regions of the state, grade levels, and subject areas.
- b. Committee members shall serve terms of four years and may be reappointed to successive terms. Committee members serve at the pleasure of the Governor.
- c. The Governor's Teacher Advisor shall serve as the Chair of the Committee. The Committee shall select a Vice-Chair from its membership.

Section 3. Duties

Committee members shall have the following responsibilities:

- a. Advise the Governor regarding the impact of the following on teachers, students, and schools:
 - 1) state and federal education policies for pre-kindergarten through grade 12;
 - 2) local board of education policies that are not required by state or federal laws, policies or regulations;
 - 3) the state budget;
 - 4) proposed or pending state or federal legislation, policies or regulations; and
 - 5) other issues deemed appropriate by the Governor.
- b. Serve as Education Ambassadors for the Governor, including, but not limited to the following:
 - 1) representing the Governor at designated events;
 - 2) establishing and maintaining positive communications with local boards of education and education stakeholders for the purpose of sharing the Governor's education agenda;
 - 3) sharing information about opportunities for the Governor to support teachers in their critical roles; and
 - 4) highlighting successful programs and practices in their localities that can be replicated in other parts of the state.
- c. Advise the Governor regarding other issues related to education as requested by the Governor.

Section 4. Meetings

- a. The Committee shall meet as a body of the whole once a quarter and at other times at the call of the Chair or the Governor.
- b. A simple majority of the Committee members shall constitute a quorum for the purpose of transacting the business of the Committee.

Section 5. Administration

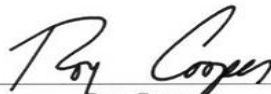
The Office of the Governor shall provide staff and administrative support services for the Committee.

Members shall serve without compensation, but may receive necessary travel and subsistence expenses in accordance with state law and the policies and regulations of the Office of State Budget and Management.

Section 6. Effect and Duration

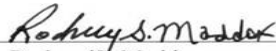
This Executive Order is effective immediately. It supersedes and replaces all other executive orders on this subject and specifically rescinds Executive Order No. 16, dated August 14, 2017. This Executive Order shall remain in effect until August 13, 2025, pursuant to N.C. Gen. Stat. § 147-16.2, or until rescinded.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this 13th day of August in the year of our Lord two thousand and twenty-one.



Roy Cooper
Governor

ATTEST:



Rodney S. Maddox
Chief Deputy Secretary of State





State of North Carolina

ROY COOPER
GOVERNOR

August 18, 2021

EXECUTIVE ORDER NO. 227

**DECLARATION OF A STATE OF EMERGENCY AND
TEMPORARY SUSPENSION OF MOTOR VEHICLE REGULATIONS**

WHEREAS, the remnants of Tropical Storm Fred ("Tropical Storm") have impacted the State of North Carolina; and

WHEREAS, the Tropical Storm has caused significant impact to public and private property and has seriously disrupted essential utility services and systems; and

WHEREAS, the impact from the Tropical Storm constitutes a state of emergency as defined in N.C. Gen. Stat. §§ 166A-19.3(6) and 166A-19.3(19); and

WHEREAS, certain measures are necessary to ensure the protection and safety of North Carolina residents and to coordinate the emergency response among state and local entities and officials; and

WHEREAS, the need to prepare for and respond to a weather event like the Tropical Storm in the midst of the COVID-19 pandemic requires increased planning and preparation in order to protect public health and public safety in North Carolina; and

WHEREAS, N.C. Gen. Stat. § 166A-19.1(3) provides that it is the responsibility of the undersigned to "provide for the rapid and orderly rehabilitation of persons and restoration of property"; and

WHEREAS, N.C. Gen. Stat. § 166A-19.1(4) provides that it is the responsibility of the undersigned, state agencies, and local governments to "provide for cooperation and coordination of activities relating to emergency mitigation preparedness, response, and recovery among agencies and officials of this state and with similar agencies and officials of other states and with other private and quasi-official organizations"; and

WHEREAS, N.C. Gen. Stat. §§ 166A-19.10 and 166A-19.20 authorize the Governor to declare a state of emergency and exercise the powers and duties set forth therein to direct and aid in the response to, recovery from, and mitigation against emergencies; and

WHEREAS, the impact from the Tropical Storm has resulted in extensive damage, including widespread power outages throughout the state that will require the transportation of vehicles bearing equipment and supplies for utility restoration and debris removal to be moved through North Carolina on the interstate and intrastate highways; and

WHEREAS, the uninterrupted supply of electricity, fuel oil, diesel oil, gasoline, kerosene, propane, liquid petroleum gas, food, water, and medical supplies to residential and commercial establishments is essential before, during, and after the Tropical Storm and any interruption in the delivery of those commodities threatens the public welfare; and

WHEREAS, the prompt restoration of utility services is essential to the safety and well-being of the State's residents; and

WHEREAS, under N.C. Gen. Stat. § 166A-19.30(b)(3) the undersigned, with the concurrence of the Council of State, may regulate and control the flow of vehicular traffic and the operation of transportation services; and

WHEREAS, under N.C. Gen. Stat. § 166A-19.30(b)(4), the undersigned, with the concurrence of the Council of State, may waive a provision of any regulation or ordinance of a state agency which restricts the immediate relief of human suffering; and

WHEREAS, the undersigned has found that residents may suffer losses and further widespread damage within the meaning of N.C. Gen. Stat. §§ 166A-19.3 and 166A-19.21(b); and

WHEREAS, with the concurrence of the Council of State, the undersigned hereby waives the registration requirements of N.C. Gen. Stat. §§ 20-86.1 and 20-382, the fuel tax requirements of N.C. Gen. Stat. § 105-449.47, and the size and weight requirements of N.C. Gen. Stat. §§ 20-116, 20-118 and 20-119 that would apply to vehicles carrying emergency relief supplies or services or to assist with the restoration of utility and transportation services; and

WHEREAS, 49 C.F.R. § 390.23 allows the Governor of a State to suspend the rules and regulations under 49 C.F.R. Parts 390-399 for up to thirty (30) days if the Governor determines that an emergency condition exists; and

WHEREAS, nothing contained in this declaration shall be construed as an exemption from the controlled substances and alcohol use and testing requirements (49 CFR Part 382), the commercial driver's license requirements (49 CFR Part 383), the financial responsibility (insurance) requirements (49 CFR Part 387), operating authority (49 CFR Part 365), applicable size and weight requirements, ill or fatigued operator (49 CFR Part 392.3) or any other portion of the regulations not specifically identified; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.70(g), upon the recommendation of the North Carolina Commissioner of Agriculture and the existence of an imminent threat of severe economic loss of livestock, poultry or crops ready to be harvested, the Governor shall direct the North Carolina Department of Public Safety ("DPS") to temporarily suspend weighing vehicles used to transport livestock, poultry or crops ready to be harvested; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.70, the Governor may declare that the health, safety, or economic well-being of persons or property requires that the maximum hours of service for drivers prescribed by N.C. Gen. Stat. § 20-381 should be waived for (1) persons transporting essential fuels, food, water, non-alcoholic beverages, medical supplies, feed for livestock and poultry, (2) persons transporting livestock, poultry, and crops ready to be harvested and (3) vehicles used in the restoration of utility and transportation services.

NOW, THEREFORE, pursuant to the authority vested in me as Governor by the Constitution and the laws of the State of North Carolina, **IT IS ORDERED:**

Section 1.

I hereby declare that a state of emergency, as defined in N.C. Gen. Stat. §§ 166A-19.3(6) and 166A-19.3(19), exists in the State of North Carolina due to the impact from Tropical Storm Fred.

For purposes of this Executive Order, the emergency area is the entire State of North Carolina ("the Emergency Area").

Section 2.

