

# ***NORTH CAROLINA REGISTER***

**VOLUME 36 • ISSUE 11 • Pages 886 – 999**

**December 1, 2021**

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## **PUBLISHED BY**

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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 <sup>th</sup> 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
35:20	04/15/21	03/24/21	04/30/21	06/14/21	06/21/21	07/15/21	08/01/21	01/10/22
35:21	05/03/21	04/12/21	05/18/21	07/02/21	07/20/21	08/19/21	09/01/21	01/28/22
35:22	05/17/21	04/26/21	06/01/21	07/16/21	07/20/21	08/19/21	09/01/21	02/11/22
35:23	06/01/21	05/10/21	06/16/21	08/02/21	08/20/21	09/16/21	10/01/21	02/26/22
35:24	06/15/21	05/24/21	06/30/21	08/16/21	08/20/21	09/16/21	10/01/21	03/12/22
36:01	07/01/21	06/10/21	07/16/21	08/30/21	09/20/21	10/21/21	11/01/21	03/28/22
36:02	07/15/21	06/23/21	07/30/21	09/13/21	09/20/21	10/21/21	11/01/21	04/11/22
36:03	08/02/21	07/12/21	08/17/21	10/01/21	10/20/21	11/18/21	12/01/21	04/29/22
36:04	08/16/21	07/26/21	08/31/21	10/15/21	10/20/21	11/18/21	12/01/21	05/13/22
36:05	09/01/21	08/11/21	09/16/21	11/01/21	11/22/21	12/16/21	01/01/22	05/29/22
36:06	09/15/21	08/24/21	09/30/21	11/15/21	11/22/21	12/16/21	01/01/22	06/12/22
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.

**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 13 – DEPARTMENT OF LABOR

*Notice is hereby given in accordance with G.S. 150B-21.2 that the Department of Labor intends to amend the rules cited as 13 NCAC 13 .0101, .0103, .0201-.0203, .0205, .0207, .0210, .0211, .0213, .0214, .0303, .0401, .0402, .0405, .0406, .0409, .0420, .0422, .0423, and .0701.*

**Link to agency website pursuant to G.S. 150B-19.1(c):**  
<https://www.labor.nc.gov/rules-and-regulations>

**Proposed Effective Date:** April 1, 2022

**Public Hearing:**

**Date:** December 16, 2021

**Time:** 9:00 a.m.

**Location:** Virtual:

<https://call.lifesizecloud.com/12081128>;

<https://skype.lifesizecloud.com/12081128>;

(312) 584-2401, ext: 12081128

**Reason for Proposed Action:** Amendments are proposed to increase inspection fees (13 NCAC 13 .0205; 13 NCAC 13 .0213; 13 NCAC 13 .0303); update terminology; make amendments to harmonize with national standards; update prices of standards that are incorporated by reference (13 NCAC 13 .0103); eliminate references to nuclear shop inspections; and make clarifying amendments.

**Comments may be submitted to:** Jill F. Cramer, 1101 Mail Service Center, Raleigh, NC 27699-1101; email [jill.cramer@labor.nc.gov](mailto:jill.cramer@labor.nc.gov)

**Comment period ends:** January 31, 2022

**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 984-236-1850.

**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 13 - BOILER AND PRESSURE VESSEL

### SECTION .0100 - DEFINITIONS

#### 13 NCAC 13 .0101 DEFINITIONS

The following definitions shall apply throughout the rules in this Chapter and shall be construed as controlling in case of any conflict with the definitions contained in ANSI/NB-23 National Board Inspection Code Parts ~~2 and 3~~, 2, 3 and 4, The American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code, or The North Carolina State Building Code:

- (1) "Accepted Design and Construction Code" means the Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers (ASME Code), or a comparable code with standards that the Chief Inspector determines to be equivalent to the ASME Code.
- (2) "Appurtenance" means any control, fitting, appliance, or device attached to or working in conjunction with the boiler proper or pressure vessel.
- (3) "ASME Code" means the Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers.
- (4) "Audit" means activities, other than certificate inspections, conducted by the Chief Inspector or his designee. Audits include the following:
  - (a) reviews ~~and surveys~~ for ASME and National Board ~~stamp~~ certificate issuance and renewal;
  - (b) audits conducted of an authorized inspector at the location of a manufacturer or repair organization as may be required by the ASME Code, National Board Inspection Code, or National Board Rules for Commissioned Inspectors; and
  - (c) audits pursuant to evaluation for the issuance of North Carolina Specials.
- (5) "Automatically fired boiler" means a boiler that cycles in response to a control system and that does not require a constant attendant for the purpose of introducing fuel into the combustion chamber or to control electrical input.

- Electricity shall be considered a fuel for electrically fired boilers.
- (6) "Authorized Inspection Agency" means an organization employing commissioned inspectors, including the following:
- (a) the Bureau, as defined in Item (11) of this Rule.
  - (b) an inspection agency of an insurance company licensed to write boiler and pressure vessel insurance; or
  - (c) an owner-user inspection organization that is accredited by the National Board.
- (7) "Authorized inspector" means an employee of an Authorized Inspection Agency who is commissioned by the National Board and this State, holds an endorsement on his or her National Board Commission appropriate for the work to be performed, and inspects as the third party inspector in ASME Code manufacturing facilities.
- (8) "Boiler," as defined in G.S. 95-69.9(b), includes the following types of boilers:
- (a) "Exhibition boiler" means a historical or antique boiler that generates steam or hot water for the purposes of entertaining or educating the public or is used for demonstrations, tourist transportation, or exhibitions. This term includes boilers used in steam tractors, threshers, steam powered sawmills, and similar uses;
  - (b) "High pressure boiler" means a boiler in which steam or other vapor is generated at a pressure of more than 15 psig or water is heated to a temperature greater than 250°F and a pressure greater than 160 psig for use external to itself. High pressure boilers include the following:
    - (i) Electric boilers;
    - (ii) Miniature boilers;
    - (iii) High temperature water boilers; and
    - (iv) High temperature liquid boilers (other than water);
  - (c) "Low pressure boiler" means a boiler in which steam or other vapor is generated at a pressure of not more than 15 psig or water is heated to a temperature not greater than 250°F and a pressure not greater than 160 psig, including the following:
    - (i) "Hot water heating boiler" means a low pressure boiler that supplies heated water that is returned to the boiler from a piping system and is used normally for building heat applications (hydronic boiler);
    - (ii) "Hot water supply boiler" means a low pressure boiler that furnishes hot water to be used externally to itself; and
    - (iii) "Steam heating boiler" means a low pressure boiler that generates steam to be used normally for building heat applications;
- (d) "Model hobby boiler" means a boiler that generates steam, whether stationary or mobile, and is used for the purpose of entertainment or exhibiting steam technology, where the boiler does not exceed:
- (i) 20 square feet of heating surface;
  - (ii) a shell diameter of 16 inches;
  - (iii) a volume of 5 cubic feet; and
  - (iv) a pressure of 150 psig;
- (e) "Water heater" means a closed vessel in which water is heated by the combustion of fuel, by electricity, or by any other source and withdrawn for potable use external to the system at pressures not exceeding 160 psig and temperatures not exceeding 210°F.
- (9) "Boiler blowoff" means the system associated with the rapid draining of boiler water to remove concentrated solids that have accumulated as a result of steam generation. This term also applies to the blowoff for other boiler appurtenances, such as the low-water fuel cutoff.
- (10) "Boiler proper" or "pressure vessel" means the internal mechanism, shell, and heads of a boiler or pressure vessel terminating at:
- (a) the first circumferential joint for welded end connections;
  - (b) the face of the first flange in bolted flange connections; or
  - (c) the first threaded joint in threaded connections.
- (11) "Bureau" means the Boiler Safety Bureau of the North Carolina Department of Labor.
- (12) "Certificate inspection" means an inspection, the report of which is used by the Chief Inspector as justification for issuing, withholding, or revoking the inspection certificate. The term "certificate inspection" also applies to the external inspection conducted in accordance with this Chapter whether or not a certificate is intended to be issued as a result of the inspection.
- (13) "Condemned boiler or pressure vessel" means a boiler or pressure vessel:

- (a) that has been found not to comply with G.S. Chapter 95, Article 7A, or this Chapter;
- (b) that constitutes a menace to public safety; and
- (c) that cannot be repaired or altered so as to comply with G.S. Chapter 95, Article 7A, and this Chapter.
- (14) "Coil type watertube boiler" means a boiler having no steam space, such as a steam drum, whereby the heat transfer portion of the water-containing space consists only of a coil of pipe or tubing.
- (15) "Commissioned inspector" means an employee of an Authorized Inspection Agency who is commissioned by the National Board and this State, holds an endorsement on his or her National Board Commission appropriate for the work to be performed, and who is charged with conducting in-service inspections of pressure equipment and inspecting repairs or alterations to that equipment.
- (16) "Defect" means any deterioration to the pressure equipment affecting the integrity of the pressure boundary or its supports. Defects may be cracks, corrosion, erosion, bags, bulges, blisters, leaks, broken parts integral to the pressure boundary such as stays, or other flaws identified by NDE or visual inspection.
- (17) "Deficiency" means any violation of the Uniform Boiler and Pressure Vessel Act, rules of this Chapter, or identified defects.
- (18) "Design criteria" means design and construction code requirements relating to the mode of design and construction of a boiler or pressure vessel.
- (19) "Equipment" means any boiler or pressure vessel subject to inspection by the Bureau, when the term applies as used.
- ~~(19)~~(20) "External inspection" means an inspection of the external surfaces and appurtenances of a boiler or pressure vessel. An external inspection may entail "shutting down" a boiler or pressure vessel while it is in operation, including inspection of internal surfaces, if the inspector determines this action is warranted.
- ~~(20)~~(21) "Hydropneumatic storage tank" means a pressure vessel used for storage of water at ambient temperature not to exceed 120°F and where a cushion of air is contained within the vessel.
- ~~(21)~~(22) "Imminent danger" means any condition or practice in any location that a boiler or pressure vessel is being operated such that a danger exists that could be expected to cause death or serious physical harm if the condition is not abated.
- ~~(22)~~(23) "Insurance inspector" means the special inspector employed by an insurance company, and holding a valid North Carolina Commission and National Board Commission.
- ~~(23)~~(24) "Internal inspection" means as complete an examination as can be made of the internal and external surfaces and appurtenances of a boiler or pressure vessel while it is shut down.
- ~~(24)~~(25) "Maximum allowable working pressure" or "MAWP" means the maximum gauge pressure as determined by employing the stress values, design rules, and dimensions designated by the accepted design and construction code or as determined by the Chief Inspector in accordance with this Chapter.
- ~~(25)~~(26) "Menace to public safety" means a boiler or pressure vessel that cannot be operated without a risk of injury to persons and property.
- ~~(26)~~(27) "Miniature boiler" means a boiler that does not exceed any of the following:
  - (a) 16 inch inside shell diameter;
  - (b) 20 square feet of heating surface (does not apply to electrically fired boilers);
  - (c) 5 cubic feet volume; and
  - (d) 100 psig maximum allowable working pressure.
- ~~(27)~~(28) "National Board Commission" means the commission issued by the National Board to those individuals who have passed the National Board commissioning examination and have fulfilled the requirements of the National Board Rules for Commissioned Inspectors.
- ~~(28)~~(29) "National Board Inspection Code" or "NBIC" means the ANSI/NB-23 standard published by the National Board, as incorporated by reference under Rule .0103 of this chapter.
- ~~(29)~~(30) "Nondestructive examination" or "NDE" means examination methods used to verify the integrity of materials and welds in a component without damaging its structure or altering its mechanical properties. NDE may involve surface, subsurface, and volumetric examination. Visual inspection, x-rays, and ultrasound are examples of NDE.
- ~~(30)~~(31) "Nonstandard boiler or pressure vessels" means:
  - (a) high pressure boilers contracted for or installed before December 7, 1935;
  - (b) heating boilers contracted for or installed before January 1, 1951;
  - (c) pressure vessels contracted for or installed before January 1, 1976;
  - (d) hydropneumatic storage tanks contracted for or installed before January 1, 1986; and
  - (e) boilers or pressure vessels to which the ASME Code is not intended to apply, other than those boilers and pressure vessels to which the term North Carolina Special applies.

- ~~(31)~~(32) "Normal working hours" means between the hours of 6:00 AM and 6:00 PM, Monday through Friday, except for State recognized holidays established in 25 NCAC 01E .0901.
- ~~(32)~~(33) "North Carolina Commission" means the commission issued by the Commissioner to those individuals who have passed the examination administered by the Chief Inspector relating to the Uniform Boiler and Pressure Vessel Act and the rules of this Chapter, and who also hold a National Board Commission, authorizing them to conduct inspections in this State.
- ~~(33)~~(34) "North Carolina Special" means a boiler or pressure vessel that is not constructed in compliance with the Accepted Design and Construction Code as defined in Item (1) of this Rule and for which the owner or operator shall apply for a special inspection certificate with the Chief Inspector.
- ~~(34)~~(35) "NPS" means nominal pipe size.
- ~~(35)~~(36) "Nuclear component" means the items in a nuclear power plant such as pressure vessels, piping systems, pumps, valves, and component supports.
- ~~(36)~~(37) "Nuclear system" means a system comprised of nuclear components that serve the purpose of producing and controlling an output of thermal energy from nuclear fuel and includes those associated systems essential to the function and overall safety of the power system.
- ~~(37)~~(38) "Operating pressure" means the pressure at which a boiler or pressure vessel operates. It shall not exceed the MAWP except as shown in Section I of the ASME Code for forced-flow steam generators.
- ~~(38)~~(39) "Owner or user" means any person or legal entity responsible for the operation of any boiler or pressure vessel installed in this State. This term also applies to a contractor, installer, or agent of the owner or user.
- ~~(39)~~(40) "Owner-user inspector" means an individual who holds a valid North Carolina Commission and National Board Commission and is employed by a company operating pressure vessels for its own use and not for resale and maintaining an inspection program that meets the requirements of the National Board for periodic inspection of pressure vessels owned or used by that company.
- ~~(40)~~(41) "Pressure piping" means piping, including welded piping, external to high pressure boilers from the boiler proper to the required valve(s).
- ~~(41)~~(42) "Pressure relief devices" mean the devices on boilers and pressure vessels set to open and relieve the pressure in the event of an over-pressurization event, and include the following:
- (a) "Non-reclosing pressure relief device" means a pressure relief device

- designed to remain open after operation; and
- (b) "Pressure relief valve" means a pressure relief device that is designed to reclose and prevent the further flow of fluid after normal conditions have been restored. These devices include:
- (i) "Relief valve" means an automatic pressure relief valve that is actuated by static pressure upstream of the valve that opens further with the increase in pressure over the opening pressure;
- (ii) "Safety relief valve" means an automatic pressure relief valve that is actuated by static pressure upstream of the valve and characterized by full opening pop action or by opening in proportion to the increase in pressure over the opening pressure; and
- (iii) "Safety valve" means an automatic pressure relief valve that is actuated by static pressure upstream of the valve and characterized by full opening pop action.
- ~~(42)~~(43) "PSIG" means pounds per square inch gauge.
- ~~(43)~~(44) "Reinspection or Follow-Up Inspection" means an examination necessary to verify that any repair or corrective action required as a result of a certificate inspection is completed.
- ~~(44)~~(45) "Service vehicle" means a vehicle mounted with an air storage tank that services vehicles and equipment in the field away from the owner's shop.
- ~~(45)~~(46) "Shop inspection" means an inspection conducted by an Authorized Inspector or a Commissioned Inspector pursuant to an inspection service agreement whereby the fabrication process or the repair or alteration of a boiler or pressure vessel is observed to ensure compliance with the ASME Code and the NBIC, ~~including nuclear shop inspection where fabrication or material supply is done by the holder of an ASME "N" type certificate. NBIC.~~
- ~~(46)~~(47) "Special inspection" means any inspection conducted by a Deputy Inspector other than a regularly scheduled inspection, including the performance of an inspection by a Deputy Inspector that requires that the inspector make a special trip to meet the needs of the individual or organization requesting the inspection, conducting certificate inspections during hours other than normal working hours, and inspection of field repairs and alterations. A special inspection may be considered any



inspection or activity not otherwise described in these Rules.

(47)(48) "Special inspector" means a National Board commissioned inspector employed by an insurance company authorized to write boiler and pressure vessel insurance in the State of North Carolina.

(48)(49) "Violation" means the failure to comply with the requirements of the Uniform Boiler and Pressure Vessel Act or this Chapter.

*Authority G.S. 95-69.11; 95-69.14.*

**13 NCAC 13 .0103 INCORPORATED - STANDARDS**

(a) The following standards are incorporated by reference, including subsequent amendments and editions of the standards:

(1) The ANSI/NB-23 National Board Inspection Code (NBIC) Parts ~~2 and 3~~ 2, 3 and 4. Copies of the ANSI/NB-23 National Board Inspection Code Parts ~~2 and 3~~ 2, 3 and 4 are available for inspection at the offices of the Bureau and may also be obtained from the National Board of Boiler and Pressure Vessel Inspectors, via U.S. Mail at 1055 Crupper Avenue, Columbus, Ohio ~~43229~~ 43299, via telephone at (614) 888-8320, or via the internet at [www.nationalboard.org](http://www.nationalboard.org). The cost costs, which does not include shipping and handling, is as follows: one hundred and fifty dollars (\$150.00) per NBIC hard copy edition (complete set); sixty five dollars (\$65.00) for one part only; and one hundred and thirty dollars (\$130.00) for two parts only, plus shipping and handling.

(A) Complete Set (printed or PDF), Parts 1-4: \$325.00;

(B) Individual (printed), Part 2: \$150.00;

(C) Individual (printed), Part 3: \$150.00;

(D) Individual (printed), Part 4: \$115.00;  
or

(E) Bundled Set (printed and PDF), Parts 1-4: \$435.00.

(2) The American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code. Copies of the complete set of the ASME Code are available for inspection at the offices of the Bureau and may also be obtained from the American Society of Mechanical Engineers, via U.S. Mail at 150 Clove Road, 6<sup>th</sup> Floor, Little Falls, New Jersey 07424-2139, P.O. Box 2300, Fairfield, New Jersey 07007-2300, via telephone at (800) 843-2763, via facsimile at (973) 882-1717 or (800) 843-2763, ~~(973) 882-4470~~, via email at [CustomerCare@asme.org](mailto:CustomerCare@asme.org) ~~infocentral@asme.org~~, or via the internet at [www.asme.org](http://www.asme.org). The cost is ~~fourteen thousand five hundred dollars (\$14,500)~~ seventeen thousand nine hundred and forty-five dollars (\$17,945) for the complete 2021 edition of the code.

(3) The North Carolina State Building Code. Copies of the North Carolina State Building Code are available for inspection at the offices of the Bureau and may also be obtained ~~either from the North Carolina Department of Insurance, Office of the State Fire Marshall Marshal, Engineering Division, Codebook Section, via walk in at 322 Chapanoke Road, Suite 200, Raleigh, North Carolina 27603, or from the International Code Council via telephone at (800) 786-4452 or via the internet at [www.ncdoi.com/OSFM/Engineering/CodeServices/engineering\\_codeservices\\_sales.asp](http://www.ncdoi.com/OSFM/Engineering/CodeServices/engineering_codeservices_sales.asp). The cost is one hundred sixteen dollars (\$116.00) per copy Engineering & Codes, 325 North Salisbury Street, Raleigh, North Carolina 27603. Information regarding cost of the publications may be obtained at the same address. Costs are based upon the cost to the N.C. Department of Insurance for publication, distribution, and annual revisions. The codes may be ordered via the internet at <https://www.ncosfm.gov/codes>.~~

(b) The rules of this Chapter shall control when any conflict between these Rules and the standards cited in Subparagraphs (a)(1) and (2) of this Rule exists. In the event that a conflict between these Rules and the North Carolina State Building Code exists, the more stringent standard prevails and shall be adhered to.

*Authority G.S. 95-69.11; 95-69.14.*

**SECTION .0200 - ADMINISTRATION**

**13 NCAC 13 .0201 NAME: ADDRESS**

(a) The Boiler Safety Bureau, which administers the provisions of Article 7A of G.S. Chapter 95, is located in Raleigh at the following physical address:

N.C. Department of Labor  
Boiler Safety Bureau  
Old Revenue Building  
111 Hillsborough Street  
Raleigh, North Carolina 27603.

(b) All correspondence shall be addressed to the following mailing address:

North Carolina Department of Labor  
Boiler Safety Bureau  
1101 Mail Service Center  
Raleigh, North Carolina 27699-1101  
Telephone (919) 707-7918  
Fax (919) ~~807-2762~~ 707-7960.

*Authority G.S. 95-69.12.*

**13 NCAC 13 .0202 INSPECTOR QUALIFICATION**

(a) Deputy Inspectors conducting certificate inspections shall be in possession of a valid North Carolina Commission. Special

Inspectors and Owner-User Inspectors shall be in possession of a National Board Commission and a North Carolina Commission.

(b) A North Carolina Commission shall be issued to an inspector who:

- (1) has attained a passing grade of 70 percent or higher on an examination administered by the Chief Inspector relating to the Uniform Boiler and Pressure Vessel Act and the rules of this Chapter; and
- (2) meets all other criteria as set forth in the Uniform Boiler and Pressure Vessel Act and this Chapter.

(c) If a North Carolina Commissioned inspector does not conduct at least one certificate inspection in North Carolina per calendar year, the inspector must retake and pass this examination before becoming commissioned again in this state. A certificate inspection shall be an inspection as described in Rule .0211 of these Rules.

(d) National Board examinations are administered by the National Board of Boiler and Pressure Vessel Inspectors. Inspectors through Applied Measurement Professionals ("AMP"). Information on the examinations may be found on the National Board web site at [www.nationalboard.org](http://www.nationalboard.org) or by telephone at (614) 888-8320.

(e) The National Board Inservice Inspector examination covers the installation, operation, ~~maintenance and repair~~ and inspection of boilers and pressure vessels and their appurtenances. A grade of 70 percent or higher must be attained to achieve a passing grade on the examination.

*Authority G.S. 95-69.11; 95-69.15.*

### **13 NCAC 13 .0203 NORTH CAROLINA COMMISSION**

(a) When requested by the employer and upon presentation of a completed Application for Commission as an Inspector of Boilers and Pressure Vessels, a North Carolina Commission, bearing the signature of either the Commissioner, Commissioner or Chief Inspector, shall be issued by the ~~Commissioner~~ Chief Inspector to persons holding a valid National Board Commission who have taken and passed the examination specified in 13 NCAC 13 .0202(b).

(b) Applications for a North Carolina Commission shall be processed upon proof of a National Board Commission and payment of a thirty-five dollar (\$35.00) fee to the Department of Labor.

(c) North Carolina Commissions shall be valid through December 31 of each year, at which time the inspector's employer shall submit a renewal request letter and a thirty-five dollar (\$35.00) fee to the Department of Labor.

(d) The North Carolina Commission shall be returned by the employing company with notification of termination date to the Bureau within 30 days of termination of employment.

(e) A North Carolina Commission may be suspended or revoked by the Commissioner in accordance with G.S. 95-69.11(20) if an inspector is incompetent or untrustworthy or has falsified any statement in an application or inspection report. The Commissioner shall give notice of the commencement of proceedings for suspension or revocation of a commission

pursuant to G.S. 150B-23. A North Carolina Commission may be suspended prior to the hearing if the Chief Inspector determines that the public health, safety, or welfare requires the suspension. In this case, the proceedings shall be promptly commenced and determined in accordance with G.S. 150B-3. The Commissioner's decision regarding the competency of an inspector shall be determined after consideration of the knowledge, skill, and care possessed and employed by boiler and pressure vessel inspection personnel in good standing. Industry custom and practice shall be considered but are not determinative. Failure to conduct the inspections in accordance with this Chapter shall constitute incompetence. The Commissioner shall give the inspector opportunity to show that he or she is conducting his or her duties in a competent manner and that suspension or revocation is unwarranted. If the inspector believes that the decision of the Commissioner is not warranted, the inspector may take exception to the determination, in which event the inspector may appeal the final determination of the action pursuant to G.S. 150B.

*Authority G.S. 95-69.11; 95-69.15.*

### **13 NCAC 13 .0205 OWNER-USER INSPECTION ORGANIZATION**

(a) A company seeking to conduct inspections of its own pressure vessels shall file an application with the Chief Inspector, accompanied by the Certificate of Accreditation issued by the National Board as an Owner-User Inspection Organization.

(b) The company shall, in its application, designate a supervisor who shall be an engineer within its employ who, upon approval of the application, shall:

- (1) ascertain that the company's inspectors, pursuant to Rules .0202 and .0203 of this Section, are issued National Board Commission cards;
- (2) supervise inspections of pressure vessels and ensure that an inspection report, signed by the owner-user inspector, is filed at the equipment site;
- (3) notify the Chief Inspector of any unsafe pressure vessel that presents a condition of imminent danger;
- (4) maintain a master file of inspection records that shall be available for examination by the Chief Inspector or his representative during business hours and contain the following:
  - (A) identifying each pressure vessel by serial number and abbreviated description; and
  - (B) showing the date of the last and next scheduled inspection; and
- (5) on a date agreed upon with the Chief Inspector, file an annual statement signed by the supervisor showing the number of boilers and certifying that each inspection was conducted pursuant to this Chapter, accompanied by an administrative fee of ~~twenty-five~~ fifty dollars ~~(\$25.00)~~ (\$50.00) per vessel.

(c) Inspection certificates shall not be required for pressure vessels inspected under an owner-user program.

*Authority G.S. 95-69.11; 95-69.15; 95-69.16.*

**13 NCAC 13 .0207 INSPECTION REPORTS**

(a) Inspectors shall file inspection reports with the Chief Inspector:

- (1) within 10 working days after the date each certificate inspection, inspection is performed; and
- (2) immediately for all conditions of imminent danger, or any condition that would result in the insurance company's refusal to issue or continue an insurance policy on the boiler or pressure vessel; vessel; and
- (3) shall include the insurance policy identifier covering any equipment inspected by a special inspector.

(b) Inspectors shall notify the Chief Inspector, in person or by electronic means, upon becoming aware of an accident which renders a boiler or pressure vessel inoperative or causes damage to property, personal injury, or death.

(c) Should the inspector, during the course of making an inspection, find a condition of imminent danger, he shall immediately notify the Chief Inspector, in person or by electronic means, so that steps might be taken to remove the device from service.

*Authority G.S. 95-69.11; 95-69.14.*

**13 NCAC 13 .0210 SHOP INSPECTIONS AND NATIONAL BOARD ~~R-STAMP~~ "R" CERTIFICATE QUALIFICATION REVIEWS**

(a) Shop Inspections.

- (1) Manufacturers or repair firms seeking to employ the Boiler Safety Bureau to act as their Authorized Inspection Agency pursuant to the ASME Code or National Board Inspection Code, shall enter into a written agreement with the North Carolina Department of Labor, Boiler Safety Bureau for this purpose.
- (2) An audit of the Deputy Inspector serving as the Authorized Inspector pursuant to Subparagraph (a)(1) of this Rule, and the contracting company in which he or she is working shall be conducted on an annual ~~basis~~ basis. ~~for non-nuclear companies and twice each year for nuclear companies.~~ The contracting company shall pay the audit fees required in Rule .0213 of this Section.

(b) National Board ~~R-Stamp~~ "R" Certificate Qualification Reviews

- (1) The Chief Inspector, or the Chief Inspector's designee, shall conduct the qualification reviews for issuance or renewal of the National Board ~~R-symbol stamp~~ "R" certificate of authorization pursuant to the National Board Inspection Code as adopted, except as provided in Subparagraph (b)(2) of this Rule.
- (2) The Chief Inspector or his designee shall not conduct the qualification reviews of those

companies for which the Boiler Safety Bureau provides inspection services, or those companies which specifically request the review be conducted by the National Board.

- (3) A review to be conducted by the Boiler Safety Bureau shall be scheduled upon receipt of request by the National Board.

*Authority G.S. 95-69.11; 95-69.14.*

**13 NCAC 13 .0211 CERTIFICATE INSPECTIONS**

(a) A commissioned inspector shall inspect all boilers and pressure vessels at the time of installation and at regular intervals thereafter, as provided in this Rule.

(b) Subject to the exceptions in Paragraphs (c) and (d) of this Rule, and after seven days notice is given to the owner or user, an inspector shall conduct an internal inspection of a high pressure boiler at the time of installation and annually thereafter. An external inspection shall be conducted ~~annually~~ a minimum of once every 12 months while the boiler is in operation. The inspector shall ensure that the safety controls are operating as required. Issuance of the inspection certificate shall be based on the results of the internal inspection; however, if the inspector determines during the external inspection that an unsafe condition exists that is likely to result in serious personal injury or property damage, the inspector shall recommend to the Chief Inspector that the certificate of operation be revoked pursuant to 13 NCAC 13 .0301(d).

(c) In place of the first internal inspection of a new high pressure boiler, an inspector may conduct an external inspection if the inspector determines that data sufficient to determine compliance with the rules of this Chapter can be gathered from an external inspection. This shall not apply to relocated used boilers or those for which extended inspection certificates are being requested.

(d) Miniature boilers, coil-type watertube boilers, and boilers heating a fluid other than water which do not produce steam or vapor operating as high pressure boilers shall undergo an external inspection annually. Miniature boilers, coil-type watertube boilers and boilers heating a fluid other than water operating as heating boilers shall undergo an external inspection biennially. Hobby boilers, locomotive boilers and exhibition boilers shall be inspected annually, at the beginning of the season when they are anticipated to be operated.

(e) Low pressure boilers and pressure vessels, except hydropneumatic storage tanks, shall undergo an external inspection ~~biennially~~ biennially while in operation.

(f) Owner-user inspectors shall conduct inspections for pressure vessels as prescribed in this Rule.

(g) Inspectors may order coverings removed, internal inspections, external inspections, removal of internal parts, testing or calibration of controls, indicating and safety devices and pressure tests whenever conditions warrant further evaluation of the pressure equipment. The inspector may also require the boiler to be started to verify the operating controls.

(h) Hydropneumatic storage tanks shall undergo an external inspection every four ~~years~~ years while in operation.

(i) When the inspector or Chief Inspector determines that a certificate cannot be issued as a result of an inspection, the boiler

or pressure vessel shall be reinspected after the necessary repairs are made.

(j) Inspections shall be conducted in accordance with the National Board Inspection Code. The inspector may require controls, indicating and safety devices to be disassembled, tested, checked or calibrated as necessary to ensure their proper operation.

(k) The Chief Inspector may extend an existing inspection certificate for a high pressure boiler for a period not exceeding 90 days beyond the certificate expiration date, should an inspection at the specified period result in undue hardship for the owner or user. The owner or user shall submit a written request to extend an existing inspection certificate, providing justification for an extension. The request shall include a report from a commissioned inspector of an external inspection which shall have been conducted no earlier than 60 days before the certificate expiration date, and the inspection report shall include a recommendation from the inspector for an extension to the inspection certificate.

(l) The inspection frequency established by this Rule may be modified by the Chief Inspector for individual boilers and pressure vessels if the Chief Inspector determines that due to unique conditions, the frequency established herein is not appropriate, and that the safety attained by the normal inspection frequency will be otherwise obtained. Requirements for extended certificates for pressure equipment are detailed in Rule .0214 of this Chapter. Pressure vessels in "Locked High Radiation" areas may be certified for up to five years and may be inspected in accordance with Paragraph (m) of this Rule.

(m) Pressure retaining items which contain highly hazardous chemicals or biological elements that require level B personal protective equipment, or are in highly hazardous areas or pressure retaining items containing radioactive materials causing the pressure equipment to be classified as "Locked High Radiation," may be inspected remotely by video provided:

- (1) There is a listing of all the items under this criterion at the site. The list shall be kept current

- (2) Each item shall be inspected by means of live video feed that is monitored by the inspector. The inspector shall remain in radio contact with the individual operating the video equipment;
- (3) The inspector shall be in proximity to the item and shall witness the video equipment operator enter the location of the item;
- (4) A scan as complete as possible (within the limitations of the equipment) of all the pressure boundaries shall be witnessed by the inspector;
- (5) The ASME nameplate shall be viewed as well as the ASME/NB nameplate on any pressure relieving device on the item;
- (6) Follow up inspections to verify the correction of deficiencies can be performed with a video inspection using the items outlined herein by the inspector;
- (7) The inspector shall submit an inspection report for each pressure retaining item at intervals specified in this Rule and the report shall be annotated indicating that the item was inspected pursuant to this Paragraph; and
- (8) Any incident that renders the item inoperative shall be reported to the Bureau by the owner/user or the inspector within 24 hours.

*Authority G.S. 95-69.11; 95-69.14; 95-69.17.*

### **13 NCAC 13 .0213 CERTIFICATE AND INSPECTION FEES**

- (a) An owner shall pay a ~~thirty-five~~ fifty dollar (~~\$35.00~~)(\$50.00) certificate and processing fee to the North Carolina Department of Labor for each boiler or pressure vessel inspected by an Insurance Inspector and found to be in compliance with the rules in this Chapter.
- (b) An owner shall pay an inspection and certificate fee to the North Carolina Department of Labor for each boiler or pressure vessel inspected by a Deputy Inspector as follows:

Boilers - An inspection of a boiler where the heating surface is: Inspection	External Inspection	Internal
Less than 500 sq. ft.	\$50.00	\$85.00
500 or more sq. ft. but less than 5000 sq. ft.	\$120.00	\$235.00
5000 or more sq. ft.	\$330.00	\$600.00
Cast iron boilers	\$50.00	\$80.00
Locomotive boilers (Antique Exhibition/Show)	N/A	\$150.00
Exhibition boilers (Antique Exhibition/Show)	N/A	\$50.00
Hobby boilers	N/A	<del>\$35.00</del> <u>\$50.00</u>
Pressure Vessels - An inspection of a pressure vessel, other than a heat exchanger, where the product of measurement in feet of the diameter or width, multiplied by its length is: Inspection	External Inspection	Internal
<del>Less than 20</del>	<del>\$40.00</del>	<del>\$45.00</del>
20 or more but less than 50	\$50.00	\$60.00
50 or more but less than 70	\$85.00	\$135.00
70 or more	\$135.00	\$190.00

Heat Exchangers - An inspection of a heat exchanger, where the heating surface is:  
 Less than 500 sq. ft.  
 500 or more sq. ft. but less than 1000 sq. ft.  
 1000 or more sq. ft. but less than 2000 sq. ft.  
 2000 or more sq. ft. but less than 3000 sq. ft.  
 3000 or more sq. ft.

External Inspection  
~~\$45.00~~ \$50.00  
 \$60.00  
 \$90.00  
 \$130.00  
 \$180.00

(c) In addition to the fees established in Paragraph (b) herein, a fee of ninety dollars (\$90.00) per hour, including travel time, plus each expense allowed by G.S. 138-6 and 138-7 and the standards and criteria established thereto by the Director of the Budget, at the applicable state rate shall be paid to the North Carolina Department of Labor for each special inspection as defined by 13 NCAC 13 .0101(46) and for all inspections performed outside of normal working hours as defined by 13 NCAC 13 .0101(31).

(d) A fee of three-hundred fifty dollars (\$350.00) per one-half day (four hours) or any part of one-half day or five-hundred sixty-dollars (\$560.00) for one day (four to eight hours) plus, in either case, each expense allowed by G.S. 138-6 and 138-7 and the standards and criteria established thereto by the Director of the Budget, at the applicable state rate shall be paid to the North Carolina Department of Labor for each shop inspection as defined by 13 NCAC 13 .0101(45).

~~(e) A fee of four hundred dollars (\$400.00) per one half day (four hours) or any part of one half day or six hundred ten dollars (\$610.00) for one day (four to eight hours), plus, in either case, each expense allowed by G.S. 138-6 and 138-7 and the standards and criteria established thereto by the Director of the Budget, at the applicable state rate shall be paid to the North Carolina Department of Labor for each nuclear shop inspection as defined by 13 NCAC 13 .0101(45).~~

~~(f)(e)~~ A fee of four hundred fifty dollars (\$450.00) per one-half day (four hours) or any part of one-half day or six hundred ninety dollars (\$690.00) for one day (four to eight hours), plus, in either case, each expense allowed by G.S. 138-6 and 138-7 and the standards and criteria established thereto by the Director of the Budget, at the applicable state rate shall be paid to the North Carolina Department of Labor for audits as defined by 13 NCAC 13 .0101(4).

*Authority G.S. 95-69.11.*

### **13 NCAC 13 .0214 EXTENDED PRESSURE EQUIPMENT OPERATING CERTIFICATES**

(a) G.S. 95-69.16 and 13 NCAC 13 .0211(l) of this Chapter allows the Commissioner, through the Chief Inspector, to modify the inspection frequency for individual pressure equipment if it is determined that due to unique conditions, the new frequency will provide for the safety attained by the normal inspection frequency. Proper maintenance programs, the condition of the pressure equipment and a baseline inspection help to determine if the equipment is eligible for extended certification. The Chief Inspector may allow certificate renewal frequencies of up to three years. Companies wishing to have their pressure equipment given an extended certification must apply by letter to the Chief Inspector requesting extended certification.

(b) For a first time extended inspection frequency, the following shall apply to both new and existing equipment:

- (1) Base Line Inspections: At the outset of an extended inspection frequency, a base line inspection must be conducted of all inside and outside accessible pressure boundaries. The inspected area shall be examined visually by a North Carolina Department of Labor, Boiler Safety Bureau Inspector Supervisor along with a Deputy Inspector for evidence of cracking, discoloration, wear, pitting, bulging, blistering, excessive corrosion and erosion, arc strikes, gouges, dents and other signs of surface irregularities. Areas that are suspect shall be non-destructively examined by a method acceptable to the Inspector Supervisor and Deputy Inspector. For areas which are still suspect after such examination, a more thorough supplemental examination and engineering evaluation of the discontinuities shall be conducted and discussed with the Chief Inspector or designee. At that time, a decision shall be rendered on the required repair of the discontinuity;
  - (2) Inspection Mapping and Records: An inspection grid map shall be constructed for each pressure component detailing precisely the areas found suspect. The grid shall not exceed four inch square. Suspect area shall be described in relevant details and photographs of such areas shall be taken. Records shall be kept and made available to the Deputy Inspector prior to the next required inspection;
  - (3) Base Line Inspection of Boiler Tubes: The boiler tubes shall be examined by nondestructive examination. Tubes shall be examined for wear, corrosion, erosion, thinning, bulging, blistering, dents, discoloration, cracking and any other surface irregularities. Areas which are suspect shall be noted and discussed with the Inspector Supervisor and Deputy Inspector; and
  - (4) Boiler Tube Inspection Mapping and Record: Where suspect tubes are identified, the boiler tubes shall be numbered in a logical sequence and the location of any suspect area shall be precisely defined and described in relevant details. Photographs of such areas shall be taken. Records shall be kept and made available to the Inspector Supervisor and Deputy Inspector prior to the next required inspection.
- (c) Scheduling of Inspections for Extended Certificate: Approximately two months prior to a scheduled outage in which

the boiler may be inspected, and prior to the current certificate expiration, the owner shall do the following in order to initiate the inspection process:

- (1) Send a letter addressed to the Chief Inspector requesting the extended certificate;
- (2) Contact the North Carolina Department of Labor, Boiler Safety Bureau at 919-707-7918 and request to speak with an Inspector Supervisor for the purpose of scheduling the inspections required for extending the boiler inspection certificate expiration for to up to 36 months (have the North Carolina identification number available); and
- (3) Agree with the Inspector Supervisor and Deputy Inspector on a date to meet for the external inspection of the boiler and to review reports. The boiler must be operating when the external inspection is done. Heat recovery boilers with less than one percent capacity factor per year may be excluded from the need to operate during the external inspection but a letter requesting the exclusion must be sent to the Chief Inspector stating the capacity factor for the year.

(d) External Inspection: The following reports must be available to the Inspector Supervisor and Deputy Inspector at the external inspection:

- (1) NBIC R1 forms with job folders (for the past five years for initial inspections and since the previous inspection for renewals);
- (2) A list of major modifications scheduled and those modifications done since the last internal inspection with the NBIC R2 forms;
- (3) VR forms (for the past five years for initial inspections and since the previous inspection for renewals);
- (4) ~~Remaining life analysis (RLA)~~ Fitness for Service (National Board NB-403 or equivalent) reports for headers (for the past five years for initial inspections and since the previous inspection for renewals);
- (5) Side elevation drawing of the boiler (8 ½ inches by 11 inches);
- (6) Steam & Mud drums - Original drum thickness, drawings and P4's if available;
- (7) Copy of the last operating certificate and copies of the last three years of inspection reports;
- (8) Reports of annual external inspections (by owner's insurance company or a Boiler Safety Bureau Deputy Inspector; and
- (9) Attention must be paid to the areas determined suspect by previous inspections.

(e) Internal Inspection: Following are the required inspections during the outage;

- (1) Prior to the outage the safety valves must be inspected. Schedule the operational test for all safety valves after the unit comes back up. Upon a successful operational test, the repair organization will affix an updated inspection

tag to the valve. Request the Deputy Inspector to return and verify the updated inspection tag. In lieu of operational tests, it is acceptable to replace safety valves with new valves or valves reworked by a National Board "VR" or "NVR" authorized company;

- (2) Inspect the pressure equipment internally; and
- (3) Inspect the drums and shells using the following methods:
  - (A) Examine penetrations into the drum/shell wall for cracking: if the nozzles are visible from inside the drum/shell, then a visual examination is satisfactory; otherwise ultrasonically examine the nozzles, from the outside surface, of at least 20 percent of the pressure equipment nozzles;
  - (B) Visually examine inside the heads; and
  - (C) Crawl through the drum/shell for a visual examination if possible.

(f) Setting the Certificate Interval: The Deputy Inspector will inform the owner whether the inspection records and condition of the pressure equipment meet the requirements necessary for requesting the Chief Inspector to extend the inspection certificate. If the necessary requirements are met, the Deputy Inspector will submit his inspection report to the Chief Inspector with the recommendation for up to a three-year certificate.

(g) Follow-up and Interim Inspections: External inspections of high pressure boilers are required six months after the certificate renewal, and then annually thereafter. The external inspections may be performed by the Boiler Safety Bureau Deputy Inspectors or by the owner's insurance inspector. The results of the inspection must be submitted to the North Carolina Department of Labor, Boiler Safety Bureau on the appropriate inspection form as provided by the Chief Inspector.

*Authority G.S. 95-69.11; 95-69.14; 95-69.16.*

## **SECTION .0300 - ENFORCEMENT OF STANDARDS**

### **13 NCAC 13 .0303      INSPECTIONS REVEALING DEFICIENCIES**

(a) The owner or user shall complete any required repairs or corrective action and request an additional inspection within 60 calendar days of the inspection, except in cases where the boiler or pressure vessel is removed from service, in which case the owner or user shall send in written confirmation, signed by the owner or user, that use of the boiler or pressure vessel has been discontinued and that the boiler or pressure vessel has been removed from the source of energy.

(b) Upon notification by the inspector of a boiler or pressure vessel for which continued operation creates a condition of imminent danger, the Chief Inspector shall determine if the recommendations of the inspector are valid, and if so, the Chief Inspector shall notify the owner or user by the most expedient means possible, followed by written notification within 15

calendar days stating that the use of the boiler or pressure vessel shall be discontinued immediately.

(c) The owner or user may continue operation of the boiler or pressure vessel, including those boilers or pressure vessels that are condemned, during the 60 day period, except that this provision shall not apply to boilers and pressure vessels after notification by the Chief Inspector to the owner or user that a condition of imminent danger exists.

(d) After completion of any required repairs or corrective action, the boiler or pressure vessel shall be reinspected to the extent necessary to verify satisfactory completion of the required repairs or corrective action.

(e) An owner shall pay a fee of ~~forty~~ fifty dollars (~~\$40.00~~)(\$50.00) to the North Carolina Department of Labor for each reinspection or follow-up inspection conducted by Deputy Inspectors.

*Authority G.S. 95-69.11.*

## **SECTION .0400 – GENERAL REQUIREMENTS**

### **13 NCAC 13 .0401 DESIGN AND CONSTRUCTION STANDARDS**

(a) The design, construction, installation, inspection, stamping, certification, and operation of all boilers and pressure vessels shall conform to the rules in this Chapter and the accepted design and construction code.

(b) Repairs and alterations to boilers and pressure vessels shall conform to the requirements of the National Board Inspection Code, except as provided in Paragraph (g) of this Rule.

(c) The rules of this Chapter shall control when any conflict is found to exist between the Rules and the accepted design and construction code or the National Board Inspection Code.

(d) Welded repairs and alterations shall be made only by an individual or organization in possession of a valid certificate of authorization for use of the National Board "R" symbol stamp, except as provided in Paragraph (g) of this Rule. Repairs and alterations shall be reported on National Board "R1" and "R2" reports respectively, as required by the NBIC. These reports are available through the National Board of Boiler and Pressure Vessel Inspectors. The reports, along with supplements used, shall be submitted to the Chief Inspector within 60 days of the completion of the work conducted. Repair and alteration reports shall be annotated with the appropriate NC identification number for the pressure equipment repaired.

(e) In such cases where removal of a defect in a pressure-retaining item is not practical at the time of discovery, with approval of the Chief Inspector, the repair shall be conducted in compliance with the NBIC, Part 3 Repairs and Alterations, Repair of Pressure-Retaining Items Without Complete Removal of Defects. The Chief Inspector may be contacted in writing at 1101 Mail Service Center, Raleigh, NC 27699-1101 or via telephone at (919) 707-7918.

(f) Repairs of safety valves or safety relief valves shall be made by an individual or organization in possession of a valid certificate of authorization for use of the National Board "VR" symbol stamp.

(g) Welded repairs and alterations to exhibition (historical) boilers of riveted or welded construction may be conducted by a

welder who has been qualified in accordance with the ASME Boiler and Pressure Vessel Code, Section IX, Welding and Brazing Qualifications.

*Authority G.S. 95-69.11.*

### **13 NCAC 13 .0402 NORTH CAROLINA STAMPING AND REGISTRATION**

(a) Boilers and pressure vessels shall be registered with the National Board and shall bear the National Board stamping as follows:

- (1) high pressure boilers installed after November 2, 1946;
- (2) heating boilers (except cast iron or cast aluminum boilers) in stalled after January 1, 1976;
- (3) pressure vessels installed after January 1, 1979; and
- (4) hydropneumatic storage tanks installed after January 1, 1986.

(b) Boilers and pressure vessels may be exempted from the requirement for National Board registration provided the owner or user submits a letter requesting a variance to the Chief Inspector giving reason for the request. The requestor shall enclose with the letter a copy of the original manufacturer's data report. The documentation shall be reviewed by the Chief Inspector to determine if the information is complete and traceable to the boiler or pressure vessel. The owner or user shall be advised of the Chief Inspector's decision within 30 working days with regard to the approval or disapproval of the request.

(c) Electric boilers shall be listed with a qualified testing laboratory recognized by the Occupational Safety and Health Administration as a nationally recognized testing laboratory (NRTL) pursuant to 29 CFR 1910.7.

(d) The owner or user shall, upon request of the inspector, provide a manufacturer's data report for the boiler or pressure vessel.

(e) When a new boiler or pressure vessel is installed, or when an existing installation receives its first certificate inspection, a Deputy Inspector shall conduct the first inspection and apply a metal tag embossed or stamped with the North Carolina identification number (e.g., NC000) to the boiler or pressure vessel on or adjacent to the manufacturer's nameplate or stamping. If the boiler or pressure vessel is constructed of materials having adequate thickness to allow stamping, the identification number may be stamped onto the boiler or pressure vessel.

(f) The owner or user shall keep all required stamping exposed at all times unless a clearly marked removable cover is installed so that it may be readily accessible at any time.

*Authority G.S. 95-69.11; 95-69.14.*

### **13 NCAC 13 .0405 PRESSURE RELIEF DEVICES**

(a) Boilers and pressure vessels shall be protected from overpressurization by a pressure relief device. All pressure relief devices installed on any boiler or pressure vessel shall be constructed and stamped in accordance with the accepted design and construction code.

(b) All pressure relief devices shall be stamped and capacity certified by the manufacturer indicating compliance with the

National Board. The stamping shall include the set pressure (that pressure at which the valve is set to open) and the relieving capacity (the rate of flow).

(c) High pressure boilers with over 500 square feet of heating surface and electrically fired boilers having an input in excess of 1100 kW shall be provided with a minimum of two safety valves. For high pressure boilers with a combined bare tube and extended water-heating surface area exceeding 500 square feet, one safety valve is required if the design steam generating capacity of the boiler is less than 4,000 pounds of steam per hour.

(d) Safety valves and safety relief valves for heating boilers shall have a seat diameter of not less than ½ inch, and not more than 4 ½ inches.

(e) Pressure relief devices shall have a set pressure and relieving capacity in accordance with the accepted design and construction code requirements for the type equipment on which the pressure relief device is installed. At least one pressure relief device shall have the set pressure set at not greater than the maximum allowable working pressure of the boiler or pressure vessel. The relieving capacity shall not be less than the minimum required relieving capacity indicated on the manufacturer's name plate or stamping, or as otherwise required by the accepted design and construction code. Safety relief valves installed on water heaters shall be of the combination temperature and pressure relieving ~~type~~ type, or as permitted by the accepted design and construction code for modular water heaters.

(f) All safety valves installed on high pressure boilers shall be installed on top of the boiler, or in the case of watertube boilers on top of the upper drum, with the spindle in the vertical position. All safety valves and safety relief valves installed on heating boilers shall be on top of the boiler or on an opening at the highest practicable part of the side of the boiler, but in no case shall the safety valve be installed below the normal operating level for a steam boiler. Safety valves and safety relief valves installed on hot water heating boilers, hot water supply boilers, and steam heating boilers shall be installed with the spindles mounted in the vertical position. Safety relief valves for water heaters may be installed with the spindles mounted in either the vertical or horizontal position. In no case may pressure relief devices be mounted on ~~appurtenances.~~ appurtenances, unless permitted by the accepted design and construction code for modular heaters.

(g) The distance between the pressure relief device outlet nozzle on the boiler and the pressure relief device inlet shall be kept to a minimum consistent with the size of the pressure relief device and the pipe sizes required. In no case shall any valves or stops be installed in the inlet piping to the pressure relief device or in the discharge piping from the pressure relief device. The boiler outlet and the piping between the boiler outlet and the pressure relief device shall have a cross sectional area of not less than the cross sectional area of the pressure relief device inlet.

(h) Discharge piping from the pressure relief device outlet shall be the same size, or larger, than the outlet pipe connection on the pressure relief device and shall be extended full size to a safe location. A safe location shall be interpreted to mean a location within six inches of the finished floor of the mechanical room, to a location outside the building terminating a safe distance above the building roof or to a location outside the building within six inches above the finished grade. For vessels such as organic fluid heaters where the medium presents a hazard, the discharge shall

be to a containment vessel large enough to hold all anticipated pressure relief discharges. When pressure relief device discharge piping is routed vertically, piped drainage shall be provided by the use of drip pan elbows installed on the outlet of each pressure relief device served.

(i) Multiple pressure relief devices may be piped to the point of discharge using a common discharge header pipe. The header pipe size shall have a diameter sufficient to provide an equivalent cross-sectional area equal to or larger than the sum of the cross-sectional areas of the pressure relief device outlets to which it is connected.

(j) Pressure relief devices on pressure vessels may be installed with the spindle in the vertical or horizontal position. The pressure relief device inlet, discharge piping, and the requirement for piping the discharge to a safe location shall be the same as noted for boilers. The requirement for discharge piping is optional for pressure vessels used to store compressed air, inert gasses, water, or other fluids no more hazardous than water.

(k) Pressure relief devices for direct fired pressure vessels and for those used as air compressor storage tanks shall be installed directly on the pressure vessel with no intervening valves. Pressure relief devices for all other pressure vessels may be installed directly on the pressure vessel or in the piping system, except as modified in this Rule. ~~A stop valve may be installed between a pressure vessel and the pressure relief device if one of the following is satisfied:~~

- (1) ~~the stop valve is normally locked in the open position, and may only be closed when there is a full time attendant stationed at the stop valve when it is in the closed position for testing purposes; or~~
- (2) ~~isolating the pressure relief device from the pressure vessel by closing the stop valve also isolates the pressure vessel from the source of pressure.~~

(l) A stop valve may be installed between a pressure vessel and the pressure relief device if one of the following is satisfied:

- (1) the stop valve is normally locked in the open position, and may only be closed when there is a full time attendant stationed at the stop valve when it is in the closed position for testing purposes; or
- (2) isolating the pressure relief device from the pressure vessel by closing the stop valve also isolates the pressure vessel from the source of pressure.

~~(m)~~ (n) Pressure relief devices shall be sealed to prevent the valve from being taken apart without breaking the seal. Pressure relief devices for boilers and pressure vessels containing air, water, or steam, shall be provided with a test lever, pull test ring or other mechanism which may be used to test the operation of the valve. Pressure relief devices which are required to be provided with a testing mechanism shall be readily accessible for testing from the work platform or other means, such as a pull chain, shall be provided so that the pressure relief device can be tested from the work platform.

~~(m)~~ (n) When a hot water supply boiler or storage vessel is heated indirectly by steam or hot water in a coil or pipe, the pressure relief device capacity shall be determined by the heating surface



available for heat transfer, and the pressure relief device shall not be less than 1 inch diameter.

~~(a)(o)~~ A person shall not:

- (1) attempt to remove, tamper, alter or conduct any work on any pressure relief device while the boiler or pressure vessel is in operation, except as permitted by the accepted design and construction code or the National Board Inspection Code;
- (2) load a pressure relief device in any manner to maintain a working pressure in excess of the maximum allowable working pressure as stated on the inspection certificate;
- (3) operate any boiler or pressure vessel without the safety appliances as described in this Chapter, the accepted design and construction ~~code, and~~ code, and the National Board Inspection Code;
- (4) use a pressure relief device required by this Chapter as an operating pressure control; or
- (5) remove the seal and attempt to adjust or otherwise work on a pressure relief device unless the person/company removing the seal is a authorized holder of a National Board "VR" stamp.

~~(e)(p)~~ If an owner or user can demonstrate that a pressure vessel is operating in a system of such design that the maximum

allowable working pressure cannot be exceeded, the Chief Inspector shall waive the requirement for installation of a pressure relief device if the pressure vessel meets the safety requirements greater than or equal to the level of protection afforded by this Chapter and the accepted design and construction code, and does not pose a danger to persons or property.

~~(e)(q)~~ Pressure relief device piping shall be supported so that the piping is supported with no additional force being applied to the pressure relief device.

~~(e)(r)~~ Hydropneumatic storage tanks shall be provided with a relief valve of not less than ¾ inch NPS and rated in standard cubic feet per minute (SCFM). The relief valve shall be installed on top of the tank. This rule applies to any equipment installed after January 1, 2009. Preexisting installed equipment shall meet the criteria effective on January 1, 1995 and does not require a change-out of the existing relief valve unless the current relief valve becomes defective.

~~(e)(s)~~ Dead weight safety valves are prohibited from use on any boiler or pressure vessel regulated by this Chapter.

~~(e)(t)~~ When the minimum safety valve relieving capacity is not found on the data plate, the following guide may be used to determine the required safety valve capacity for steam boilers. The factor noted in the table shall be multiplied by the heating surface of the boiler to determine required safety valve relieving capacity. Additional requirements found in NBIC Part 4, Section 2 for calculating heating surface shall be utilized.

Table-0405 Guide for Estimating Steaming Capacity Based on Heating Surface		
	Firetube Boilers	Watertube Boilers
Boiler heating surface:		
Hand-fired	5	6
Stoker-fired	7	8
Oil, gas, or pulverized fuel	8	10
Waterwall heating surface:		
Hand-fired	8	8
Stoker-fired	10	12
Oil, gas, or pulverized fuel	14	16
Copper-finned watertube		
Hand-fired	N/A	4
Stoker-fired	N/A	5
Oil, gas, or pulverized fuel-fired	N/A	6

Authority G.S. 95-69.11; 95-69.14.

### **13 NCAC 13 .0406 HIGH PRESSURE OR TEMPERATURE LIMIT CONTROL**

(a) Each automatically fired steam boiler or system of commonly connected steam boilers shall have at least one steam pressure control that will shut off the fuel supply to each boiler or system of commonly connected boilers when the pressure reaches a preset maximum operating pressure. In addition to the required operating pressure control, each individual automatically fired steam boiler shall have a high steam pressure limit control that will shut off the fuel supply to the boiler to prevent pressure in excess of the maximum allowable working pressure. The high

limit control shall be equipped with a manual reset which shall prevent the boiler from being fired after the maximum pressure has been reached until the operator resets the switch manually. Steam boilers shall be provided with a syphon(s) or equivalent which will provide a water seal and protect the pressure control(s) from being damaged by the steam.

(b) Each automatically fired hot water heating boiler, hot water supply boiler, water heater or each system of commonly connected hot water heating or supply boilers shall have at least one temperature-actuated control to shut off the fuel supply when the system water reaches a preset operating temperature. In

addition to the required temperature control, each individual automatically fired hot water heating boiler, hot water supply boiler, and water heater shall have a high temperature limit control that will prevent the water temperature from exceeding the maximum allowable temperature for the respective equipment. The high limit control for the hot water heating boilers and hot water supply boilers that are either stamped with the ASME "H" symbol designator or are not constructed in accordance with the ASME Codes shall be equipped with a manual reset which shall prevent the boiler from being fired after the maximum temperature has been reached until the operator resets the switch manually. A manual reset is not required for boilers that bear the AMSE "HLW" designator or for unfired pressure vessels.

(c) Automatic resets or remote resets by electronic means are prohibited. The manual reset may be incorporated in the high limit control. Where the reset device is separate from the high limit control, a means shall be provided to indicate actuation of the high limit control. Each high limit and operating control shall have its own sensing element and operating switch.

*Authority G.S. 95-69.11; 95-69.14.*

### **13 NCAC 13 .0409 AUTOMATIC LOW-WATER FUEL CUTOFF CONTROLS AND WATER-FEEDING DEVICES**

(a) Each automatically fired steam or vapor boiler, except miniature boilers, shall meet the following criteria:

- (1) Have at least two automatic low-water fuel cutoff devices;
- (2) One of the low-water fuel cutoff devices may also be used to regulate the normal water level;
- (3) Each cutoff device shall be installed to prevent startup and to shut down the boiler fuel or energy supply automatically when the surface of the water falls to a level not lower than the lowest visible part of the gauge glass;
- (4) One control shall be set to function ahead of the other. The lower fuel cutoff device shall be equipped with a manual reset which shall prevent the boiler from being fired after the low water limit has been reached until the operator resets the switch manually; and
- (5) The low-water fuel cutoffs shall be attached directly to the boiler or to the water column with no stops or valves. For float type low-water fuel cutoffs installed external to the boiler, each device shall be installed in individual chambers which shall be attached to the boiler by separate pipe connections below the waterline. If the low-water fuel cutoff is connected to the boiler by pipe and fittings, no shut off valves of any type shall be placed in such pipe. A cross or equivalent fitting shall be placed at every right angle turn to facilitate cleaning. Piping from the boiler shall be not less than 1 inch NPS. Low-water fuel cutoff designs embodying a float and float bowl shall have a vertical straightaway valved drain pipe of not less than ¾ inch NPS at the lowest point in the

water-equalizing pipe connections by which the bowl and the equalizing pipe can be flushed and the device tested.

(b) Each automatically fired hot water heating boiler with heat input greater than 400,000 Btu/hr (117 kW) shall meet the following criteria:

- (1) Be protected by a low-water fuel cutoff intended for hot water service;
- (2) The fuel cutoff device shall be installed to prevent startup and to shut down the boiler fuel or energy supply automatically when the surface of the water falls to a level not lower than the lowest safe permissible water level established by the boiler manufacturer;
- (3) The fuel cutoff device shall be equipped with a manual reset which shall prevent the boiler from being fired after the lowest water level has been reached until the operator resets the switch manually;
- (4) The low-water fuel cutoff installed in a hot water heating boiler system may be installed anywhere in the system above the lowest safe permissible water level established by the boiler manufacturer so long as there is no isolation valve installed between the device and the boiler. Connections to the system shall be not less than 1 inch NPS; and
- (5) A means shall be provided for testing the operation of the low-water fuel cutoff on a hot water heating boiler system without resorting to draining the entire system.

(c) Coil type boilers or watertube boilers requiring forced circulation to prevent overheating of the coils or tubes may have a flow-sensing device installed at or near the boiler proper, in lieu of a low-water fuel cutoff, to automatically cut off the fuel supply when the circulation of flow is interrupted. If there is a definitive water line, a low-water fuel cutoff complying with the forgoing shall be provided in addition to the flow-sensing device.

(d) Electric boilers where uncovering of the electrical element can lead to an unsafe condition shall be equipped with a low-water fuel cutoff device. In the case of electrode type boilers, where the reduction in water level provides a self-limiting control on heat input, a low-water cutoff control is not required.

(e) Automatically fired boilers shall be provided with a system to automatically maintain a constant water level so that the water level cannot fall below the lowest safe water line. This requirement does not apply to hot water heating boilers used in closed-loop radiant floor heating systems when installed in accordance with the manufacturer's instructions.

(f) Low water fuel cutoff devices embodying a float and float bowl shall be installed so that the boiler feedwater or makeup water cannot be introduced through the float chamber.

*Authority G.S. 95-69.14.*

### **13 NCAC 13 .0420 FIRING MECHANISM CONTROLS**

(a) Automatically fired boilers and pressure vessels shall be provided with firing mechanism controls.

(b) Oil, gas-fired, and electrically heated boilers shall be equipped with primary (flame safeguard) safety controls, safety limit switches, and burners or electric elements that are listed and labeled with a testing laboratory recognized by the Occupational Safety and Health Administration as a nationally recognized testing laboratory (NRTL) pursuant to 29 CFR 1910.7.

(c) Automatically fired boilers installed after January 1, 2007, shall be provided with a remote emergency fuel shut-off switch marked for easy identification. The remote shut-off switch shall be located outside each door of the room in which the boiler is located. Alternatively, the shut-off switch may be located just inside the entrance door(s) where the equipment is located. If there is more than one door to the boiler room, there shall be a switch located at each door designed for primary emergency egress from the boiler room. Boilers that bear the ASME "HLW" designator are not required to be provided with a remote emergency fuel shut-off switch.

(d) For installations which are gas-fired, the burners used shall conform to the North Carolina Fuel Gas Code in effect at the time of installation.

*Authority G.S. 95-69.11; 95-69.14.*

### **13 NCAC 13 .0422 EXHIBITION BOILERS**

~~In addition to the requirements outlined in this Chapter for manually fired boilers, exhibition~~ Exhibition boilers shall meet the following requirements:

- (1) Exhibition boilers that are not built to the ASME Code shall not be operated above 125 psig without specific written approval by the Chief Inspector who shall base such approval on documentation and calculations submitted by the owner. These documents and an inspection shall support higher pressure ratings.
- (2) Safety relief valves shall not exceed the maximum allowed working pressure and shall be ASME/NB certified valves.
- (3) Each boiler shall have as a minimum;
  - (a) A properly operating pressure gauge which shall be approximately double the pressure to which the safety relief valve is set but in no case shall it be less than 1 1/2 times the set pressure.
  - (b) A safety relief valve which shall be capable of protecting the boiler from over pressurization.
  - (c) A water gauge glass
- (4) ~~When fusible plugs are used, they shall be replaced every two years with appropriately sized plugs of the required material.~~ conform to NBIC Part 2 as applicable.
- (5) A hydrostatic test may be required by the inspector if, in his opinion, it is necessary to prove the integrity of the pressure boundary. The hydrostatic test shall not exceed ~~100%~~ 125 percent of the maximum allowed working pressure of the vessel or the set pressure of the safety valve, whichever is greater.

- (6) Upon successful completion of the inspection and payment of fees the Chief Inspector shall issue a Certificate of Inspection valid for one year.

*Authority G.S. 95-69.11; 95-69.14.*

### **13 NCAC 13 .0423 MODEL HOBBY BOILERS**

~~In addition to the requirements outlined in this Chapter for manually fired boilers, model~~ Model hobby boilers shall meet the following requirements:

- (1) Each boiler shall have as a minimum:
  - (a) A properly operating pressure gauge that shall not be less than 1 1/2 times nor more than four times the operating pressure of the boiler;
  - (b) Two safety relief valves each of which shall be capable of protecting the boiler from over pressurization. Requirements for ASME/NB certification are ~~waived~~; waived. If an ASME/NB safety relief valve is utilized, only one safety relief valve is required;
  - (c) An easily accessible mud-ring valve;
  - (d) A water gauge glass; and
  - (e) If constructed of copper, a fusible plug in the top of the crown sheet.
- (2) Upon successful completion of the inspection and payment of the fees, the Chief Inspector shall issue a Certificate of Inspection valid for one year.

*Authority G.S. 95-69.11; 95-69.14.*

## **SECTION .0700 - NUCLEAR POWER SYSTEMS**

### **13 NCAC 13 .0701 STANDARDS**

- (a) Nuclear power components and systems covered under the scope of Section III of the ASME Code shall be designed, constructed, reworked, stamped, and installed in accordance with Section III of the ASME Code. Balance of plant items may be constructed under other ASME Code sections as appropriate.
- (b) All nuclear power systems falling under the scope of the ASME Code, Section III, are inspected in service under the requirements of Section XI of the ASME Code. The equipment is not required to be inspected under this Chapter. Balance of plant pressure equipment not covered by Section XI are required to be registered with a North Carolina identification number and inspected in accordance with this Chapter.
- (c) A vessel composed of two or more pressure retaining compartments shall constitute one complete unit for the purpose of assigning the North Carolina identification number.
- (d) The design criteria for nuclear power systems shall be certified as to compliance with Section III of the ASME ~~Code by a registered professional engineer with at least one year of experience in nuclear pressure vessel design.~~ Code.

*Authority G.S. 95-69.9; 95-69.11; 95-69.14.*

**TITLE 15A – DEPARTMENT OF ENVIRONMENTAL  
QUALITY**

*Notice is hereby given in accordance with G.S. 150B-21.2 and G.S. 150B-21.3A(c)(2)g. that the Wildlife Resources Commission intends to adopt the rules cited as 15A NCAC 10D .0209, .0226, .0229, .0230, .0239, .0240, .0243, .0260, .0276, amend the rules cited as 15A NCAC 10A .1601; 10B .0206; 10C .0205, .0314; 10D .0102, .0103; .0106; 10E .0104; 10H .1301, .1302, .1402, readopt with substantive changes the rules cited as 15A NCAC 10B .0101, .0105, .0119, .0123, .0203, .0205, .0402, .0403 and repeal through readoption the rule cited as 15A NCAC 10B .0111.*

*Pursuant to G.S. 150B-21.17, the Codifier has determined it impractical to publish the text of rules proposed for repeal unless the agency requests otherwise. The text of the rule(s) are available on the OAH website at <http://reports.oah.state.nc.us/ncac.asp>.*

**Link to agency website pursuant to G.S. 150B-19.1(c):**  
*<https://www.ncwildlife.org/Proposed-Regulations>*

**Proposed Effective Date:** *August 1, 2022*

**Date:** *January 11, 2022*

**Time:** *7:00 p.m.*

**Location:** *New Bern, NC (Courthouse, room 4) 302 Broad St, New Bern, NC.*

**Public Hearing:**

**Date:** *January 13, 2022*

**Time:** *7:00 p.m.*

**Location:** *Asheboro, NC (Southwest Randolph High School, Auditorium) 1641 Hopewell Friends Rd, Asheboro, NC 27205.*

**Date:** *January 18, 2022*

**Time:** *7:00 p.m.*

**Location:** *Marion, NC (McDowell Technical College, Auditorium) 54 College Dr., Marion, NC 28752. The auditorium is located in the Cedar Building*

**Date:** *January 20, 2022*

**Time:** *7:00 p.m.*

**Location:** *Register Online at [https://ncwildlife.org.zoomgov.com/webinar/register/WN\\_xHH2QrJXSJig4fEH0-0qgQ](https://ncwildlife.org.zoomgov.com/webinar/register/WN_xHH2QrJXSJig4fEH0-0qgQ) Webinar ID 160 983 2165 US: +1 669 254 5252 or 833 568 8864 (Toll Free)*

**Reason for Proposed Action:** *Each year, the N.C. Wildlife Resources Commission reviews and adjusts as needed, seasons, bag limits, and the management of land, in order to achieve conservation management goals, comply with statutory changes, and respond to constituent requests.*

*10D .0103 is under legislative review. The temporary version and the version under review are both included in the annual cycle*

*package. The agency is unsure which version will have to be amended at this time.*

**Comments may be submitted to:** *Rulemaking Coordinator, 1701 Mail Service Center, Raleigh, NC 27699; email [regulations@ncwildlife.org](mailto:regulations@ncwildlife.org)*

**Comment period ends:** *January 31, 2022*

**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 984-236-1850.

**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 10A - WILDLIFE RESOURCES  
COMMISSION**

**SECTION .1600 - WILDLIFE RESOURCES  
COMMISSION FEES**

**15A NCAC 10A .1601 LICENSE FEES.**

(a) License fees established by the Commission in this Rule shall be subject to the requirements of G.S. 113-270.1B(e).

(b) The following fees shall apply to combination hunting and inland fishing licenses issued by the Commission, as set forth in G.S. 113-270.1C:

- (1) Resident Annual Combination Hunting and Inland Fishing License - \$35.00.
- (2) Resident Disabled Veteran Lifetime Combination Hunting and Inland Fishing License - \$11.00.
- (3) Resident Totally Disabled Lifetime Combination Hunting and Inland Fishing License - \$11.00.

(c) The following fees shall apply to sportsman licenses issued by the Commission, as set forth in G.S. 113-270.1D:

- (1) Annual Sportsman License - \$53.00.
- (2) Infant Lifetime Sportsman License - \$212.00.
- (3) Youth Lifetime Sportsman License - \$371.00.

- (4) Adult Resident Lifetime Sportsman License - \$530.00.
- (5) Nonresident Lifetime Sportsman License - \$1,272.00.
- (6) Resident Age 50-69 Lifetime Sportsman License - \$265.00.
- ~~(6)~~(7) Age 70 Resident Lifetime Sportsman License - \$16.00.
- ~~(7)~~(8) Resident Disabled Veteran Lifetime Sportsman License - \$106.00.
- ~~(8)~~(9) Resident Totally Disabled Lifetime Sportsman License - \$106.00.
- (d) The following fees shall apply to hunting licenses issued by the Commission, as set forth in G.S. 113-270.2:
  - (1) Resident State Hunting License - \$25.00.
  - (2) Lifetime Resident Comprehensive Hunting License - \$265.00.
  - (3) Controlled Hunting Preserve Hunting License - \$22.00.
  - (4) Resident Annual Comprehensive Hunting License - \$39.00.
  - (5) Nonresident State Hunting Licenses:
    - (A) Season License - \$100.00.
    - (B) Ten-Day License - \$80.00.
  - (6) Falconry Hunting License - \$25.00.
- (e) The following fees shall apply to special activity licenses issued by the Commission, as set forth in G.S. 113-270.3:
  - (1) Resident Big Game Hunting License - \$14.00.
  - (2) Nonresident Bear Hunting License - \$239.00.
  - (3) Bear Management Stamp - \$11.00.
  - (4) Nonresident Big Game Hunting License:
    - (A) Season License - \$100.00.
    - (B) Ten-Day License - \$80.00.
  - (5) Bonus Antlerless Deer License - \$11.00.
  - (6) Game Land License - \$16.00.
  - (7) Falconry License - \$11.00.
  - (8) Migratory Waterfowl Hunting License - \$14.00.
  - (9) Resident American Alligator License - \$250.00.
  - (10) Nonresident American Alligator License - \$500.00.
  - (11) Resident Elk License - \$500.00.
  - (12) Nonresident Elk License - \$1,000.00.
- (f) The following fees shall apply to hunting and fishing guide licenses issued by the Commission, as set forth in G.S. 113-270.4:
  - (1) Resident Hunting and Fishing Guide License - \$16.00.
  - (2) Nonresident Hunting and Fishing Guide License - \$159.00.
- (g) The following fees shall apply to trapping licenses issued by the Commission, as set forth in G.S. 113-270.5:
  - (1) Resident State Trapping License - \$32.00.
  - (2) Resident Lifetime Trapping License - \$300.00.
  - (3) Nonresident State Trapping License - \$133.00.
- (h) The following fees shall apply to hook-and-line licenses in inland and joint fishing waters issued by the Commission, as set forth in G.S. 113-271:
  - (1) Resident State Inland Fishing License - \$25.00.
  - (2) Lifetime Resident Comprehensive Inland Fishing License - \$265.00.
  - (3) Nonresident State Inland Fishing License - \$45.00.
  - (4) Short-Term Inland Fishing License:
    - (A) Resident 10-day Inland Fishing License - \$9.00.
    - (B) Nonresident 10-day Inland Fishing License - \$23.00.
  - (5) Age 70 Resident Lifetime Inland Fishing License - \$16.00.
  - (6) Resident Disabled Veteran Lifetime Inland Fishing License - \$11.00.
  - (7) Resident Totally Disabled Lifetime Inland Fishing License - \$11.00.
  - (8) Special Landholder and Guest Fishing License - \$106.00.
  - (9) Mountain Heritage Trout Waters 3-Day Fishing License - \$8.00.
- (i) The following shall apply to special device licenses issued by the Commission, as set forth in G.S. 113-272.2:
  - (1) Resident Special Device License - \$80.00.
  - (2) Nonresident Special Device License - \$530.00.
- (j) The non-refundable fees for a collection license issued by the Commission, as set forth in G.S. 113-272.4 shall be \$10.00.
- (k) The following non-refundable fees shall apply to captivity licenses issued by the Commission, as set forth in G.S. 113-272.5:
  - (1) Captivity License for Holding - \$50.00.
  - (2) Captivity License for Rehabilitation - \$10.00.
- (l) The following non-refundable fees shall apply to dealer licenses issued by the Commission as set forth in G.S. 113-273:
  - (1) Resident Fur-dealer License - \$64.00.
  - (2) Nonresident Fur-dealer License - \$318.00.
  - (3) Fur-dealer Station License - \$128.00.
  - (4) Controlled Hunting Preserve Operator License - \$100.00.
  - (5) Controlled Hunting Preserve Rabbit Operator License - \$25.00.
  - ~~(5)~~(6) Game Bird Propagation License - \$10.00.
  - ~~(6)~~(7) Furbearer Propagation License - \$27.00.
  - ~~(7)~~(8) Taxidermy License - \$50.00.
  - ~~(8)~~(9) Taxidermy Cervid Certification - \$5.00.
  - ~~(9)~~(10) Wildlife Control Agent License - \$50.00.
  - ~~(10)~~(11) Alligator Control Agent Certification - \$25.00.
- (m) The following non-refundable fees shall apply to permits issued by the Commission, as set forth in G.S. 113-274:
  - (1) Possession Permit - \$10.00.
  - (2) Exportation or Importation Permit - \$10.00.
  - (3) Trophy Wildlife Sale Permit - \$10.00.
  - (4) Endangered Species Permit - \$10.00.
  - (5) Field Trial Permit - \$10.00.
- (n) Unified hunting and fishing licenses issued by the Commission, as set forth in G.S. 113-351:
  - (1) Annual Resident Unified Sportsman/Coastal Recreational Fishing License - \$69.00.
  - (2) Annual Resident Unified Inland/Coastal Recreational Fishing License - \$41.00.
  - (3) Lifetime Unified Sportsman/Coastal Recreational Fishing Licenses:

- (A) Infant Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$292.00.
- (B) Youth Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$477.00.
- (C) Resident Adult Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$716.00.
- (D) Nonresident Adult Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$1,643.00.
- (E) Resident Age 50-69 Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$358.00.
- ~~(E)~~(F) Resident Age 70 Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$32.00.
- ~~(F)~~(G) Resident Disabled Veteran Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$117.00.
- ~~(G)~~(H) Resident Totally Disabled Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$117.00.
- (4) Resident Lifetime Unified Inland/Coastal Recreational Fishing License - \$477.00.