I order all state and local government entities and agencies to cooperate in the implementation of the provisions of this declaration and the provisions of the North Carolina Emergency Operations Plan ("the Plan").

Section 3.

I delegate to Casandra Skinner Hoekstra, the Interim Secretary of the North Carolina Department of Public Safety ("DPS"), or her designee, all power and authority granted to and required of me by Article 1A of Chapter 166A of the North Carolina General Statutes for the purpose of implementing the Plan and deploying the State Emergency Response Team to take the appropriate actions necessary to promote and secure the safety and protection of the populace in North Carolina.

Section 4.

Further, Interim Secretary Hoekstra, as Chief Coordinating Officer for the State of North Carolina, shall exercise the powers prescribed in N.C. Gen. Stat. § 143B-602.

Section 5.

I further direct Interim Secretary Hoekstra, or her designee, to seek assistance from any and all agencies of the United States Government as may be needed to meet the emergency and to seek reimbursement for costs incurred by the state in responding to this emergency.

Section 6.

DPS, in conjunction with the North Carolina Department of Transportation ("DOT"), shall waive the maximum hours of service for drivers prescribed by DPS pursuant to N.C. Gen. Stat. § 20-381.

Section 7.

DPS, in conjunction with DOT, shall waive certain size and weight restrictions and penalties arising under N.C. Gen. Stat. §§ 20-116, 20-118, and 20-119, certain registration requirements and penalties arising under N.C. Gen. Stat. §§ 20-86.1 and 20-382, and certain registration and filing requirements and penalties arising under N.C. Gen. Stat. §§ 105-449.45, 105-449.47, and 105-449.49 for vehicles supporting emergency relief efforts in the Emergency Area.

Section 8.

Notwithstanding the waivers set forth above, size and weight restrictions and penalties have not been waived under the following conditions:

- a. When the vehicle weight exceeds the maximum gross weight criteria established by the manufacturer ("GVWR") or 90,000 pounds gross weight, whichever is less.
- b. When the vehicle weight exceeds a single-axle weight of 22,000 pounds, a tandem-axle weight of 42,000 pounds, or a gross weight of 90,000 pounds.
- c. When the vehicle consists of a five or more axle combination vehicle that exceeds a single-axle weight of 26,000 pounds, a tandem-axle weight of 42,000 pounds and a gross weight 90,000 pounds, with a length of at least forty-eight (48) feet between the center of axle one and the center of the last axle of the vehicle and a minimum of eleven (11) feet between the center of axle one and the center of axle two of the vehicle.
- d. When the vehicle consists of a two-axle vehicle that exceeds a gross weight of 37,000 pounds and a single-axle weight of no more than 27,000 pounds, with a length of at least fourteen (14) feet between the center of axle one and the center of axle two of the vehicle.
- e. When a vehicle and vehicle combination exceed twelve (12) feet in width and the total overall vehicle combination's length exceeds seventy-five (75) feet from bumper to bumper.

- f. Vehicles and vehicle combinations subject to exemptions or permits by authority of this Executive Order shall not be exempt from the requirement of having (A) a yellow banner on the front and rear that is seven (7) feet long and eighteen (18) inches wide and bears the legend "Oversized Load" in ten (10) inch black letters, 1.5 inches wide and (B) red flags measuring eighteen (18) inches square on all sides at the widest point of the load. In addition, when operating between sunset and sunrise, a certified escort shall be required for loads exceeding eight (8) feet six (6) inches in width.
- g. Commercial vehicles operating outside the normal weight, height, and length restrictions under the authority of this State of Emergency shall be issued permits by the DOT. Said vehicles shall be subject to any special conditions the DOT and DPS may list on applicable permits. Nothing in this Executive Order shall be construed to allow any vehicle to exceed weight limits posted for bridges and like structures, nor shall anything in this Executive Order be construed to relieve compliance with restrictions other than those specified in this Executive Order or from any statute, rule, order, or other legal requirement not specifically waived herein.
- h. Oversize permits may be issued by the DOT, Oversize/Overweight Unit, during normal business hours, Monday through Friday by calling 1-888-221-8166 or contacting them through the online portal at <https://connect.ncdot.gov/business/trucking/Pages/overpermits.aspx>

Section 9.

Vehicles referenced under Sections 7 and 8 of this Executive Order shall be exempt from the following registration requirements:

- a. The requirement to obtain a temporary trip permit and payment of the associated \$50.00 fee listed in N.C. Gen. Stat. § 105-449.49.
- b. The requirement of filing a quarterly fuel tax return as the exemption in N.C. Gen. Stat. § 105-449.45(b)(1) applies.
- c. The registration requirements under N.C. Gen. Stat. §§ 20-382.1 and 20-382 concerning interstate for-hire authority are waived; however, vehicles shall maintain the required limits of insurance as required.
- d. Non-participants in North Carolina's International Registration Plan and International Fuel Tax Agreement will be permitted to enter North Carolina in accordance with the exemptions identified by this Executive Order.

Section 10.

The size and weight exemption for vehicles will be allowed on all DOT designated routes, except those routes designated as light traffic roads under N.C. Gen. Stat. § 20-118. This Executive Order shall not be in effect on bridges posted pursuant to N.C. Gen. Stat. § 136-72 and Interstate highways.

Section 11.

The waiver of regulations under Title 49 of the Code of Federal Regulations does not apply to the Commercial Drivers' License and Insurance Requirements. This waiver shall be in effect for thirty (30) days or the duration of the emergency, whichever is less.

Section 12.

The North Carolina State Highway Patrol shall enforce the conditions set forth in Sections 6 through 11 of this Executive Order in a manner that does not endanger North Carolina motorists.

Section 13.

Upon request by law enforcement officers, exempted vehicles must produce documentation sufficient to establish that their loads are for use in (1) providing direct assistance

supporting emergency relief efforts including transporting essential fuels, food, water, medical supplies, feed for livestock and poultry, (2) transporting livestock, poultry, and crops ready to be harvested, or (3) the restoration of utility and transportation services in response to Tropical Storm Fred.

Direct assistance terminates when a driver or commercial motor vehicle is used in interstate commerce to transport cargo or provide services that are not in support of emergency relief efforts related to Tropical Storm Fred in North Carolina, or when the motor carrier dispatches a driver or commercial motor vehicle to another location to begin operations in commerce. (49 CFR § 390.23(b)).

Upon termination of direct assistance to emergency relief efforts related to Tropical Storm Fred in North Carolina or the affected states, the motor carrier and driver are subject to the requirements of 49 CFR Parts 390 through 399, except that a driver may return empty to the motor carrier's terminal or the driver's normal work reporting location without complying with Parts 390 through 399. When a driver is moving from emergency relief efforts to normal operations a 10-hour break is required when the total time a driver operates conducting emergency relief efforts, or a combination of emergency relief and normal operation, equals fourteen (14) hours.

Section 14.

This Executive Order does not prohibit or restrict lawfully possessed firearms or ammunition or impose any limitation on the consumption, transportation, sale, or purchase of alcoholic beverages as provided in N.C. Gen. Stat. § 166A-19.30(c).

Section 15.

Pursuant to N.C. Gen. Stat. § 166A-19.23, this declaration triggers the prohibition against excessive pricing as provided in N.C. Gen. Stat. §§ 75-37 and 75-38 in the Emergency Area.


Section 16.

This Executive Order is effective immediately and shall remain in effect for thirty (30) days or the duration of the emergency, whichever is less.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this 18th day of August in the year of our Lord two thousand and twenty-one.


Roy Cooper
Governor

ATTEST:


Elaine F. Marshall
Secretary of State



Public Notice
North Carolina Environmental Management Commission
Division of Water Resources/Water Quality Permitting Section
1617 Mail Service Center
Raleigh, NC 27699-1617
Notice of Intent to Reissue an NPDES General Wastewater Permit

The North Carolina Environmental Management Commission proposes to reissue the following NPDES wastewater general permit:

NPDES General Permit No. NCG560000 for the discharge of pesticide products.

Written comments regarding the proposed general permit will be accepted until 30 days after the publish date of this notice. The Director of the NC Division of Water Resources (DWR) may hold a public hearing should there be a significant degree of public interest. Please mail comments and/or information requests to DWR at the above address. Interested persons may visit the DWR at 512 N. Salisbury Street, Raleigh, NC to review information on file. Additional information on this notice may be found on our website:

<http://deq.nc.gov/about/divisions/water-resources/water-resources-permits/wastewater-branch/npdes-wastewater/public-notice>

For questions or comments about NPDES General Permit NCG560000, please contact Sydney Carpenter via e-mail: sydney.carpenter@ncdenr.gov.

Note from the Codifier: The notices published in this Section of the NC Register include the text of proposed rules. The agency must accept comments on the proposed rule(s) for at least 60 days from the publication date, or until the public hearing, or a later date if specified in the notice by the agency. If the agency adopts a rule that differs substantially from a prior published notice, the agency must publish the text of the proposed different rule and accept comment on the proposed different rule for 60 days. Statutory reference: G.S. 150B-21.2.

TITLE 12 – DEPARTMENT OF JUSTICE

Notice is hereby given in accordance with G.S. 150B-21.2 that the Criminal Justice Education and Training Standards Commission intends to amend the rules cited as 12 NCAC 09A .0205; 09B .0235; 09G .0504 and .0505.

Link to agency website pursuant to G.S. 150B-19.1(c):
<https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/>

Proposed Effective Date: January 1, 2022

Public Hearing:

Date: November 17, 2021

Time: 10:00 a.m.

Location: Wake Technical Community College Public Safety Center, 321 Chapanoke Rd., Raleigh, NC 27603

Reason for Proposed Action: To make 09G .0504 consistent with 09G .0206 which does not require sanctions for corrections officers for the commission of misdemeanor offenses, only for conviction.
 09A .0205 and 09G .0505 to allow the Commission to reduce the period of sanction and impose a period of probation as appropriate.

Comments may be submitted to: Charminique D. Williams, 1700 Tryon Park Drive, Raleigh, NC 27602

Comment period ends: November 17, 2021

Procedure for Subjecting a Proposed Rule to Legislative Review:

If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

☐ State funds affected

- ☐ Local funds affected
- ☐ Substantial economic impact (\geq \$1,000,000)
- ☐ Approved by OSBM
- ☒ No fiscal note required

CHAPTER 09 - CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS

SUBCHAPTER 09A - CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION

SECTION .0200 - ENFORCEMENT OF RULES

12 NCAC 09A .0205 PERIOD OF SUSPENSION: REVOCATION: OR DENIAL

(a) When the Commission revokes or denies the certification of a criminal justice officer, the period of the sanction shall be permanent where the cause of sanction is:

- (1) commission or conviction of a felony offense, except as provided by G.S. 17C-13(a);
- (2) commission or conviction of a criminal offense for which punishment is authorized by law to included imprisonment for more than two years, except as provided by G.S. 17C-13(a); or
- (3) the second suspension of an officer's certification for any of the causes requiring a five-year period of suspension pursuant to 12 NCAC 09A .0204.

(b) When the Commission suspends or denies the certification of a criminal justice officer, the period of sanction shall be not less than five years; however, the Commission may ~~either~~ reduce or suspend the period of sanction or substitute a period of probation in lieu of suspension of ~~certification~~ certification, or impose a combination of reduction, suspension or probation as determined on a case-by-case basis following a consent order or an administrative hearing, where the cause of sanction is:

- (1) commission or conviction of a criminal offense other than those listed in Paragraph (a) of this Rule;
- (2) refusal to submit to the applicant or lateral transferee drug screen required by these Rules;
- (3) production of a positive result on a drug screen reported to the Commission under 12 NCAC 09C .0310, where the positive result cannot be explained to be in compliance with the law;
- (4) material misrepresentation of any information required for certification or accreditation;
- (5) obtaining, attempting to obtain, aiding another person to obtain, or aiding another person to attempt to obtain credit, training or certification by any means of false pretense, deception, fraud, misrepresentation or cheating;

- (6) failure to make either of the notifications as required by 12 NCAC 09B .0101(8);
- (7) removal from office under the provisions of G.S. 128-16 or the provisions of G.S. 14-230;
- (8) performing activities or duties for which certification by the Commission is required without having first obtained the appropriate certification; or
- (9) commission or conviction of four or more crimes or unlawful acts defined as "Class B misdemeanors" in 12 NCAC 09A .0103(24)(b), regardless of the date of conviction.

(c) When the Commission suspends or denies the certification of a criminal justice officer, the period of sanction shall be for an indefinite period, but continuing so long as the stated deficiency, infraction, or impairment continues to exist, where the cause of sanction is:

- (1) failure to meet or satisfy relevant basic training requirements pursuant to 12 NCAC 09B .0205, .0225, .0235, and 0236;
- (2) failure to meet or maintain the minimum standards of employment pursuant to 09B .0101, .0111, .0114, .0116, .0117;
- (3) discharge from a criminal justice agency for impairment of physical or mental capabilities; or
- (4) failure to meet or satisfy the in-service training requirements as prescribed in 12 NCAC 09E.

Authority G.S. 17C-6; 17C-10.

SUBCHAPTER 09B - STANDARDS FOR CRIMINAL JUSTICE EMPLOYMENT: EDUCATION: AND TRAINING

SECTION .0200 – MINIMUM STANDARDS FOR CRIMINAL JUSTICE SCHOOLS AND CRIMINAL JUSTICE TRAINING PROGRAMS OR COURSES OF INSTRUCTION

12 NCAC 09B .0235 BASIC TRAINING – JUVENILE COURT COUNSELORS AND CHIEF COURT COUNSELORS

(a) The basic training course for Juvenile Court Counselors and Chief Court Counselors shall consist of a minimum of 151 hours of instruction designed to provide the trainee with the skills and knowledge to perform those tasks essential to function as a Juvenile Court Counselor and a Chief Court Counselor.

(b) Each basic training course for Juvenile Court Counselors shall include training in the following topic areas:

- (1) Juvenile Justice Common Core:
 - (A) Basic Individual Counseling Skills 8 hours
 - (B) Interpersonal Communication Skills 8 hours
 - (C) Working with Families 3 hours
 - (D) Characteristics of Delinquents 4 hours

- (E) Unlawful Workplace Harassment 2 hours
- (F) Career Survival: Integrity and Ethics in the North Carolina Department of Public Safety Workplace 2 hours
- (G) Staff and Juvenile Relationships 4 hours
- (H) Gang Awareness 4 hours
- (I) Situational Awareness and Risk Assessment 4 hours
- (J) Restraints, Controls, and Defensive Techniques 28 hours
- (K) Mechanical Restraints 4 hours
- (L) Mental Health 8 hours
- (M) CPR 4 hours
- (N) First Aid 4 hours
- (O) Employee Fitness and Wellness 4 hours

- (P) Trauma and Delinquents 6 hours
- (Q) Driver and Secure Transport Safety 8 hours
- (R) DMC- Addressing DMC within the JJ System 2 hours
- (S) Verbal De-escalation for Juvenile Justice 4 hours
- Total Hours 111 hours

(2) Juvenile Court Counselor Specific:

- (A) Roles and Responsibilities 8 hours
- (B) Juvenile Law 8 hours
- (C) Intake 8 hours
- (D) ~~Assessing Risk and Needs~~ ~~Risk and Needs Assessment~~ 4 hours
- (E) Report Writing and Documentation 12 hours
- Total Hours 40 hours
- Total Course Hours 151 hours

(c) The "Juvenile Court Counselor Basic Training Manual" as published by the North Carolina Department of Public Safety shall be applied as the curriculum for delivery of Juvenile Court Counselor basic training courses. Copies of this publication may be inspected at or purchased at the cost of printing and postage from the office of the agency:

The Office of Staff Development and Training
North Carolina Department of Public Safety
2211 Schieffelin Road
Apex, North Carolina 27502

(d) Upon completion of a Commission-certified training course for Juvenile Court Counselors and Chief Court Counselors, the Director of the school conducting the course shall notify the Commission of training completion by submitting a Report of Training Course Completion for each trainee. The Report of Training Completion Form is located on the agency's website: http://www.ncdoj.gov/getattachment/fbf3480c-05a1-4e0c-a81a-04070dea6199/F-11-Form_10-2-14.pdf.aspx.