(o) The following fees shall apply to Coastal Recreational Fishing Licenses issued by the Commission, as set forth in G.S. 113-174.2:

- (1) Annual Resident Coastal Recreational Fishing License - \$16.00.
- (2) Annual Nonresident Coastal Recreational Fishing License - \$32.00.
- (3) Ten-Day Resident Coastal Recreational Fishing License - \$6.00.
- (4) Ten-Day Nonresident Coastal Recreational Fishing License - \$11.00.
- (5) Infant Lifetime Coastal Recreational Fishing License - \$106.00.
- (6) Youth Lifetime Coastal Recreational Fishing License - \$159.00.
- (7) Resident Adult Lifetime Coastal Recreational Fishing License - \$265.00.
- (8) Nonresident Adult Lifetime Coastal Recreational Fishing License - \$530.00.
- (9) Resident Age 70 Lifetime Coastal Recreational Fishing License - \$16.00.
- (10) Resident Disabled Veteran Coastal Recreational Fishing License - \$11.00.
- (11) Resident Totally Disabled Coastal Recreational Fishing License - \$11.00.

*Authority G.S. 113-270.1B(e).*

## SUBCHAPTER 10B - HUNTING AND TRAPPING

### SECTION .0100 - GENERAL REGULATIONS

#### **15A NCAC 10B .0101 IMPORTATION OF WILD ANIMALS, ~~ANIMALS AND BIRDS~~ BIRDS, AND NATIVE REPTILES AND AMPHIBIANS**

(a) Before any live wild ~~bird, bird or wild animal~~ animal, or any native reptile or amphibian, is imported into North Carolina for any purpose, a permit shall be obtained from the Executive Director of the North Carolina Wildlife Resources Commission authorizing the importation, using application forms provided by the Commission.

~~(b) Deer, elk, or other species in the family Cervidae may only be imported into the state of North Carolina from a herd in which Chronic Wasting Disease (CWD) has not been detected for at least five years and has been managed using standards equivalent to, or more stringent than, the criteria specified in 15A NCAC 10H .0301 and 15A NCAC 10H .0302. The individual U.S. or Mexican state or territory, Canadian province or other country of origin must have CWD monitoring requirements that are at least as stringent as those described in this Rule, 15A NCAC 10H .0301 and 15A NCAC 10H .0302. The originating individual U.S. or Mexican state's or territory's, Canadian province's or other country's CWD monitoring program must be jointly reviewed by Wildlife Resources Commission and Department of Agriculture and Consumer Services personnel before approval of any importation of cervids into North Carolina. There shall be no importation from individual U.S. or Mexican states or territories, Canadian provinces or other countries in which CWD has been detected, either in a wild herd or a captive herd.~~

~~(c) Cervids imported into North Carolina shall be individually identified by tags provided by the Wildlife Resources Commission that shall be affixed by the licensee to each cervid as set forth in 15A NCAC 10H .0301.~~

~~(d)~~(b) Waterfowl imported into North Carolina must be received from facilities or individuals who are certified under the National Poultry Improvement Plan (NPIP) as pullorum-typhoid and avian influenza negative. If the source birds are not part of NPIP, they must be tested pullorum-typhoid and avian influenza negative by NPIP standards within 30 days prior to entry into North Carolina. Health certificates for imported waterfowl shall be available for inspection by authorized Commission personnel upon request.

*Authority G.S. 106.549.97; 113-134; 113-272.6; 113-274; 113-291.3.*

#### **15A NCAC 10B .0105 MIGRATORY GAME BIRDS**

(a) Cooperative State Rules:

- (1) ~~The taking of sea ducks (scoter, eider and old squaw) during any federally announced season for only these species shall be limited to the~~ The waters of the Atlantic Ocean, and to those coastal waters south of US 64 that are separated by a distance of at least 800 yards of open water from any shore, island or marsh. marsh are designated as a special hunting area for the taking of sea ducks (scoter, eider, and long-tailed duck) as referenced by the Federal frameworks calling for state rules designating these special areas.
- (2) Tundra swans may be taken during the open season by permit only subject to annual

limitations imposed by the U.S. Fish and Wildlife Service. Based upon the annual limitations imposed by the U.S. Fish and Wildlife Service, the Wildlife Resources Commission shall issue nontransferable swan permits to applicants who will be selected at random by computer. Only one swan ~~may~~ shall be taken under each permit which shall be cancelled at the time of the kill by cutting out the month and day of the kill. Accompanying the permit is a tag which must be affixed to the swan at the time and place of the kill. The tag must be affixed in accordance with instructions provided with the permit. In addition, a preaddressed post-paid card is supplied to each permittee on which to report the number of days hunted and the details of the kill if made. ~~It is unlawful to hunt~~ Hunting swans without having the permit and the tag in possession or to possess a swan without the cancelled permit in possession and the tag affixed in accordance with instructions provided with the permit to the ~~swan~~. swan is prohibited. It is unlawful to possess Possessing a swan permit or tag while hunting that was assigned to another person or to alter the permit or tag in any way other than cutting out the proper month and day of ~~kill~~. kill is prohibited.

(b) Notwithstanding the provisions of G.S. 113-291.1(a) and (b), the following restrictions apply to the taking of migratory game birds:

- (1) No migratory game bird may be taken:
  - (A) With a rifle;
  - (B) With a shotgun of any description capable of holding more than three shells, unless it is plugged with a one-piece filler, incapable of removal without disassembling the gun, ~~so as~~ to limit its total capacity to not more than three shells.
- (2) ~~No migratory game bird may be taken:~~
  - (A)(C) From or by the use of a sinkbox or any other type of low floating device affording the hunter a means of concealment beneath the surface of the water;
  - (B)(D) With the aid of bait, or on, over, or within 300 yards of any place where any grain, salt or other feed is exposed so as to constitute an attraction to migratory game birds or has been so exposed during any of the 10 consecutive days preceding the taking, except that this Part shall not apply to standing crops, flooded croplands, grain crops shocked on the field where grown, or grains found scattered solely as the result of normal agricultural planting or harvesting;

~~(C)(E)~~ With the aid of live decoys, or on, over or within 300 yards of any place where tame or captive migratory game birds are present, unless such birds are and have been for a period of 10 consecutive days prior to such taking confined within an enclosure which eliminates the audibility of their calls and totally conceals them from the sight of wild migratory game birds.

~~(3)(2)~~ Crippled waterfowl may be taken from a motorboat under power in those areas described, delineated, and designated as special sea duck hunting areas in Subparagraph (a)(1) of this Rule.

~~(4)~~ ~~Waterfowl hunting and harassment and other unauthorized activities is prohibited on posted waterfowl management areas established by the Wildlife Resources Commission for Canada Geese and ducks restoration. Information on impoundments can be found at newwildlife.org.~~

~~(5)(3)~~ In that area of Roanoke Sound adjacent to and immediately Northeast of Roanoke Island as marked by buoys designating the waterfowl rest area, it is unlawful to harass or take any waterfowl.

~~(6)(4)~~ The area east of US 17 is designated as a ~~an~~ experimental September teal season zone as referenced by the Federal frameworks calling for state rules designating ~~experimental areas~~. these zones.

(c) ~~Reporting Requirements:~~ For tundra swan and Canada goose seasons where a permit is required to hunt by Memorandum of Agreement with the U.S. Fish & Wildlife Service, hunter questionnaires shall be completed online at [www.newwildlife.org](http://www.newwildlife.org), or on the Commission-supplied, supplied on preaddressed, postage-paid ~~cards~~ cards. Questionnaires shall be completed by or returned to the Commission and postmarked no later than April 1 following the end of the applicable season. ~~Failure to return the questionnaire and animal parts, if required, by this date shall make the individual ineligible to receive a permit for the following applicable season. In lieu of returning a hard copy, individuals may fill out a questionnaire on line through the Wildlife Commission web site at newwildlife.org when this option is available by April 1 following the end of the applicable season.~~

(d) Failure to return the questionnaire and any required animal parts, by this date shall make the individual ineligible to receive a permit for the following applicable season.

*Authority G.S. 113-134; 113-274; 113-291.1; 113-291.2; 50 C.F.R. 20.21; 50 C.F.R. 20.105.*

## **15A NCAC 10B .0111 RESTRICTIONS ON RACCOON AND OPOSSUM HUNTING**

*Authority G.S. 113-134; 113-291.1.*

**15A NCAC 10B .0119 WILDLIFE COLLECTORS**

~~(a) Collection Licenses. The Executive Director may license qualified individuals to take or collect any species of wildlife resources except that endangered, threatened, and special concern species may not be taken or collected except under a special permit issued by the Executive Director for research purposes, unless there is an open season for the species. If an open season exists for the species, then the appropriate hunting, fishing, or trapping license serves as the authorization for take. This Rule shall not prohibit an individual from killing an endangered, threatened, or special concern species in defense of his own life or the lives of others without a permit. Individuals who annually collect fewer than five reptiles or fewer than 25 amphibians that are not on the endangered, threatened, or special concern lists shall be exempted from this license requirement, except snapping turtles (*Chelydra serpentina*) less than 11 inches (curved carapace length) shall not be collected at all. The license shall be issued upon payment of a fee in accordance with G.S. 113-272.4, except that licenses shall be issued to representatives of educational or scientific institutions or of governmental agencies without charge. The license shall be used in lieu of any other hunting or trapping license required by law and shall authorize possession and transportation of the wildlife incidental to the authorized taking, except that it shall not authorize the taking, possession, or transportation of any species of wildlife in violation of the Endangered Species Act, the Migratory Bird Treaty Act, The Bald and Golden Eagle Protection Act or any other federal act to prohibit or restrict the possession and transportation of wildlife resources.~~

~~(b) Limits on collection. Individuals shall collect no more than 10 turtles from the family Chelydridae (snapping turtles) per day and no more than 100 per calendar and these turtles shall have a curved carapace length greater than 11 inches. Individuals shall collect no more than 10 turtles from the family Kinosternidae (mud and musk turtles) per day and no more than 100 per calendar year.~~

~~(c) Qualifications of Licensees. In addition to representatives of educational and scientific institutions and governmental agencies, the collection license may be issued to any individual for any purpose when it is not deemed inimical to the efficient conservation of the species to be collected or to some other wildlife species that may be dependent thereon.~~

~~(d) Methods of Taking. The manner of taking wildlife resources under a collection license may be specified by the Executive Director pursuant to G.S. 113-272.4(d) and need not be restricted to the usual methods of hunting or trapping.~~

~~(e) Term of License. The Executive Director may, pursuant to G.S. 113-272.4(e), impose time limits and other restrictions on the duration of any collection license, but unless so restricted the license shall be valid from January 1 through December 31 of the applicable year.~~

~~(f) Report of Collecting Activity. Each individual licensed under this Rule shall submit a report to the Wildlife Resources Commission within 15 days following the date of expiration of the license. The report shall show the numbers of each species taken under the license and the use or disposition thereof. The Executive Director may require additional information for statistical purposes such as the dates and places of the taking and~~

~~the sex, size, weight, condition, and approximate age of each specimen taken.~~

~~(g) Other Requirements and Restrictions. The Executive Director may, pursuant to G.S. 113-272.4(d), impose such other requirements and restrictions on persons licensed under this Rule as he may deem to be necessary to the efficient administration of the wildlife conservation statutes and rules.~~

(a) Wildlife Collection Licenses may be issued to qualified individuals as defined in G.S. 113-130 to take any species of wildlife resources for the following purposes:

- (1) scientific collection;
- (2) educational collection; or
- (3) snapping turtle collection.

(b) The following definitions shall apply to this Rule:

- (1) "Scientific Collection" shall mean collection for the purpose of conducting scientific research or survey.
- (2) "Educational Collection" means collection for the purpose of providing instruction, training, or information to the public.
- (3) "Snapping Turtle Collection" means collection of snapping turtles from the family Chelydridae for sale pursuant to 15A NCAC 10H .1301.
- (4) "Personal Use" means collection and holding, using as bait, or personal consumption of reptiles or amphibians.

(c) The Commission shall consider the following qualifications when issuing a license:

- (1) prior research or educational experience in the same or similar field;
- (2) work with or for an educational institution;
- (3) type of study requested of license (permanent or catch and release);
- (4) current state and quantity of species requested;
- (5) collection methodology proposed; and
- (6) disposition of collection.

(d) Individuals collecting and holding reptiles or amphibians for personal use shall not be required to obtain a Wildlife Collection License so long as the following conditions are met:

- (1) no more than 4 individuals of native reptile species or 24 individuals of any combination of amphibian species per physical address;
- (2) collected reptiles and amphibians shall not be bought or sold; and
- (3) no endangered, threatened, or special concern species shall be collected and retained.

(e) Endangered, threatened, and special concern species may not be taken or collected except under an endangered species permit unless there is an open season for the species. If an open season exists for the species, then the appropriate hunting, fishing, or trapping license serves as the authorization for take.

(f) Wildlife Collection licenses may be issued to any individual, so long as the take is not deemed harmful to the efficient conservation of the species to be collected or to other wildlife species that may be dependent thereon.

(g) Individuals interested in obtaining a Wildlife Collection License shall apply by sending an application to 1701 Varsity Drive, Raleigh, NC 27606 or by completing and submitting an



application online at [www.ncwildlife.org](http://www.ncwildlife.org). Information required by the applicant shall include:

- (1) name, address, date of birth, email, and driver's license number; and
- (2) species information.
- (3) Additional information required for scientific and educational collection shall include:
  - (A) organizational affiliation, if any; and
  - (B) full documentation of research or educational proposal(s) and Institutional Animal Care and Use Committee approval, if applicable.

(h) Wildlife Collection Licenses shall be used in lieu of any other hunting or trapping license required by law and shall authorize possession and transportation of the wildlife incidental to the authorized taking. It shall not authorize the taking, possession, or transportation of any species of wildlife in violation of the Endangered Species Act, the Migratory Bird Treaty Act, The Bald and Golden Eagle Protection Act or any other federal act to prohibit or restrict the possession and transportation of wildlife resources.

(i) Wildlife Collection Licenses for snapping turtle collection shall only be available to North Carolina residents. The following conditions shall apply:

- (1) collection shall occur from June 1 through September 30;
- (2) no more than 10 snapping turtles per physical address per day;
- (3) no more than 100 snapping turtles per physical address per season;
- (4) turtles shall have a minimum curved carapace length of 13 inches; and
- (5) no more than 10 trapping devices per license. Devices shall be:
  - (A) Labeled with a waterproof tag that shows the licensee's name, WRC Customer Number, or Wildlife Collection License number.
  - (B) Hoop traps or other trap style that allows for the unharmed release of any nontarget species or snapping turtles less than 13 inches.
  - (C) Checked daily per 15A NCAC 10B .0110.

(j) Unless a more limited duration is designated on the license, Wildlife Collection Licenses shall be valid from January 1 through December 31 of the applicable year.

(k) Licensed individuals shall submit the following information to the Wildlife Resources Commission within 15 days of license expiration depending on the species taken:

- (1) the numbers of each species taken under the license and the use or disposition thereof;
- (2) dates and location of the taking; and
- (3) sex, size, weight, condition, or approximate age of each specimen taken as specified on the license.

(l) Wildlife Collections License shall not be transferable either by license holder or by site of a facility.

(m) The Executive Director or his or her designee may, pursuant to G.S. 113-272.4(d), require further restrictions or conditions on individuals licensed under this Rule as he or she deems necessary to the efficient administration of the wildlife conservation statutes and rules.

*Authority G.S. 113-134; 113-272.4.*

#### **15A NCAC 10B .0123 LIMITATIONS ON CERTAIN EXOTIC SPECIES**

(a) Except as provided in this Rule, it shall be unlawful to import, transport, export, purchase, possess, sell, transfer, or release into public or private waters or lands of the State, any live specimen(s) of Tongueless or African Clawed Frog (*Xenopus* spp.), Brown Anole (*Anolis sagrei*), Cuban Treefrog (*Osteopilus septentrionalis*), any Asian Newts (genera *Cynops*, *Pachytriton*, *Paramesotriton*, *Laotriton*, *Tylotriton*), or Red-eared Slider (*Trachemys scripta elegans*).

(a) Except as provided in this Rule, it shall be unlawful to import, transport, export, purchase, possess, sell, transfer, or release into public or private waters or lands of the State, any live specimen(s) of:

- (1) Tongueless or African Clawed Frog (*Xenopus* spp.);
- (2) Brown Anole (*Anolis sagrei*);
- (3) Cuban Treefrog (*Osteopilus septentrionalis*);
- (4) Asian Newts (genera *Cynops*, *Pachytriton*, *Paramesotriton*, *Laotriton*, *Tylotriton*);
- (5) Red-eared Slider (*Trachemys scripta elegans*);
- (6) Tegu (genera *Salyator* and *Tupinambis*); or
- (7) Greenhouse Frog (*Eleutherodactylus planirostris*).

(b) The North Carolina Wildlife Resources Commission may by permit authorize importation, transportation, exportation, purchase, possession, sale, or transfer of any species in this Rule by the following entities, subject to the specified limitations:

- (1) Retail and Wholesale Establishments. Importation, possession, sale, transfer, transportation, and exportation of these species within North Carolina, by retail and wholesale establishments whose primary business is providing scientific supplies for research, shall be allowed by permit, provided the following conditions are met:
  - (A) the application for a permit shall be in writing and include plans for holding, transportation, advertisement, and sale to allow a determination of the safeguards employed to prevent accidental escape and sales to unauthorized individuals;
  - (B) in-State sale or transfer is allowed only to agencies, entities, and institutions listed in Subparagraph (2) of this Paragraph;
  - (C) exportation shall comply with all applicable rules and regulations of the importing state;

- (D) all specimens shall be possessed in indoor facilities; and
- (E) transportation of specimens shall employ safeguards that prevent accidental escape.
- (2) Government Agencies and Research Institutions. Purchase, importation, possession, transfer, transportation, and exportation of these species within North Carolina shall be allowed by permitted State and federal governmental agencies, corporate research entities, and research institutions, provided the following conditions are met:
  - (A) the application for a permit shall be in writing and include plans for holding, transportation, final disposition, and safeguards to prevent accidental escape;
  - (B) exportation shall comply with all applicable rules and regulations of the importing state;
  - (C) all specimens shall be possessed in indoor facilities;
  - (D) transportation of specimens shall employ safeguards that prevent accidental escape; and
  - (E) the agency's, entity's, or institution's Animal Use and Care Committee has approved the research protocol for these species.

(c) Notwithstanding Paragraph (a) of this Rule, it shall be lawful for private individuals in possession of a live specimen(s) of Red-eared Slider(s) (*Trachemys scripta elegans*) prior to August 1, 2018, to retain, transport, transfer, or export the animal(s) in their possession. Notwithstanding Paragraph (a) of this Rule, it shall be lawful for private individuals in possession of a live specimen(s) of Tegu(s) (genera *Salvator* and *Tupinambis*) prior to August 1, 2022, to retain, transport, transfer, or export the animal(s) in their possession.

(d) Notwithstanding Paragraph (a) of this Rule, facilities open to the public for education may apply for a permit to collect, receive, and possess ~~Red-eared Slider(s)~~ any of the species listed in Paragraph (a) of this Rule.

*Authority G.S. 113-134; 113-274; 113-292.*

## **SECTION .0200 - HUNTING**

### **15A NCAC 10B .0203 DEER (WHITE-TAILED)**

(a) Open Seasons (All Lawful Weapons) for hunting deer:

- (1) Deer With Visible Antlers. Deer with antlers or spikes protruding through the skin, as distinguished from knobs or buttons covered by skin or velvet, may be taken on all game lands except Buffalo Cove, Nicholson Creek, Rockfish Creek, Sandhills, and South Mountains Game Lands (Refer to 15A NCAC 10D ~~.0403~~ .0100 and .0200 for Deer With

Visible Antlers seasons on these Game Lands), during the following seasons:

- (A) Saturday on or nearest October 15 through January 1 in all of Beaufort, Bladen, Brunswick, Carteret, Columbus\*, Cumberland, Craven, Dare, Duplin, Harnett, Hoke, Hyde, Jones, Lenoir, Moore, New Hanover, Onslow, Pamlico, Pender, Richmond, Robeson, Sampson, Scotland, Tyrrell, and Washington counties.  
\*Unlawful to hunt or kill deer in Lake Waccamaw or within 50 yards of its shoreline.
- (B) Saturday on or nearest October 15 through January 1 in all of Bertie, Camden, Chowan, Currituck, Edgecombe, Franklin, Gates, Greene, Halifax, Hertford, Johnston, Martin, Nash, Northampton, Pasquotank, Perquimans, Pitt, Vance, Wake, Warren, Wayne, and Wilson counties.
- (C) Saturday before Thanksgiving Day through January 1 in all of Alexander, Alleghany, Ashe, Catawba, Cleveland, Davie, Forsyth, Gaston, Iredell, Lincoln, Polk, Rutherford, Stokes, Surry, Watauga, Wilkes, and Yadkin counties.
- (D) Monday of Thanksgiving week through the third Saturday after Thanksgiving Day in all of Avery, Buncombe, Burke, Caldwell, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Mitchell, Swain, Transylvania, and Yancey counties.
- (E) Two Saturdays before Thanksgiving Day through January 1 in all of Alamance, Anson, Cabarrus, Caswell, Chatham, Davidson, Durham, Granville, Guilford, Lee, Mecklenburg, Montgomery, Orange, Person, Randolph, Rockingham, Rowan, Stanly, and Union counties.
- (F) Saturday on or nearest September 10 through January 1 in those parts of Camden, Gates, and Pasquotank counties known as the Dismal Swamp National Wildlife Refuge; in those parts of Hyde, Tyrrell, and Washington counties known as the Pocosin Lakes National Wildlife Refuge; in that part of Hyde county known as Lake Mattamuskeet National Wildlife Refuge; in those parts of Dare and Hyde counties known as Alligator River National Wildlife Refuge; in those parts of

- Anson and Richmond counties known as the Pee Dee National Wildlife Refuge; and in that part of Currituck County known as the Mackay Island National Wildlife Refuge.
- (2) Deer of Either Sex. Except on Game Lands, deer of either sex may be taken during the open seasons and in the counties and portions of counties listed in Parts (A), (B), (C), (D), (E), (F), and (G) of this Subparagraph (Refer to 15A NCAC 10D ~~.0103~~ .0100 and .0200 for either-sex deer seasons on Game Lands). Deer of either sex may be taken during the open season identified in Part (H) of this Subparagraph.
- (A) The open either-sex deer hunting dates established by the U.S. Fish and Wildlife Service during the period from the Saturday on or nearest September 10 through January 1 in those parts of Camden, Gates, and Pasquotank counties known as the Dismal Swamp National Wildlife Refuge; in those parts of Hyde, Tyrrell, and Washington counties known as the Pocosin Lakes National Wildlife Refuge; in those parts of Anson and Richmond counties known as the Pee Dee National Wildlife Refuge; and in those parts of Currituck County known as the Currituck National Wildlife Refuge and the Mackay Island National Wildlife Refuge.
- (B) The open either-sex deer hunting dates established by the appropriate military commands at each of the military installations listed in this Paragraph, during the period from Saturday on or nearest October 15 through January 1 in that part of Brunswick County known as the Sunny Point Military Ocean Terminal, in that part of Craven County known and marked as Cherry Point Marine Base, in that part of Onslow County known and marked as the Camp Lejeune Marine Base, on Fort Bragg Military Reservation, and on Camp Mackall Military Reservation.
- (C) Youth either-sex deer hunts. First Saturday in October for youth either-sex deer hunting by permit only on a portion of Belews Creek Steam Station in Stokes County designated by agents of the Commission; the third Saturday in October for youth either-sex deer hunting by permit only on Mountain Island State Forest in Lincoln and Gaston counties; and the second Saturday in November for youth either-sex deer hunting by permit only on apportion of Warrior Creek located on W. Kerr Scott Reservoir, Wilkes County designated by agents of the Commission. A youth is defined as a person under 18 years of age.
- (D) The first open Saturday of the Deer with Visible Antlers season described in Subparagraph (a)(1) of this Rule in all of Buncombe\*, Haywood, Henderson, Madison, and Transylvania counties.  
\*Except for that part east of NC 191, south of the French Broad and Swannanoa Rivers, west of US 25, and north of NC 280
- (E) The first open day of the Deer With Visible Antlers season described in Subparagraph (a)(1) of this Rule through the first Saturday thereafter in all of Avery, Burke, Caldwell, McDowell, Mitchell, and Yancey counties.
- (F) The first open day of the Deer with Visible Antlers season described in Subparagraph (a)(1) of this Rule through the second Friday thereafter in all of Cleveland, Polk, and Rutherford counties.
- (G) All the open days of the Deer With Visible Antlers season described in Subparagraph (a)(1) of this Rule in and east of Ashe, Watauga, Wilkes, Alexander, Catawba, Lincoln, and Gaston counties and in the following parts of counties: Buncombe: That part east of NC 191, south of the French Broad and Swannanoa Rivers, west of US 25, and north of NC 280; and Henderson: That part east of NC 191 and north and west of NC 280.
- (H) The fourth Saturday in September in all counties, subject to the following restriction: only persons under the age of 18 years may hunt.
- (b) Open Seasons (Archery) for hunting deer:
- (1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph and the bag limits set out in Paragraph (e) of this Rule, deer may be taken with archery equipment during the following seasons:
- (A) Saturday on or nearest September 10 through the day immediately preceding the first open day of the Blackpowder Firearms and Archery Seasons described in Subparagraph (c)(1) of this Rule; and the Sunday

immediately following the closing of blackpowder firearms and archery season identified in Part (c)(1)(B) of this Rule to the Sunday before Thanksgiving in the counties and parts of counties having the open seasons for Deer With Visible Antlers specified by Part (a)(1)(D) of this Rule except on Buffalo Cove, Nicholson Creek, Rockfish Creek, Sandhills, and South Mountains Game Lands (Refer to 15A NCAC 10D ~~.0103~~ .0100 and .0200 for Archery seasons on these Game Lands).

- (B) Sunday immediately following the closing of the open season for Deer With Visible Antlers through January 1 in the counties and parts of counties having the open season for Deer With Visible Antlers specified by Part (a)(1)(D) of this Rule.

(2) Restrictions

- (A) In the areas of the State where the Commission is authorized to regulate the use of dogs as provided in G.S. 113-291.5, dogs may not be used for hunting deer during the archery season, except a single dog on a leash may be used to retrieve a dead or wounded deer in accordance with G.S. 113-291.1(k).
- (B) Only archery equipment of the types authorized in 15A NCAC 10B .0116 for taking deer may be used during the archery deer hunting season.
- (C) Deer of either sex may be taken during archery seasons specified by Part (b)(1)(A) of this Rule.
- (D) Only deer with antlers or spikes protruding through the skin, as distinguished from knobs or buttons covered by skin or velvet, shall be taken during the archery season specified by Part (b)(1)(B) of this Rule.

(c) Open Seasons (Blackpowder Firearms and Archery) for hunting deer:

- (1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph, deer may be taken only with blackpowder firearms and archery equipment during the following seasons:
  - (A) Two Saturdays preceding the first day of the Deer with Visible Antlers seasons described in Parts (a)(1)(A), (B), (C), (E), and (F) of this Rule through the second Friday thereafter except on Buffalo Cove, Nicholson Creek, Rockfish Creek, Sandhills, and

South Mountains Game Lands (Refer to 15A NCAC 10D ~~.0103~~ .0100 and .0200 for Blackpowder Firearms and Archery seasons on these Game Lands):

- (B) Monday on or nearest October 1 through the second Saturday thereafter in the counties and parts of counties having the open seasons for Deer With Visible Antlers specified by Part (a)(1)(D) of this Rule.

(2) Restrictions

- (A) Deer of either sex may be taken during blackpowder firearms and archery season in any county or county part set forth in Part ~~(a)(2)(G)~~ (a)(2)(E), (F), or (G) of this Rule that has either-sex days for all lawful ~~weapons, weapons~~ and in the following counties: Polk, Rutherford, McDowell, Burke, Caldwell, and Cleveland. Deer of either sex may be taken on the first Saturday day of this season only in all other counties.
- (B) Deer of either sex may be taken during the first open day of the blackpowder firearms and archery season thru the first Saturday thereafter in any county or county part set forth in Part (a)(2)(D) of this Rule
- (C) Deer of either sex may be taken on the first open Saturday of the blackpowder firearms and archery season in any county or county part not set forth in Subparagraph (a)(2) of this Rule.
- ~~(B)(D)~~ In the areas of the State where the Commission is authorized to regulate the use of dogs as provided in G.S. 113-291.5, dogs shall not be used for hunting deer during the blackpowder firearms and archery seasons, except a single dog on a leash may be used to retrieve a dead or wounded deer in accordance with G.S. 113-291.1(k).

- (3) As used in this Rule, "blackpowder firearms" means Any firearm - including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system - manufactured in or before 1898, that cannot use fixed ammunition; any replica of this type of firearm if such replica is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition; and any muzzle-loading rifle, muzzle-loading shotgun, or muzzle-loading or cylinder-loading handgun that is designed to use blackpowder, blackpowder substitute, or any other propellant loaded through the muzzle, cylinder, or breech and that cannot use fixed ammunition.

(d) Open Season (Urban Season) for hunting deer:

- (1) Authorization. Subject to the restrictions set out in Subparagraph (3) of this Paragraph and the bag limits set out in Paragraph (e) of this Rule, deer of either sex may be taken with bow and arrow in participating cities in the State, as defined in G.S. 160A-1(2), from the second Saturday following January 1 through the sixth Sunday thereafter. Deer shall not be taken on any game land or part thereof that occurs within a city boundary.
- (2) Participation. Cities that intend to participate in the urban season shall send a letter to that effect no later than April 1 of the year prior to the start of the urban season to the Executive Director or his designee at 1722 Mail Service Center, Raleigh, N.C. 27699-1700. Cities shall also submit a map of the city's boundaries within which the urban season shall apply.
- (3) Restrictions:
  - (A) In the areas of the State where the Commission is authorized to regulate the use of dogs as provided in G.S. 113-291.5, dogs shall not be used for hunting deer during the urban season, except a single dog on a leash may be used to retrieve a dead or wounded deer in accordance with G.S. 113-291.1(k).
  - (B) Only archery equipment of the types authorized in 15A NCAC 10B .0116 for taking deer shall be used during the urban season.

(e) Bag limits. The possession and season limit is six deer, two of which may be deer with visible antlers and four of which may be antlerless deer. Antlerless deer include males with knobs or buttons covered by skin or velvet as distinguished from spikes protruding through the skin. In addition to the bag limits described above, a hunter may obtain multiple bonus antlerless deer harvest report cards from the Wildlife Resources Commission or any Wildlife Service Agent to allow the harvest of two additional antlerless deer per card for deer harvested during the season described in Paragraph (d) of this Rule within the boundaries of participating municipalities, except on State-owned game lands. Antlerless deer harvested and reported on the bonus antlerless harvest report card shall not count as part of the possession and season limit. The bag limits described above do not apply to deer harvested in areas covered in the Deer Management Assistance Program (DMAP) as described in G.S. 113-291.2(e) for those individuals using Commission-issued DMAP tags and reporting harvest as described on the DMAP license. Season bag limits shall be set by the number of DMAP tags issued and in the hunters' possession. All deer harvested under this program, regardless of the date of harvest, shall be tagged with these DMAP tags and reported as instructed on the DMAP license. The hunter does not have to validate the Big Game Harvest Report Card provided with the hunting license for deer tagged with the DMAP tags. Any deer harvested on lands enrolled in the DMAP and not tagged with DMAP tags may only be harvested during the regularly

established deer seasons subject to all the restrictions of those seasons, including bag limits, and reported using the big game harvest report card or the bonus antlerless harvest report card.

*Authority G.S. 113-134; 113-270.3; 113-276.1; 113-291.1; 113-291.2; 113-291.5.*

**15A NCAC 10B .0205 RACCOON AND OPOSSUM**

(a) ~~Open Season:~~ The open season for taking raccoon and opossum ~~shall be is~~ from sunrise Monday on or nearest October 15 through the last day of February.

(b) Bag Limits:

- (1) The daily bag limit for raccoon is three and there are no season and no possession limits.
- (2) There is no restriction on bag limits for opossum.

~~Note: See 15A NCAC 10B .0111 prohibiting axes, saws and shooting in certain western counties.~~

(c) Axes or saws shall not be carried when raccoon or opossum hunting.

*Authority G.S. 113-134; 113-291.2.*

**15A NCAC 10B .0206 SQUIRRELS**

~~(a) Squirrel Open Seasons:~~

- ~~(1) Gray and red squirrels may be taken by hunting on the Monday on or closest to October 15 to the last day of February.~~
- ~~(2) Fox squirrels may be taken by hunting on the Monday on or nearest October 15 to January 31.~~

(a) The open season for gray and red squirrels is the Monday on or closest to October 15 through the last day of February.

(b) The open season for fox squirrels is the Monday on or nearest October 15 through January 31.

(c) Except on game lands, gray squirrels may also be taken by hunting on the second Monday in May through the fourth Monday in May.

~~(b) Squirrel Bag Limits:~~

- ~~(1) The daily bag limit for gray and red squirrels is eight and there are no season and no possession limits.~~
- ~~(2) The daily bag limit for fox squirrels is one; the possession limit is two; and the season limit is 10.~~

(d) The daily bag limit for gray and red squirrels is eight in aggregate and there are no season or possession limits.

(e) The daily bag limit for fox squirrels is one; the possession limit is two; and the season limit is 10.

*Authority G.S. 113-134; 113-291.2.*

**SECTION .0400 - TAGGING FURS**

**15A NCAC 10B .0402 TAGGING FURS**

(a) Except as provided in Rule .0404 and .0405 of this Section, ~~it is unlawful to transport or to buy, buying, sell, selling, barter, bartering, trade, trading, or otherwise transfer transferring~~ possession or ownership of the carcass or pelt of any bobcat, ~~otter~~ otter, or fox without having affixed to such carcass or pelt an

individual tag provided by the North Carolina Wildlife Resources Commission. ~~Commission is prohibited. Each such tag shall bear a serial number. When the U.S. Fish and Wildlife Service repeals its tagging requirements for otter and bobcat this paragraph shall apply only to tagging foxes.~~

(b) ~~It is unlawful for any person to import. Importing into this State the carcass or pelt of any otter or bobcat which that has not been previously affixed with a tag required and supplied by the state in which where the animal was taken, taken shall be prohibited. When the U.S. Fish and Wildlife Service repeals its tagging requirements for otter and bobcat this Paragraph shall no longer apply.~~

(c) Foxes shall be tagged in accordance with G.S. 113-291.4.

(d) The carcasses or pelts of foxes lawfully taken and lawfully tagged may be sold, except those taken under a depredation permit in any county where the sale of foxes or parts thereof is prohibited by local law.

*Authority G.S. 113-134; 113-273; 113-276.1; 50 C.F.R. 23; 87 Stat. 884.*

#### **15A NCAC 10B .0403 APPLICATION FOR TAGS**

(a) ~~Fur tags shall be distributed issued free of charge, excluding postage if applicable, by applying in person at 1751 Varsity Dr, Raleigh, NC 27606, over the phone, or by completing and submitting in response to a request form to applications made on forms supplied by the Commission. Commission online at [www.ncwildlife.org](http://www.ncwildlife.org).~~

(b) Fur tag requests shall include the following applicant information:

- (1) name, telephone number, email address, and physical address;
- (2) date of birth;
- (3) WRC Customer number; and
- (4) type and quantity of tags requested.

(c) The following restrictions shall apply to fur tags:

- (1) no more than 50 bobcat tags shall be issued per request;
- (2) no more than 150 otter tags shall be issued per request; and
- (3) fox tags may be limited in accordance with area, bag, possession, or season limits.

(b) ~~The fees to be charged for each fur tag are as follows:~~

Species	Fee
Bobcat	2.20
Otter	2.20

(c) ~~Foxes shall be tagged in accordance with G.S. 113-291.4(g). The carcasses or pelts of foxes lawfully taken and lawfully tagged in an area of open fox season, and those taken under a depredation permit, and those taken under a local law that permits foxes to be sold may be sold; provided that this Paragraph shall not authorize the sale of carcasses or pelts of foxes taken under a depredation permit in any county in which the sale of foxes or parts thereof is prohibited by local law.~~

*Authority G.S. 113-134; ~~113-270.1~~; 113-273; 113-276.1; 113-291.4.*

## **SUBCHAPTER 10C - INLAND FISHING REGULATIONS**

### **SECTION .0200 - GENERAL REGULATIONS**

#### **15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS**

(a) For purposes of this Rule, the following definitions apply:

- (1) "Natural bait" means any living or dead organism (plant or animal), or parts thereof, or prepared substances designed to attract fish by the sense of taste or smell.
- (2) "Single hook" means a fish hook with only one point.
- (3) "Artificial lure" means a fishing lure that neither contains nor has been treated by any substance that attracts fish by the sense of taste or smell.
- (4) "Artificial fly" means one single hook dressed with feathers, hair, thread, tinsel, rubber, or any similar material to which no additional hook, spinner, spoon or similar device is added.
- (5) "Youth anglers" are individuals under 18 years of age.