(e) Employees of the Division of Adult Correction and Juvenile Justice who have completed the minimum 151 hour training

program accredited by the Commission pursuant to Rule .0236 of this Section after January 1, 2013 who transfer from a Juvenile Justice Officer position to a Juvenile Court Counselor position shall be required to complete only the portions of the course identified as specific to the duties and responsibilities of a Juvenile Court Counselor under Subparagraph (b)(2) of this Rule.

Authority G.S. 17C-2; 17C-6; 17C-10.

**SUBCHAPTER 09G - STANDARDS FOR CORRECTIONS
EMPLOYMENT, TRAINING, AND CERTIFICATION**

SECTION .0500 - ENFORCEMENT OF RULES

**12 NCAC 09G .0504 SUSPENSION: REVOCATION:
OR DENIAL OF CERTIFICATION**

(a) The Commission shall revoke the certification of a correctional officer or probation/parole officer when the Commission finds that the officer has committed or been convicted of a felony offense.

(b) The Commission shall deny the certification of a correctional officer when the Commission finds the officer has been convicted of a felony.

(c) The Commission shall deny the certification of a probation/parole officer when the Commission finds the officer has committed or been convicted of a felony offense.

(d) The Commission may, based on the evidence for each case, suspend, revoke, or deny the certification of a corrections officer, as defined in 12 NCAC 09G .0102(4) when the Commission finds that the applicant for certification or the certified officer:

- (1) has not enrolled in and completed with passing scores the required basic training course in its entirety in time periods prescribed in 12 NCAC 09G .0400 applicable to a specified position or job title;
- (2) fails to meet or maintain one or more of the employment standards required by 12 NCAC 09G .0200 for the category of the officer's certification or fails to meet or maintain one or more of the training standards required by 12 NCAC 09G .0400 for the category of the officer's certification;
- (3) for correctional officers as defined in 12 NCAC 09G .0102(3), ~~have committed or~~ been convicted of a misdemeanor as defined in 12 NCAC 09G .0102 after certification;
- (4) for probation/parole officers as defined in 12 NCAC 09G .0102(12), have committed or been convicted of a misdemeanor as defined in 12 NCAC 09G .0102 for a three year period prior to the date of application for employment or after certification;
- (5) has been discharged by the North Carolina Department of Public Safety, Division of Adult Correction and Juvenile Justice for:
 - (A) commission or conviction of a motor vehicle offense requiring the revocation of the officer's drivers license; or

- (B) lack of good moral character as defined in 12 NCAC 09G .0206;
- (6) has been discharged by the North Carolina Department of Public Safety, Division of Adult Correction and Juvenile Justice because the officer lacks the mental or physical capabilities to fulfill the responsibilities of a corrections officer;
- (7) has knowingly made a material misrepresentation of any information required for certification or accreditation;
- (8) has knowingly and willfully, by any means of false pretense, deception, fraud, misrepresentation, or cheating whatsoever, obtained or attempted to obtain credit, training, or certification from the Commission;
- (9) has knowingly and willfully, by any means of false pretense, deception, fraud, misrepresentation, or cheating whatsoever, aided another person in obtaining or attempting to obtain credit, training, or certification from the Commission;
- (10) has failed to notify the Standards Division of all criminal charges or convictions as required by 12 NCAC 09G .0302;
- (11) has been removed from office by decree of the Superior Court in accord with the provisions of G.S. 128-16 or has been removed from office by sentence of the court in accord with the provisions of G.S. 14-230;
- (12) has refused to submit to an applicant drug screen as required by 12 NCAC 09G .0206; or has refused to submit to an in-service drug screen pursuant to the guidelines set forth in the Drug Screening Implementation Guide as required by the Department of Public Safety, Division of Adult Correction and Juvenile Justice;
- (13) has produced a positive result on a drug screen reported to the Commission as specified in 12 NCAC 09G .0206, where the positive result cannot be explained to the Commission's satisfaction. For the purposes of this Rule, "to the Commission's satisfaction" shall be determined on a case-by-case basis, and the use of a prescribed drug shall be satisfactory; or
- (14) has been denied certification or had such certification suspended or revoked by a previous action of the North Carolina Criminal Justice Education and Training Standards Commission, the North Carolina Company Police Program, the North Carolina Campus Police Program, the North Carolina Sheriffs' Education and Training Standards Commission, or a similar North Carolina, out of state, or federal approving, certifying, or licensing agency whose function is the same or similar to the agencies if the certification was denied, suspended, or revoked based on

grounds that would constitute a violation of this Subchapter.

(e) Following suspension, revocation, or denial of the person's certification, the person shall not remain employed or appointed as a corrections officer and the person shall not exercise any authority of a corrections officer during a period for which the person's certification is suspended, revoked, or denied.

Authority G.S. 17C-6; 17C-10.

**12 NCAC 09G .0505 PERIOD OF SUSPENSION:
REVOCATION: OR DENIAL**

(a) When the Commission revokes or denies the certification of a corrections officer pursuant to 12 NCAC 09G .0504 of this Section, the period of the sanction shall be 10 years where the cause of sanction is:

- (1) commission or conviction of a felony offense;
- (2) the second suspension of an officer's certification for any of the causes requiring a three-year period of suspension; or
- (3) revocation or denial of certification by the North Carolina Sheriffs' Education and Training Standards Commission based on grounds that would constitute a violation of this Subchapter.

(b) When the Commission suspends or denies the certification of a corrections officer pursuant to 12 NCAC 09G .0504 of this Section, the period of ~~sanction~~ sanction, shall be not less than three years; however, the Commission may either reduce or suspend the period of sanction ~~under Paragraph (e) of this Rule or~~ substitute a period of probation in lieu of suspension of ~~certification~~ certification, or impose a combination of reduction, suspension, or probation following an administrative hearing, where the cause of sanction is:

- (1) commission or conviction of a misdemeanor as defined in 12 NCAC 09G .0102;
- (2) discharge by the North Carolina Department of Public Safety, Division of Adult Correction and Juvenile Justice pursuant to 12 NCAC 09G .0504(b)(4) and (b)(5) of this Section;
- (3) refusal to submit to the applicant drug screen required by the Rules in this Subchapter;
- (4) production of a positive result on a drug screen reported to the Commission under 12 NCAC 09G .0206, where the positive result cannot be explained to the Commission's satisfaction. For the purposes of this Rule, "to the Commission's satisfaction" shall be determined on a case-by-case basis, and the use of a prescribed drug shall be satisfactory;
- (5) has knowingly made a material misrepresentation of any information required for certification or accreditation;
- (6) has knowingly and willfully obtained, attempted to obtain, aided another person to obtain, or aided another person attempt to obtain credit, training or certification by any means of false pretense, deception, defraudation, misrepresentation or cheating;

- (7) failure to make either of the notifications as required by 12 NCAC 09G .0302;
- (8) removal from office under the provisions of G.S. 128-16 or the provisions of G.S. 14-230; or
- (9) certification revoked or denied by the North Carolina Sheriffs' Education and Training Standards Commission, if such certification was revoked or denied based on grounds that would constitute a violation of Section 09G of these Rules.

(c) When the Commission suspends or denies the certification of a corrections officer, the period of sanction shall be for an indefinite period, but continuing so long as the stated deficiency, infraction, or impairment continues to exist, where the cause of sanction is:

- (1) failure to meet or satisfy relevant basic training requirements;
- (2) failure to meet or maintain the minimum standards for certification; or
- (3) discharge from the North Carolina Department of Correction for impairment of physical or mental capabilities.

Authority G.S. 17C-6; 17C-10.

TITLE 14B – DEPARTMENT OF PUBLIC SAFETY

Notice is hereby given in accordance with G.S. 150B-21.2 that the Private Protective Services Board intends to adopt the rule cited as 14B NCAC 16 .0115 and amend the rule cited as 14B NCAC 16 .0103.

Link to agency website pursuant to G.S. 150B-19.1(c):
<https://www.ncdps.gov/dps-services/permits-licenses/private-protective-services-board>

Proposed Effective Date: *February 1, 2022*

Public Hearing:

Date: *October 5, 2021*

Time: *2:00 p.m.*

Location: *3101 Industrial Drive, Suite 104, Raleigh, NC 27609*

Reason for Proposed Action: *The use of the term "registered agent" in Chapter 74C of the General Statutes is different than is used in the corporations law. The definition is intended to clarify this difference. Further, the Board has never set forth by administrative rule its complaint procedure. Recent proposed legislation has prompted it to do so.*

Comments may be submitted to: *Paul Sherwin, 3101 Industrial Drive, Suite 104, Raleigh, NC 27609; phone (919) 788-5320; fax (919) 715-0370; email paul.sherwin@ncdps.gov*

Comment period ends: *November 15, 2021*

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

- ☐ State funds affected
- ☐ Local funds affected
- ☐ Substantial economic impact ($\geq \$1,000,000$)
- ☐ Approved by OSBM
- ☒ No fiscal note required

CHAPTER 16 - PRIVATE PROTECTIVE SERVICES BOARD

SECTION .0100 - ORGANIZATION AND GENERAL PROVISIONS

14B NCAC 16 .0103 DEFINITIONS

In addition to the definitions set forth in G.S. 74C, the following definitions shall apply throughout this Subchapter:

- (1) "Agency Head" means the Chairman of the Board.
- (2) "Applicant" means any person, firm, or corporation applying to the Board for a license, trainee permit, registration, or firearms trainer certificate.
- (3) "Armed Private Security Officer" means an individual employed, full time or part time, by a contract security company or a proprietary security organization:
 - (a) who at any time wears, carries, or possesses a firearm in the performance of his or her duties; and
 - (b) whose principal duty is that of:
 - (i) an armed security guard, officer, patrol, or watchman;
 - (ii) an armed armored car service guard;
 - (iii) a private detective; or
 - (iv) an armed courier service guard.
- (4) "Board" means the Private Protective Services Board established by G.S. 74C.

- (5) "Branch Manager or Operator" means the individual endowed with the responsibility and liability for a branch office.
- (6) "Branch Office" means a separate but dependent part of a central organization engaged in the business of providing private protective services established for the purpose of extending the activities of the central organization. The establishment of a telephone number or mailing address in the company name constitutes prima facie evidence of a branch office. If an out-of-state person, firm, association, or corporation opens an office in North Carolina, the North Carolina office shall be deemed the principal place of business and shall have a resident licensed qualifying agent.
- (7) "Chairman" means the Chairman of the Private Protective Services Board.
- (8) "Contract Security Company" means any person, firm, association, or corporation engaging in a private protective services business as defined in G.S. 74C-3 that provides the services on a contractual basis for a fee or other valuable consideration to any other person, firm, association, or corporation.
- (9) "Direct Supervision" means personal, face-to-face contact and direction of the trainee's activities on a frequent and reasonable basis.
- (10) "Investigative Capacity" means any law enforcement agency position for which the duties include conducting investigations and interviews, completing reports, and testifying in courts, administrative hearings, or military tribunals.
- (11) "Law Enforcement Officer" means a sworn peace officer who has the power of arrest, and who is an employee of the United States, any state, or any political subdivision of a state.
- (12) "Licensee" means any person licensed to perform private protective services in North Carolina in accordance with G.S. 74C.
- (13) "Proprietary Security Organization" means any person, firm, association, corporation, or department thereof:
 - (a) that employs any of the following:
 - (i) watchmen;
 - (ii) security guards or officers;
 - (iii) patrol personnel;
 - (iv) armored car personnel; or
 - (v) couriers; and
 - (b) that employs these persons regularly and exclusively as an employee in connection with the business affairs of such employer.
- (14) "Qualifying Agent" means the individual licensee who is responsible for the private protective services business. If the licensee maintains an office in North Carolina the

Qualifying Agent must be a resident of North Carolina.

(15) "Registered agent" means the individual resident of North Carolina designated by the business entity in lieu of the Qualifying Agent as allowed by G.S. 74C-8(c)(1) who may be, but is not required to be the registered agent required by G.S. 55D-30.

~~(15)~~(16) "Restored" means that an individual is no longer in need of psychiatric care as determined by a physician.

~~(16)~~(17) "Temporary unarmed security guard" means an individual who is hired for a period of 30 days or less within a calendar year and who is designated by his or her employer as a temporary security guard at the start of employment.

Authority G.S. 74C-3; 74C-5.

14B NCAC 16 .0115 COMPLAINTS

(a) Any person may file a complaint against any licensee, trainee, registrant or certificate holder, or any unlicensed or unregistered person, for any violation of G.S. 74C or 14B NCAC 16, or any violation of State or federal criminal law. A complaint form is available on the Board's website at www.ncdps.gov/dps-services/complaint/private-protective-services-board or a copy may be requested from the Board's office.

(b) The complaint must set forth all relevant facts and the basis for the complainant's belief that the licensee, trainee, registrant or certificate holder is in violation. The complainant must be willing to be interviewed by the Board's investigator, provide any information or documentation to support the allegation, and appear and testify if necessary, before the Screening Committee or at any hearing. Anonymous complaints may be accepted at the discretion of the Director.

(c) The complaint must be filed with the Board on-line, via e-mail, by U.S. Mail or by hand-delivery to the Board's office.

(d) The complaint shall be evaluated by the Director or the Director's designee and if valid will be assigned to an investigator for further substantiation. The results of the investigation shall be reported to the Board's Grievance Committee for review and action.

(e) The Director retains the right to close a case if at any point in the process it is determined there is no actionable violation.

(f) The Director shall notify the complainant and the licensee, trainee, registrant, or certificate holder of the initial complaint and its final disposition.

Authority G.S. 74C-5; 74C-12.

TITLE 21 - OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS

CHAPTER 32 - NORTH CAROLINA MEDICAL BOARD

Notice is hereby given in accordance with G.S. 150B-21.2 that the Medical Board intends to amend the rules cited as 21 NCAC 32R .0102; and 32S .0216.

Link to agency website pursuant to G.S. 150B-19.1(c): www.ncmedboard.org/about_the_board/rule_changes

Proposed Effective Date: January 1, 2022

Public Hearing:

Date: November 15, 2021

Time: 10:00 a.m.

Location: Public Hearing will be held via teleconference: 1-919-518-9840; Conference ID: 636 675 632#

Reason for Proposed Action: The proposed rule amendments are to raise licensee awareness of implicit bias and its negative impact on patient care.