(b) For purposes of this Rule, 15A NCAC 10C .0316, and 15A NCAC 10D .0104, the following classifications apply:

- (1) "Public Mountain Trout Waters" are all waters included in this Rule and so designated in 15A NCAC 10D .0104.
- (2) "Catch and Release/Artificial Flies and Lures Only Trout Waters" are Public Mountain Trout Waters where only artificial flies and lures having one single hook may be used. No trout may be possessed or harvested while fishing these streams. Waters designated as such include tributaries unless otherwise noted.
- (3) "Delayed Harvest Trout Waters" are Public Mountain Trout Waters where between October 1 and one-half hour after sunset on the Friday before the first Saturday of the following June, it is unlawful to possess natural bait, use more than one single hook on an artificial lure, or harvest or possess trout while fishing. From 6:00 a.m. on the first Saturday in June until noon that same day, only youth anglers may fish and these waters have no bait or lure restrictions. From noon on the first Saturday in June until October 1, anglers of all ages may fish and these waters have no bait or lure restrictions. Waters designated as such do not include tributaries unless otherwise noted.
- (4) "Hatchery Supported Trout Waters" are Public Mountain Trout Waters that have no bait or lure restrictions. Waters designated as such do not include tributaries unless otherwise noted.
- (5) "Special Regulation Trout Waters" are Public Mountain Trout Waters where watercourse-specific regulations apply. Waters designated as such do not include tributaries unless otherwise noted.

- (6) "Wild Trout Waters" are Public Mountain Trout Waters which are identified as such in this Rule or 15A NCAC 10D .0104. Only artificial lures having only one single hook may be used. No person shall possess natural bait while fishing these waters. Waters designated as such do not include tributaries unless otherwise noted.
- (7) "Wild Trout Waters/Natural Bait" are Public Mountain Trout Waters where all artificial lures and natural baits, except live fish, may be used provided they are fished using only one single hook. Waters designated as such include tributaries unless otherwise noted.
- (8) "Undesignated Waters" are all other waters in the State. These waters have no bait or lure restrictions.

(c) Seasons, creel, and size limits. Seasons, creel, and size limits for trout in all waters are listed in Rule .0316 of this Subchapter.

(d) Classifications. This Paragraph designates waters in each county that have a specific classification. Waters on game lands are so designated in 15A NCAC 10D .0104, unless otherwise indicated in this Paragraph. All other waters are classified as Undesignated Waters.

- (1) Alleghany
  - (A) Delayed Harvest Trout Waters are as follows:  
Little River (S.R. 1133 bridge to 275 yards downstream of the intersection of S.R. 1128 and S.R. 1129 [marked by a sign on each bank])
  - (B) Hatchery Supported Trout Waters are as follows:  
Big Pine Creek  
Bledsoe Creek  
Brush Creek (N.C. 21 bridge to confluence with Little River, except where posted against trespassing)  
Cranberry Creek  
(Big) Glade Creek  
Little River (275 yards downstream from the intersection of S.R. 1128 and S.R. 1129 [marked by a sign on each bank] to McCann Dam)  
Meadow Fork  
Pine Swamp Creek  
Piney Fork  
Prathers Creek
  - (C) Wild Trout Waters are as follows:  
All waters located on Stone Mountain State Park
- (2) Ashe County
  - (A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:  
Big Horse Creek (Virginia state line to Mud Creek at S.R. 1363, excluding tributaries)
  - (B) Delayed Harvest Trout Waters are as follows:

Big Horse Creek (S.R. 1324 bridge to North Fork New River)  
Helton Creek (~~SR~~ 900 yards upstream of SR 1372 bridge [marked by a sign on each bank] to North Fork New River)

South Fork New River (upstream end of Todd Island to the SR 1351 bridge)  
Trout Lake

(C) Hatchery Supported Trout Waters are as follows:

Beaver Creek (N.C. 221 to confluence of Beaver Creek and South Beaver Creek)

Big Horse Creek (Mud Creek at S.R. 1363 to S.R. 1324 bridge)

Big Laurel Creek (S.R. 1315 bridge to confluence with North Fork New River)

Buffalo Creek (S.R. 1133 bridge to N.C. 194-88 bridge)

Cranberry Creek (Alleghany Co. line to South Fork New River)

Nathans Creek

North Fork New River (Watauga Co. line to Sharp Dam)

Old Fields Creek (N.C. 221 to South Fork New River)

Peak Creek (headwaters to Trout Lake, except Blue Ridge Parkway waters)

Roan Creek

Three Top Creek

(3) Avery County

(A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:

Elk River (portion on Lees-McRae College property, excluding the millpond)

Lost Cove Creek (game land portion, excluding Gragg Prong and Rockhouse Creek)

Wilson Creek (game land portion)

(B) Hatchery Supported Trout Waters are as follows:

Boyde Coffey Lake

Elk River (S.R. 1305 crossing immediately upstream of Big Falls to the Tennessee state line)

Linville River (~~Land Harbor line below dam~~ (S.R. 1504 to the Blue Ridge Parkway boundary line, except where posted against trespassing)

Milltimber Creek

North Toe River — upper (Watauga St. to Roby Shoemaker Wetlands and Family Recreational Park, except where posted against trespassing)

- North Toe River — lower (S.R. 1164 to Mitchell Co. line, except where posted against trespassing)  
Squirrel Creek  
Wildcat Lake
- (C) Wild Trout Waters are as follows:  
Birchfield Creek  
Cow Camp Creek  
Cranberry Creek (headwaters to U.S. 19E/N.C. 194 bridge)  
Gragg Prong  
Horse Creek  
Kentucky Creek  
North Harper Creek  
Plumtree Creek  
Roaring Creek  
Rockhouse Creek  
Shawneehaw Creek (portion adjacent to Banner Elk Greenway)  
South Harper Creek  
Webb Prong
- (4) Buncombe County
- (A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:  
Carter Creek (game land portion)
- (B) Hatchery Supported Trout Waters are as follows:  
Bent Creek (headwaters to N.C. Arboretum boundary line)  
Cane Creek (headwaters to S.R. 3138 bridge)  
Corner Rock Creek (Little Andy Creek to confluence with Walker Branch)  
Dillingham Creek (Corner Rock Creek to Ivy Creek)  
Ivy Creek (Ivy River)(Dillingham Creek to U.S. 19-23 bridge)  
Lake Powhatan  
Reems Creek (Sugar Camp Fork to U.S. 19-23 bridge, except where posted against trespassing)  
Rich Branch (downstream from the confluence with Rocky Branch)  
Stony Creek  
Swannanoa (S.R. 2702 bridge near Ridgecrest to Wood Avenue bridge [intersection of N.C. 81 and U.S. 74A in Asheville], except where posted against trespassing)
- (5) Burke County
- (A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:  
Henry Fork (portion on South Mountains State Park)
- (B) Delayed Harvest Trout Waters are as follows:
- Jacob Fork (Shinny Creek to lower South Mountains State Park boundary)
- (C) Hatchery Supported Trout Waters are as follows:  
Carroll Creek (game land portion above S.R. 1405)  
Henry Fork (lower South Mountain State Park line downstream to S.R. 1919 at Ivy Creek)  
Linville River portion within Linville Gorge Wilderness area and portion below Lake James powerhouse from upstream bridge on S.R. 1223 to Muddy Creek)
- (D) Special Regulation Trout Waters are as follows:  
Catawba River (Muddy Creek to City of Morganton water intake dam)
- (E) Wild Trout Waters are as follows:  
All waters located on South Mountains State Park, except those waters identified in Parts A and B of this Subparagraph
- (6) Caldwell County
- (A) Delayed Harvest Trout Waters are as follows:  
Wilson Creek (game land portion below Lost Cove Creek to Philips Branch)
- (B) Hatchery Supported Trout Waters are as follows:  
Boone Fork Pond  
Buffalo Creek (mouth of Joes Creek to McCloud Branch)  
Joes Creek (first falls upstream of S.R. 1574 to confluence with Buffalo Creek)  
Wilson Creek (Phillips Branch to Brown Mountain Beach Dam, except where posted against trespassing)  
Yadkin River (Happy Valley Ruritan Community Park to S.R. 1515)
- (C) Wild Trout Waters are as follows:  
Buffalo Creek (Watauga Co. line to Long Ridge Branch including game land tributaries)  
Joes Creek (Watauga Co. line to first falls upstream of the end of S.R. 1574)  
Rockhouse Creek
- (7) Cherokee County
- (A) Hatchery Supported Trout Waters are as follows:  
Davis Creek (confluence of Bald and Dockery creeks to Hanging Dog Creek)  
Hyatt Creek (Big Dam Branch to Valley River)



- Junaluska Creek (Ashturn Creek to Valley River)  
Shuler Creek (Joe Brown Hwy [S.R. 1325] bridge to Tennessee state line)  
Valley River (S.R. 1359 to U.S. 19 Business bridge in Murphy)
- (B) Special Regulation Trout Waters are as follows:  
Apalachia Reservoir
- (C) Wild Trout Waters/Natural Bait are as follows:  
Bald Creek (game land portion)  
Dockery Creek (game land portion)  
~~North Shoal Creek (game land portion)~~
- (8) Clay County
- (A) Delayed Harvest Trout Waters are as follows:  
Fires Creek (Rockhouse Creek to the foot bridge in the USFS Fires Creek Picnic Area)
- (B) Hatchery Supported Trout Waters are as follows:  
Buck Creek (game land portion downstream of U.S. 64 bridge)  
Fires Creek (foot bridge in the USFS Fires Creek Picnic Area to S.R. 1300)  
Tusquitee Creek (Compass Creek to lower S.R. 1300 bridge)
- (9) Graham County
- (A) Delayed Harvest Trout Waters are as follows:  
(Big) Snowbird Creek (USFS footbridge at the old railroad junction to USFS Rd. 2579)
- (B) Hatchery Supported Trout Waters are as follows:  
Calderwood Reservoir (Cheoah Dam to Tennessee state line)  
Cheoah Reservoir  
Panther Creek (confluence of Stand Creek and Rock Creek to Lake Fontana)  
Santeetlah Creek (Johns Branch to Lake Santeetlah)  
(Big) Snowbird Creek (USFS Road 2579 to S.R. 1127 bridge)  
Stecoah Creek (upper game land boundary to Lake Fontana)  
Tulula Creek (S.R. 1201 to lower bridge on S.R. 1275)  
West Buffalo Creek  
Yellow Creek (Lake Santeetlah hydropower pipeline to Cheoah River)
- (C) Wild Trout Waters are as follows:  
Little Buffalo Creek  
South Fork Squally Creek  
Squally Creek
- (D) Wild Trout Waters/Natural Bait are as follows:  
~~Deep Creek~~  
Long Creek (game land portion)
- (10) Haywood County
- (A) Delayed Harvest Trout Waters are as follows:  
West Fork Pigeon River (Queen Creek to the first game land boundary upstream of Lake Logan)
- (B) Hatchery Supported Trout Waters are as follows:  
Cold Springs Creek (Fall Branch to Pigeon River)  
Jonathan Creek (upstream S.R. 1302 bridge to Pigeon River, except where posted against trespassing)  
Pigeon River (Stamey Cove Branch to upstream U.S. 19-23 bridge)  
Richland Creek (Russ Avenue [U.S. 276] bridge to U.S. 19 bridge)  
West Fork Pigeon River (Tom Creek to Queen Creek, including portions on game lands, except Middle Prong)
- (C) Wild Trout Waters/Natural Bait are as follows:  
Hurricane Creek
- (11) Henderson County
- (A) Delayed Harvest Trout Waters are as follows:  
North Fork Mills River (game land portion below the Hendersonville watershed dam)
- (B) Hatchery Supported Trout Waters are as follows:  
(Rocky) Broad River (end of S.R. 1611 to Rutherford County line)  
Cane Creek (railroad bridge upstream of S.R. 1551 bridge to U.S. 25 bridge)  
Clear Creek (Laurel Fork to S.R. 1582)  
Green River (Lake Summit powerhouse to game land boundary)  
(Big) Hungry River (S.R. 1885 to Green River)
- (12) Jackson County
- (A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:  
Flat Creek  
~~(East Fork)~~ Tuckasegee River ~~(upstream from the Clark property)~~ (game lands portion upstream of Tanasee Creek Lake, including Duke Energy powerline corridor)  
Tuckasegee River (upstream from the Clark property)

- (B) Delayed Harvest Trout Waters are as follows:  
Tuckasegee River (downstream N.C. 107 bridge to the falls located 275 yards upstream of the U.S. 23-441 bridge [marked by a sign on each bank])
- (C) Hatchery Supported Trout Waters are as follows:  
Balsam Lake  
Bear Creek Lake  
Cedar Cliff Lake  
Cullowhee Creek (Tilley Creek to Tuckasegee River)  
Dark Ridge Creek (Jones Creek to Scott Creek)  
Greens Creek (Greens Creek Baptist Church on S.R. 1370 to Savannah Creek)  
Savannah Creek (Shell Branch to Cagle Branch)  
Scott Creek (Dark Ridge Creek to Tuckasegee River, except where posted against trespassing)  
Tanasee Creek Lake  
Tuckasegee River — upper (John Brown Branch to the downstream N.C. 107 bridge)  
Tuckasegee River — lower (falls located 275 yards upstream of U.S. 23-441 bridge [marked by a sign on each bank] to S.R. 1534 bridge at Wilmot)  
Wolf Creek Lake
- (D) Wild Trout Waters are as follows:  
Gage Creek  
North Fork Scott Creek  
Tanasee Creek  
Whitewater River (downstream from Silver Run Creek to South Carolina state line)  
Wolf Creek (except Balsam Lake and Wolf Creek Lake)
- (E) Wild Trout Waters/Natural Bait are as follows:  
Chattooga River (S.R. 1100 bridge to the South Carolina state line)  
~~Lower Fowler Creek (game land portion)~~  
Scotsman Creek (game land portion)
- (13) Macon County
- (A) Delayed Harvest Trout Waters are as follows:  
Nantahala River (Whiteoak Creek to Nantahala hydropower discharge canal)
- (B) Hatchery Supported Trout Waters are as follows:  
Burningtown Creek (Left Prong to Little Tennessee River)
- Cartoogechaye Creek (downstream U.S. 64 bridge to Little Tennessee River)  
Cliffside Lake  
Cullasaja River (Sequoyah Dam to U.S. 64 bridge near junction of S.R. 1672)  
Nantahala River — upper (Dicks Creek to Whiteoak Creek)  
Nantahala River — lower (Nantahala hydropower discharge canal to Swain Co. line)  
Queens Creek Lake
- (C) Wild Trout Waters/Natural Bait are as follows:  
Chattooga River (S.R. 1100 bridge to South Carolina state line)  
~~Jarrett Creek (game land portion)~~  
Kimsey Creek  
~~Overflow Creek (game land portion)~~  
Park Creek  
Tellico Creek (game land portion)  
Turtle Pond Creek (game land portion)
- (14) Madison County
- (A) Delayed Harvest Trout Waters are as follows:  
Big Laurel Creek (N.C. 208 bridge to the U.S. 25-70 bridge)  
Shelton Laurel Creek (N.C. 208 bridge at Belva to the confluence with Big Laurel Creek)  
Spring Creek (N.C. 209 bridge at Hot Springs city limits to iron bridge at end of Andrews Ave.)
- (B) Hatchery Supported Trout Waters are as follows:  
Big Laurel Creek (Puncheon Fork to the S.R. 1318 [Big Laurel Rd.] bridge downstream of Bearpen Branch)  
Big Pine Creek (S.R. 1151 bridge to French Broad River)  
Little Ivy Creek (confluence of Middle Fork and Paint Fork at Beech Glen to confluence with Ivy Creek at Forks of Ivy)  
Max Patch Pond  
Meadow Fork Creek (Meadow Fork Campground to Spring Creek)  
Puncheon Fork (Wolf Laurel Branch to Big Laurel Creek)  
Roaring Fork (Fall Branch to Meadow Fork)  
Shelton Laurel Creek (confluence of Big Creek and Mill Creek to N.C. 208 bridge at Belva)  
Shut-in Creek  
Spillcorn Creek

- Spring Creek (junction of N.C. 209 and N.C. 63 to ~~USFS Rd. 223~~ the confluence with Meadow Fork)  
 West Fork Shut-in Creek (lower game land boundary to confluence with East Fork Shut-in Creek)
- (15) (C) Wild Trout Waters/Natural Bait are as follows:  
 Big Creek (headwaters to the lower game land boundary)
- (15) McDowell County  
 (A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:  
 Newberry Creek (game land portion)  
 (B) Delayed Harvest Trout Waters are as follows:  
 Catawba River (portion adjacent to Marion Greenway)  
 Curtis Creek (game land portion downstream of the USFS boundary at Deep Branch)  
 Mill Creek (U.S. 70 bridge to I-40 bridge)  
 (C) Hatchery Supported Trout Waters are as follows:  
 Armstrong Creek (Cato Holler line downstream to upper Greenlee line)  
 Catawba River (Catawba Falls Campground to Old Fort Recreation Park)  
 Little Buck Creek (game land portion)  
 North Fork Catawba River (headwaters to North Cove School at S.R. 1569 bridge)
- (16) Mitchell County  
 (A) Delayed Harvest Trout Waters are as follows:  
 Cane Creek (N.C. 226 bridge to S.R. 1189 bridge)  
 North Toe River (U.S. 19E bridge to N.C. 226 bridge)  
 (B) Hatchery Supported Trout Waters are as follows:  
 Big Rock Creek (headwaters to N.C. 226 bridge at S.R. 1307 intersection)  
 Cane Creek (S.R. 1219 to N.C. 226 bridge)  
 East Fork Grassy Creek  
 Grassy Creek (East Fork Grassy Creek to mouth)  
 Little Rock Creek (Green Creek bridge to Big Rock Creek, except where posted against trespassing)  
 North Toe River (Avery Co. line to S.R. 1121 bridge)  
 (C) Wild Trout Waters are as follows:
- (17) Polk County  
 (A) Delayed Harvest Trout Waters are as follows:  
 Green River (Fishtop Falls Access Area to the confluence with Cove Creek)  
 (B) Hatchery Supported Trout Waters are as follows:  
 Green River (Mouth of Cove Creek to the natural gas pipeline crossing)  
 North Pacolet River (Joels Creek to N.C. 108 bridge)
- (18) Rutherford County  
 (A) Hatchery Supported Trout Waters are as follows:  
 (Rocky) Broad River (Henderson Co. line to U.S. 64/74 bridge, except where posted against trespassing)
- (19) Stokes County  
 (A) Hatchery Supported Trout Waters are as follows:  
 Dan River (Virginia state line downstream to a point 200 yards below the end of S.R. 1421)
- (20) Surry County  
 (A) Delayed Harvest Trout Waters are as follows:  
 Ararat River (portion adjacent to the Ararat River Greenway)  
 Mitchell River (0.6 miles upstream of the end of S.R. 1333 to the lowermost bridge on S.R. 1330)  
 (B) Hatchery Supported Trout Waters are as follows:  
 Ararat River (S.R. 1727 bridge downstream to the N.C. 103 bridge)  
 Big Elkin Creek (dam 440 yards upstream of N.C. 268 bridge to a point 265 yards downstream of N.C. 268 [marked by a sign on each bank])  
 Fisher River (Cooper Creek)(Virginia state line to I-77 bridge)  
 Little Fisher River (Virginia state line to N.C. 89 bridge)  
 Lovills Creek (U.S. 52 Business bridge to Ararat River)  
 Pauls Creek (Virginia state line to .3 miles below S.R. 1625 bridge)
- (21) Swain County  
 (A) Delayed Harvest Waters Trout Waters are as follows:
- Green Creek (headwaters to Green Creek bridge, except where posted against trespassing)  
 Little Rock Creek (above Green Creek bridge, including all tributaries, except where posted against trespassing)  
 Wiles Creek (game land boundary to mouth)

- (B) Tuckasegee River (U.S. 19 bridge to Slope Street bridge)  
Hatchery Supported Trout Waters are as follows:  
Alarka Creek (game land boundary to Fontana Reservoir)  
Calderwood Reservoir (Cheoah Dam to Tennessee state line)  
Cheoah Reservoir  
Connelly Creek (Camp Branch to Tuckasegee River)  
Deep Creek (Great Smoky Mountains National Park Boundary line to Tuckasegee River)  
Nantahala River (Macon Co. line to existing Fontana Lake water level)
- (22) Transylvania County  
(A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:  
Davidson River (headwaters to Avery Creek, excluding Avery Creek, Looking Glass Creek and Grogan Creek)  
(B) Delayed Harvest Trout Waters are as follows:  
East Fork French Broad River (East Fork Baptist Church to the downstream S.R. 1107 bridge)  
Little River (confluence of Lake Dense to 100 yards downstream of Hooker Falls)  
(C) Hatchery Supported Trout Waters are as follows:  
Davidson River (Avery Creek to lower USFS boundary)  
French Broad River (confluence of North Fork French Broad River and West Fork)  
French Broad River to the Island Ford Rd. [S.R. 1110] Access Area  
Middle Fork French Broad River (upstream U.S. 178 bridge to French Broad River)  
West Fork French Broad River (S.R. 1312 to confluence with North Fork French Broad River)  
(D) Wild Trout Waters are as follows:  
All waters located on Gorges State Park  
Whitewater River (downstream from Silver Run Creek to South Carolina state line)  
(E) Wild Trout Waters/Natural Bait are as follows:  
North Fork French Broad River (game land portion downstream of S.R. 1326)
- (23) Watauga County  
(A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:  
Laurel Creek (confluence of North and South Fork Laurel creeks to Elk Creek, excluding tributaries)  
Pond Creek (headwaters to Locust Ridge Rd. bridge, excluding the pond adjacent to Coffee Lake)  
(B) Delayed Harvest Trout Waters are as follows:  
Lake Coffey  
Watauga River – upper (S.R. 1114 bridge to Valle Crucis Community Park lower boundary)  
Watauga River – lower (S.R. 1103 bridge to confluence with Laurel Creek)  
(C) Hatchery Supported Trout Waters are as follows:  
Beaverdam Creek (confluence of Beaverdam Creek and Little Beaverdam Creek to an unnamed tributary adjacent to the intersection of S.R. 1201 and S.R. 1203)  
Beech Creek  
Buckeye Creek (Buckeye Creek Reservoir dam to Grassy Gap Creek)  
Buckeye Creek Reservoir  
Cove Creek (S.R. 1233 bridge at Zionville to S.R. 1214 bridge at Sherwood)  
Dutch Creek (second bridge on S.R. 1134 to mouth)  
Elk Creek (S.R. 1510 bridge at Triplett to Wilkes Co. line, except where posted against trespassing)  
Laurel Creek (S.R. 1123 bridge at S.R. 1157 intersection to Watauga River)  
Meat Camp Creek (S.R. 1340 bridge at S.R. 1384 intersection to N.C. 194)  
Middle Fork New River (adjacent to intersection of S.R. 1539 and U.S. 321 to South Fork New River)  
Norris Fork Creek  
South Fork New River (canoe launch 70 yards upstream of U.S. 421 bridge to lower boundary of Brookshire Park)  
Stony Fork (S.R. 1500 bridge at S.R. 1505 intersection to Wilkes Co. line)  
(D) Wild Trout Waters are as follows:  
Dutch Creek (headwaters to second bridge on S.R. 1134)  
Howard Creek
- Thompson River (S.R. 1152 to South Carolina state line, except where posted against trespassing)

- (24) Wilkes County
- (A) Delayed Harvest Trout Waters are as follows:
- East Prong Roaring River (Bullhead Creek downstream to Stone Mountain State Park lower boundary)
- Elk Creek — upper (Watauga Co. line to lower boundary of the Blue Ridge Mountain Club)
- Elk Creek — lower (portion on Leatherwood Mountains development)
- Reddies River (Town of North Wilkesboro water intake dam to confluence with the Yadkin River)
- Stone Mountain Creek (from falls at Alleghany Co. line to confluence with East Prong Roaring River and Bullhead Creek)
- (B) Hatchery Supported Trout Waters are as follows:
- Basin Creek (S.R. 1730 bridge to confluence with Lovelace Creek)
- Bell Branch Pond
- Boundary Line Pond
- Cub Creek (.5 mile upstream of S.R. 2460 bridge to S.R. 1001 bridge)
- Darnell Creek (North Prong Reddies River)(downstream ford on S.R. 1569 to confluence with North Fork Reddies River)
- East Prong Roaring River (Stone Mountain State Park lower boundary to S.R. 1002 bridge)
- Fall Creek (S.R. 1300 bridge to confluence with South Prong Lewis Fork, except where posted against trespassing)
- Middle Fork Reddies River (Clear Prong)(headwaters to bridge on S.R. 1580)
- Middle Prong Roaring River (headwaters to second bridge on S.R. 1736)
- North Fork Reddies River (Vannoy Creek)(headwaters to Union School bridge on S.R. 1559)
- Pike Creek
- Pike Creek Pond

- South Fork Reddies River (S.R. 1355 bridge to confluence with Middle Fork Reddies River)
- South Prong Lewis Fork (Fall Creek to U.S. 421 bridge adjacent to S.R. 1155 intersection)
- (C) Wild Trout Waters are as follows:
- All waters located on Stone Mountain State Park, except East Prong Roaring River from Bullhead Creek downstream to the Stone Mountain State Park lower boundary where Delayed Harvest Trout Waters regulations apply, and Stone Mountain Creek from falls at Alleghany County line to confluence with East Prong Roaring River and Bullhead Creek in Stone Mountain State Park where Delayed Harvest Trout Waters regulations apply
- (25) Yancey County
- (A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:
- South Toe River (headwaters to Upper Creek)
- Upper Creek
- (B) Delayed Harvest Trout Waters are as follows:
- Cane River (Blackberry Ridge Rd. to downstream boundary of Cane River County Park)
- (C) Hatchery Supported Trout Waters are as follows:
- Bald Mountain Creek (except where posted against trespassing)
- Cane River (Bee Branch [S.R. 1110] to Bowlens Creek)
- Price Creek (junction of S.R. 1120 and S.R. 1121 to Indian Creek)
- South Toe River (Clear Creek to lower boundary line of Yancey Co. Recreation Park, except where posted against trespassing)
- (D) Wild Trout Waters are as follows:
- Cattail Creek (bridge at Mountain Farm Community Rd. to N.C. 197 bridge)
- Lickskillet Creek
- Middle Creek (game land boundary to mouth)

*Authority G.S. 113-272; 113-292.*

## SECTION .0300 - GAME FISH

### 15A NCAC 10C .0314 STRIPED BASS

- (a) The daily creel limit for Striped Bass and its hybrids is four fish in the aggregate, except in waters identified in Paragraphs (b),

(e), (f), (g), (h), (i), and (j) of this Rule. The minimum size limit for these fish is 20 inches, except in waters identified in Paragraphs (b), (c), (d), (e), (f), (g), (h), (i), and (j) of this Rule. There is no closed season, except for waters identified in Paragraphs (g), (h), (i), (j), and (k) of this Rule.

(b) In the Dan River upstream from its confluence with Bannister River to the dam at Union Street in Danville, VA and in John H. Kerr Reservoir, the daily creel limit on Striped Bass and its hybrids is two in the aggregate and the minimum size limit is 20 inches from October 1 through May 31. From June 1 through September 30, the daily creel limit on Striped Bass and its hybrids is four in the aggregate with no minimum size limit.

(c) In Lake Gaston and Roanoke Rapids Reservoir, the minimum size limit for Striped Bass and its hybrids is 20 inches from October 1 through May 31. There is no minimum size limit for these fish from June 1 through September 30.

(d) In ~~Lake Norman~~, Hyco Lake, Moss Lake, Mountain Island Reservoir, Oak Hollow Lake, Lake Thom-A-Lex, Lake Townsend, and Salem Lake the minimum size limit for Striped Bass and its hybrids is 16 inches.

(e) In Lake Chatuge in Clay County, the daily creel limit is 15 in the aggregate. There is no minimum size limit, but only two may be greater than 22 inches.

(f) In Lake Mattamuskeet, and in the Pee Dee River and its tributaries downstream from the Blewett Falls Dam to the South Carolina state line, the daily creel limit for Striped Bass and its hybrids is three fish in the aggregate, and the minimum size limit is 18 inches.

(g) In the inland fishing waters of Neuse, Pungo, and Tar Pamlico rivers and their tributaries extending upstream to the first impoundment of the main course on the river or its tributaries, and in all other inland fishing waters east of Interstate 95 not specified in Paragraphs (f), (h), (i), and (j) of this Rule, the daily creel limit for Striped Bass and its hybrids is two fish in the aggregate. The minimum size limit is 26 inches. In these waters, the season for taking and possessing Striped Bass is closed from May 1 through September 30.

(h) In the inland fishing waters of the Cape Fear River and its tributaries downstream of Buckhorn Dam and in the ponds associated with Martin Marietta Park in Craven County, the season for taking and possessing Striped Bass is closed year-round.

(i) In the inland and joint fishing waters of the Roanoke River Striped Bass Management Area, as established in 15A NCAC 03R .0201 and identified in 15A NCAC 10C .0110, which includes the Roanoke, Cashie, Middle, and Eastmost rivers and their tributaries, the open season for taking and possessing Striped Bass and its hybrids is March 1 through April 30 from the joint-coastal fishing waters boundary at Albemarle Sound upstream to Roanoke Rapids Lake dam. During the open season, the daily creel limit for Striped Bass and its hybrids is ~~two~~ one fish in the aggregate, and the minimum size limit is 18 inches. No fish between 22 inches and 27 inches in length shall be possessed in the daily creel limit. ~~Only one fish larger than 27 inches may be possessed in the daily creel limit.~~

(j) In designated inland fishing waters of Roanoke Sound, Croatan Sound, Albemarle Sound, Chowan River, Currituck Sound, Alligator River, Scuppernong River, and their tributaries (excluding the Roanoke River and Cashie River and their

tributaries), the Striped Bass fishing season, size limits, and creel limits are the same as those established by rules or proclamations of the Marine Fisheries Commission in adjacent joint or coastal fishing waters.

(k) In accordance with G.S. 113-292, the Executive Director may, by proclamation, suspend, or extend the hook-and-line season for Striped Bass in the inland and joint waters of coastal rivers and their tributaries. It is unlawful to violate the provisions of any proclamation issued under this authority.

*Authority G.S. 113-134; 113-292; 113-304; 113-305.*

## **SUBCHAPTER 10D - GAME LANDS REGULATIONS**

### **SECTION .0100 - GAME LANDS REGULATIONS**

#### **15A NCAC 10D .0102 GENERAL REGULATIONS REGARDING USE**

(a) For purposes of this Subchapter, the following definitions apply:

- (1) "Permanent Hunting Blind" means any structure that is used for hunter concealment, constructed from manmade or natural materials, and that is not disassembled and removed at the end of each day's hunt.
- (2) "Target shooting" means the discharge of a firearm for purposes other than hunting, trapping, or self-defense.
- (3) "Youth" means individuals under 18 years of age.

(b) Trespass. Entry on game lands for purposes other than hunting, trapping, or fishing shall be as authorized by the landowner. The Wildlife Resources Commission has identified the following areas on game lands that have additional restrictions on entry or usage:

- (1) Archery Zone. On portions of game lands posted as "Archery Zones" hunting is limited to bow and arrow hunting and falconry only. On these areas, deer of either sex may be taken on all open days of any applicable deer season.
- (2) Safety Zone. On portions of game lands posted as "Safety Zones" hunting is prohibited. No person shall hunt or discharge a firearm or bow and arrow within, into, or across a posted safety zone on any game land. Falconry is exempt from this provision.
- (3) Restricted Firearms Zone. On portions of game lands posted as "Restricted Firearms Zones" the use of centerfire rifles is prohibited.
- (4) Restricted Zone. Portions of game lands posted as "Restricted Zones" are closed to all use by the general public, and entry upon such an area for any purpose is prohibited without first having obtained written approval of such entry or use from an authorized agent of the Wildlife Resources Commission. Entry shall be authorized only when such entry will not compromise the primary purpose for establishing the Restricted Zone and the person

or persons requesting entry are able to demonstrate a valid need or such person is a contractor or agent of the Commission conducting official business. "Valid need" includes issues of access to private property, scientific investigations, surveys, or other access to conduct activities in the public interest.

- (5) Temporary Restricted Zone. Portions of game lands posted as "Temporary Restricted Zones" are closed to all use by the general public, and entry upon such an area for any purpose is prohibited without first having obtained written approval of such entry or use from an authorized agent of the Wildlife Resources Commission. An area of a game land shall be declared a Temporary Restricted Zone when there is a danger to the health or welfare of the public.
- (6) Scouting-only Zone. On portions of the game lands posted as "Scouting-only Zones" the discharge of firearms or bow and arrow is prohibited.
- (7) Restricted Deer Hunting Zone. On portions of game lands posted as "Restricted Deer Hunting Zones" the use of dogs for taking deer is prohibited, except as allowed by permit as provided in G.S. 113-264(d).
- (8) Day Use Only Zone. On portions of game lands posted as "Day Use Only Zones" the use by the general public shall be prohibited from sunset to sunrise.
- (9) Sensitive Habitat Zone. Portions of game lands posted as "Sensitive Habitat Zones" are closed to all use by the general public during the dates specified on the sign, and entry upon such an area for any purpose is prohibited without first obtaining written approval of such entry or use from an authorized agent of the Wildlife Resources Commission by calling 919-707-0150 and requesting a permit.

The Commission shall conduct a public input meeting in the area where the game land is located before establishing the following zones: archery, restricted firearms, restricted deer hunting, day use only, or sensitive habitat. After the input meeting, the public comments shall be presented at an official Commission meeting for final determination.

(c) Littering. No person shall deposit any litter, trash, garbage, or other refuse at any place on any game land except in receptacles provided for disposal of such refuse at designated camping and target-shooting areas. No garbage dumps or sanitary landfills shall be established on any game land by any person, firm, corporation, county, or municipality, except as permitted by the landowner.

(d) Use of weapons. No person shall discharge:

- (1) any weapon within 150 yards of any game land building or designated game land camping area, except where posted otherwise;
- (2) any weapon within 150 yards of any residence located on or adjacent to game lands, except on

Butner-Falls of Neuse and Jordan game lands; and

- (3) any firearm within 150 yards of any residence located on or adjacent to Butner-Falls of Neuse and Jordan Game Lands.

No person shall hunt with or have in possession any shotgun shell containing lead or toxic shot while hunting on any posted waterfowl impoundment on any game land, except shotgun shells containing lead buckshot may be used while deer hunting. Every individual carrying a concealed handgun shall adhere to the requirements set forth in G.S. 14-415.11, even if the state issuing the concealed handgun permit is not North Carolina. On Butner-Falls of Neuse, Jordan, Kerr Scott, and Vance game lands, no person shall possess loaded firearms, ammunition, bows and arrows, crossbows, or other weapons except as provided in the Code of Federal Regulations, Title 36, Chapter III, Part 327.13, which is incorporated by reference, including subsequent amendments and editions, free of charge, at:

[http://www.ecfr.gov/cgi-bin/text-idx?SID=75b0c14fb2c26906cf64a267eb69b052&mc=true&node=se36.3.327\\_113&rgn=div8](http://www.ecfr.gov/cgi-bin/text-idx?SID=75b0c14fb2c26906cf64a267eb69b052&mc=true&node=se36.3.327_113&rgn=div8). On Buckhorn, Chatham, Harris, Hyco, Lee, Mayo, and Sutton Lake game lands; Pee Dee River Game Land north of U.S. 74; and that portion of R. Wayne Bailey- Caswell Game Land that is located north of U.S. 158 and east of N.C. 119, no person shall possess a firearm during closed hunting seasons or closed hunting days for game birds or game animals, except under the following conditions:

- (1) the firearm is a .22 caliber pistol with a barrel not greater than seven and one-half inches in length and shooting only short, long, or long rifle ammunition carried as a side arm;
- (2) the firearm is cased or not immediately available for use;
- (3) the firearm is used by persons participating in field trials on field trial areas; or
- (4) the firearm is possessed in designated camping areas for defense of persons and property.

(e) Game Lands License: Hunting and Trapping

- (1) Requirement. Except as provided in Subparagraph (4) of this Paragraph, any person entering upon any game land for the purpose of hunting, trapping, running dogs, or training dogs using wildlife shall have in his or her possession a game lands license in addition to the appropriate hunting or trapping license, or a license that conveys the game land use privilege.
- (2) For Commission-sanctioned field trials, active participants (as defined in 15A NCAC 10B .0114) in a field trial using wildlife shall possess a game lands license in addition to the appropriate North Carolina hunting license, or a license that conveys the game land use privilege, except non-residents may substitute hunting licenses from their state(s) of residence.
- (3) For any other field trial using wildlife occurring on game lands, judges and active participants shall possess a game lands license in addition to

the appropriate North Carolina hunting license, or a license that conveys the game land use privilege.

(4) Exceptions:

- (A) a person under 16 years of age may hunt on game lands on the license of his parent or legal guardian;
- (B) on the game lands described in Rule .0103(e)(1) of this Section, the game lands license is required only for hunting doves; all other activities are subject to the control of the landowners.

(f) Field Trials and Training Dogs. Any individual or organization sponsoring a field trial on the Sandhills Field Trial area shall file with the Commission an application to use the area and facility accompanied by the facility use fee computed at the rate of two hundred dollars (\$200.00) for each scheduled day of the trial. The total facility use fee shall cover the period from 12:00 noon of the day preceding the first scheduled day of the trial to 10:00 a.m. of the day following the last scheduled day of the trial. The facility use fee shall be paid for all intermediate days on which for any reason trials are not run but the building or facilities are used or occupied. A fee of seventy-five dollars (\$75.00) per day shall be charged to sporting, educational, or scouting groups for scheduled events utilizing the club house only. No person or group of persons or any other entity shall enter or use in any manner any of the physical facilities located on the Sandhills Field Trial area or the Laurinburg Fox Trial facility without first having obtained written approval of such entry or use from an authorized agent of the Wildlife Resources Commission, and no such entry or use of any such facility shall exceed the scope of or continue beyond the approved use. The Sandhills Field Trial facilities shall be used only for field trials scheduled with the approval of the Wildlife Resources Commission. No more than 16 days of field trials may be scheduled for occurrence on the Sandhills facilities during any calendar month, and no more than four days may be scheduled during any calendar week; provided, that a field trial requiring more than four days may be scheduled during one week upon reduction of the maximum number of days allowable during some other week so that the monthly maximum of 16 days is not exceeded. Before October 1 of each year, the North Carolina Field Trial Association or other organization desiring use of the Sandhills facilities between October 22 and November 18 and between December 3 and March 31 shall submit its proposed schedule of such use to the Wildlife Resources Commission for its consideration and approval. The use of the Sandhills Field Trial facilities at any time by individuals for training dogs is prohibited; elsewhere on the Sandhills Game Lands dogs may be trained only on Mondays, Wednesdays, and Saturdays from October 1 through April 1. Dogs may not be trained or permitted to run unleashed from April 1 through August 15 on any game land located west of I-95, except when participating in field trials sanctioned by the Wildlife Resources Commission. Dogs may not be trained or permitted to run unleashed from March 15 through June 15 on any game land located east of I-95, except when participating in field trials sanctioned by the Wildlife Resources Commission. Additionally, on game lands located west of I-95 where special hunts are scheduled for sportsmen participating in the Disabled

Sportsman Program, dogs may not be trained or allowed to run unleashed during legal big game hunting hours on the dates of the special hunts. A field trial shall be authorized when such field trial does not conflict with other planned activities on the Game Land or field trial facilities, and the applying organization can demonstrate their experience and expertise in conducting genuine field trial activities. Entry to physical facilities, other than by field trial organizations under permit, shall be granted when they do not conflict with other planned activities previously approved by the Commission and they do not conflict with the mission of the agency.