Comments may be submitted to: Wanda Long, P.O. Box 20007, Raleigh, NC 27619-0007; email rules@ncmedboard.org

Comment period ends: November 15, 2021

Procedure for Subjecting a Proposed Rule to Legislative Review:

If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

- ☐ State funds affected
- ☐ Local funds affected
- ☐ Substantial economic impact (\geq \$1,000,000)
- ☐ Approved by OSBM
- ☒ No fiscal note required

SUBCHAPTER 32R – CONTINUING MEDICAL EDUCATION (CME) REQUIREMENTS

SECTION .0100 – CONTINUING MEDICAL EDUCATION (CME) REQUIREMENTS

21 NCAC 32R .0102 APPROVED CATEGORIES OF CME

(a) Category 1 CME providers are:

- (1) Institutions or organizations accredited by the Accreditation Council on Continuing Medical Education (ACCME) and reciprocating organizations;
- (2) The American Osteopathic Association (AOA);
- (3) A state medical society or association;
- (4) The American Medical Association (AMA);
- (5) Specialty boards accredited by the American Board of Medical Specialties (ABMS), the AOA or Royal College of Physicians and Surgeons of Canada (RCPSC;) and
- (6) The Joint Accreditation for Interprofessional Continuing Education.

(b) Category 1 CME education shall be presented, offered, or accredited by a Category 1 provider as set forth in Paragraph (a) of this Rule and shall include:

- (1) Educational courses;
- (2) Scientific or clinical presentations or publications;
- (3) Printed, recorded, audio, video, online or electronic educational materials for which CME credits are awarded by the provider;
- (4) Journal-based CME activities within a peer-reviewed, professional journal;
- (5) Skill development;
- (6) Performance improvement activities; ~~or~~
- (7) Interprofessional continuing ~~education-~~
education; or
- (8) Cultural competency or implicit bias training.

Authority G.S. 90-5.1.

SUBCHAPTER 32S - PHYSICIAN ASSISTANTS

SECTION .0200 – PHYSICIAN ASSISTANT REGISTRATION

21 NCAC 32S .0216 CONTINUING MEDICAL EDUCATION

(a) A physician assistant shall complete at least 50 hours of Continuing Medical Education (CME) every two years. The CME shall be recognized by the National Commission on Certification of Physician Assistants (NCCPA) as Category I CME. The physician assistant shall provide CME documentation for inspection by the Board or its agent upon request. The two-year period shall begin on the physician assistant's birthday following the issuance of his or her license.

(b) A physician assistant who prescribes controlled substances shall complete at least two hours of CME, from the required 50 hours, designed specifically to address controlled substance prescribing practices. The controlled substance prescribing CME shall include instruction on controlled substance prescribing practices and controlled substance prescribing for chronic pain management. CME that includes recognizing signs of the abuse or misuse of controlled substances, or non-opioid treatment options shall qualify for purposes of this Rule.

(c) A physician assistant who possesses a current certification with the NCCPA shall be deemed in compliance with the requirement of Paragraph (a) of this Rule. The physician assistant shall attest on his or her annual renewal he or she is currently certified by the NCCPA. Physician assistants who attest he or she possesses a current certificate with the NCCPA shall not be exempt from the controlled substance prescribing CME requirement of Paragraph (b) of this Rule. A physician assistant shall complete the required two hours of controlled substance CME unless the CME is a component part of their certification activity.

(d) Courses pertaining to interprofessional continuing education and courses pertaining to cultural competency or implicit bias training shall qualify for any CME hours required under this Rule so long as such courses are approved by the NCCPA.

Authority G.S. 90-5.1(a)(3); 90-5.1(a)(10); 90-18.1; S.L. 2015-241, 12F.16(b) and 12F.16(c).

This Section contains information for the meeting of the Rules Review Commission August 19, 2021 at 1711 New Hope Church Road, RRC Commission Room, Raleigh, NC. Anyone wishing to submit written comment on any rule before the Commission should submit those comments to the RRC staff, the agency, and the individual Commissioners. Specific instructions and addresses may be obtained from the Rules Review Commission at 984-236-1850. Anyone wishing to address the Commission should notify the RRC staff and the agency no later than 5:00 p.m. of the 2nd business day before the meeting. Please refer to RRC rules codified in 26 NCAC 05.

RULES REVIEW COMMISSION MEMBERS

Appointed by Senate

Jeanette Doran (Chair)
Robert A. Bryan, Jr.
Margaret Currin
Jeff Hyde
Robert A. Rucho

Appointed by House

Anna Baird Choi (1st Vice Chair)
Andrew P. Atkins (2nd Vice Chair)
Paul Powell
Randy Overton
Barbara A. Jackson

COMMISSION COUNSEL

Amber Cronk May 984-236-1936
Amanda Reeder 984-236-1939

RULES REVIEW COMMISSION MEETING DATES

September 16, 2021 October 21, 2021
November 18, 2021 December 16, 2021

RULES REVIEW COMMISSION MEETING MINUTES

August 19, 2021

The Rules Review Commission met on Thursday, August 19, 2021, in the Commission Room at 1711 New Hope Church Road, Raleigh, North Carolina, and via WebEx.

Commissioners Bobby Bryan, Anna Baird Choi, Margaret Currin, Jeanette Doran, and Bob Rucho were present in the Commission Room. Commissioners present via WebEx were Jeff Hyde, Barbara Jackson, Randy Overton, and Paul Powell.

Staff members present were Alexander Burgos, Commission Counsel Amanda Reeder, and Codifier of Rules Ashley Snyder. Commission Counsel Amber May was present via WebEx.

The meeting was called to order at 9:00 a.m. with Chair Doran presiding.

The Chair read the notice required by G.S. 138A-15(e) and reminded the Commission members that they have a duty to avoid conflicts of interest and the appearance of conflicts of interest.

APPROVAL OF MINUTES

The Chair asked for any discussion, comments, or corrections concerning the minutes of the July 15, 2021 meeting. There were none and the minutes were approved as distributed.

Upon the call of the Chair, the minutes were approved by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Bobby Bryan, Anna Baird Choi, Margaret Currin, Jeff Hyde, Barbara Jackson, Randy Overton, Paul Powell, and Bob Rucho – 8. Voting in the negative: None.

FOLLOW UP MATTERS

Social Services Commission

10A NCAC 71K .0101 and .0102; 71L .0101, .0102, .0103, .0104, .0105, .0106, and .0107; 71O .0101, .0102, .0103, .0104; and 72 .0102 - Upon the call of the Chair, the rules were approved by roll-call vote, ayes 8, noes 0 as follows: Voting in the

affirmative: Bobby Bryan, Anna Baird Choi, Margaret Currin, Jeff Hyde, Barbara Jackson, Randy Overton, Paul Powell, and Bob Rucho – 8. Voting in the negative: None.

10A NCAC 71U .0101, .0201, .0203, .0204, .0205, .0206, .0207, .0209, .0210, .0211, .0212, .0213, .0214, .0215, .0216, .0302, .0303, .0401, .0402; 71V .0102, .0103, .0104, .0105, .0106, .0107, .0108, .0201, .0202, .0203, .0204, .0205; 71W .0101, .0302, .0303, .0304, .0403, .0404, .0405, .0407, .0408, .0410, .0412, .0413, .0502, .0503, .0601, .0602, .0603, .0604, .0605, .0606, .0607, and .0704 - The agency is addressing the technical change requests from the July meeting. No action was required by the Commission.

Coastal Resources Commission

15A NCAC 07H .0304, .0312; 07J .1201, .1202, .1203, .1204, .1205, .1206, .1301, .1302, and .1303 - Upon the call of the Chair, the rules were approved by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Bobby Bryan, Anna Baird Choi, Margaret Currin, Jeff Hyde, Barbara Jackson, Randy Overton, Paul Powell, and Bob Rucho – 8. Voting in the negative: None.

Veterinary Medical Board

21 NCAC 66 .0211 - Upon the call of the Chair, the rule was approved by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Bobby Bryan, Anna Baird Choi, Margaret Currin, Jeff Hyde, Barbara Jackson, Randy Overton, Paul Powell, and Bob Rucho – 8. Voting in the negative: None.

LOG OF FILINGS (PERMANENT RULES)

Board of Agriculture

Upon the call of the Chair, the rules were approved by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Bobby Bryan, Anna Baird Choi, Margaret Currin, Jeff Hyde, Barbara Jackson, Randy Overton, Paul Powell, and Bob Rucho – 8. Voting in the negative: None.

Credit Union Division

Upon the call of the Chair, the rules were approved by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Bobby Bryan, Anna Baird Choi, Margaret Currin, Jeff Hyde, Barbara Jackson, Randy Overton, Paul Powell, and Bob Rucho – 8. Voting in the negative: None.

Department of Natural and Cultural Resources

Upon the call of the Chair, the rules were approved by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Bobby Bryan, Anna Baird Choi, Margaret Currin, Jeff Hyde, Barbara Jackson, Randy Overton, Paul Powell, and Bob Rucho – 8. Voting in the negative: None.

07 NCAC 14B .0706 was withdrawn by the agency prior to the review by the Commission.

State Board of Elections

Upon the call of the Chair, the rules were approved by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Bobby Bryan, Anna Baird Choi, Margaret Currin, Jeff Hyde, Barbara Jackson, Randy Overton, Paul Powell, and Bob Rucho – 8. Voting in the negative: None.

Coastal Resources Commission

Upon the call of the Chair, the rules were approved by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Bobby Bryan, Anna Baird Choi, Margaret Currin, Jeff Hyde, Barbara Jackson, Randy Overton, Paul Powell, and Bob Rucho – 8. Voting in the negative: None.

Department of Transportation - Division of Motor Vehicles

Prior to the review of the rules from the Department of Transportation - Division of Motor Vehicles, Commissioner Bryan recused himself and did not participate in any discussion or vote concerning the rules because his family is engaged in litigation with the agency.

Upon the call of the Chair, the rules were approved by roll-call vote, ayes 7, noes 0 as follows: Voting in the affirmative: Anna Baird Choi, Margaret Currin, Jeff Hyde, Barbara Jackson, Randy Overton, Paul Powell, and Bob Rucho – 7. Voting in the negative: None.

Board of Cosmetic Art Examiners

Upon the call of the Chair, the rules were approved by roll-call vote, ayes 8, noes 0 as follows: Voting in the affirmative: Bobby Bryan, Anna Baird Choi, Margaret Currin, Jeff Hyde, Barbara Jackson, Randy Overton, Paul Powell, and Bob Rucho – 8. Voting in the negative: None.

Board of Nursing

Prior to the review of the rules from the Board of Nursing, Commissioner Choi recused herself and did not participate in any discussion or vote concerning the rules because her law firm provides limited legal representation to the Board.

Upon the call of the Chair, the rules were approved by roll-call vote, ayes 7, noes 0 as follows: Voting in the affirmative: Bobby Bryan, Margaret Currin, Jeff Hyde, Barbara Jackson, Randy Overton, Paul Powell, and Bob Rucho – 7. Voting in the negative: None.

Building Code Council

Upon the call of the Chair, the Commission voted to approve the 2020 Electrical Code, ayes 1, noes 8 as follows: Voting in the affirmative: Anna Baird Choi. Voting in the negative: Bobby Bryan, Margaret Currin, Jeanette Doran, Jeff Hyde, Barbara Jackson, Randy Overton, Paul Powell, and Bob Rucho – 8. The motion failed.

Upon the call of the Chair, the Commission objected to the 2020 Electrical Code for any provisions applied to the North Carolina State Building Code: Residential Code for One- and Two-Family Dwellings, by roll-call vote, ayes 9, noes 0 as follows: Voting in the affirmative: Bobby Bryan, Anna Baird Choi, Margaret Currin, Jeanette Doran, Jeff Hyde, Barbara Jackson, Randy Overton, Paul Powell, and Bob Rucho – 9. Voting in the negative: None.

The Commission objected to the Electrical Code for any provisions applied to the Residential Code for lack of statutory authority pursuant to G.S. 143-138(d).

Dan Tingen with Tingen Construction Company, Inc., addressed the Commission.

Nathan Childs with the Department of Justice, and representing the agency, addressed the Commission.

Joseph Starling with the Office of State Fire Marshal addressed the Commission.

COMMISSION BUSINESS

The meeting adjourned at 9:51 a.m.

The next regularly scheduled meeting of the Commission is Thursday, September 16, 2021, at 9:00 a.m.

Alexander Burgos, Paralegal

Minutes approved by the Rules Review Commission:
Jeanette Doran, Chair

**Rules Review Commission Meeting August 19, 2021
Held Via WebEx**

Name	Agency
Eric Copeland	DOT
Jon Fowlkes	DHHS
Carl Martin	DOI
Helen Landi	DOT
Colleen Crowley	DOJ
Joelle Burleson	
Robert Glass	Goodman HVAC

RULES REVIEW COMMISSION

Tony Knox	Credit Union
George Hearn	JHV Law
Robert Privott	NCHBA
Lynda Elliott	Cosmetic Arts
Dennis Seavers	Barbers
John Policastro	Automobile Dealers Association
Amy Fitzhugh	Nursing
Thomas Campbell	DOJ
Rana Badwan	DOJ
Jennifer Everett	DEQ
Angela Ellis	Nursing
Linda Waite	DHHS
Sara Griffith	
Tien Cheng	DOJ
Andrew Hayes	DOJ
Katelyn Love	Elections
Tina Bumgarner	DHHS
Scott Phillips	DHHS
Keith West	Veterinary Bd
Jennifer Lewis	Nursing
Anna Hayworth	Agriculture
Terry Ward	Nursing
Jeff Burns	Agriculture
Jonathan Avery	<u>DNCR</u>
Raj Premakumar	DOJ

RULES REVIEW COMMISSION

August 19, 2021

Rules Review Commission
Meeting
Please **Print** Legibly

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**List of Approved Permanent Rules
August 19, 2021 Meeting**

AGRICULTURE, BOARD OF

<u>Scope</u>	02 NCAC 60B .1001
<u>Definitions of Terms</u>	02 NCAC 60B .1002
<u>Permits</u>	02 NCAC 60B .1003
<u>Rock or Cliff Climbing and Rappelling</u>	02 NCAC 60B .1004
<u>Bathing or Swimming</u>	02 NCAC 60B .1005
<u>Hunting</u>	02 NCAC 60B .1006
<u>Fishing</u>	02 NCAC 60B .1007
<u>Animals at Large</u>	02 NCAC 60B .1008
<u>Boating</u>	02 NCAC 60B .1009
<u>Camping</u>	02 NCAC 60B .1010
<u>Sports and Games</u>	02 NCAC 60B .1011
<u>Horses</u>	02 NCAC 60B .1012
<u>Bicycles</u>	02 NCAC 60B .1013
<u>Skates, Blades and Boards</u>	02 NCAC 60B .1014
<u>Explosives</u>	02 NCAC 60B .1015
<u>Fires and Grills</u>	02 NCAC 60B .1017
<u>Disorderly Conduct</u>	02 NCAC 60B .1018
<u>Intoxicating Beverages and Drugs</u>	02 NCAC 60B .1019
<u>Damage to Buildings, Structures and Signs</u>	02 NCAC 60B .1020
<u>Commercial Enterprises</u>	02 NCAC 60B .1021
<u>Noise Regulations</u>	02 NCAC 60B .1022
<u>Alms and Contributions</u>	02 NCAC 60B .1024
<u>Aviation</u>	02 NCAC 60B .1025
<u>Expulsion</u>	02 NCAC 60B .1026
<u>Motorized Vehicles</u>	02 NCAC 60B .1027
<u>Flowers, Plants, Minerals, Etc</u>	02 NCAC 60B .1028
<u>Trash and Debris</u>	02 NCAC 60B .1029
<u>Fees and Charges</u>	02 NCAC 60B .1030
<u>Hours of Operation</u>	02 NCAC 60B .1031
<u>Enforcement</u>	02 NCAC 60B .1032
<u>Parking</u>	02 NCAC 60B .1033
<u>Abandoned Property</u>	02 NCAC 60B .1034
<u>Minors</u>	02 NCAC 60B .1035
<u>Firearms</u>	02 NCAC 60B .1036