(g) Trapping. Subject to the restrictions contained in 15A NCAC 10B .0110, .0302, and .0303, trapping of furbearing animals, armadillos, coyotes, and groundhogs is permitted on game lands during the applicable open trapping seasons established by rule. Foxes can be trapped on game lands from November 1 through the end of February in any county with an open fox trapping season that falls between November 1 and the end of February. Foxes may not be taken by trapping on game lands in counties with a closed fox trapping season or during any fox trapping season that occurs outside the dates of November 1 through the end of February. Additionally, fox trapping is allowed on game lands in Clay, Graham, Henderson, Macon, and Tyrrell counties with a daily bag limit of two and a season bag limit of 10 from the first to the fourth Saturday in January. Trapping is prohibited:

- (1) on the J Robert Gordon Field Trial Area of Sandhills Game Land;
- (2) in posted "safety zones" located on any game land;
- (3) by the use of bait on the National Forest Lands bounded by the Blue Ridge Parkway on the south, US 276 on the north and east, and NC 215 on the west; and
- (4) ~~on the John's River Waterfowl Refuge in Burke County;~~
- ~~(5)~~(4) on the DuPont State Forest Game Lands; and
- ~~(6)~~(5) from April 1 through October 31.

At each trap, trappers may use a single bait site of grain, fruit, or other foods when trapping if the food is not a processed food product as defined in G.S.113-294(r), is less than 3 cubic inches and is covered to prevent it from being seen from above. Feathers, including those with attached skin or entire bird wings, hair with or without skin or hide, and bones that include no attached meat, organs, or viscera do not need to be covered.

(h) Vehicular Traffic. No person shall drive a motorized vehicle on any game land except on those roads constructed, maintained, and opened for vehicular travel and those trails posted for vehicular travel, unless such person:

- (1) is driving in the vehicle gallery of a scheduled bird dog field trial held on the Sandhills Game Land; or
- (2) is a disabled sportsman as defined in Paragraph (k) of this Rule or holds a Disabled Access Program Permit as described in Paragraph (m) of this Rule and is abiding by the rules described in Paragraph (m).

(i) Camping.



- (1) No person shall camp on any game land except on an area designated by the landowner for camping.
- (2) On game lands owned by the State of North Carolina, where the North Carolina Wildlife Resources Commission is the primary custodian, the maximum period of consecutive overnight camping at any designated camping area is 14 days within any 30-day period from May 1 through August 31. After 14 consecutive days of camping, all personal belongings shall be removed from the game land.

(j) Swimming. Swimming is prohibited in the lakes located on the Sandhills Game Land.

(k) Disabled Sportsman Program. In order to qualify for permit hunts for disabled sportsmen offered by the Commission and use of designated blinds during those hunts, an individual shall possess a Disabled Veteran Sportsman license, a Totally Disabled Sportsman license, or a disabled sportsman hunt certification issued by the Commission. In order to qualify for the certification, the applicant shall provide medical certification of one or more of the following disabilities:

- (1) missing 50 percent or more of one or more limbs, whether by amputation or natural causes;
- (2) paralysis of one or more limbs;
- (3) dysfunction of one or more limbs rendering the person unable to perform the task of grasping and lifting with the hands and arms or unable to walk without mechanical assistance, other than a cane;
- (4) disease, injury, or defect confining the person to a wheelchair, walker, or crutches; or
- (5) deafness.

On game lands where the privileges described in Paragraph (m) of this Rule apply, participants in the program may operate electric wheel chairs, all terrain vehicles, or other passenger vehicles:

- (1) on ungated or open-gated roads normally closed to vehicular traffic; and
- (2) on any Commission-maintained road open for vehicular travel and those trails posted for vehicular travel.

Each program participant may be accompanied by one companion provided such companion has in his possession the companion card issued by the Commission. Hunters who qualify under the Disabled Sportsman Program and their companions may access special hunting blinds for people with disabilities during regularly scheduled, non-permit hunting days on a first come basis, except for those blinds located on the Restricted Area of Caswell Game Land.

(l) Release of Animals and Fish. It is unlawful to release pen-raised animals or birds, wild animals or birds, domesticated animals, except hunting dogs and raptors where otherwise permitted for hunting or training purposes, or feral animals, or hatchery-raised fish on game lands without prior written authorization. It is unlawful to move wild fish from one stream to another on game lands without prior written authorization. Written authorization shall be given when release of such animals is determined by a Wildlife Resources Commission biologist not

to be harmful to native wildlife in the area and such releases are in the public interest or advance the programs and goals of the Wildlife Resources Commission.

(m) Non-Highway Licensed Vehicles. It is unlawful to operate motorized land vehicles not licensed for highway use on Game Lands except for designated areas on National Forests. Disabled persons as defined in Paragraph (k) of this Rule and people who have obtained a Disabled Access Program permit are exempt from the previous sentence but shall comply with the terms of their permit. Furthermore, disabled persons, as defined under the federal Americans with Disabilities Act (42 U.S.C. 126) may use wheelchairs or other mobility devices designed for indoor pedestrian use on any area where foot travel is allowed.

(n) Disabled Access Program. Permits issued under this program shall be based upon medical evidence submitted by the person verifying that a handicap exists that limits physical mobility to the extent that normal utilization of the game lands is not possible without vehicular assistance. Persons meeting this requirement may operate electric wheel chairs, all terrain vehicles, and other passenger vehicles on any Commission-maintained road open for vehicular travel and those trails posted for vehicular travel and ungated or open-gated roads otherwise closed to vehicular traffic on game lands owned by the Wildlife Resources Commission and on game lands whose owners have agreed to such use. Those game lands, or parts thereof, where this Paragraph applies are designated online, at [www.ncwildlife.org](http://www.ncwildlife.org). This Paragraph does not permit vehicular access on fields, openings, roads, paths, or trails planted for wildlife food or cover. One companion, who is identified by a companion card issued to each qualified disabled person, may accompany a disabled person to provide assistance, provided the companion is at all times in visual or verbal contact with the disabled person. The companion may participate in all lawful activities while assisting a disabled person, provided license requirements are met. Any vehicle used by a qualified disabled person for access to game lands under this provision shall display the vehicular access permit issued by the Wildlife Resources Commission in the passenger area of the vehicle where it can easily be seen by Commission staff outside the vehicle. It is unlawful for anyone other than disabled persons as defined in Paragraph (k) of this Rule and those holding a Disabled Access Permit to hunt, during waterfowl season, within 100 yards of a waterfowl blind designated by the Wildlife Resources Commission as a Disabled Sportsman's hunting blind.

(o) Public nudity. Public nudity, including nude sunbathing, is prohibited on any game land, including land or water. For the purposes of this Section, "public nudity" means a person's intentional failure to cover with a fully opaque covering the person's genitals, pubic area, anal area, or female breasts below a point from the top of the areola while in a public place.

(p) Shooting Ranges. On public shooting ranges managed by the Commission, no person shall use designated shooting ranges for any purpose other than for firearm or bow and arrow marksmanship, development of shooting skills, or for other safe uses of firearms and archery equipment. All other uses, including camping, building fires, operating concessions or other activities not directly involved with recreational or competitive shooting are prohibited, except for activities that have been approved by the Commission and for which a permit has been issued may be conducted, provided that the permit authorizing such activity is

available for inspection by wildlife enforcement officers at the time the activity is taking place. No person, when using any shooting range, shall deposit any debris or refuse on the grounds of the range. This includes any items used as targets, except that clay targets broken on the range, by the shooter, may be left on the grounds where they fall. No person shall shoot any items made of glass on the grounds of the range. No person may leave any vehicle or other obstruction in such a location or position that it will prevent, impede, or inconvenience the use by other persons of any shooting range. No person shall leave parked any vehicle or other object at any place on the shooting range other than such a place or zone as is designated as an authorized parking zone and posted or marked as such. No person shall handle any firearms or bow and arrow on a shooting range in a careless or reckless manner. No person shall intentionally shoot into any target holder, post, or other permanent fixture or structure while using a shooting range. No person shall shoot a firearm in a manner that would cause any rifled or smoothbore projectiles to travel off of the range, except that shotgun shot, size No. 4 or smaller may be allowed to travel from the range if it presents no risk of harm or injury to any person(s). Persons using a shooting range shall obey posted range safety rules and those persons who violate range safety rules or create a public safety hazard shall leave the shooting range if directed to by law enforcement officers or to leave by Commission employees. No person shall handle any firearms on a shooting range while under the influence of an impairing substance. The consumption of alcohol or alcoholic beverages on a shooting range is prohibited. Open days and hours of operation shall be designated on signs and at least one such sign shall be posted at the entrance to each shooting range. No person, when using any shooting range, shall do any act that is prohibited or neglect to do any act that is required by signs or markings placed on such area under authority of this Rule for the purpose of regulating the use of the area.

(q) Limited-access Roads. During the months of June, July, and August, roads posted as "Limited-access Roads" are open to motorized vehicles from 5:00 a.m. to 10:00 p.m. only. These roads shall be posted with the opening and closing times.

(r) No person shall attempt to obscure the sex or age of any bird or animal taken by severing the head or any other part thereof, or possess any bird or animal that has been so mutilated.

(s) Baiting. Except as provided in paragraph (g) of this Rule, no person shall place, or cause to be placed on any game land, salt, grain, fruit, or other foods without prior written authorization from an agent of the Commission. Written authorization may be provided for Commission authorized projects or Commission contractors to meet specific objectives. Except as authorized by rule, no person shall take or attempt to take any wild birds or wild animals attracted to such foods.

*Authority G.S. 113-129; 113-134; 113-264; 113-270.3; 113-291.2; 113-291.5; 113-305; 113-306; 143-318.10.*

**15A NCAC 10D .0103 HUNTING ON GAME LANDS  
GENERAL REGULATIONS REGARDING HUNTING ON  
GAME LANDS**

(a) Safety Requirements. No person while hunting on any designated game land shall be under the influence of alcohol or any narcotic drug, or fail to comply with restrictions enacted by

the National Park Service regarding the use of the Blue Ridge Parkway where it adjoins game lands listed in this Rule.

(b) Traffic Requirements. No person shall park a vehicle on game lands in such a manner as to block traffic or gates, or otherwise prevent vehicles from using any roadway.

(c) Tree Stands. It is unlawful to erect or to occupy, for the purpose of hunting, any tree stand or platform attached by nails, screws, bolts, or wire to a tree on any game land designated herein. This prohibition does not apply to lag-screw steps or portable stands that are removed after use with no metal remaining in or attached to the tree.

(d) Time and Manner of Taking. Hunting is allowed on game lands only during the open season for game animals and game birds, unless hunting is allowed by permit. Individual game lands or parts thereof may be closed to hunting or limited to specific dates by this Chapter. Persons shall hunt only with weapons lawful for the open game animal or game bird seasons.

(1) On managed waterfowl impoundments, persons shall:

- (A) not enter the posted impoundment areas earlier than 4:00 a.m. on the permitted hunting dates;
- (B) not hunt after 1:00 p.m. on such hunting dates;
- (C) not set decoys out prior to 4:00 a.m.;
- (D) remove decoys by 3:00 p.m. each day; and
- (E) not operate any vessel or vehicle powered by an internal combustion engine.

(2) On Sundays, the following shall be prohibited:

- (A) hunting with a firearm between 9:30 AM and 12:30 PM;
- (B) the use of a firearm to take deer that are run or chased by dogs;
- (C) hunting with a firearm within 500 yards of a place of religious worship, as defined by G.S. 14-54.1(b), or any accessory structure thereof, and
- (D) hunting migratory game birds.

On designated youth waterfowl days, youths may hunt on managed waterfowl impoundments from ½ hour before sunrise to sunset. On designated veterans and military waterfowl days, veterans, as defined in 38 USC 101, and members of the Armed Forces on active duty, including members of the National Guard and Reserves on active duty other than for training, with valid credentials may hunt on game lands and impoundments not designated as permit-only areas from ½ hour before sunrise to sunset. Restrictions (1)(A), (1)(C), and (1)(E) in this Paragraph shall apply. On waterfowl impoundments that have a posted "Scouting-only Zone," trapping during the trapping season and waterfowl hunting on designated waterfowl hunting days are the only activities allowed on the portion of the impoundment outside of the posted "Scouting-only Zone."

(e) Definitions:

- (1) For purposes of this Section, "Dove Only Area" refers to a Game Land on which doves may be taken and dove hunting is limited to Mondays, Wednesdays, Saturdays, Thanksgiving Day,

- Christmas Day, and New Year's Days within the federally-announced season.
- (2) For purposes of this Section, "Three Days per Week Area" refers to a Game Land on which any game may be taken during the open seasons and hunting is limited to Mondays, Wednesdays, Saturdays, Thanksgiving Day, Christmas Day, and New Year's Days, except for game lands in this Rule that specifically allow hunting on Tuesdays, Thursday, and Fridays. Falconry may also be practiced on Sundays. These "open days" also apply to either-sex deer hunting seasons listed under each game land. Raccoon and opossum hunting may continue until 7:00 a.m. on Tuesdays, until 7:00 a.m. on Thursdays, and until midnight on Saturdays.
- (3) For purposes of this Section, "Six Days per Week Area" refers to a Game Land on which any game may be taken on the open days of Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday during the open seasons. Falconry may also be practiced on Sundays.
- (4) For purposes of this Section, "Seven Days per Week Area" refers to a Game Land on which game may be taken during the open season on Mondays, Tuesdays, Wednesdays, Thursdays, Fridays, Saturdays, and Sundays.
- (5) For purposes of this Section, "Four Days per Week Area" refers to a Game Land on which any game may be taken during the open seasons and hunting is limited to Tuesdays, Thursdays, Saturdays, and Sundays. Raccoon and opossum hunting may continue until 7:00 a.m. on Wednesdays, 7:00 a.m. on Fridays, and 7:00 a.m. on Mondays.
- (f) Hunting with Dogs on Game Lands. Deer shall not be taken with the use of dogs on game lands in counties or parts of counties where taking deer with dogs is prohibited as described in 15A NCAC 10B .0109.
- (g) The listed seasons and restrictions apply in the following game lands:
- (1) ~~Yadkin River Game Land in Davidson, Davie, Montgomery, Rowan, and Stanly counties~~  
 (A) ~~Seven Days per Week Area~~  
 (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter in that portion in Montgomery county, and deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season in those portions in Davidson, Davie, Rowan, and Stanly counties.~~  
 (C) ~~On the Lick Creek Tract, deer and bear hunting is archery only.~~
- (2) Alligator River Game Land in Tyrrell County  
 (A) Seven Day per Week Area
- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (C) ~~Bear may only be taken the first Saturday, Monday, and Tuesday of the November Bear Season and the second Saturday, Monday, and Tuesday first of the December Bear Season.~~
- (3) ~~Angola Bay Game Land in Duplin and Pender counties~~  
 (A) ~~Seven Days per Week Area~~  
 (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~  
 (C) ~~Target shooting is prohibited.~~  
 (D) ~~Bear shall not be harvested on Sunday.~~
- (4) ~~Bachelor Bay Game Land in Bertie, Martin, and Washington counties~~  
 (A) ~~Seven Days per Week Area~~  
 (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (5)(1) Bertie County Game Land in Bertie County  
 (A) Six Days per Week Area  
 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.  
 (C) Target Shooting is prohibited.
- (6)(2) Bladen Lakes State Forest Game Land in Bladen County  
 (A) Three Days per Week Area  
 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.  
 (C) Except for blackpowder firearms, rifles larger than .22 caliber rimfire shall not be used.  
 (D) On the Singletary Lake Tract, the use of dogs for hunting deer and bear is prohibited.  
 (E) Wild turkey hunting on the Singletary Lake Tract is by permit only.  
 (F) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.  
 (G) The use of dogs for pursuing or taking foxes shall be prohibited from February 15 through August 1.
- (7) Brinkleyville Game Land in Halifax County  
 (A) ~~Seven Days per Week Area~~  
 (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.~~  
 (C) ~~Horseback riding is prohibited.~~  
 (D) ~~Target Shooting is prohibited.~~

- (8)(3) Buckhorn Game Land in Orange County  
 (A) Hunting is by permit only.  
 (B) Horseback riding is prohibited.
- (9) ~~Buckridge Game Land in Tyrrell County.~~  
 (A) ~~Three Days per Week Area~~  
 (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~  
 (C) ~~Bear may only be taken the first Saturday, Monday, and of the November Bear Season and the second Saturday, Monday, and Tuesday of the December Bear Season.~~  
 (D) ~~Target shooting is prohibited.~~
- (10) ~~Buffalo Cove Game Land in Caldwell and Wilkes Counties~~  
 (A) ~~Seven Days per Week Area~~  
 (B) ~~The Deer With Visible Antlers season for deer consists of the open hunting days from the Monday before Thanksgiving Day through the third Saturday after Thanksgiving. Deer of either sex may be taken with archery equipment on open days beginning the Saturday on or nearest September 10 to the third Saturday thereafter, and Monday on or nearest October 15 to the Saturday before Thanksgiving Day. Deer with visible antlers may be taken with archery equipment the Monday immediately following the closing of the Deer With Visible Antlers Season, as described in this Part, through January 1. Deer of either sex may be taken with blackpowder firearms on open days beginning the Monday on or nearest October 1 through the Saturday of the second week thereafter.~~  
 (C) ~~Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.~~  
 (D) ~~Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15.~~
- (11) ~~Bullard and Branch Hunting Preserve Game Lands in Robeson County~~  
 (A) ~~Four Days per Week Area~~  
 (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~  
 (C) ~~Bear shall not be harvested on Sunday.~~
- (12)(4) Butner Falls of Neuse Game Land in Durham, Granville, and Wake counties  
 (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Waterfowl shall be taken only on:  
 (i) the opening and closing days of the applicable waterfowl seasons;  
 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and  
 (iii) Tuesdays, Thursdays, and Saturdays of the applicable waterfowl seasons.
- On the posted waterfowl impoundments a special permit is required for all waterfowl hunting after November 1.
- (D) Horseback riding is prohibited.  
 (E) Target shooting is prohibited.  
 (F) Wild turkey hunting is by permit only, except on those areas posted as an archery zone.
- (G) The use of dogs for hunting deer is prohibited on that portion west of NC 50 and south of Falls Lake.
- (H) The use of bicycles is restricted to designated areas, except that this restriction does not apply to hunters engaged in the act of hunting during the open days of the applicable seasons for game birds and game animals. On designated bicycle riding areas, the use of bicycles is allowed from May 15 through August 31, and on Sundays only from September 1 through May 14.
- (I) Camping and the presence of campers and tents in designated Hunter Camping Areas are limited to September 1 through the last day of February and March 31 through May 14.
- (J) Camping is allowed at any time in the designated Mountains-to-Sea Trail Camping Area and shall not exceed a maximum stay of two consecutive nights. Campfires are prohibited in this camping area.
- (13)(5) Buxton Woods Game Land in Dare County:  
 (A) Six Days per Week Area  
 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.
- (C) Target shooting is prohibited.
- (14) ~~Cape Fear River Wetlands Game Land in Pender County~~  
 (A) ~~Seven Days per Week Area~~

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| <p>(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.</p> <p>(C) Turkey Hunting is by permit only on that portion known as the Roan Island Tract.</p> <p>(D) The use of dogs for hunting deer is prohibited on the portion of the game land that is west of the Black River, north of Roan Island, east of Lyon Swamp Canal to Canetuck Road, and south of NC 210 to the Black River.</p> <p>(E) Target shooting is prohibited.</p> <p>(F) Bear shall not be harvested on Sunday.</p> <p>(15) <del>Carteret County Game Land in Carteret County</del></p> <p>(A) Six Seven Days per Week Area</p> <p>(B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.</p> <p>(C) The use of dogs for hunting deer is prohibited.</p> <p>(D) Bear hunting on the Salters Creek Tract is by permit only.</p> <p>(E) Bear shall not be harvested on Sunday.</p> <p>(16) <del>R. Wayne Bailey Caswell Game Land in Caswell County</del></p> <p>(A) Three Days per Week Area</p> <p>(B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Wednesday thereafter.</p> <p>(C) Horseback riding, including all equine species, is allowed seven days per week from May 16 through August 31, and on Sundays only, September 1 through May 15. Horseback riding is allowed only on roads opened to vehicular traffic and on those gated roads and trails that are posted for equestrian use. People age 16 or older horseback riding on this game land shall possess a Game Lands license.</p> <p>(D) The area encompassed by the following roads is permit only for all quail and woodcock hunting, and all bird dog training: From Yanceyville south on NC 62 to the intersection of SR 1746, west on SR 1746 to the intersection of SR 1156, south on SR 1156 to the intersection of SR 1783, east on SR 1783 to the intersection of NC 62, north on NC 62 to the intersection of SR 1736, east on SR 1736 to the intersection of SR 1730, east on SR 1730 to NC 86, north on NC 86 to NC 62.</p> | <p>(E) On the posted waterfowl impoundment, waterfowl hunting is by permit only after November 1.</p> <p>(F) Camping and the presence of campers and tents in designated Hunter Camping Areas are limited to September 1 through the last day of February and March 31 through May 14.</p> <p>(G) Target shooting is prohibited, except at the R. Wayne Bailey Caswell Shooting Range.</p> <p>(17) <del>Chatham Game Land in Chatham County</del></p> <p>(A) Seven Days per Week Area</p> <p>(B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.</p> <p>(C) Wild turkey hunting is by permit only.</p> <p>(D) Horseback riding, including all equine species, is allowed seven days per week from May 16 through August 31, and on Sundays only September 1 through May 15.</p> <p>(E) Target shooting is prohibited.</p> <p>(18) <del>Chowan Game Land in Chowan County</del></p> <p>(A) Six Seven Days per Week Area</p> <p>(B) Deer of either sex may be taken all the days of the applicable Deer With Visible Antlers Season.</p> <p>(C) Bear shall not be harvested on Sunday.</p> <p>(19) <del>Chowan Swamp Game Land in Bertie, Gates, and Hertford counties.</del></p> <p>(A) Six Days per Week Area</p> <p>(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.</p> <p>(C) Bear hunting is restricted to the first Saturday, Monday, and Tuesday of the November bear season and the second Saturday, Monday, and Tuesday of the December bear season except that portion of Chowan Swamp Game Land in Gates County that is east of Highway 158/13, south of Highway 158, west of Highway 32, and north of Catherine Creek and the Chowan River where the bear season is the same as the season dates for the Gates County bear season.</p> <p>(D) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.</p> <p>(E) Horseback riding is prohibited except during May 16 through August 31 and on Sundays only September 1 through May 15 on those roads that are open to</p> |
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- vehicular traffic and on those gated roads and trails posted for equestrian use.
- (F) Target shooting is prohibited.
- (20) ~~Cold Mountain Game Land in Haywood County~~
- (A) ~~Seven Days per Week Area~~
- (B) ~~Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15.~~
- (C) ~~Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.~~
- (21) ~~Columbus County Game Land in Columbus County.~~
- (A) ~~Four Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (C) ~~Deer hunting on the Campbell Tract shall be by permit only.~~
- (22) ~~Croatan Game Land in Carteret, Craven, and Jones counties~~
- (A) ~~Seven Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (C) ~~Waterfowl shall be taken only on the following days:~~
- (i) ~~the opening and closing days of the applicable waterfowl seasons;~~
- (ii) ~~Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and~~
- (iii) ~~Tuesdays and Saturdays of the applicable waterfowl seasons.~~
- (D) ~~Beginning on the first open waterfowl day in October through the end of all waterfowl seasons, waterfowl hunting from designated Disabled Sportsmen blinds on the Catfish Lake Waterfowl Impoundment is by permit only.~~
- (E) ~~Dove hunting is by permit only for the first two open days of dove season on posted areas. During the rest of dove season, no permit is required to hunt doves.~~
- (F) ~~Bear shall not be harvested on Sunday.~~
- (23) ~~Currituck Banks Game Land in Currituck County~~
- (A) ~~Seven Days per Week Area~~
- (B) ~~Permanent waterfowl blinds in Currituck Sound on these game lands shall be hunted by permit only from~~
- ~~November 1 through the end of all waterfowl seasons.~~
- (C) ~~Licensed hunting guides may accompany the permitted individual or party provided the guides do not use a firearm.~~
- (D) ~~The boundary of the game land shall extend 5 yards from the edge of the marsh or shoreline.~~
- (E) ~~Dogs are allowed only for waterfowl hunting by permitted waterfowl hunters on the day of their hunt.~~
- (F) ~~No screws, nails, or other objects penetrating the bark shall be used to attach a tree stand or blind to a tree.~~
- (G) ~~Deer of either sex may be taken all the days of the applicable Deer With Visible Antlers season.~~
- (H) ~~Bear shall not be harvested on Sunday.~~
- (24)(6) ~~Dan River Game Land in Rockingham County~~
- (A) ~~Three Days per Week Area~~
- (B) ~~Deer hunting is by permit only.~~
- (C) ~~Wild turkey hunting is by permit only.~~
- (D) ~~Horseback riding is prohibited except on those areas posted for equestrian use. People age 16 or older horseback riding on this game land must possess a Game Lands license.~~
- (E) ~~Target shooting is prohibited.~~
- (25) ~~Dare Game Land in Dare and Hyde counties~~
- (A) ~~Seven Days per Week Area~~
- (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.~~
- (C) ~~No hunting is allowed on posted parts of bombing range.~~
- (D) ~~The use and training of dogs is prohibited from March 1 through June 30.~~
- (26)(7) ~~Dover Bay Game Land in Craven County~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the days of the applicable Deer With Visible Antlers season.~~
- (27) ~~DuPont State Forest Game Lands in Henderson and Transylvania counties~~
- (A) ~~Hunting is by permit only.~~
- (B) ~~The training and use of dogs for hunting is prohibited except by special hunt permit holders during scheduled permit hunts.~~
- (28) ~~Elk Knob Game Land in Watauga County~~
- (A) ~~Seven Days per Week Area~~
- (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.~~

- (29) ~~Embro Game Land in Halifax and Warren counties~~
- (A) ~~Seven Days per Week Area~~
- (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.~~
- (C) ~~Horseback riding is prohibited.~~
- (D) ~~Target Shooting is prohibited.~~
- (30) ~~Goose Creek Game Land in Beaufort and Pamlico counties~~
- (A) ~~Seven Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (C) ~~Except as provided in Part (D) of this Subparagraph, waterfowl in posted waterfowl impoundments shall be taken only on the following days:~~
- (i) ~~the opening and closing days of the applicable waterfowl seasons;~~
- (ii) ~~Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and~~
- (iii) ~~Tuesdays and Saturdays of the applicable waterfowl seasons.~~
- (D) ~~Beginning on the first open waterfowl season day in October through the end of all waterfowl seasons, waterfowl hunting is by permit only on the following waterfowl impoundments: Pamlico Point, Campbell Creek, Hunting Creek, Spring Creek, Smith Creek, and Hobucken.~~
- (E) ~~On Pamlico Point and Campbell Creek Waterfowl Impoundments all activities, except waterfowl hunting on designated waterfowl hunting days and trapping during the trapping season, are restricted to the posted Scouting only Zone during the period November 1 through March 15.~~
- (F) ~~Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.~~
- (G) ~~Hunting and vehicular access on the Parker Farm Tract is restricted from September 1 through January 1 and April 1 through May 15 to individuals that possess a valid hunting opportunity permit.~~
- (H) ~~Pursuing or chasing deer or bear with dogs for the purposes of training or hunting is prohibited on the Beaufort County portion north of NC 33 except~~
- for that portion east of Smith Creek and south of Campbell Creek.
- (31) ~~Bear shall not be harvested on Sunday.~~
- ~~Green River Game Land in Henderson, and Polk counties~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.~~
- (C) ~~Horseback riding is prohibited.~~
- (32)(8) ~~Green Swamp Game Land in Brunswick County~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (C) ~~On that portion north of Big Macedonia Road, east of Makatoka Road, south of Little Macedonia Road, and west of Green Swamp Road, hunting and trapping is by permit only.~~
- (D) ~~Pursuing or chasing deer or bear with dogs for the purposes of training or hunting is prohibited on that portion of the game land that is north of Big Macedonia Road, east of Makatoka Road, south of Little Macedonia Road, and west of Green Swamp Road.~~
- (33) ~~Gull Rock Game Land in Hyde County~~
- (A) ~~Seven Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (C) ~~Waterfowl on posted waterfowl impoundments shall be taken only on the following days:~~
- (i) ~~the opening and closing days of the applicable waterfowl seasons; and~~
- (ii) ~~Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and~~
- (iii) ~~Tuesdays and Saturdays of the applicable waterfowl season.~~
- (D) ~~Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas designated and posted as camping areas.~~
- (E) ~~Bear may only be taken the first Saturday, Monday, and Tuesday of the November Bear Season and the second Saturday, Monday, and Tuesday of the December Bear Season, except for that portion designated as bear sanctuary.~~
- (34) ~~Harris Game Land in Chatham, Harnett, and Wake counties~~

- (A) ~~Seven Days per Week Area~~
- (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.~~
- (C) ~~Waterfowl shall be taken only on the following days:~~
  - (i) ~~Tuesdays, Fridays, and Saturdays of the applicable waterfowl seasons;~~
  - (ii) ~~Thanksgiving, Christmas, and New Year's Days; and~~
  - (iii) ~~the opening and closing days of the applicable waterfowl seasons.~~
- (D) ~~The use or construction of permanent hunting blinds shall be prohibited.~~
- (E) ~~Wild turkey hunting is by permit only, except on those areas posted as an archery zone.~~
- (F) ~~Target shooting is prohibited.~~
- (G) ~~Horseback riding is prohibited.~~
- (35)(9) Headwaters State Forest Game Land in Transylvania County
  - (A) Six Days per Week Area
  - (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season
- (36)(10) Hill Farm Game Land in Stokes County- hunting and trapping is by permit only.
- (37)(11) Holly Shelter Game Land in Pender County
  - (A) Six Days per Week Area
  - (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
  - (C) Waterfowl may be taken only on the following days:
    - (i) the opening and closing days of the applicable waterfowl seasons;
    - (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
    - (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.
  - (D) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas designated and posted as camping areas.
  - (E) On that portion north of the Bear Garden Road, west of Shaw Road to Baby Branch, east of the Northeast Cape Fear River, south of NC 53 and west of NC 50, deer hunting and bear hunting are permit only.
  - (F) The use of dogs for hunting deer and bear is prohibited:
- (i) all open days on that portion of the game land that is south of Baby Branch extending west to Stag Park Road, west of Shaw Road, north of Meeks Road extending west to Stag Park Road and east of Stag Park Road; and
- (ii) on Tuesdays, Thursdays, and Fridays, with the exception of Thanksgiving, Christmas, and New Year's days, and except for the area north of Bear Garden Road, west of Shaw Road to Baby Branch, east of the Northeast Cape Fear River, south of NC 53 and west of NC 50, where the use of dogs for deer and bear hunting is by permit only.
- (G) Hunting and vehicular access on the Pender 4 Tract is restricted from September 1 to the last day of February and April 1 to May 15 to individuals that possess valid hunting opportunity permits, unless otherwise authorized by the Wildlife Resources Commission.
- (H) Hunters who possess a Disabled Access Permit may operate an All Terrain Vehicle on and within 100 yards of trails designated for Disabled Sportsman Access.
- (I) Target shooting is prohibited, except on the Holly Shelter Shooting Range.
- (J) Geocaching is restricted to closed days for taking bear, deer, turkey, and waterfowl.
- (38) ~~Hyeo Game land in Person County~~
  - (A) ~~Seven Days per Week Area~~
  - (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.~~
  - (C) ~~Target shooting is prohibited.~~
- (39)(12) J. Morgan Futch Game Land in Tyrrell County - hunting and trapping is by permit only.
- (40) ~~Johns River Game Land in Burke County~~
  - (A) ~~Hunting is by permit only.~~
  - (B) ~~During permitted deer hunts, deer of either sex may be taken by permit holders.~~
  - (C) ~~Entry on posted waterfowl impoundments is prohibited October 1 through March 31, except by lawful waterfowl hunting permit holders and only on those days written on the permits.~~



- (D) The use or construction of permanent hunting blinds is prohibited.
- (E) Camping and the presence of campers and tents in designated Hunter Camping Areas is limited to August 31 through the last day of February and March 31 through May 14.
- (41) ~~Jordan Game Land in Chatham, Durham, Orange, and Wake counties~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (C) ~~Waterfowl may be taken only on:~~
- (i) ~~Mondays, Wednesdays, and Saturdays of the applicable waterfowl seasons;~~
- (ii) ~~Thanksgiving, Christmas, and New Year's Days; and~~
- (iii) ~~the opening and closing days of the applicable waterfowl seasons.~~
- (D) ~~Horseback riding, including all equine species, is allowed only on those areas posted as American Tobacco Trail and other areas posted for equestrian use. Unless otherwise posted, horseback riding is permitted on posted portions of the American Tobacco Trail anytime the trail is open for use. On all other trails posted for equestrian use, horseback riding is allowed seven days per week from May 16 through August 31, and on Sundays only from September 1 through May 15. People age 16 or older [must] shall obtain a Game Lands license prior to engaging in horseback riding on any area other than the American Tobacco Trail.~~
- (E) ~~Target shooting is prohibited.~~
- (F) ~~Wild turkey hunting is by permit only, except on those areas posted as an Archery Zone.~~
- (G) ~~The use of bicycles is restricted to designated areas, except that this restriction does not apply to hunters engaged in the act of hunting during the open days of the applicable seasons for game birds and game animals.~~
- (42) ~~Juniper Creek Game Land in Brunswick and Columbus counties~~
- (A) ~~Seven Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the open days of the Deer With Visible Antlers Season.~~
- (C) ~~Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas~~
- ~~both designated and posted as camping areas.~~
- (D) ~~Bear shall not be harvested on Sunday.~~
- (43)(13) ~~Kerr Scott Game Land in Wilkes County~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Use of centerfire rifles is prohibited.~~
- (C) ~~Use of blackpowder firearms, shotguns, or rifles for hunting deer during the applicable Deer With Visible Antlers Season is prohibited.~~
- (D) ~~Tree stands shall not be left overnight; and no screws, nails, or other objects penetrating the bark shall be used to attach a tree stand or blind to a tree.~~
- (E) ~~Deer of either sex may be taken on all open days of the applicable Deer With Visible Antlers season.~~
- (F) ~~Hunting on posted waterfowl impoundments is by permit only.~~
- (G) ~~The use of firearms for hunting wild turkey is prohibited.~~
- (44)(14) ~~Lantern Acres Game Land in Tyrrell and Washington counties~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (C) ~~Wild turkey hunting is by permit only.~~
- (D) ~~The use of dogs for hunting deer on the Godley Tract is prohibited.~~
- (E) ~~Waterfowl hunting on posted waterfowl impoundments is by permit only.~~
- (45) ~~Lee Game Land in Lee County~~
- (A) ~~Seven Days per Week Area~~
- (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.~~
- (C) ~~Target shooting is prohibited.~~
- (46) ~~Light Ground Pocosin Game Land in Pamlico County~~
- (A) ~~Seven Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer with Visible Antlers Season.~~
- (C) ~~Bear shall not be harvested on Sunday.~~
- (47) ~~Linwood Game Land in Davidson County~~
- (A) ~~Seven Days per Week Area~~
- (B) ~~Deer of either sex may be taken on all of the open days of the applicable Deer With Visible Antlers Season.~~
- (48) ~~Lower Fishing Creek Game Land in Edgecombe and Halifax counties~~
- (A) ~~Seven Days per Week Area~~
- (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.~~

- (C) Horseback riding is prohibited.
- (D) The use of dogs for hunting deer is prohibited.
- (F) Target Shooting is prohibited.
- (49) Mayo Game Land in Person County
- (A) Seven Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Waterfowl shall be taken only on:
- (i) Tuesdays, Thursdays, and Saturdays ——— applicable waterfowl seasons;
- (ii) Christmas and New Year's Days; and
- (iii) the opening and closing days of the applicable waterfowl seasons.
- (D) Target shooting is prohibited.
- (50) Mitchell River Game Land in Surry County
- (A) Four Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Tuesday thereafter.
- (C) Horseback riding is prohibited except on designated trails May 16 through August 31, and all horseback riding is prohibited from September 1 through May 15.
- (51) Nantahala Game Land in Cherokee, Clay, Graham, Jackson, Macon, Swain, and Transylvania counties
- (A) Seven Days per Week Area
- (B) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season in that portion located in Transylvania County.
- (52) Needmore Game Land in Macon and Swain counties.
- (A) Seven Days per Week Area
- (B) Horseback riding is prohibited except on designated trails May 16 through August 31, and all horseback riding is prohibited from September 1 through May 15.
- (C) On posted dove fields, dove hunting on the opening day of dove season is by permit only.
- (53)(15) Neuse River Game Land in Craven County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (C) Camping is allowed any time within 100 yards of the Neuse River on that portion of the game land that lies west of NC-43.
- (54) New Lake Game Land in Hyde and Tyrrell counties
- (A) Seven Days per Week Area
- (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (C) Bear shall not be harvested on Sunday.
- (55) Nicholson Creek Game Land in Hoke County
- (A) Three Days per Week Area
- (B) Deer of either sex may be taken with archery equipment on open hunting days from the Saturday on or nearest September 10 through the fourth Friday before Thanksgiving Day.
- (C) Deer of either sex may be taken with blackpowder firearms on open hunting days beginning the fourth Saturday before Thanksgiving Day through the Wednesday of the second week thereafter.
- (D) The Deer With Visible Antlers season consists of the open hunting days from the second Saturday before Thanksgiving Day through the third Saturday after Thanksgiving Day.
- (E) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season.
- (F) The use of dogs for hunting deer is prohibited.
- (G) Wild turkey hunting is by permit only.
- (H) On Lake Upechurch, the following activities are prohibited:
- (i) Operating any vessel or vehicle powered by an internal combustion engine; and
- (ii) Swimming.
- (I) Target shooting is prohibited.
- (56) North River Game Land in Camden and Currituck counties
- (A) Seven Days per Week Area
- (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (C) The boundary of the Game Land shall extend five yards from the edge of the marsh or shoreline.
- (D) Hunting on the posted waterfowl impoundment is by permit only.
- (E) Bear shall not be harvested on Sunday.
- (57) Northwest River Marsh Game Land in Currituck County
- (A) Seven Days per Week Area
- (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.