CREDIT UNION DIVISION

<u>Management Duties</u>	04 NCAC 06C .0304
<u>Independent Audits</u>	04 NCAC 06C .0305

NATURAL AND CULTURAL RESOURCES, DEPARTMENT OF

<u>Definitions</u>	07 NCAC 14A .0101
<u>Firearms</u>	07 NCAC 14B .0401
<u>Animals at Large</u>	07 NCAC 14B .0504
<u>Photographs</u>	07 NCAC 14B .0602

<u>Use of Facilities and Grounds</u>	07 NCAC	14B	.0605
<u>ALMS and Contributions</u>	07 NCAC	14B	.0606
<u>Soliciting Donations: Distributing Literature: Gifts</u>	07 NCAC	14B	.0607

ELECTIONS, STATE BOARD OF

<u>Political Party Formation, Termination, and Reinstatement</u>	08 NCAC	01	.0107
<u>General Guidelines</u>	08 NCAC	09	.0106
<u>First Recount</u>	08 NCAC	09	.0107
<u>Recount of Direct Record Electronic Voting Machines</u>	08 NCAC	09	.0108
<u>Guidelines for Determining Voter Intent</u>	08 NCAC	09	.0109
<u>Election Observers</u>	08 NCAC	20	.0101
<u>Reporting of Independent Expenditures</u>	08 NCAC	21	.0102
<u>Reporting of Special Contributions</u>	08 NCAC	21	.0103
<u>Reporting of Electioneering Communications</u>	08 NCAC	21	.0104
<u>Electronic Signature</u>	08 NCAC	21	.0107
<u>Procedures for Closing a Committee</u>	08 NCAC	21	.0202
<u>Certification of Threshold</u>	08 NCAC	21	.0203
<u>Examination by the State Board of Elections</u>	08 NCAC	21	.0401
<u>Billboards</u>	08 NCAC	21	.0501

SOCIAL SERVICES COMMISSION

<u>Methods of Provision</u>	10A NCAC	71K	.0101
<u>Freedom of Choice</u>	10A NCAC	71K	.0102
<u>Nature and Scope</u>	10A NCAC	71L	.0101
<u>Approval Criteria</u>	10A NCAC	71L	.0102
<u>Application Process</u>	10A NCAC	71L	.0103
<u>Additional Requirements for the Private Agency</u>	10A NCAC	71L	.0104
<u>Procedure for Approval and Payment</u>	10A NCAC	71L	.0105
<u>Development of Service Plan</u>	10A NCAC	71L	.0106
<u>Assessing the Appropriateness of Alternative Types of Liv...</u>	10A NCAC	71L	.0107
<u>Refugee Assistance Services</u>	10A NCAC	71O	.0101
<u>Service Goals</u>	10A NCAC	71O	.0102
<u>Methods of Service Provision</u>	10A NCAC	71O	.0103
<u>Eligibility</u>	10A NCAC	71O	.0104
<u>Definitions</u>	10A NCAC	72	.0102

COASTAL RESOURCES COMMISSION

<u>AECs Within Ocean Hazard Areas</u>	15A NCAC	07H	.0304
<u>Technical Standards for Beach Fill Projects</u>	15A NCAC	07H	.0312
<u>Requesting the Static Line Exception</u>	15A NCAC	07J	.1201
<u>Review of the Static Line Exception Request</u>	15A NCAC	07J	.1202
<u>Procedure for Approving the Static Line Exception</u>	15A NCAC	07J	.1203
<u>Review of the Large-Scale Beach-Fill Project and Approved...</u>	15A NCAC	07J	.1204
<u>Revocation and Expiration of the Static Line Exception</u>	15A NCAC	07J	.1205
<u>Local Government and Communities with Static Vegetation L...</u>	15A NCAC	07J	.1206
<u>Requesting the Development Line</u>	15A NCAC	07J	.1301
<u>Procedures for Approving the Development Line</u>	15A NCAC	07J	.1302

<u>Local Governments and Communities with Development Lines</u>	15A NCAC 07J .1303
<u>Declaration of General Policy</u>	15A NCAC 07M .0301
<u>Definitions</u>	15A NCAC 07M .0302
<u>Standards for Public Access</u>	15A NCAC 07M .0303
<u>Local Government and State Involvement in Access</u>	15A NCAC 07M .0306
<u>Eligibility, Selection Criteria and Matching Requirements</u>	15A NCAC 07M .0307
<u>Public Involvement/Notice</u>	15A NCAC 07M .0308

TRANSPORTATION - MOTOR VEHICLES, DIVISION OF

<u>Forms and Publications</u>	19A NCAC 03D .0102
<u>Conditions for Issuing Temporary Markers by a Dealer</u>	19A NCAC 03D .0221
<u>Dealer Plates</u>	19A NCAC 03D .0223
<u>Illegal Use of Dealer Plates</u>	19A NCAC 03D .0224
<u>Vehicles Offered for Sale Owned by Dealership</u>	19A NCAC 03D .0225
<u>Vehicles Offered for Sale on Consignment</u>	19A NCAC 03D .0226
<u>Vehicles Offered for Sale on a Floor Plan Lien</u>	19A NCAC 03D .0227
<u>Corp. Surety/Bonds: Mobile/Manufactured Home Dealers</u>	19A NCAC 03D .0229
<u>Unclaimed Motor Vehicle</u>	19A NCAC 03D .0402
<u>Sale of Vehicle to Satisfy Storage or Mechanic's Lien</u>	19A NCAC 03D .0403
<u>Sale of Motor Vehicle Under Judicial Proceedings</u>	19A NCAC 03D .0404
<u>Sale of Abandoned Vehicle</u>	19A NCAC 03D .0405
<u>Definitions</u>	19A NCAC 03D .0517
<u>Licensing of Safety or Emissions Inspection Stations</u>	19A NCAC 03D .0518
<u>Stations</u>	19A NCAC 03D .0519
<u>Mechanic Requirements</u>	19A NCAC 03D .0520
<u>Licensing Requirements</u>	19A NCAC 03D .0521
<u>Denial, Suspension or Revocation of Licenses</u>	19A NCAC 03D .0522

COSMETIC ART EXAMINERS, BOARD OF

<u>Address</u>	21 NCAC 14A .0104
<u>Fees</u>	21 NCAC 14A .0404
<u>Disinfection Procedures</u>	21 NCAC 14H .0403
<u>All Cosmetic Art Schools</u>	21 NCAC 14T .0201
<u>Permanent Records, Forms and Documentation</u>	21 NCAC 14T .0502
<u>Additional Hours</u>	21 NCAC 14T .0616
<u>School Approval Changes and School Closing</u>	21 NCAC 14T .0706

NURSING, BOARD OF

<u>Administration</u>	21 NCAC 36 .0317
<u>Faculty</u>	21 NCAC 36 .0318

VETERINARY MEDICAL BOARD

<u>Veterinary Telemedicine</u>	21 NCAC 66 .0211
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