- (C) The boundary of the Game Land shall extend five yards from the edge of the marsh or shoreline.
- (D) Bear shall not be harvested on Sunday.
- (58) ~~Pee Dee River Game Land in Anson, Montgomery, Richmond, and Stanly counties~~
  - (A) ~~Seven Days per Week Area~~
  - (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.~~
  - (C) ~~Use of centerfire rifles is prohibited in that portion in Anson and Richmond counties North of US 74.~~
  - (D) ~~Target shooting is prohibited.~~
  - (E) ~~Horseback riding is allowed seven days per week from May 16 through August 31, and on Sundays only September 1 through May 15 only on roads opened to vehicular traffic and gated roads and trails posted for equestrian use.~~
  - (F) ~~Pursuing or chasing deer or bear with dogs for the purposes of training or hunting shall be prohibited on that portion south of US 74.~~
- (59) ~~Perkins Game Land in Davie County~~
  - (A) ~~Four Days per Week Area~~
  - (B) ~~Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season through the second Tuesday thereafter.~~
  - (C) ~~Horseback riding is prohibited from November 1 through January 1.~~
  - (D) ~~Target Shooting is prohibited.~~
- (60) ~~Pisgah Game Land in Avery, Buncombe, Burke, Caldwell, Haywood, Henderson, Madison, McDowell, Mitchell, Transylvania, Watauga, and Yancey counties~~
  - (A) ~~Seven Days per Week Area~~
  - (B) ~~Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.~~
  - (C) ~~Horseback riding is prohibited on the Black Bear (McDowell County), Linville River (Burke County), and Little Tablerock Tracts (Avery, McDowell, and Mitchell counties).~~
  - (D) ~~The use of bicycles shall be restricted to designated trails on the Linville River Tract (Burke County). Persons engaged in the act of hunting on the Linville River Tract during any open day of an applicable season for game birds or game animals shall be exempt from this restriction.~~
- (61) ~~Pond Mountain Game Land in Ashe County~~
  - (A) ~~Seven Days per Week Area~~
- (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.~~
- (C) ~~Horseback riding is prohibited except on designated trails from May 16 through August 31 and Sundays from September 1 through October 31. All horseback riding is prohibited from November 1 through May 15.~~
- (62)(16) ~~Pungo River Game Land in Hyde County~~
  - (A) ~~Six Days per Week Area~~
  - (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (63)(17) ~~Rendezvous Mountain State Forest Game Land in Wilkes County~~
  - (A) ~~Three Days per Week Area~~
  - (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Wednesday thereafter.~~
  - (C) ~~Bear hunting is prohibited.~~
- (64)(18) ~~Rhodes Pond Game Land in Cumberland and Harnett counties~~
  - (A) ~~Hunting is by permit only.~~
  - (B) ~~Swimming is prohibited on the area.~~
- (65)(19) ~~Roanoke River Wetlands in Bertie, Halifax, Martin, and Northampton counties~~
  - (A) ~~Hunting and trapping is by Permit only.~~
  - (B) ~~Vehicles are prohibited on roads or trails except those operated on Commission business or by permit holders.~~
  - (C) ~~Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas, provided, however, that camping is allowed at any time within 100 yards of the Roanoke River on the state-owned portion of the game land.~~
  - (D) ~~Target Shooting is prohibited.~~
- (66)(20) ~~Roanoke Island Marshes Game Land in Dare County-Hunting is by permit only.~~
- (67) ~~Robeson Game Land in Robeson County~~
  - (A) ~~Four Days per Week Area~~
  - (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
  - (C) ~~Bear shall not be harvested on Sunday.~~
- (68)(21) ~~Rockfish Creek Game Land in Hoke County~~
  - (A) ~~Three Days per Week Area~~
  - (B) ~~Deer of either sex may be taken with archery equipment on open hunting days from the Saturday on or nearest~~

- September 10 to the fourth Friday before Thanksgiving Day.
- (C) Deer of either sex may be taken with blackpowder firearms on open hunting days beginning the fourth Saturday before Thanksgiving Day through the Wednesday of the second week thereafter.
- (D) The Deer With Visible Antlers season consists of the open hunting days from the second Saturday before Thanksgiving Day through the third Saturday after Thanksgiving Day.
- (E) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season.
- (F) The use of dogs for hunting deer is prohibited.
- (G) Wild turkey hunting is by permit only.
- (H) Taking fox squirrels is prohibited.
- (I) Target shooting is prohibited.
- ~~(69)(22)~~ Rocky Run Game Land in Onslow County - Hunting is by permit only.
- (70) ~~Sampson Game Land in Sampson County~~
- (A) ~~Four Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (C) ~~Target shooting is prohibited.~~
- (D) ~~Bear shall not be harvested on Sunday.~~
- (71) ~~Sandhills Game Land in Hoke, Moore, Richmond, and Scotland counties~~
- (A) ~~Three Days per Week Area~~
- (B) ~~Hunting is prohibited on the J. Robert Gordon Field Trial Grounds from October 22 through March 31 except as follows:~~
- (i) ~~deer of either sex may be taken with archery equipment on all the open days of the archery season through the fourth Friday before Thanksgiving Day; with blackpowder firearms and archery equipment all the open days of the blackpowder firearms season through the third Wednesday before Thanksgiving Day; and only deer with visible antlers may be taken with all legal weapons from the second Saturday before Thanksgiving Day through the Saturday following Thanksgiving Day;~~
- (ii) ~~dove may be taken all open days from the opening day of~~
- the dove season through the third Saturday thereafter;
- (iii) ~~squirrel (gray and fox) may be taken all the open days from the second Saturday before Thanksgiving Day through the Saturday following Thanksgiving Day;~~
- (iv) ~~rabbit may be taken all open days from the second Saturday preceding Thanksgiving Day through the Saturday following Thanksgiving Day;~~
- (v) ~~waterfowl may be taken on open days during any waterfowl season;~~
- (vi) ~~wild animals and wild birds may be taken as part of a Disabled Sportsmen Program Permit Hunt; and~~
- (vii) ~~raceoon and opossum may be taken on open days from sunrise Monday on or nearest October 15 through the last day of February.~~
- (C) ~~The Deer With Visible Antlers season is the open hunting days from the second Saturday before Thanksgiving Day through the third Saturday after Thanksgiving Day except on the J. Robert Gordon Field Trial Grounds.~~
- (D) ~~The archery season is all open days from the Saturday on or nearest to Sept. 10 to the fourth Friday before Thanksgiving Day and, except on the J. Robert Gordon Field Trial Grounds, the third Monday after Thanksgiving Day through January 1. Deer of either sex may be taken with archery equipment on all open hunting days during the archery season, by permit during the Deer with Visible antlers season, and the blackpowder firearms season as stated in this Subparagraph. Only deer with visible antlers may be taken from the third Monday after Thanksgiving Day through January 1.~~
- (E) ~~Blackpowder firearms season is all the open days from the fourth Saturday preceding Thanksgiving Day through the Wednesday of the second week thereafter and, except on the J. Robert Gordon Field Trial Grounds, the third Monday after Thanksgiving Day through January 1. Deer of either sex may be taken with blackpowder firearms on all open hunting days~~

- during the blackpowder firearms season and by permit during the Deer With Visible Antlers season. Only deer with visible antlers may be taken from the third Monday after Thanksgiving Day through January 1.
- (F) Either sex deer hunting during the Deer With Visible Antlers Season is by permit only.
- (G) In addition to the regular hunting days, waterfowl may be taken on the opening and closing days of the applicable waterfowl seasons.
- (H) Wild turkey hunting is by permit only.
- (I) Horseback riding on field trial grounds from October 22 through March 31 is prohibited unless participating in authorized field trials. Horseback riding is allowed on the remainder of the Sandhills Game Land seven days per week on roads that are open to vehicular traffic and gated roads and trails posted for equestrian use.
- (J) Camping and the presence of campers and tents in designated Hunter Camping Areas are limited to September 1 through the last day of February and March 31 through May 14.
- (K) Target shooting is prohibited, except at the John F. Lentz Hunter Education Complex.
- (72) Sandy Creek Game Land in Nash and Franklin counties
- (A) Seven Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Horseback riding is prohibited.
- (D) The use of dogs for hunting deer is prohibited.
- (E) Target Shooting is prohibited.
- (73)(23) Sandy Mush Game Land in Buncombe and Madison counties.
- (A) Three Days per Week Area
- (B) Deer of either sex may be taken the first open Saturday of the applicable Deer with Visible Antlers season.
- (C) Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15.
- (D) Dogs shall only be trained on Mondays, Wednesdays, and Saturdays and only as allowed in 15A NCAC 10D .0102(f).
- (E) Dove hunting is by permit only from the opening day through the second Saturday of dove season.
- (F) Target shooting is prohibited.
- (74)(24) Second Creek Game Land in Rowan County-hunting is by permit only.
- (75) Shocco Creek Game Land in Franklin, Halifax, Nash, and Warren counties
- (A) Seven Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Horseback riding is prohibited.
- (D) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.
- (E) Target Shooting is prohibited.
- (76) South Mountains Game Land in Burke, Cleveland, McDowell, and Rutherford counties
- (A) Seven Days per Week Area
- (B) The Deer With Visible Antlers season for deer consists of the open hunting days from the Monday before Thanksgiving Day through the third Saturday after Thanksgiving. Deer of either sex may be taken with archery equipment on open days beginning the Saturday on or nearest September 10 to the third Saturday thereafter, and Monday on or nearest October 15 to the Saturday before Thanksgiving Day. Deer with visible antlers may be taken with archery equipment the Monday immediately following the closing of the Deer With Visible Antlers Season, as described in this Part, through January 1. Deer of either sex may be taken with blackpowder firearms on open days beginning the Monday on or nearest October 1 through the Saturday of the second week thereafter.
- (C) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.
- (D) Horseback riding is prohibited except on designated trails during the following dates:
- (i) January 2 through March 31;
- (ii) May 16 through August 31;
- (iii) Sundays only April 1 through May 15; and
- (iv) Sundays only September 1 through January 1.
- (77) Stones Creek Game Land in Onslow County
- (A) Six Days per Week Area

- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (C) ~~The use of dogs for hunting deer is prohibited on Mondays, Wednesdays, and Fridays.~~
- (D) ~~Swimming in all lakes is prohibited.~~
- (E) ~~Waterfowl may be taken only on the following days:~~
  - ~~(i) the opening and closing days of the applicable waterfowl seasons;~~
  - ~~(ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and~~
  - ~~(iii) Tuesdays and Saturdays of the applicable waterfowl seasons.~~
- (F) ~~Target shooting is prohibited.~~
- (G) ~~Geocaching is restricted to closed days for taking bear, deer, turkey, and waterfowl.~~
- (78)(25) Suggs Mill Pond Game Land in Bladen and Cumberland counties
  - (A) Hunting and trapping is by permit only.
  - (B) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.
  - (C) Entry is prohibited on scheduled hunt or trapping days except for:
    - (i) hunters or trappers holding special hunt or trapping permits; and
    - (ii) persons using Campground Road to access Suggs Mill Pond Lake at the dam.
  - (D) During the period of November 1 through January 31, except on Sundays, the use of vessels on Suggs Mill Pond Lake and Little Singletary Lake is limited to waterfowl hunting only by waterfowl hunters possessing a valid and current Hunting Opportunity Permit issued by the Wildlife Resources Commission pursuant to G.S. 113-264(d).
  - (E) During the period of November 1 through March 15, the use of vessels on managed waterfowl impoundments is limited to waterfowl hunting only by waterfowl hunters possessing a valid and current Hunting Opportunity Permit issued by the Wildlife Resources Commission pursuant to G.S. 113-264(d).
- (79) ~~Sutton Lake Game Land in New Hanover and Brunswick counties~~
  - ~~(A) Seven Days per Week Area~~
  - ~~(B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.~~
  - ~~(C) Target shooting is prohibited.~~
  - ~~(D) Bear shall not be harvested on Sunday.~~
- (80)(26) ~~Tar River Game Land in Edgecombe County~~
  - ~~(A) Hunting is by permit only~~
  - ~~(B) Target Shooting is prohibited~~
- (81)(27) ~~Texas Plantation Game Land in Tyrrell County - hunting and trapping is by permit only.~~
- (82) ~~Three Top Mountain Game Land in Ashe County~~
  - ~~(A) Seven Days per Week Area~~
  - ~~(B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.~~
  - ~~(C) Horseback riding is prohibited.~~
- (83) ~~Thurmond Chatham Game Land in Alleghany and Wilkes counties~~
  - ~~(A) Seven Days per Week Area~~
  - ~~(B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.~~
  - ~~(C) Horseback riding is prohibited except on designated trails May 16 through August 31, and all horseback riding is prohibited from September 1 through May 15. People age 16 or older horseback riding on this game land shall possess a Game Lands license.~~
  - ~~(D) The maximum period of consecutive overnight camping at any designated campground is 14 days within any 30 day period from May 1 through August 31. After 14 consecutive days of camping all personal belongings must be removed from the game land.~~
- (84) ~~Tillery Game Land in Halifax County~~
  - ~~(A) Seven Days per Week Area~~
  - ~~(B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.~~
  - ~~(C) Horseback riding is prohibited.~~
  - ~~(D) The use of dogs for hunting deer is prohibited.~~
  - ~~(E) Wild turkey hunting is by permit only.~~
  - ~~(F) Target Shooting is prohibited.~~
- (85) ~~Toxaway Game Land in Jackson and Transylvania counties~~
  - ~~(A) Seven Days per Week Area~~

- (B) ~~Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.~~
- (C) ~~Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15.~~
- (86) ~~Uwharrie Game Land in Davidson, Montgomery, and Randolph counties~~
- (A) ~~Seven Days per Week Area~~
- (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.~~
- (C) ~~On the posted waterfowl impoundment, waterfowl may be taken only on the following days:~~
- (i) ~~the opening and closing days of the applicable waterfowl seasons;~~
- (ii) ~~Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and~~
- (iii) ~~Tuesdays and Saturdays of the applicable waterfowl seasons.~~
- (D) ~~Beginning on the first open waterfowl season day in October through the end of all waterfowl seasons, a permit is required for hunting posted waterfowl impoundments.~~
- (E) ~~The Huggins Tract and Morton Tracts have the following restrictions:~~
- (i) ~~access on Hargett Avenue and Sloan Farm Road requires a valid Hunting Opportunity Permit issued by the Wildlife Resources Commission pursuant to G.S. 113-264(d);~~
- (ii) ~~hunting is by permit only; and~~
- (iii) ~~the use of dogs for hunting deer is prohibited.~~
- (F) ~~Wild turkey hunting is by permit only.~~
- (G) ~~Target Shooting is prohibited.~~
- (87)(28) ~~Vance Game Land in Vance County~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (C) ~~The use of dogs, centerfire rifles, and handguns for hunting deer is prohibited on the Nutbush Peninsula tract.~~
- (88) ~~Van Swamp Game Land in Beaufort and Washington counties~~
- (A) ~~Six Seven Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (C) ~~Bear may only be taken the first Saturday, Monday, and Tuesday of the November Bear Season and the second Saturday, Monday, and Tuesday of the December Bear Season.~~
- (89)(29) ~~Voice of America Game Land in Beaufort County~~
- (A) ~~Hunting and trapping is by permit only.~~
- (B) ~~Target Shooting is prohibited.~~
- (90)(30) ~~White Oak River Game Land in Onslow County~~
- (A) ~~Three Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (C) ~~Except as provided in Part (D) of this Subparagraph, waterfowl in posted waterfowl impoundments shall be taken only on the following days:~~
- (i) ~~the opening and closing days of the applicable waterfowl seasons;~~
- (ii) ~~Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and~~
- (iii) ~~Tuesdays and Saturdays of the applicable waterfowl seasons.~~
- (D) ~~Beginning on the first open waterfowl season day in October through the end of all waterfowl seasons, a permit is required for hunting posted waterfowl impoundments.~~
- (E) ~~The Huggins Tract and Morton Tracts have the following restrictions:~~
- (i) ~~access on Hargett Avenue and Sloan Farm Road requires a valid Hunting Opportunity Permit issued by the Wildlife Resources Commission pursuant to G.S. 113-264(d);~~
- (ii) ~~hunting is by permit only; and~~
- (iii) ~~the use of dogs for hunting deer is prohibited.~~
- (F) ~~Wild turkey hunting is by permit only.~~
- (G) ~~Target Shooting is prohibited.~~
- (91)(31) ~~Whitehall Plantation Game Land in Bladen and Pender counties~~
- (A) ~~Hunting and trapping is by permit only.~~
- (B) ~~Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.~~
- (C) ~~Pursuing or chasing deer or bear with dogs for the purposes of training or hunting is prohibited on the Long Ridge Tract.~~
- (92) ~~William H. Silver Game Land in Haywood County~~
- (A) ~~Seven Days per Week Area~~
- (B) ~~Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.~~
- (C) ~~Horseback riding, including all equine species, is prohibited.~~
- (h) On permitted type hunts, deer of either sex may be taken on the hunt dates indicated on the permit. Completed applications

shall be received by the Commission not later than the first day of September next preceding the dates of hunt. Permits shall be issued by random computer selection, shall be mailed to the permittees prior to the hunt, and are nontransferable. A hunter making a kill shall validate the kill and report the kill to a wildlife cooperator agent or by phone.

(i) The following game lands and refuges are closed to all hunting except to those individuals who have obtained a valid and current permit from the Wildlife Resources Commission:

- (1) Bertie, Halifax and Martin counties—Roanoke River Wetlands;
- (2) Bertie County—Roanoke River National Wildlife Refuge;
- (3) Bladen County—Suggs Mill Pond Game Lands;
- (4) ~~Burke County—John's River Waterfowl Refuge;~~
- (5) Dare County—Dare Game Lands (Those parts of bombing range posted against hunting);
- (6) Dare County—Roanoke Sound Marshes Game Lands; and
- (7) Henderson and Transylvania counties—DuPont State Forest Game Lands.

(j) Access to Hunting Creek Swamp Waterfowl Refuge in Davie County requires written permission from the Commission. Written permission may be granted only when entry onto the Waterfowl Refuge will not compromise the primary purpose for establishing the Waterfowl Refuge and the person requesting entry can demonstrate a valid need or the person is a contractor or agent of the Commission conducting official business. "Valid need" includes issues of access to private property, scientific investigations, surveys, or other access to conduct activities in the public interest.

(k) Feral swine may be taken by licensed hunters during the open season for any game animal or game bird using any legal manner of take allowed during those seasons. Dogs may not be used to hunt feral swine except on game lands that allow the use of dogs for hunting deer or bear, and during the applicable deer or bear season.

(l) Youth Waterfowl Day. On the day declared by the Commission to be Youth Waterfowl Day, youths may hunt on any game land and on any impoundment without a special hunt permit, including permit-only areas, except where prohibited in Paragraph (h) of this Rule.

(m) Veterans and Military Waterfowl Days. On the day declared by the Commission to be Veterans and Military Waterfowl Days, veterans, as defined in 38 USC 101, and members of the Armed Forces on active duty, including members of the National Guard and Reserves on active duty other than for training, with valid credentials may hunt on game lands and impoundments not designated as permit-only areas.

(n) Permit Hunt Opportunities for Disabled Sportsmen. The Commission may designate special hunts for participants of the disabled sportsman program by permit. The Commission may schedule these permit hunts during the closed season. Hunt dates and species to be taken shall be identified on each permit. If the hunt has a limited weapon choice, the allowed weapons shall be stated on each permit.

(o) As used in this Rule, horseback riding includes all equine species.

(p) When waterfowl hunting is authorized in this Rule on Christmas and New Years' Day and those days fall on Sundays, the open waterfowl hunting day shall be the following day.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

#### **15A NCAC 10D .0106 BEAR SANCTUARIES**

(a) It shall be unlawful to take bear on posted bear sanctuaries as set forth in Paragraph (b) of this rule, except when authorized by permit issued by the Commission on sanctuaries specified in Paragraph (c) of this Rule.

(b) The following shall be posted bear sanctuaries:

- Bachelor Bay bear sanctuary – Bertie and Washington counties
- Columbus County bear sanctuary – Brunswick and Columbus counties
- Croatan bear sanctuary – Carteret, Craven, and Jones counties
- Daniel Boone bear sanctuary – Avery, Burke, and Caldwell counties
- Dare bear sanctuary – Dare and Hyde counties,
- Fires Creek bear sanctuary – Clay County
- Flat Top bear sanctuary – Mitchell and Yancey counties
- Green Swamp bear sanctuary – Brunswick County
- Gull Rock bear sanctuary – Hyde County
- Harmon Den bear sanctuary – Haywood County
- Juniper Creek bear sanctuary – Brunswick and Columbus counties
- Mt. Mitchell bear sanctuary – McDowell and Yancey counties
- North River bear sanctuary – Camden and Currituck counties
- Panther town – Bonas Defeat bear sanctuary – Jackson County
- Pisgah Bear Sanctuary – Buncombe, Haywood, Henderson and Transylvania
- Pungo River bear sanctuary – Hyde County
- Rich Mountain bear sanctuary – Madison County
- Sherwood bear sanctuary – Haywood County
- Suggs Mill Pond bear sanctuary – Bladen and Cumberland counties
- Standing Indian bear sanctuary – Macon County
- Thurmond Chatham bear sanctuary – Allegheny and Wilkes counties
- Wayah bear sanctuary – Macon County

(c) It shall be lawful to take bear on the following sanctuaries when authorized by permit issued by the Commission:

- Daniel Boone bear sanctuary – Avery, Burke, and Caldwell counties
- Dare bear sanctuary – Dare and Hyde counties
- Mt. Mitchell bear sanctuary – McDowell and Yancey counties
- Panther town – Bonas Defeat bear sanctuary – Jackson County
- Pisgah Bear Sanctuary – Buncombe, Haywood, Henderson and Transylvania



Standing Indian bear sanctuary – Macon County

- (d) Feral Swine shall not be taken with the use of dogs on bear sanctuaries.
- (e) Dogs shall not be trained or allowed to run unleashed between March 1 and the Monday on or nearest October 15 on bear sanctuaries located in and west of the counties and parts of counties described in 15A NCAC 10B .0109.

*Authority G.S. 113-134; 113-291.1; 113-291.2; 113-291.7; 113-305.*

**SECTION .0200 – USE OF GAMELANDS**

**15A NCAC 10D .0209 BUFFALO COVE GAME LAND IN CALDWELL AND WILKES COUNTIES**

- (a) Seven Days per Week Area
- (b) The Deer With Visible Antlers season for deer consists of the open hunting days from the Monday before Thanksgiving Day through the third Saturday after Thanksgiving. Deer of either sex may be taken with archery equipment on open days beginning the Saturday on or nearest September 10 through the Sunday immediately preceding the Blackpowder Firearms Season described in this rule and the Sunday immediately following the closing of Blackpowder Firearms Season described in this rule through the Sunday before Thanksgiving Day. Deer with visible antlers may be taken with archery equipment the Sunday immediately following the closing of the Deer With Visible Antlers Season, as described in this Part, through January 1. Deer of either sex may be taken with blackpowder firearms on open days beginning the Monday on or nearest October 1 through the Saturday of the second week thereafter.
- (c) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.
- (d) Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15.
- (e) Target shooting is prohibited.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0226 DUPONT STATE FOREST GAME LANDS IN HENDERSON AND TRANSYLVANIA COUNTIES**

- (a) Hunting is by permit only.
- (b) The training and use of dogs for hunting is prohibited except by special hunt permit holders during scheduled permit hunts.
- (c) Target shooting is prohibited.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0229 GOOSE CREEK GAME LAND IN BEAUFORT AND PAMLICO COUNTIES**

- (a) Seven Days per Week Area
- (b) Deer of either sex may be taken on all the open days of the applicable Deer With Visible Antlers Season.

(c) Except as provided in Part (D) of this Subparagraph, waterfowl in posted waterfowl impoundments shall be taken only on the following days:

- (1) the opening and closing days of the applicable waterfowl seasons;
- (2) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- (3) Tuesdays and Saturdays of the applicable waterfowl seasons.

(d) Beginning on the first open waterfowl season day in October through the end of all waterfowl seasons, waterfowl hunting is by permit only on the following waterfowl impoundments: Pamlico Point, Campbell Creek, Hunting Creek, Spring Creek, Smith Creek, and Hobucken.

(e) On Spring Lake, Pamlico Point and Campbell Creek Waterfowl Impoundments all activities, except waterfowl hunting on designated waterfowl hunting days and trapping during the trapping season, are restricted to the posted Scouting-only Zone during the period November 1 through March 15.

(f) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.

(g) Hunting and vehicular access on the Parker Farm Tract is restricted from September 1 through January 1 and April 1 through May 15 to individuals that possess a valid hunting opportunity permit.

(h) Pursuing or chasing deer or bear with dogs for the purposes of training or hunting is prohibited on the Beaufort County portion north of NC 33 except for that portion east of Smith Creek and south of Campbell Creek.

(i) Bear shall not be harvested on Sunday.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0230 GREEN RIVER GAME LAND IN HENDERSON AND POLK COUNTIES**

- (a) Six Days per Week Area
- (b) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.
- (c) Horseback riding is prohibited.
- (d) Target shooting is prohibited.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0239 JOHNS RIVER GAME LAND IN BURKE COUNTY**

- (a) Hunting is by permit only.
- (b) During permitted deer hunts, deer of either sex may be taken by permit holders.
- (c) The construction of permanent hunting blinds is prohibited.
- (d) Camping and the presence of campers and tents in designated Hunter Camping Areas is limited to August 31 through the last day of February and March 31 through May 14.
- (e) Target shooting is prohibited.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0240 JORDAN GAME LAND IN CHATHAM, DURHAM, ORANGE, AND WAKE COUNTIES**

- (a) Six Days per Week Area
- (b) Deer of either sex may be taken on all the open days of the applicable Deer With Visible Antlers Season.
- (c) Waterfowl may be taken only on:
  - (1) Mondays, Wednesdays, and Saturdays of the applicable waterfowl seasons;
  - (2) Thanksgiving, Christmas, and New Year's Days; and
  - (3) the opening and closing days of the applicable waterfowl seasons.
- (d) Horseback riding, including all equine species, is allowed only on those areas posted as American Tobacco Trail and other areas posted for equestrian use. Unless otherwise posted, horseback riding is permitted on posted portions of the American Tobacco Trail anytime the trail is open for use. On all other trails posted for equestrian use, horseback riding is allowed seven days per week from May 16 through August 31, and on Sundays only from September 1 through May 15. People age 16 or older shall obtain license prior to engaging in horseback riding on any area other than the American Tobacco Trail.
- (e) Target shooting is prohibited.
- (f) Wild turkey hunting is by permit only, except on those areas posted as an Archery Zone.
- (g) The use of bicycles is restricted to designated areas, except that this restriction does not apply to hunters engaged in the act of hunting during the open days of the applicable seasons for game birds and game animals.
- (h) Camping and the presence of campers and tents in designated Hunter Camping Areas are limited to September 1 through the last day of February and March 31 through May 14.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0243 KINGS CREEK GAME LAND IN CALDWELL AND WILKES COUNTIES**

- (a) Six Days per Week Area
- (b) The Deer With Visible Antlers season for deer consists of the open hunting days from the Monday before Thanksgiving Day through the third Saturday after Thanksgiving. Deer of either sex may be taken with archery equipment on open days beginning the Saturday on or nearest September 10 to the third Saturday thereafter, and Monday on or nearest October 15 to the Saturday before Thanksgiving Day. Deer with visible antlers may be taken with archery equipment the Monday immediately following the closing of the Deer With Visible Antlers Season, as described in this Part, through January 1. Deer of either sex may be taken with blackpowder firearms on open days beginning the Monday on or nearest October 1 through the Saturday of the second week thereafter.
- (c) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0260 PISGAH GAME LAND IN AVERY, BUNCOMBE, BURKE, CALDWELL, HAYWOOD, HENDERSON, MADISON, MCDOWELL, MITCHELL, TRANSYLVANIA, WATAUGA, AND YANCEY COUNTIES**

- (a) Seven Days per Week Area
- (b) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.
- (c) Horseback riding is prohibited on the Black Bear (McDowell County), Linville River (Burke County), and Little Tablerock Tracts (Avery, McDowell, and Mitchell counties).
- (d) The use of bicycles shall be restricted to designated trails on the Linville River Tract (Burke County). Persons engaged in the act of hunting on the Linville River Tract during any open day of an applicable season for game birds or game animals shall be exempt from this restriction.
- (e) Alcohol and fires are prohibited in the Wilson Creek portion of Pisgah Game Land (Caldwell County)
- (f) Target shooting is prohibited on the Black Bear (McDowell County), Linville River (Burke County), and Little Tablerock Tracts (Avery, McDowell, and Mitchell counties).

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0276 SOUTH MOUNTAINS GAME LAND IN BURKE, CLEVELAND, MCDOWELL, AND RUTHERFORD COUNTIES**

- (a) Seven Days per Week Area
- (b) The Deer With Visible Antlers season for deer consists of the open hunting days from the Monday before Thanksgiving Day through the third Saturday after Thanksgiving. Deer of either sex may be taken with archery equipment on open days beginning the Saturday on or nearest September 10 through the Sunday immediately preceding the Blackpowder Firearms Season described in this rule and the Sunday immediately following the closing of Blackpowder Firearms Season described in this rule through the Sunday before Thanksgiving Day. Deer with visible antlers may be taken with archery equipment the Sunday immediately following the closing of the Deer With Visible Antlers Season, as described in this Part, through January 1. Deer of either sex may be taken with blackpowder firearms on open days beginning the Monday on or nearest October 1 through the Saturday of the second week thereafter.
- (c) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.
- (d) Horseback riding is prohibited except on designated trails during the following dates:
  - (1) January 2 through March 31;
  - (2) May 16 through August 31;
  - (3) Sundays only - April 1 through May 15; and
  - (4) Sundays only - September 1 through January 1.
- (e) Target shooting is prohibited.
- (f) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.
- (g) The maximum period of consecutive overnight camping at any posted and designated camping area is 14 days within any 30-day period.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

## **SUBCHAPTER 10E - FISHING AND BOATING ACCESS AREAS**

### **15A NCAC 10E .0104 USE OF AREAS REGULATED**

(a) No person shall leave any vehicle, boat trailer or other obstruction on any public fishing or boating access area in such a location, position or condition that prevents or impedes the use by other persons of any ramp or other facility constructed for the purpose of launching or landing boats or fishing.

(b) No person shall park a vehicle, boat, boat trailer, or other object at a public fishing or boating access area unless parking in a designated parking zone. Public fishing or boating access areas and facilities remain available for use when designated parking zones are at capacity. When designated parking zones are at capacity, any person may enter and use the areas or facilities, provided other arrangements for parking are made that do not violate this Rule or the regulations of this Subchapter, if applicable. No person shall operate a vehicle at a public fishing or boating access area in a manner that endangers life, limb, or property.

(c) No person shall possess a loaded firearm on any public fishing or boating access area, except that a handgun may be carried by an individual with a valid concealed handgun permit. The individual carrying a handgun must adhere to the requirements set forth in North Carolina G.S. 14-415.11, even if the state issuing the concealed handgun permit is not North Carolina. The permission to carry a handgun does not apply to access areas on the following game lands:

- (1) Bladen Lakes State Forest
- (2) Buckhorn
- (3) Butner-Falls of Neuse
- (4) Chatham
- (5) DuPont State Forest
- (6) Harris
- (7) Hyco
- (8) Jordan
- (9) Kerr Scott
- (10) Lee
- (11) Mayo
- (12) Pee Dee River north of U.S 74
- (13) Sutton Lake
- (14) Vance
- (15) the portion of R. Wayne Bailey-Caswell that is located north of U.S. 158 and east of N.C. 119

(d) No person, when using any public fishing or boating access area, shall deposit debris or refuse anywhere on the grounds of the area. No person, when using any public fishing or boating access area, shall do any act that is prohibited or neglect to do any act that is required by signs or markings placed on such area under authority of this Rule for the purpose of regulating the use of the area.

(e) No person shall operate a motorboat in the public waters of North Carolina within 50 yards of a Commission-owned or managed boat launching ramp at greater than "no wake" speed. For the purpose of this Rule, "no wake" speed means idling speed or a slow speed creating no appreciable wake.

(f) Except where facilities are ~~provided~~, provided or permits are ~~issued~~, it is unlawful to use any boating access area for purposes other than the launching and retrieving of vessels boats and parking vehicles ~~and boat with vessel~~ trailers. All other uses, including swimming, skiing, camping, building fires, operating concessions or other activities not directly involved with launching and retrieving of vessels boats are prohibited, except those activities activities, including fish weigh ins, for which the Commission has issued a permit permit. has been issued may be conducted, provided that the permit authorizing such activity is available for inspection by wildlife enforcement officers at the time the activity is taking place. All organized activities and events require a permit from the Commission and can be applied for at [www.ncwildlife.org](http://www.ncwildlife.org). Permits shall be available for inspection by wildlife enforcement officers at the time the activity is taking place.

(g) ~~Unless otherwise Except where facilities are provided and approved uses are posted, it is unlawful to use any public fishing area for purposes other than fishing. All prohibited uses and activities shall be posted including possession of loaded firearms (except as allowed in Paragraph (b) of this Rule), swimming, launching or mooring jet skis or boats, skiing, building fires, operating concessions, or other activities not directly associated with fishing.~~

(h) It is unlawful to feed or release animals or birds, domesticated animals and feral animals on public fishing or boating access areas without prior written authorization of the Wildlife Resources Commission. Written authorization will only be granted to persons acting on behalf of the Commission, to persons conducting scientific investigations or surveys, and for release of rehabilitated wildlife. Written authorization will not be granted for any feeding or release that is inimical to the conservation of native wildlife resources. For the purpose of enforcing this Paragraph, "domesticated animals" does not include pets under the control of the owner and raptors or hunting dogs where otherwise permitted for hunting or training purposes.

(i) The use of gasoline powered motors on Ethridge Pond Public Fishing Area and Newbold Pond Public Fishing Area in Edgecombe County is prohibited.

*Authority G.S. 75A-14; 113-134; 113-264.*

## **SUBCHAPTER 10H – REGULATED ACTIVITIES**

### **SECTION .1300 – REPTILES AND AMPHIBIANS**

#### **15A NCAC 10H .1301 ~~COMMERCIAL TAKE OF CERTAIN TURTLES PROHIBITED SALE OF NATIVE~~ TURTLES**

~~(a) For the purposes of this Rule, "commercial taking" means the taking, possession, collection, transportation, purchase, or sale of five or more individual turtles or any turtle part, per person in a calendar year.~~

(a) Buying or selling any native turtle species is prohibited except for snapping turtles (*Chelydra serpentina*) with a curved carapace length of 13 inches or greater as authorized by 15A NCAC 10B .0119.

~~(b) It shall be unlawful to engage in the commercial taking of any native turtle species in the families Emydidae or Trionychidae.~~

~~(e) The prohibition on commercial taking in this Rule shall not apply to the following:~~

- ~~(1) A licensed veterinarian when holding for purposes of medical treatment;~~
- ~~(2) A holder of a valid captivity permit for the purposes of rehabilitation;~~
- ~~(3) A publicly financed zoo, scientific research facility or institution of higher education, or any State or federal agency;~~
- ~~(4) Any person who accidentally collects five or more turtles incidental to any lawful activity, and who immediately returns them to the wild; or~~
- ~~(5) Property owners who legally apply for and receive depredation permits from the Wildlife Resources Commission, or one of its Wildlife Damage Control Agents.~~

~~(d) No native turtle shall be sold, except:~~

- ~~(1) as authorized by 10A NCAC 41A .0302; and~~
- ~~(2) snapping turtles (*Chelydra serpentina*) with a curved carapace length of 11 inches or greater.~~

~~(e)(b)~~ Violators shall be subject to a replacement cost per individual turtle that shall equal the replacement cost for "species with no open season" as set forth in 15A NCAC 10B .0117(c).

*Authority G.S. 113-333(a)(6).*

#### **15A NCAC 10H .1302 POSSESSION OF REPTILES AND AMPHIBIANS**

(a) Possession permits are required for the possession, importation, transportation, purchase, and sale per physical address of:

- (1) 25 or more individuals of any combination of native amphibian species; or
- (2) five or more individuals of native reptile species.

~~(b) Possession permits shall not be required for the possession, importation, transportation, purchase, and sale of:~~

- ~~(1) 24 or fewer individuals of any combination of native amphibian species; or~~
- ~~(2) four or fewer individuals of native reptile species.~~

(b) Possession permits are required for the rehabilitation of native reptiles and amphibians.

(c) Nothing in this Rule shall be construed to authorize the collection of any wildlife resources from the wild or the taking, possession, transportation, sale, purchase, or release to the wild of any wildlife resources or their parts in violation of State or federal laws or regulations.

(d) At no time shall permitted animals be released to the wild, except under situations of research or rehabilitation with written permission from the Wildlife Resources Commission.

~~(e) The sale of native turtles shall be unlawful, except as authorized by 10A NCAC 41A .0302 and snapping turtles (*Chelydra serpentina*) with a curved carapace length of 11 or greater.~~

~~(f)(c)~~ A possession permit shall not be issued for:

- (1) holding reptiles and amphibians that were acquired unlawfully;

- (2) holding reptiles and amphibians for unlawful sale or trade;
- (3) selling snapping turtles (*Chelydra serpentina*) less than 11 inches (curved carapace length); individuals collecting snapping turtles under the collection license set forth in 15A NCAC 10B .0119;
- (4) collecting five or more individual native turtles from the families Emydidae or Trionychidae from the wild in a given year, except those entities exempted from collection in Rule .1301(e) of this Section; collection of native reptiles and amphibians from the wild;
- (5) collecting five or more individuals in aggregate from other native reptile families or 25 or more individual amphibians from the wild in a given year without first having secured a valid Collection License;
- ~~(6)(5)~~ individuals in violation of the requirements of a collection license, as set forth in 15A NCAC 10B .0119, an endangered species permit, as set forth in 15A NCAC 10I .0100, or a possession permit as set forth in this Section; or
- ~~(7)(6)~~ individuals who do not first obtain possession permits prior to acquiring the following wildlife resources in Paragraph (a) of this Rule.

~~(g)(f)~~ The Unless a more limited duration is designated on the permit permit, possession permits shall be valid from January 1 through December 31 of the applicable year.

~~(h)(g)~~ Individuals permitted under this Rule shall submit a report to the Wildlife Resources Commission within 15 days following the date of permit expiration. The report shall contain the numbers of each species held under the permit and the use or disposition thereof.

(h) Any individual engaged in the purchased transportation and sale of more than 100 snapping turtles is required to have a possession permit. Permitted individuals shall submit the numbers of snapping turtles taken under the permit and the use or disposition thereof to the Wildlife Resources Commission within 15 days of permit expiration.

*Authority G.S. 113-274(c)(1c).*

#### **SECTION .1400 – WILDLIFE CAPTIVITY AND REHABILITATION**

##### **15A NCAC 10H .1402 CAPTIVITY LICENSE FOR REHABILITATION**

(a) A captivity license for rehabilitation shall be required for lawful possession of injured, crippled, or orphaned native wild animals or wild birds for the purpose of providing short term care and eventual release into the animal's natural habitat. A captivity license for rehabilitation shall not be issued for:

- (1) Endangered, threatened, or special concern species as defined by 15A NCAC 10I .0100. Rehabilitation of these species requires an endangered species permit from the Commission;
- (2) Domestic animals;

- (3) Feral swine;
- (4) Nutria;
- (5) Coyote;
- (6) Adult black bear; or
- (7) Adult white-tailed deer or elk;
- (8) Nine-banded armadillo; or
- (9) Eggs of upland game birds.

(b) A captivity license for rehabilitation shall not be issued for the purpose of holding wild animals or wild birds:

- (1) As pets;
- (2) For education, exhibition, or scientific purposes, except as provided in Rule .1403 of this Section;
- (3) For dog training;
- (4) For hunting; or
- (5) Acquired unlawfully.

(c) Individuals who do not possess a captivity license for rehabilitation may take temporary possession of injured, crippled, or orphaned wild animals or wild birds, provided they are surrendered to a North Carolina licensed veterinarian or an individual licensed under this Rule within 24 hours of taking possession of such animals.

(d) North Carolina licensed veterinarians providing medical care to sick, injured, or crippled wild animals or wild birds are not required to have a license for rehabilitation from the Commission. North Carolina licensed veterinarians without a captivity license for rehabilitation may hold wild animals or wild birds until the animal is medically stable. Once medically stable, the wild animal or wild bird shall be transferred to an individual possessing a captivity license for rehabilitation with the appropriate category for the given species. Licensed veterinarians rehabilitating wild animals or wild birds shall have a valid captivity license for rehabilitation.

(e) Individuals applying for a captivity license for rehabilitation that have never held this license in North Carolina or a similar license in another state shall be designated as an apprentice. The following requirements shall apply to an apprentice license:

- (1) On the application, the apprentice shall designate a mentor with a valid captivity license for rehabilitation in NC, who has held that license for two or more years;
- (2) An apprentice shall complete at least 12 months of supervised rehabilitation activities under a licensed rehabilitator; and
- (3) An apprentice license shall only authorize the possession of squirrels, rabbits, and opossums.

(f) Individuals applying for a captivity license for rehabilitation shall meet statutory and regulatory requirements, including those in G.S. 113-272.5 and all applicable rules of this Section. Individuals seeking to rehabilitate migratory birds shall provide proof of a valid and concurrent U.S. Fish and Wildlife Service Federal Migratory Bird Rehabilitation permit for each category of migratory birds to be rehabilitated. The Commission shall state on the captivity license for rehabilitation the categories of wild animals and wild birds that the individual is licensed to possess.

(g) Required facilities.

- (1) Individuals holding a captivity license for rehabilitation shall conduct their rehabilitation activities at the facility designated on their

license that meets the minimum standards set forth in the "Miller, E.A., edition. 2000. Minimum Standards for Wildlife Rehabilitation, 3rd edition. National Wildlife Rehabilitators Association, St. Cloud, MN. 116 pages. ISBN 1-931439-00-1." This publication is hereby incorporated by reference, excluding subsequent amendments and editions, and is available at no cost at [http://www.nwrawildlife.org/page/Minimum\\_Standards](http://www.nwrawildlife.org/page/Minimum_Standards).

- (2) All wild animals and wild birds undergoing rehabilitation shall be separated from pets, domestic animals, livestock, and non-native animals.
- (3) All wild animals shall be kept in separate enclosures by species.
- (4) Rehabilitation in a residence shall have designated, separate rooms used only for housing, treatment, and rehabilitation.
- (5) Handling of animals shall be for treatment only.

(h) Wild animals or wild birds showing symptoms of or believed to be infected with a zoonotic disease shall be euthanized or treated prior to release, based upon advice from a North Carolina licensed veterinarian.

(i) Release of rehabilitated wild animals and wild birds.

- (1) All rehabilitated wild animals and wild birds shall be released as soon as the animal can be expected to survive in the wild or has attained full recovery from illness or injury, as determined by the rehabilitator or a North Carolina licensed veterinarian.
- (2) Wild animals and wild birds may remain in a rehabilitation facility for no longer than 180 days. If a longer rehabilitation period is needed, the license holder shall notify the Commission in writing. The Commission shall consider extended rehabilitation on a case-by-case basis by evaluation, which may include the nature of the animal's condition and recommended treatment plan.
- (3) Wild animals and wild birds shall not be released on property owned by another unless the rehabilitator has written permission dated within the last 12 months from the landowner.
- (4) Wild animals or wild birds that are unfit shall be non-releasable and humanely euthanized.

However, the Commission shall consider transfer of wild animals and wild birds on a case-by-case basis when written authorization is requested from the Commission. The wild animal or wild bird shall only be transferred to an individual or facility with a captivity license for holding as set forth in Rule .1403 of this Section when written authorization is obtained from the Commission.

(j) Transfer of Animals.

- (1) Wild animals originating outside the State shall not be accepted for the purpose of rehabilitation unless written authorization is obtained from the Commission.

- (2) Wild animals received for rehabilitation may not be exported outside the State for the purpose of rehabilitation or release after rehabilitation unless written authorization is obtained from both the Commission and the state where the wild animal will be exported to or released from.
  - (3) It shall be unlawful for a license holder to sell any wild animal or wild bird being held under a license for rehabilitation.
  - (4) It shall be lawful for a license holder to transfer a wild animal or wild bird to another individual who possesses a valid captivity license for rehabilitation with the appropriate category for the given species or a wild bird to another individual with a valid permit for the given species.
- (k) White-tailed Deer Fawn.
- (1) Only individuals holding a captivity license for rehabilitation with the white-tailed deer fawn category may possess, rehabilitate, and release white-tailed deer fawns. To become licensed to rehabilitate white-tailed deer fawns, an individual shall meet all the requirements of the captivity license for rehabilitation.
  - (2) No white-tailed deer fawn shall be possessed until the applicant has constructed or acquired an enclosure for keeping fawn that complies with the standards set forth in Paragraph (g) of this Rule, and the facility has been verified by a representative of the Commission.
  - (3) Any white-tailed deer fawn held for more than 48 hours shall be permanently tagged using only Commission-provided tags.
  - (4) Orphaned white-tailed deer fawns shall be held for no longer than 90 days. Injured white-tailed deer fawns shall be held for no longer than 180 days or until December 31, whichever occurs first. If a longer rehabilitation period is needed, the license holder shall notify the Commission in writing. The Commission shall consider extended rehabilitation on a case-by-case basis. A fawn shall be considered an adult on December 31 of the birth year.
  - (5) Records of all white-tail deer fawn rehabilitation shall be maintained on a form, as set forth in Rule .1406 of this Section, and submitted to the Commission within 15 days of expiration of the license or prior to the request for reissuance of the license.
  - (6) Any individual or facility with the white-tailed deer category may not rehabilitate white-tailed fawn on properties licensed for farmed cervids.
- (l) Elk Calves.
- (1) Only individuals under a signed cooperative agreement with the Commission to meet conservation objectives shall be authorized to rehabilitate elk calves.
- (2) Individuals in a cooperative agreement with the Commission shall obtain a captivity license for rehabilitation with the elk calf category. To become licensed to rehabilitate elk calves, an individual shall meet all the requirements of the captivity license for rehabilitation.
  - (3) Any elk calves held for more than 48 hours shall be permanently tagged using only Commission-provided tags.
  - (4) Any individual or facility with the elk calf category may not rehabilitate elk calves on properties licensed for farmed cervids.
  - (5) No elk calf shall be possessed until the applicant has constructed or acquired an enclosure for keeping elk calves that complies with the standards set forth in Paragraph (g) of this Rule, and the facility has been verified by a representative of the Commission.
  - (6) Records of all elk calf rehabilitation shall be maintained on a form, as set forth in Rule .1406 of this Section, and submitted to the Commission within 15 days of expiration of the license or prior to the request for reissuance of the license
- (m) Black Bear Cubs.
- (1) Only individuals under a signed cooperative agreement with the Commission to meet conservation objectives shall be authorized to rehabilitate black bear cubs.
  - (2) Individuals in a cooperative agreement with the Commission shall obtain a captivity license for rehabilitation with the black bear category. To become licensed to rehabilitate black bear cubs, an individual shall meet all the requirements of the captivity license for rehabilitation.
  - (2) No black bear shall be possessed until the applicant has constructed or acquired an enclosure for keeping black bear that complies with the standards set forth in Paragraph (g) of this Rule, and the facility has been verified by a representative of the Commission.
- (n) Rabies Species.
- (1) Only individuals holding a captivity license for rehabilitation with the rabies species category may possess, rehabilitate, or release rabies species. To become licensed to rehabilitate rabies species, an individual shall meet all requirements of the general captivity license for rehabilitation and shall:
    - (A) have held an active rehabilitation license within or outside of the State for at least the previous three years and have rehabilitated during that time;
    - (B) certify 12 hours of rabies or rabies species-specific training or a combination thereof;
    - (C) certify up-to-date rabies immunization in accordance with current Advisory Committee on Immunization Practices

- of the Centers for Disease Control and Prevention at [www.CDC.gov](http://www.CDC.gov) for any rehabilitator, staff member or volunteer, who may come in contact with rabies species. Proof of immunization to demonstrate that the vaccine was administered shall be provided upon the request of the Commission or authorized representative and shall be kept at the license holder's facility;
- (D) provide the name and contact information of a North Carolina licensed veterinarian with whom the rehabilitator has consulted and who agrees to provide necessary medical treatment to the rabies species. Contact information for the veterinarian shall be posted at the facility where the rabies species are being rehabilitated;
- (E) certify notification to the appropriate animal control authority and local health department prior to making application to the Commission, to inform them of their anticipated activities and location. Contact information for these agencies shall be posted at the facility where the rabies species are being rehabilitated.
- (F) have separate facilities from non-rabies species adequate for the species to be rehabilitated. Enclosures within the facility shall prevent escape of the animal and exposure to people, pets, livestock, and other captive or free-ranging wildlife. Exterior caging shall be locked and surrounded by double fencing or a solid wall barrier; and
- (G) coordinate with appropriate local health department regarding euthanasia and testing of rabies species. A written protocol for testing shall be posted at the facility and made available for inspection by the Commission upon request.
- (2) Except for bats, rehabilitation and release of rabies species is not authorized in counties where the United States Department of Agriculture-Animal and Plant Health Inspection Service Oral Rabies Vaccination (ORV) program is conducted, as specified by the United States Department of Agriculture-Animal and Plant Health Inspection Service at [www.aphis.usda.gov](http://www.aphis.usda.gov).
- (3) Except as otherwise specified in this Section, rabies species shall not be removed from their containment except for treatment, release, maintenance of the enclosure, or euthanasia.

- (4) Rehabilitated rabies species must be released in either the county where they were rehabilitated or the county where they were found.
- (5) All rabies species shall be considered potentially infected with the rabies virus. If any human or domestic animal has been scratched, bitten, or exposed to saliva, the fluid that surrounds the brain and spinal cord, or brain and spinal cord material from any rabies species, the license holder shall contact the local Health Department immediately to report the incident. The local Health Department may require euthanasia of the animal and submission of the brain for rabies testing. Rehabilitators shall abide by all requests made by authorized public health department personnel, animal control, or Commission personnel regarding disposition of the animal. No rabies species that has scratched or bitten a human or domestic animal or dies in captivity can be released or disposed of until the local Health Department investigates the situation to determine if testing is necessary.
- (6) Records of all rabies species rehabilitation shall be maintained on a form, as described in Rule .1406 of this Section, and submitted to the Commission within 15 days of expiration of the license or prior to the request for reissuance of the license.

*Authority G.S. 106-549.97(b); 113-134; 113-272.5; 113-274.*

\*\*\*\*\*

*Notice is hereby given in accordance with G.S. 150B-21.2 that the Wildlife Resources Commission intends to adopt the rules cited as 15A NCAC 10D .0201-.0203, .0206, .0208, .0210, .0211, .0213-.0222, .0224, .0227, .0228, .0232, .0233, .0237, .0241, .0245-.0252, .0254-.0259, .0261, .0267, .0270-.0272, .0275, .0277-.0279, .0282-.0286, .0288, .0292, .0293 and amend the rule cited as 15A NCAC 10D .0103.*

**Link to agency website pursuant to G.S. 150B-19.1(c):**  
<https://www.ncwildlife.org/Proposed-Regulations>

**Proposed Effective Date:** August 1, 2022

**Date:** January 11, 2022

**Time:** 7:00 p.m.

**Location:** New Bern, NC (Courthouse, room 4) 302 Broad St, New Bern, NC.

**Public Hearing:**

**Date:** January 13, 2022

**Time:** 7:00 p.m.

**Location:** Asheboro, NC (Southwest Randolph High School, Auditorium) 1641 Hopewell Friends Rd, Asheboro, NC 27205.

**Date:** January 18, 2022

**Time:** 7:00 p.m.

**Location:** Marion, NC (McDowell Technical College) 54 College Dr., Marion, NC 28752. The auditorium is located in the Cedar Building

**Date:** January 20, 2022

**Time:** 7:00 p.m.

**Location:** Register Online at [https://ncwildlife.org.zoomgov.com/webinar/register/WN\\_xHH2QrJXSJig4fEH0-0qgQ](https://ncwildlife.org.zoomgov.com/webinar/register/WN_xHH2QrJXSJig4fEH0-0qgQ) Webinar ID 160 983 2165 US: +1 669 254 5252 or 833 568 8864 (Toll Free)

**Reason for Proposed Action:** As part of the edits to 10D .0103 during the annual cycle, the Commission is proposing to split out all of the game lands into their own individual rules. This will simplify any changes that need to be made to game lands in the future. These game lands have no changes and are pulled exactly as written from the current 10D .0103 temporary rule.

10D .0103 is under legislative review. The temporary version and the version under review are both included in the annual cycle package. The agency is unsure which version will have to be amended at this time.

**Comments may be submitted to:** Rulemaking Coordinator, 1701 Mail Service Center, Raleigh, NC 27699; email [regulations@ncwildlife.org](mailto:regulations@ncwildlife.org)

**Comment period ends:** January 31, 2022

**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 984-236-1850.

**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 10 - WILDLIFE RESOURCES AND WATER SAFETY

### SUBCHAPTER 10D - GAME LANDS REGULATIONS

## SECTION .0100 - GAME LANDS REGULATIONS

### 15A NCAC 10D .0103 ~~HUNTING ON GAME LANDS~~ GENERAL REGULATIONS REGARDING HUNTING ON GAME LANDS

(a) Safety Requirements. No person while hunting on any designated game land shall be under the influence of alcohol or any narcotic drug, or fail to comply with restrictions enacted by the National Park Service regarding the use of the Blue Ridge Parkway where it adjoins game lands listed in this Rule.

(b) Traffic Requirements. No person shall park a vehicle on game lands in such a manner as to block traffic or gates, or otherwise prevent vehicles from using any roadway.

(c) Tree Stands. It is unlawful to erect or to occupy, for the purpose of hunting, any tree stand or platform attached by nails, screws, bolts, or wire to a tree on any game land designated herein. This prohibition does not apply to lag-screw steps or portable stands that are removed after use with no metal remaining in or attached to the tree.

(d) Time and Manner of Taking. Hunting is allowed on game lands only during the open season for game animals and game birds, unless hunting is allowed by permit. Individual game lands or parts thereof may be closed to hunting or limited to specific dates by this Chapter. Persons shall hunt only with weapons lawful for the open game animal or game bird seasons. ~~On managed waterfowl impoundments, persons shall:~~

- ~~(1) not enter the posted impoundment areas earlier than 4:00 a.m. on the permitted hunting dates;~~
- ~~(2) not hunt after 1:00 p.m. on such hunting dates;~~
- ~~(3) not set decoys out prior to 4:00 a.m.;~~
- ~~(4) remove decoys by 3:00 p.m. each day; and~~
- ~~(5) not operate any vessel or vehicle powered by an internal combustion engine.~~

(1) On managed waterfowl impoundments, persons shall:

- (A) not enter the posted impoundment areas earlier than 4:00 a.m. on the permitted hunting dates;
- (B) not hunt after 1:00 p.m. on such hunting dates;
- (C) not set decoys out prior to 4:00 a.m.;
- (D) remove decoys by 3:00 p.m. each day; and
- (E) not operate any vessel or vehicle powered by an internal combustion engine.

(2) On Sundays, the following shall be prohibited:

- (A) hunting with a firearm between 9:30 a.m. and 12:30 p.m.
- (B) the use of a firearm to take deer that are run or chased by dogs;
- (C) hunting with a firearm within 500 yards of a place of religious worship, as defined by G.S. 14-54.1(b), or any accessory structure thereof, and
- (D) hunting migratory game birds.

On designated youth waterfowl days, youths may hunt on managed waterfowl impoundments from ½ hour before sunrise to sunset. On designated veterans and military waterfowl days,



veterans, as defined in 38 USC 101, and members of the Armed Forces on active duty, including members of the National Guard and Reserves on active duty other than for training, with valid credentials may hunt on game lands and impoundments not designated as permit-only areas from ½ hour before sunrise to sunset. Restrictions ~~(4)~~, (1)(A), (1)(C), (3), and ~~(5)(1)(E)~~ in this Paragraph shall apply. On waterfowl impoundments that have a posted "Scouting-only Zone," trapping during the trapping season and waterfowl hunting on designated waterfowl hunting days are the only activities allowed on the portion of the impoundment outside of the posted "Scouting-only Zone." ~~No person shall attempt to obscure the sex or age of any bird or animal taken by severing the head or any other part thereof, or possess any bird or animal that has been so mutilated. No person shall place, or cause to be placed on any game land, salt, grain, fruit, or other foods without prior written authorization of the Commission or its agent. A decision to grant or deny authorization shall be made based on the best management practices for the wildlife species in question. No person shall take or attempt to take any game birds or game animals attracted to such foods.~~

(e) Definitions:

- (1) For purposes of this Section, "Dove Only Area" refers to a Game Land on which doves may be taken and dove hunting is limited to Mondays, Wednesdays, Saturdays, Thanksgiving Day, Christmas Day, and New Year's Days within the federally-announced season.
- (2) For purposes of this Section, "Three Days per Week Area" refers to a Game Land on which any game may be taken during the open seasons and hunting is limited to Mondays, Wednesdays, Saturdays, Thanksgiving Day, Christmas Day, and New Year's Days, except for game lands in this Rule that specifically allow hunting on Tuesdays, Thursday, and Fridays. Falconry may also be practiced on Sundays. These "open days" also apply to either-sex deer hunting seasons listed under each game land. Raccoon and opossum hunting may continue until 7:00 a.m. on Tuesdays, until 7:00 a.m. on Thursdays, and until midnight on Saturdays.
- (3) For purposes of this Section, "Six Days per Week Area" refers to a Game Land on which any game may be taken on the open days of Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday during the open seasons.
- (4) For purposes of this Section, "Seven Days per Week Area" refers to a Game Land on which game may be taken during the open season on Mondays, Tuesdays, Wednesdays, Thursdays, Fridays, Saturdays, and Sundays.
- (5) For purposes of this Section, "Four Days per Week Area" refers to a Game Land on which any game may be taken during the open seasons and hunting is limited to Tuesdays, Thursdays, Saturdays, and Sundays. Raccoon and opossum hunting may continue until 7:00 a.m. on

Wednesdays, 7:00 a.m. on Fridays, and 7:00 a.m. on Mondays.

(f) Hunting with Dogs on Game Lands. Deer shall not be taken with the use of dogs on game lands in counties or parts of counties where taking deer with dogs is prohibited as described in 15A NCAC 10B .0109.

(g) The listed seasons and restrictions apply in the following game lands:

- (1) ~~Aleco Game Land in Davidson, Davie, Montgomery, Rowan, and Stanly counties~~
  - ~~(A) Six Days per Week Area~~
  - ~~(B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter in that portion in Montgomery county, and deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season in those portions in Davidson, Davie, Rowan, and Stanly counties.~~
  - ~~(C) On the Lick Creek Tract, deer and bear hunting is archery only.~~
- (2) ~~Alligator River Game Land in Tyrrell County~~
  - ~~(A) Six Day per Week Area~~
  - ~~(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
  - ~~(C) Bear may only be taken the first three hunting days during the November Bear Season and the three hunting days during the second week of the December Bear Season.~~
- (3) ~~Angola Bay Game Land in Duplin and Pender counties~~
  - ~~(A) Six Days per Week Area~~
  - ~~(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
  - ~~(C) Target shooting is prohibited.~~
- (4) ~~Bachelor Bay Game Land in Bertie, Martin, and Washington counties~~
  - ~~(A) Six Days per Week Area~~
  - ~~(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
  - ~~(C) Target Shooting is prohibited.~~
- ~~(5)(1)~~ Bertie County Game Land in Bertie County
  - (A) Six Days per Week Area
  - (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
  - (C) Target Shooting is prohibited.
- ~~(6)(2)~~ Bladen Lakes State Forest Game Land in Bladen County
  - (A) Three Days per Week Area
  - (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.

- (C) Except for blackpowder firearms, rifles larger than .22 caliber rimfire shall not be used.
- (D) On the Singletary Lake Tract, the use of dogs for hunting deer and bear is prohibited.
- (E) Wild turkey hunting on the Singletary Lake Tract is by permit only.
- (F) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.
- (G) The use of dogs for pursuing or taking foxes shall be prohibited from February 15 through August 1.
- (7) **Brinkleyville Game Land in Halifax County**
  - (A) Six Days per Week Area
  - (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.~~
  - (C) ~~Horseback riding is prohibited.~~
  - (D) ~~Target Shooting is prohibited.~~
- (8) **Brunswick County Game Land in Brunswick County**
  - (A) ~~Hunting is by permit only.~~
  - (B) ~~The use of dogs for hunting deer is prohibited.~~
- (9)(3) **Buckhorn Game Land in Orange County**
  - (A) Hunting is by permit only.
  - (B) Horseback riding is prohibited.
- (10) **Buckridge Game Land in Tyrrell County.**
  - (A) Three Days per Week Area
  - (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
  - (C) ~~Bear may only be taken the first three hunting days during the November Bear Season and the first three hunting days of the second week of the December Bear Season. If any of these days falls on a Tuesday, Friday or Saturday, bear hunting is allowed on those days.~~
  - (D) ~~Target shooting is prohibited.~~
- (11) **Buffalo Cove Game Land in Caldwell and Wilkes Counties**
  - (A) Six Days per Week Area
  - (B) ~~The Deer With Visible Antlers season for deer consists of the open hunting days from the Monday before Thanksgiving Day through the third Saturday after Thanksgiving. Deer of either sex may be taken with archery equipment on open days beginning the Saturday on or nearest September 10 to the third Saturday thereafter, and Monday on or nearest October 15 to~~
- ~~the Saturday before Thanksgiving Day. Deer with visible antlers may be taken with archery equipment the Monday immediately following the closing of the Deer With Visible Antlers Season, as described in this Part, through January 1. Deer of either sex may be taken with blackpowder firearms on open days beginning the Monday on or nearest October 1 through the Saturday of the second week thereafter.~~
- (C) ~~Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.~~
- (D) ~~Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15.~~
- (12) **Bullard and Branch Hunting Preserve Game Lands in Robeson County**
  - (A) Three Days per Week Area
  - (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (13)(4) **Butner - Falls of Neuse Game Land in Durham, Granville, and Wake counties**
  - (A) Six Days per Week Area
  - (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.~~
  - (C) Waterfowl shall be taken only on:
    - (i) the opening and closing days of the applicable waterfowl seasons;
    - (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
    - (iii) Tuesdays, Thursdays, and Saturdays of the applicable waterfowl seasons.

On the posted waterfowl impoundments a special permit is required for all waterfowl hunting after November 1.
  - (D) Horseback riding is prohibited.
  - (E) Target shooting is prohibited.
  - (F) Wild turkey hunting is by permit only, except on those areas posted as an archery zone.
  - (G) The use of dogs for hunting deer is prohibited on that portion west of NC 50 and south of Falls Lake.
  - (H) The use of bicycles is restricted to designated areas, except that this restriction does not apply to hunters engaged in the act of hunting during

- the open days of the applicable seasons for game birds and game animals. On designated bicycle riding areas, the use of bicycles is allowed from May 15 through August 31, and on Sundays only from September 1 through May 14.
- (I) Camping and the presence of campers and tents in designated Hunter Camping Areas are limited to September 1 through the last day of February and March 31 through May 14.
- (J) Camping is allowed at any time in the designated Mountains-to-Sea Trail Camping Area and shall not exceed a maximum stay of two consecutive nights. Campfires are prohibited in this camping area.
- (14)(5) Buxton Woods Game Land in Dare County:
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.
- (C) Target shooting is prohibited.
- (15) ~~Cape Fear River Wetlands Game Land in Pender County~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (C) ~~Turkey Hunting is by permit only on that portion known as the Roan Island Tract.~~
- (D) ~~The use of dogs for hunting deer is prohibited on the portion of the game land that is west of the Black River, north of Roan Island, east of Lyon Swamp Canal to Canetuck Road, and south of NC 210 to the Black River.~~
- (E) ~~Target shooting is prohibited.~~
- (16) ~~Carteret County Game Land in Carteret County~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.~~
- (C) ~~The use of dogs for hunting deer is prohibited.~~
- (D) ~~Bear hunting on the Salters Creek Tract is by permit only.~~
- (17) ~~R. Wayne Bailey-Caswell Game Land in Caswell County~~
- (A) ~~Three Days per Week Area~~
- (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Wednesday thereafter.~~
- (C) ~~Horseback riding is allowed only during June, July, and August, and on Sundays during the remainder of the year except during open turkey and deer seasons. Horseback riding is allowed only on roads opened to vehicular traffic and on those gated roads and trails that are posted for equestrian use. People age 16 or older horseback riding on this game land shall possess a Game Lands license.~~
- (D) ~~The area encompassed by the following roads is permit only for all quail and woodcock hunting, and all bird dog training: From Yanceyville south on NC 62 to the intersection of SR 1746, west on SR 1746 to the intersection of SR 1156, south on SR 1156 to the intersection of SR 1783, east on SR 1783 to the intersection of NC 62, north on NC 62 to the intersection of SR 1736, east on SR 1736 to the intersection of SR 1730, east on SR 1730 to NC 86, north on NC 86 to NC 62.~~
- (E) ~~On the posted waterfowl impoundment, waterfowl hunting is by permit only after November 1.~~
- (F) ~~Camping and the presence of campers and tents in designated Hunter Camping Areas are limited to September 1 through the last day of February and March 31 through May 14.~~
- (G) ~~Target shooting is prohibited, except at the R. Wayne Bailey-Caswell Shooting Range.~~
- (18) ~~Chatham Game Land in Chatham County~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.~~
- (C) ~~Wild turkey hunting is by permit only.~~
- (D) ~~Horseback riding is allowed only during June, July, and August, and on Sundays during the remainder of the year except during open turkey and deer seasons.~~
- (E) ~~Target shooting is prohibited.~~
- (19) ~~Chowan Game Land in Chowan County~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the days of the applicable Deer With Visible Antlers Season.~~
- (20) ~~Chowan Swamp Game Land in Bertie, Gates, and Hertford counties.~~
- (A) ~~Six Days per Week Area~~

- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (C) ~~Bear hunting is restricted to the first three hunting days during the November bear season and the first three hunting days during the second week of the December bear season except that portion of Chowan Swamp Game Land in Gates County that is east of Highway 158/13, south of Highway 158, west of Highway 32, and north of Catherine Creek and the Chowan River where the bear season is the same as the season dates for the Gates County bear season.~~
- (D) ~~Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.~~
- (E) ~~Horseback riding is prohibited except during May 16 through August 31 and on Sundays only September 1 through May 15 on those roads that are open to vehicular traffic and on those gated roads and trails posted for equestrian use.~~
- (F) ~~Target shooting is prohibited.~~
- (21) ~~Cold Mountain Game Land in Haywood County~~
  - (A) ~~Six Days per Week Area~~
  - (B) ~~Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15.~~
  - (C) ~~Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.~~
- (22) ~~Columbus County Game Land in Columbus County.~~
  - (A) ~~Three Days per Week Area~~
  - (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
  - (C) ~~Deer hunting on the Campbell Tract shall be by permit only.~~
- (23) ~~Croatan Game Land in Carteret, Craven, and Jones counties~~
  - (A) ~~Six Days per Week Area~~
  - (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
  - (C) ~~Waterfowl shall be taken only on the following days:~~
    - (i) ~~the opening and closing days of the applicable waterfowl seasons;~~
- (ii) ~~Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and~~
- (iii) ~~Tuesdays and Saturdays of the applicable waterfowl seasons.~~
- (D) ~~Beginning on the first open waterfowl day in October through the end of all waterfowl seasons, waterfowl hunting from designated Disabled Sportsmen blinds on the Catfish Lake Waterfowl Impoundment is by permit only.~~
- (E) ~~Dove hunting is by permit only for the first two open days of dove season on posted areas. During the rest of dove season, no permit is required to hunt doves.~~
- (24) ~~Currituck Banks Game Land in Currituck County~~
  - (A) ~~Six Days per Week Area~~
  - (B) ~~Permanent waterfowl blinds in Currituck Sound on these game lands shall be hunted by permit only from November 1 through the end of all waterfowl seasons.~~
  - (C) ~~Licensed hunting guides may accompany the permitted individual or party provided the guides do not use a firearm.~~
  - (D) ~~The boundary of the game land shall extend 5 yards from the edge of the marsh or shoreline.~~
  - (E) ~~Dogs are allowed only for waterfowl hunting by permitted waterfowl hunters on the day of their hunt.~~
  - (F) ~~No screws, nails, or other objects penetrating the bark shall be used to attach a tree stand or blind to a tree.~~
  - (G) ~~Deer of either sex may be taken all the days of the applicable Deer With Visible Antlers season.~~
- (25)(6) ~~Dan River Game Land in Rockingham County~~
  - (A) ~~Three Days per Week Area~~
  - (B) ~~Deer hunting is by permit only.~~
  - (C) ~~Wild turkey hunting is by permit only.~~
  - (D) ~~Horseback riding is prohibited except on those areas posted for equestrian use. People age 16 or older horseback riding on this game land must possess a Game Lands license.~~
  - (E) ~~Target shooting is prohibited.~~
- (26) ~~Dare Game Land in Dare and Hyde counties~~
  - (A) ~~Six Days per Week Area~~
  - (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.~~
  - (C) ~~No hunting is allowed on posted parts of bombing range.~~

- (D) ~~The use and training of dogs is prohibited from March 1 through June 30.~~
- (27)(7) ~~Dover Bay Game Land in Craven County~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the days of the applicable Deer With Visible Antlers season.~~
- (28) ~~DuPont State Forest Game Lands in Henderson and Transylvania counties~~
- (A) ~~Hunting is by permit only.~~
- (B) ~~The training and use of dogs for hunting is prohibited except by special hunt permit holders during scheduled permit hunts.~~
- (29) ~~Elk Knob Game Land in Watauga County~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.~~
- (30) ~~Embro Game Land in Halifax and Warren counties~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.~~
- (C) ~~Horseback riding is prohibited.~~
- (D) ~~Target Shooting is prohibited.~~
- (31) ~~Goose Creek Game Land in Beaufort and Pamlico counties~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (C) ~~Except as provided in Part (D) of this Subparagraph, waterfowl in posted waterfowl impoundments shall be taken only on the following days:~~
- (i) ~~the opening and closing days of the applicable waterfowl seasons;~~
- (ii) ~~Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and~~
- (iii) ~~Tuesdays and Saturdays of the applicable waterfowl seasons.~~
- (D) ~~Beginning on the first open waterfowl season day in October through the end of all waterfowl seasons, waterfowl hunting is by permit only on the following waterfowl impoundments: Pamlico Point, Campbell Creek, Hunting Creek, Spring Creek, Smith Creek, and Hobucken.~~
- (E) ~~On Pamlico Point and Campbell Creek Waterfowl Impoundments all~~
- ~~activities, except waterfowl hunting on designated waterfowl hunting days and trapping during the trapping season, are restricted to the posted Scouting-only Zone during the period November 1 through March 15.~~
- (F) ~~Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.~~
- (G) ~~Hunting and vehicular access on the Parker Farm Tract is restricted from September 1 through January 1 and April 1 through May 15 to individuals that possess a valid hunting opportunity permit.~~
- (H) ~~Pursuing or chasing deer or bear with dogs for the purposes of training or hunting is prohibited on the Beaufort County portion north of NC 33 except for that portion east of Smith Creek and south of Campbell Creek.~~
- (I) ~~Bear shall not be harvested on Sunday.~~
- (32) ~~Green River Game Land in Henderson, and Polk counties~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.~~
- (C) ~~Horseback riding is prohibited.~~
- (33)(8) ~~Green Swamp Game Land in Brunswick County~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (C) ~~On that portion north of Big Macedonia Road, east of Makatoka Road, south of Little Macedonia Road, and west of Green Swamp Road, hunting and trapping is by permit only.~~
- (D) ~~Pursuing or chasing deer or bear with dogs for the purposes of training or hunting is prohibited on that portion of the game land that is north of Big Macedonia Road, east of Makatoka Road, south of Little Macedonia Road, and west of Green Swamp Road.~~
- (34) ~~Gull Rock Game Land in Hyde County~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (C) ~~Waterfowl on posted waterfowl impoundments shall be taken only on the following days:~~

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| <p>(i) <del>the opening and closing days of the applicable waterfowl seasons; and</del></p> <p>(ii) <del>Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and</del></p> <p>(iii) <del>Tuesdays and Saturdays of the applicable waterfowl season.</del></p> <p>(D) <del>Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas designated and posted as camping areas.</del></p> <p>(E) <del>Bear may only be taken the first three hunting days during the November Bear Season and the first three hunting days during the second week of the December Bear Season, except for that portion designated as bear sanctuary.</del></p> <p>(35) <del>Harris Game Land in Chatham, Harnett, and Wake counties</del></p> <p>(A) <del>Six Days per Week Area</del></p> <p>(B) <del>Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.</del></p> <p>(C) <del>Waterfowl shall be taken only on the following days:</del></p> <p style="padding-left: 20px;">(i) <del>Tuesdays, Fridays, and Saturdays of the applicable waterfowl seasons;</del></p> <p style="padding-left: 20px;">(ii) <del>Thanksgiving, Christmas, and New Year's Days; and</del></p> <p style="padding-left: 20px;">(iii) <del>the opening and closing days of the applicable waterfowl seasons.</del></p> <p>(D) <del>The use or construction of permanent hunting blinds shall be prohibited.</del></p> <p>(E) <del>Wild turkey hunting is by permit only, except on those areas posted as an archery zone.</del></p> <p>(F) <del>Target shooting is prohibited.</del></p> <p>(G) <del>Horseback riding is prohibited.</del></p> <p>(36)(9) <del>Headwaters State Forest Game Land in Transylvania County</del></p> <p style="padding-left: 20px;">(A) <del>Six Days per Week Area</del></p> <p style="padding-left: 20px;">(B) <del>Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season</del></p> <p>(37)(10) <del>Hill Farm Game Land in Stokes County-</del><br/> <del>hunting and trapping is by permit only.</del></p> <p>(38)(11) <del>Holly Shelter Game Land in Pender County</del></p> <p style="padding-left: 20px;">(A) <del>Six Days per Week Area</del></p> <p style="padding-left: 20px;">(B) <del>Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.</del></p> <p style="padding-left: 20px;">(C) <del>Waterfowl may be taken only on the following days:</del></p> | <p>(i) the opening and closing days of the applicable waterfowl seasons;</p> <p>(ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and</p> <p>(iii) Tuesdays and Saturdays of the applicable waterfowl seasons.</p> <p>(D) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas designated and posted as camping areas.</p> <p>(E) On that portion north of the Bear Garden Road, west of Shaw Road to Baby Branch, east of the Northeast Cape Fear River, south of NC 53 and west of NC 50, deer hunting and bear hunting are permit only.</p> <p>(F) The use of dogs for hunting deer and bear is prohibited:</p> <p style="padding-left: 20px;">(i) all open days on that portion of the game land that is south of Baby Branch extending west to Stag Park Road, west of Shaw Road, north of Meeks Road extending west to Stag Park Road and east of Stag Park Road; and</p> <p style="padding-left: 20px;">(ii) on Tuesdays, Thursdays, and Fridays, with the exception of Thanksgiving, Christmas, and New Year's days, and except for the area north of Bear Garden Road, west of Shaw Road to Baby Branch, east of the Northeast Cape Fear River, south of NC 53 and west of NC 50, where the use of dogs for deer and bear hunting is by permit only.</p> <p>(G) Hunting and vehicular access on the Pender 4 Tract is restricted from September 1 to the last day of February and April 1 to May 15 to individuals that possess valid hunting opportunity permits, unless otherwise authorized by the Wildlife Resources Commission.</p> <p>(H) Hunters who possess a Disabled Access Permit may operate an All Terrain Vehicle on and within 100 yards of trails designated for Disabled Sportsman Access.</p> <p>(I) Target shooting is prohibited, except on the Holly Shelter Shooting Range.</p> |
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- (J) Geocaching is restricted to closed days for taking bear, deer, turkey, and waterfowl.
- (39) ~~Hyco Game land in Person County~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.~~
- (C) ~~Target shooting is prohibited.~~
- (40)(12) ~~J. Morgan Futch Game Land in Tyrrell County - hunting and trapping is by permit only.~~
- (41) ~~Johns River Game Land in Burke County~~
- (A) ~~Hunting is by permit only.~~
- (B) ~~During permitted deer hunts, deer of either sex may be taken by permit holders.~~
- (C) ~~Entry on posted waterfowl impoundments is prohibited October 1 through March 31, except by lawful waterfowl hunting permit holders and only on those days written on the permits.~~
- (D) ~~The use or construction of permanent hunting blinds is prohibited.~~
- (E) ~~Camping and the presence of campers and tents in designated Hunter Camping Areas is limited to August 31 through the last day of February and March 31 through May 14.~~
- (42) ~~Jordan Game Land in Chatham, Durham, Orange, and Wake counties~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (C) ~~Waterfowl may be taken only on:~~
- (i) ~~Mondays, Wednesdays, and Saturdays of the applicable waterfowl seasons;~~
- (ii) ~~Thanksgiving, Christmas, and New Year's Days; and~~
- (iii) ~~the opening and closing days of the applicable waterfowl seasons.~~
- (D) ~~Horseback riding, including all equine species, is prohibited except allowed only on those areas posted as American Tobacco Trail and other areas posted for equestrian use. Unless otherwise posted, horseback riding is permitted on posted portions of the American Tobacco Trail anytime the trail is open for use. On all other trails posted for equestrian use, horseback riding is allowed seven days per week from May 16 through August 31, only during June, July, and August, and on Sundays only from September 1 through May 15, the remainder of the year except during open turkey and deer seasons. People age 16 or older must obtain who ride horseback on trails occurring entirely within the game land boundaries shall possess a Game Lands license, license prior to engaging in horseback riding on any area other than the American Tobacco Trail.~~
- (E) ~~Target shooting is prohibited.~~
- (F) ~~Wild turkey hunting is by permit only, except on those areas posted as an Archery Zone.~~
- (G) ~~The use of bicycles is restricted to designated areas, except that this restriction does not apply to hunters engaged in the act of hunting during the open days of the applicable seasons for game birds and game animals.~~
- (43) ~~Juniper Creek Game Land in Brunswick and Columbus counties~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the open days of the Deer With Visible Antlers Season.~~
- (C) ~~Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.~~
- (44)(13) ~~Kerr Scott Game Land in Wilkes County~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Use of centerfire rifles is prohibited.~~
- (C) ~~Use of blackpowder firearms, shotguns, or rifles for hunting deer during the applicable Deer With Visible Antlers Season is prohibited.~~
- (D) ~~Tree stands shall not be left overnight; and no screws, nails, or other objects penetrating the bark shall be used to attach a tree stand or blind to a tree.~~
- (E) ~~Deer of either sex may be taken on all open days of the applicable Deer With Visible Antlers season.~~
- (F) ~~Hunting on posted waterfowl impoundments is by permit only.~~
- (G) ~~The use of firearms for hunting wild turkey is prohibited.~~
- (45)(14) ~~Lantern Acres Game Land in Tyrrell and Washington counties~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (C) ~~Wild turkey hunting is by permit only.~~
- (D) ~~The use of dogs for hunting deer on the Godley Tract is prohibited.~~

- (E) Waterfowl hunting on posted waterfowl impoundments is by permit only.
- (46) ~~Lee Game Land in Lee County~~  
 (A) ~~Six Days per Week Area~~  
 (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.~~  
 (C) ~~Target shooting is prohibited.~~
- (47) ~~Light Ground Pocosin Game Land in Pamlico County~~  
 (A) ~~Six Days per Week Area~~  
 (B) ~~Deer of either sex may be taken all the open days of the applicable Deer with Visible Antlers Season.~~
- (48) ~~Linwood Game Land in Davidson County~~  
 (A) ~~Six Days per Week Area~~  
 (B) ~~Deer of either sex may be taken on all of the open days of the applicable Deer With Visible Antlers Season.~~
- (49) ~~Lower Fishing Creek Game Land in Edgecombe and Halifax counties~~  
 (A) ~~Six Days per Week Area~~  
 (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.~~  
 (C) ~~Horseback riding is prohibited.~~  
 (D) ~~The use of dogs for hunting deer is prohibited.~~  
 (F) ~~Target Shooting is prohibited.~~
- (50) ~~Mayo Game Land in Person County~~  
 (A) ~~Six Days per Week Area~~  
 (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.~~  
 (C) ~~Waterfowl shall be taken only on:~~  
     (i) ~~Tuesdays, Thursdays, and Saturdays applicable waterfowl seasons;~~  
     (ii) ~~Christmas and New Year's Days; and~~  
     (iii) ~~the opening and closing days of the applicable waterfowl seasons.~~  
 (D) ~~Target shooting is prohibited.~~
- (51) ~~Mitchell River Game Land in Surry County~~  
 (A) ~~Three Days per Week Area~~  
 (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Wednesday thereafter.~~  
 (C) ~~Horseback riding is prohibited except on designated trails May 16 through August 31, and all horseback riding is prohibited from September 1 through May 15.~~
- (52) ~~Nantahala Game Land in Cherokee, Clay, Graham, Jackson, Macon, Swain, and Transylvania counties~~  
 (A) ~~Six Days per Week Area~~  
 (B) ~~Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season in that portion located in Transylvania County.~~
- (53) ~~Needmore Game Land in Macon and Swain counties.~~  
 (A) ~~Six Days per Week Area~~  
 (B) ~~Horseback riding is prohibited except on designated trails May 16 through August 31, and all horseback riding is prohibited from September 1 through May 15.~~  
 (C) ~~On posted dove fields, dove hunting on the opening day of dove season is by permit only.~~
- (54)(15) ~~Neuse River Game Land in Craven County~~  
 (A) ~~Six Days per Week Area~~  
 (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~  
 (C) ~~Camping is allowed any time within 100 yards of the Neuse River on that portion of the game land that lies west of NC-43.~~
- (55) ~~New Lake Game Land in Hyde and Tyrrell counties~~  
 (A) ~~Six Days per Week Area~~  
 (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (56) ~~Nicholson Creek Game Land in Hoke County~~  
 (A) ~~Three Days per Week Area~~  
 (B) ~~Deer of either sex may be taken with archery equipment on open hunting days from the Saturday on or nearest September 10 through the Friday before Thanksgiving Day.~~  
 (C) ~~Deer of either sex may be taken with blackpowder firearms on open hunting days beginning the Saturday before Thanksgiving Day through the Wednesday thereafter.~~  
 (D) ~~The Deer With Visible Antlers season consists of the open hunting days from the second Saturday before Thanksgiving through the third Saturday after Thanksgiving Day.~~  
 (E) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season.~~  
 (F) ~~The use of dogs for hunting deer is prohibited.~~  
 (G) ~~Wild turkey hunting is by permit only.~~



- (H) ~~On Lake Upchurch, the following activities are prohibited:~~
- (i) ~~Operating any vessel or vehicle powered by an internal combustion engine; and~~
- (ii) ~~Swimming.~~
- (57) ~~(I) Target shooting is prohibited.~~  
~~North River Game Land in Camden and Currituck counties~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (C) ~~The boundary of the Game Land shall extend five yards from the edge of the marsh or shoreline.~~
- (D) ~~Hunting on the posted waterfowl impoundment is by permit only.~~
- (58) ~~Northwest River Marsh Game Land in Currituck County~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (C) ~~The boundary of the Game Land shall extend five yards from the edge of the marsh or shoreline.~~
- (59) ~~Pee Dee River Game Land in Anson, Montgomery, Richmond, and Stanly counties~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.~~
- (C) ~~Use of centerfire rifles is prohibited in that portion in Anson and Richmond counties North of US 74.~~
- (D) ~~Target shooting is prohibited.~~
- (E) ~~Horseback riding is allowed only on roads opened to vehicular traffic and only during the following times:~~
- (i) ~~during June, July, and August; and~~
- (ii) ~~on Sundays during the other months or parts of months when deer and turkey seasons are closed.~~
- (F) ~~Pursuing or chasing deer or bear with dogs for the purposes of training or hunting shall be prohibited on that portion south of US 74.~~
- (60) ~~Perkins Game Land in Davie County~~
- (A) ~~Three Days per Week Area~~
- (B) ~~Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.~~
- (C) ~~Horseback riding is prohibited from November 1 through January 1.~~
- (D) ~~Target Shooting is prohibited.~~
- (61) ~~Pisgah Game Land in Avery, Buncombe, Burke, Caldwell, Haywood, Henderson, Madison, McDowell, Mitchell, Transylvania, Watauga, and Yancey counties~~
- (A) ~~Six Seven Days per Week Area~~
- (B) ~~Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.~~
- (C) ~~Horseback riding is prohibited on the Black Bear (McDowell County), Linville River (Burke County), and Little Tablerock Tracts (Avery, McDowell, and Mitchell counties).~~
- (D) ~~The use of bicycles shall be restricted to designated trails on the Linville River Tract (Burke County). Persons engaged in the act of hunting on the Linville River Tract during any open day of an applicable season for game birds or game animals shall be exempt from this restriction.~~
- (62) ~~Pond Mountain Game Land in Ashe County~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.~~
- (C) ~~Horseback riding is prohibited except on designated trails from May 16 through August 31 and Sundays from September 1 through October 31. All horseback riding is prohibited from November 1 through May 15.~~
- (63)(16) ~~Pungo River Game Land in Hyde County~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (64)(17) ~~Rendezvous Mountain State Forest Game Land in Wilkes County~~
- (A) ~~Three Days per Week Area~~
- (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Wednesday thereafter.~~
- (C) ~~Bear hunting is prohibited.~~
- (65)(18) ~~Rhodes Pond Game Land in Cumberland and Harnett counties~~
- (A) ~~Hunting is by permit only.~~
- (B) ~~Swimming is prohibited on the area.~~
- (66)(19) ~~Roanoke River Wetlands in Bertie, Halifax, Martin, and Northampton counties~~
- (A) ~~Hunting and trapping is by Permit only.~~
- (B) ~~Vehicles are prohibited on roads or trails except those operated on Commission business or by permit holders.~~

- (C) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas, provided, however, that camping is allowed at any time within 100 yards of the Roanoke River on the state-owned portion of the game land.
- (D) Target Shooting is prohibited.
- ~~(67)(20)~~ Roanoke Island Marshes Game Land in Dare County-Hunting is by permit only.
- ~~(68)~~ ~~Robeson Game Land in Robeson County~~
- ~~(A)~~ ~~Three Days per Week Area~~
- ~~(B)~~ ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- ~~(69)(21)~~ Rockfish Creek Game Land in Hoke County
- (A) Three Days per Week Area
- (B) Deer of either sex may be taken with archery equipment on open hunting days from the Saturday on or nearest September 10 to the fourth Friday before Thanksgiving Day.
- (C) Deer of either sex may be taken with blackpowder firearms on open hunting days beginning the fourth Saturday before Thanksgiving Day through the Wednesday of the second week thereafter.
- (D) The Deer With Visible Antlers season consists of the open hunting days from the second Saturday before Thanksgiving Day through the third Saturday after Thanksgiving Day.
- (E) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season.
- (F) The use of dogs for hunting deer is prohibited.
- (G) Wild turkey hunting is by permit only.
- (H) Taking fox squirrels is prohibited.
- (I) Target shooting is prohibited.
- ~~(70)(22)~~ Rocky Run Game Land in Onslow County - Hunting is by permit only.
- ~~(71)~~ ~~Sampson Game Land in Sampson County~~
- ~~(A)~~ ~~Three Days per Week Area~~
- ~~(B)~~ ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- ~~(C)~~ ~~Target shooting is prohibited.~~
- ~~(72)~~ ~~Sandhills Game Land in Hoke, Moore, Richmond, and Scotland counties~~
- ~~(A)~~ ~~Three Days per Week Area~~
- ~~(B)~~ ~~Hunting is prohibited on the J. Robert Gordon Field Trial Grounds from October 22 through March 31 except as follows:~~
- ~~(i)~~ ~~deer of either sex may be taken with archery equipment on all the open days of the archery season through the fourth Friday before Thanksgiving Day; with blackpowder firearms and archery equipment all the open days of the blackpowder firearms season through the third Wednesday before Thanksgiving Day; and only deer with visible antlers may be taken with all legal weapons from the second Saturday before Thanksgiving Day through the Saturday following Thanksgiving Day;~~
- ~~(ii)~~ ~~dove may be taken all open days from the opening day of the dove season through the third Saturday thereafter;~~
- ~~(iii)~~ ~~squirrel (gray and fox) may be taken all the open days from the second Saturday before Thanksgiving Day through the Saturday following Thanksgiving Day;~~
- ~~(iv)~~ ~~rabbit may be taken all open days from the second Saturday preceding Thanksgiving Day through the Saturday following Thanksgiving Day;~~
- ~~(v)~~ ~~waterfowl may be taken on open days during any waterfowl season;~~
- ~~(vi)~~ ~~wild animals and wild birds may be taken as part of a Disabled Sportsmen Program Permit Hunt; and~~
- ~~(vii)~~ ~~raceoon and opossum may be taken on open days from sunrise Monday on or nearest October 15 through the last day of February.~~
- ~~(C)~~ ~~The Deer With Visible Antlers season is the open hunting days from the second Saturday before Thanksgiving Day through the third Saturday after Thanksgiving Day except on the J. Robert Gordon Field Trial Grounds.~~
- ~~(D)~~ ~~The archery season is all open days from the Saturday on or nearest to Sept. 10 to the fourth Friday before Thanksgiving Day and, except on the J. Robert Gordon Field Trial Grounds,~~

- the third Monday after Thanksgiving Day through January 1. Deer of either sex may be taken with archery equipment on all open hunting days during the archery season, by permit during the Deer with Visible antlers season, and the blackpowder firearms season as stated in this Subparagraph. Only deer with visible antlers may be taken from the third Monday after Thanksgiving Day through January 1.
- (E) Blackpowder firearms season is all the open days from the fourth Saturday preceding Thanksgiving Day through the Wednesday of the second week thereafter and, except on the J. Robert Gordon Field Trial Grounds, the third Monday after Thanksgiving Day through January 1. Deer of either sex may be taken with blackpowder firearms on all open hunting days during the blackpowder firearms season and by permit during the Deer With Visible Antlers season. Only deer with visible antlers may be taken from the third Monday after Thanksgiving Day through January 1.
- (F) Either sex deer hunting during the Deer With Visible Antlers Season is by permit only.
- (G) In addition to the regular hunting days, waterfowl may be taken on the opening and closing days of the applicable waterfowl seasons.
- (H) Wild turkey hunting is by permit only.
- (I) Horseback riding on field trial grounds from October 22 through March 31 is prohibited unless participating in authorized field trials.
- (J) Camping and the presence of campers and tents in designated Hunter Camping Areas are limited to September 1 through the last day of February and March 31 through May 14.
- (K) Target shooting is prohibited, except at the John F. Lentz Hunter Education Complex.
- (73) Sandy Creek Game Land in Nash and Franklin Counties
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Horseback riding is prohibited.
- (D) The use of dogs for hunting deer is prohibited.
- (E) Target Shooting is prohibited.
- (74)(23) Sandy Mush Game Land in Buncombe and Madison counties.
- (A) Three Days per Week Area
- (B) Deer of either sex may be taken the first open Saturday of the applicable Deer with Visible Antlers season.
- (C) Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15.
- (D) Dogs shall only be trained on Mondays, Wednesdays, and Saturdays and only as allowed in 15A NCAC 10D .0102(f).
- (E) Dove hunting is by permit only from the opening day through the second Saturday of dove season.
- (F) Target shooting is prohibited.
- (75)(24) Second Creek Game Land in Rowan County-hunting is by permit only.
- (76) Shoeco Creek Game Land in Franklin, Halifax, Nash, and Warren counties
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Horseback riding is prohibited.
- (D) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.
- (E) Target Shooting is prohibited.
- (77) South Mountains Game Land in Burke, Cleveland, McDowell, and Rutherford counties
- (A) Six Days per Week Area
- (B) The Deer With Visible Antlers season for deer consists of the open hunting days from the Monday before Thanksgiving Day through the third Saturday after Thanksgiving. Deer of either sex may be taken with archery equipment on open days beginning the Saturday on or nearest September 10 to the third Saturday thereafter, and Monday on or nearest October 15 to the Saturday before Thanksgiving Day. Deer with visible antlers may be taken with archery equipment the Monday immediately following the closing of the Deer With Visible Antlers Season, as described in this Part, through January 1. Deer of either sex may be taken with blackpowder firearms on open days beginning the Monday on or nearest October 1

- through the Saturday of the second week thereafter.
- (C) ~~Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.~~
- (D) ~~Horseback riding is prohibited except on designated trails during the following dates:~~
- (i) ~~January 2 through March 31;~~
- (ii) ~~May 16 through August 31;~~
- (iii) ~~Sundays only April 1 through May 15; and~~
- (iv) ~~Sundays only September 1 through January 1.~~
- (78) ~~Stones Creek Game Land in Onslow County~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (C) ~~The use of dogs for hunting deer is prohibited on Mondays, Wednesdays, and Fridays.~~
- (D) ~~Swimming in all lakes is prohibited.~~
- (E) ~~Waterfowl on posted waterfowl impoundments may be taken only on the following days:~~
- (i) ~~the opening and closing days of the applicable waterfowl seasons;~~
- (ii) ~~Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and~~
- (iii) ~~Tuesdays and Saturdays of the applicable waterfowl seasons.~~
- (F) ~~Target shooting is prohibited.~~
- (G) ~~Geocaching is restricted to closed days for taking bear, deer, turkey, and waterfowl.~~
- (79)(25) ~~Suggs Mill Pond Game Land in Bladen and Cumberland counties~~
- (A) ~~Hunting and trapping is by permit only.~~
- (B) ~~Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.~~
- (C) ~~Entry is prohibited on scheduled hunt or trapping days except for:~~
- (i) ~~hunters or trappers holding special hunt or trapping permits; and~~
- (ii) ~~persons using Campground Road to access Suggs Mill Pond Lake at the dam.~~
- (D) ~~During the period of November 1 through January 31, except on Sundays, the use of vessels on Suggs~~
- Mill Pond Lake and Little Singletary Lake is limited to waterfowl hunting only by waterfowl hunters possessing a valid and current Hunting Opportunity Permit issued by the Wildlife Resources Commission pursuant to G.S. 113-264(d).
- (E) ~~During the period of November 1 through March 15, the use of vessels on managed waterfowl impoundments is limited to waterfowl hunting only by waterfowl hunters possessing a valid and current Hunting Opportunity Permit issued by the Wildlife Resources Commission pursuant to G.S. 113-264(d).~~
- (80) ~~Sutton Lake Game Land in New Hanover and Brunswick counties~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.~~
- (C) ~~Target shooting is prohibited.~~
- (81)(26) ~~Tar River Game Land in Edgecombe County~~
- (A) ~~Hunting is by permit only~~
- (B) ~~Target Shooting is prohibited~~
- (82)(27) ~~Texas Plantation Game Land in Tyrrell County~~
- hunting and trapping is by permit only.
- (83) ~~Three Top Mountain Game Land in Ashe County~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.~~
- (C) ~~Horseback riding is prohibited.~~
- (84) ~~Thurmond Chatham Game Land in Alleghany and Wilkes counties~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.~~
- (C) ~~Horseback riding is prohibited except on designated trails May 16 through August 31, and all horseback riding is prohibited from September 1 through May 15. People age 16 or older horseback riding on this game land shall possess a Game Lands license.~~
- (D) ~~The maximum period of consecutive overnight camping at any designated campground is 14 days within any 30 day period from May 1 through August 31. After 14 consecutive days of camping all personal belongings must be removed from the game land.~~
- (85) ~~Tillery game Land in Halifax County~~

- (A) Six Days per Week Area  
 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.  
 (C) Horseback riding is prohibited.  
 (D) The use of dogs for hunting deer is prohibited.  
 (E) Wild turkey hunting is by permit only.  
 (F) Target Shooting is prohibited.
- (86) ~~Toxaway Game Land in Jackson and Transylvania counties~~  
 (A) Six Days per Week Area  
 (B) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.  
 (C) Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15.
- (87) ~~Uwharrie Game Land in Davidson, Montgomery, and Randolph counties~~  
 (A) Six Days per Week Area  
 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.  
 (C) On the posted waterfowl impoundment, waterfowl may be taken only on the following days:  
     (i) the opening and closing days of the applicable waterfowl seasons;  
     (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and  
     (iii) Mondays, Wednesdays and Saturdays of the applicable waterfowl seasons.  
 (D) Target shooting is prohibited, except at the Flintlock Valley Shooting Range.
- (88)(28) Vance Game Land in Vance County  
 (A) Six Days per Week Area  
 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.  
 (C) The use of dogs, centerfire rifles, and handguns for hunting deer is prohibited on the Nutbush Peninsula tract.
- (89) ~~Van Swamp Game Land in Beaufort and Washington counties~~  
 (A) Six Days per Week Area  
 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (C) Bear may only be taken the first three hunting days during the November Bear Season and the first three hunting days during the second week of the December Bear Season.
- (90)(29) Voice of America Game Land in Beaufort County  
 (A) Hunting and trapping is by permit only.  
 (B) Target Shooting is prohibited.
- (91)(30) White Oak River Game Land in Onslow County  
 (A) Three Days per Week Area  
 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.  
 (C) Except as provided in Part (D) of this Subparagraph, waterfowl in posted waterfowl impoundments shall be taken only on the following days:  
     (i) the opening and closing days of the applicable waterfowl seasons;  
     (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and  
     (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.  
 (D) Beginning on the first open waterfowl season day in October through the end of all waterfowl seasons, a permit is required for hunting posted waterfowl impoundments.  
 (E) The Huggins Tract and Morton Tracts have the following restrictions:  
     (i) access on Hargett Avenue and Sloan Farm Road requires a valid Hunting Opportunity Permit issued by the Wildlife Resources Commission pursuant to G.S. 113-264(d);  
     (ii) hunting is by permit only; and  
     (iii) the use of dogs for hunting deer is prohibited.  
 (F) Wild turkey hunting is by permit only.  
 (G) Target Shooting is prohibited.
- (92)(31) Whitehall Plantation Game Land in Bladen and Pender counties  
 (A) Hunting and trapping is by permit only.  
 (B) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.  
 (C) Pursuing or chasing deer or bear with dogs for the purposes of training or

hunting is prohibited on the Long Ridge Tract.

- (93) ~~William H. Silver Game Land in Haywood County~~  
 (A) ~~Six Days per Week Area~~  
 (B) ~~Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.~~

(h) On permitted type hunts, deer of either sex may be taken on the hunt dates indicated on the permit. Completed applications shall be received by the Commission not later than the first day of September next preceding the dates of hunt. Permits shall be issued by random computer selection, shall be mailed to the permittees prior to the hunt, and are nontransferable. A hunter making a kill shall validate the kill and report the kill to a wildlife cooperator agent or by phone.

(i) The following game lands and refuges are closed to all hunting except to those individuals who have obtained a valid and current permit from the Wildlife Resources Commission:

- (1) Bertie, Halifax and Martin counties—Roanoke River Wetlands;
- (2) Bertie County—Roanoke River National Wildlife Refuge;
- (3) Bladen County—Suggs Mill Pond Game Lands;
- (4) ~~Burke County John's River Waterfowl Refuge;~~
- (5)(4) Dare County—Dare Game Lands (Those parts of bombing range posted against hunting);
- (6)(5) Dare County—Roanoke Sound Marshes Game Lands; and
- (7)(6) Henderson and Transylvania counties—DuPont State Forest Game Lands.

(j) Access to Hunting Creek Swamp Waterfowl Refuge in Davie County requires written permission from the Commission. Written permission may be granted only when entry onto the Waterfowl Refuge will not compromise the primary purpose for establishing the Waterfowl Refuge and the person requesting entry can demonstrate a valid need or the person is a contractor or agent of the Commission conducting official business. "Valid need" includes issues of access to private property, scientific investigations, surveys, or other access to conduct activities in the public interest.

(k) Feral swine may be taken by licensed hunters during the open season for any game animal or game bird using any legal manner of take allowed during those seasons. Dogs may not be used to hunt feral swine except on game lands that allow the use of dogs for hunting deer or bear, and during the applicable deer or bear season.

(l) Youth Waterfowl Day. On the day declared by the Commission to be Youth Waterfowl Day, youths may hunt on any game land and on any impoundment without a special hunt permit, including permit-only areas, except where prohibited in Paragraph (h) of this Rule.

(m) Veterans and Military Waterfowl Days. On the day declared by the Commission to be Veterans and Military Waterfowl Days, veterans, as defined in 38 USC 101, and members of the Armed Forces on active duty, including members of the National Guard and Reserves on active duty other than for training, with valid

credentials may hunt on game lands and impoundments not designated as permit-only areas.

(n) Permit Hunt Opportunities for Disabled Sportsmen. The Commission may designate special hunts for participants of the disabled sportsman program by permit. The Commission may schedule these permit hunts during the closed season. Hunt dates and species to be taken shall be identified on each permit. If the hunt has a limited weapon choice, the allowed weapons shall be stated on each permit.

(o) As used in this Rule, horseback riding includes all equine species.

(p) When waterfowl hunting is authorized in this Rule on Christmas and New Years' Day and those days fall on Sundays, the open waterfowl hunting day shall be the following day.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

## **SECTION .0200 – USE OF GAME LANDS**

### **15A NCAC 10D .0201 ALLIGATOR RIVER GAME LAND IN TYRELL COUNTY**

- (a) Seven Day per Week Area  
(b) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.  
(c) Bear may only be taken the first Saturday, Monday, and Tuesday of the November Bear Season and the second Saturday, Monday, and Tuesday of the December Bear Season.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

### **15A NCAC 10D .0202 ANGOLA BAY GAME LAND IN DUPLIN AND PENDER COUNTIES**

- (a) Seven Day per Week Area  
(b) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.  
(c) Target shooting is prohibited.  
(d) Bear shall not be harvested on Sunday.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

### **15A NCAC 10D .0203 BACHELOR BAY GAME LAND IN BERTIE AND WASHINGTON COUNTIES**

- (a) Seven Days per Week Area  
(b) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

### **15A NCAC 10D .0206 BRINKLEYVILLE GAME LAND IN HALIFAX COUNTY**

- (a) Seven Days per Week Area  
(b) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.  
(c) Horseback riding is prohibited.

(d) Target shooting is prohibited.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0208    BUCKRIDGE GAME LAND IN TYRELL COUNTY**

(a) Three Days per Week Area

(b) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.

(c) Bear may only be taken the first Saturday, Monday, and Tuesday of the November Bear Season and the second Saturday, Monday, and Tuesday of the December Bear Season.

(d) Target shooting is prohibited.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0210    BULLARD AND BRACNH HUNTING PRESERVE GAME LANDS IN ROBESON COUNTY**

(a) Four Days per Week Area

(b) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.

(c) Bear shall not be harvested on Sunday.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0211    BUTNER-FALLS OF NEUSE GAME LAND IN DURHAM, GRANVILLE, AND WAKE COUNTIES**

(a) Six Days per Week Area

(b) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.

(c) Waterfowl shall be taken only on:

- (1) the opening and closing days of the applicable waterfowl seasons;
- (2) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- (3) Tuesdays, Thursdays, and Saturdays of the applicable waterfowl seasons.

On the posted waterfowl impoundments a special permit is required for all waterfowl hunting after November

(d) Horseback riding is prohibited.

(e) Target shooting is prohibited.

(f) Wild turkey hunting is by permit only, except on those areas posted as an archery zone.

(g) The use of dogs for hunting deer is prohibited on that portion west of NC 50 and south of Falls Lake.

(h) The use of bicycles is restricted to designated areas, except that this restriction does not apply to hunters engaged in the act of hunting during the open days of the applicable seasons for game birds and game animals. On designated bicycle riding areas, the use of bicycles is allowed from May 15 through August 31, and on Sundays only from September 1 through May 14.

(i) Camping and the presence of campers and tents in designated Hunter Camping Areas are limited to September 1 through the last day of February and March 31 through May 14.

(j) Camping is allowed at any time in the designated Mountains-to-Sea Trail Camping Area and shall not exceed a maximum stay of two consecutive nights. Campfires are prohibited in this camping area.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0213    CAPE FEAR RIVER WETLANDS GAME LAND IN PENDER COUNTY**

(a) Seven Days per Week Area

(b) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.

(c) Turkey Hunting is by permit only on that portion known as the Roan Island Tract.

(d) The use of dogs for hunting deer is prohibited on the portion of the game land that is west of the Black River, north of Roan Island, east of Lyon Swamp Canal to Canetuck Road, and south of NC 210 to the Black River.

(e) Target shooting is prohibited.

(f) Bear shall not be harvested on Sunday.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0214    CARTERET COUNTY GAME LAND IN CARTERET COUNTY**

(a) Seven Days per Week Area

(b) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.

(c) The use of dogs for hunting deer is prohibited.

(d) Bear hunting on the Salters Creek Tract is by permit only.

(e) Bear shall not be harvested on Sunday.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0215    R. WAYNE BAILEY-CASWELL GAME LAND IN CASWELL COUNTY**

(a) Three Days per Week Area

(b) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Wednesday thereafter.

(c) Horseback riding, including all equine species, is allowed seven days per week from May 16 through August 31, and on Sundays only, September 1 through May 15. Horseback riding is allowed only on roads opened to vehicular traffic and on those gated roads and trails that are posted for equestrian use. People age 16 or older horseback riding on this game land shall possess a Game Lands license.

(d) The area encompassed by the following roads is permit-only for all quail and woodcock hunting, and all bird dog training: From Yanceyville south on NC 62 to the intersection of SR 1746, west on SR 1746 to the intersection of SR 1156, south on SR 1156 to the intersection of SR 1783, east on SR 1783 to the intersection

of NC 62, north on NC 62 to the intersection of SR 1736, east on SR 1736 to the intersection of SR 1730, east on SR 1730 to NC 86, north on NC 86 to NC 62.

(e) On the posted waterfowl impoundment, waterfowl hunting is by permit only after November 1.

(f) Camping and the presence of campers and tents in designated Hunter Camping Areas are limited to September 1 through the last day of February and March 31 through May 14.

(g) Target shooting is prohibited, except at the R. Wayne Bailey-Caswell Shooting Range.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0216 CHATHAM GAME LAND IN CHATHAM COUNTY**

(a) Seven Days per Week Area

(b) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.

(c) Horseback riding, including all equine species, is allowed seven days per week from May 16 through August 31, and on Sundays only September 1 through May 15.

(d) Target shooting is prohibited.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0217 CHOWAN GAME LAND IN CHOWAN COUNTY**

(a) Seven Days per Week Area

(b) Deer of either sex may be taken on all the open days of the applicable Deer With Visible Antlers Season.

(c) Bear shall not be harvested on Sunday.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0218 CHOWAN SWAMP GAME LAND IN BERTIE, GATES, AND HERTFORD COUNTIES**

(a) Six Days per Week Area

(b) Deer of either sex may be taken on all the open days of the applicable Deer With Visible Antlers Season.

(c) Bear hunting is restricted to the first Saturday, Monday, and Tuesday of the November bear season and the second Saturday, Monday, and Tuesday of the December bear season except that portion of Chowan Swamp Game Land in Gates County that is east of Highway 158/13, south of Highway 158, west of Highway 32, and north of Catherine Creek and the Chowan River where the bear season is the same as the season dates for the Gates County bear season.

(d) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.

(e) Horseback riding is prohibited except during May 16 through August 31 and on Sundays only September 1 through May 15 on those roads that are open to vehicular traffic and on those gated roads and trails posted for equestrian use.

(f) Target shooting is prohibited.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0219 COLD MOUNTAIN GAME LAND IN HAYWOOD COUNTY**

(a) Seven Days per Week Area

(b) Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15.

(c) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0220 COLUMBUS COUNTY GAME LAND IN COLUMBUS COUNTY**

(a) Four Days per Week Area

(b) Deer of either sex may be taken on all the open days of the applicable Deer With Visible Antlers Season.

(c) Deer hunting on the Campbell Tract shall be by permit only.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0221 CROATAN GAME LAND IN CARTERET, CRAVEN, AND JONES COUNTIES**

(a) Seven Days per Week Area

(b) Deer of either sex may be taken on all the open days of the applicable Deer With Visible Antlers Season.

(c) Waterfowl shall be taken only on the following days:

- (1) the opening and closing days of the applicable waterfowl seasons;
- (2) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- (3) Tuesdays and Saturdays of the applicable waterfowl seasons.

(d) Beginning on the first open waterfowl day in October through the end of all waterfowl seasons, waterfowl hunting from designated Disabled Sportsmen blinds on the Catfish Lake Waterfowl Impoundment is by permit only.

(e) Dove hunting is by permit only for the first two open days of dove season on posted areas. During the rest of dove season, no permit is required to hunt doves.

(f) Bear shall not be harvested on Sunday.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0222 CURRITUCK BANKS GAME LAND IN CURRITUCK COUNTY**

(a) Seven Days per Week Area

(b) Permanent waterfowl blinds in Currituck Sound on these game lands shall be hunted by permit only from November 1 through the end of all waterfowl seasons.

(c) Licensed hunting guides may accompany the permitted individual or party provided the guides do not use a firearm.

(d) The boundary of the game land shall extend 5 yards from the edge of the marsh or shoreline.



- (e) Dogs are allowed only for waterfowl hunting by permitted waterfowl hunters on the day of their hunt.
- (f) No screws, nails, or other objects penetrating the bark shall be used to attach a tree stand or blind to a tree.
- (g) Deer of either sex may be taken on all the days of the applicable Deer With Visible Antlers season.
- (h) Bear shall not be harvested on Sunday.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0224 DARE GAME LAND IN DATE AND HYDE COUNTIES**

- (a) Seven Days per Week Area
- (b) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.
- (c) No hunting is allowed on posted parts of bombing range.
- (d) The use and training of dogs is prohibited from March 1 through June 30.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0227 ELK KNB GAME ALND IN WATAUGA COUNTY**

- (a) Seven Days per Week Area
- (b) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0228 EMBRO GAME LAND IN HALIFAX AND WARREN COUNTIES**

- (a) Seven Days per Week Area
- (b) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (c) Horseback riding is prohibited.
- (d) Target Shooting is prohibited.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0232 GULL ROCK GAME LAND IN HYDE COUNTY**

- (a) Seven Days per Week Area
- (b) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (c) Waterfowl on posted waterfowl impoundments shall be taken only on the following days:
  - (1) the opening and closing days of the applicable waterfowl seasons; and
  - (2) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
  - (3) Tuesdays and Saturdays of the applicable waterfowl season.

- (d) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas designated and posted as camping areas.

- (e) Bear may only be taken the first Saturday, Monday, and Tuesday of the November Bear Season and the second Saturday, Monday, and Tuesday.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0233 HARRIS GAME LAND IN CHATHAM, HARNETT, AND WAKE COUNTIES**

- (a) Seven Days per Week Area
- (b) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (c) Waterfowl on posted waterfowl impoundments shall be taken only on the following days:

- (1) the opening and closing days of the applicable waterfowl seasons; and
- (2) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- (3) Tuesdays and Saturdays of the applicable waterfowl season.

- (d) The use or construction of permanent hunting blinds shall be prohibited.

- (e) Wild turkey hunting is by permit only, except on those areas posted as an archery zone.

- (f) Target shooting is prohibited.

- (g) Horseback riding is prohibited.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0237 HYCO GAME LAND IN PERSON COUNTY**

- (a) Seven Days per Week Area
- (b) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (c) Target shooting is prohibited.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0241 JUNIPER CREEK GAME LAND IN BRUNSWICK AND COLUMBUS COUNTIES**

- (a) Seven Days per Week Area
- (b) Deer of either sex may be taken on all the open days of the Deer With Visible Antlers Season.
- (c) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.
- (d) Bear shall not be harvested on Sunday.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0245    LEE GAME LAND IN LEE COUNTY**

- (a) Seven Days per Week Area
- (b) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (c) Target shooting is prohibited.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0246    LIGHT GROUND POCOSIN GAME LAND IN PAMLICO COUNTY**

- (a) Seven Days per Week Area
- (b) Deer of either sex may be taken on all the open days of the applicable Deer With Visible Antlers Season.
- (c) Bear shall not be harvested on Sunday.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0247    LINWOOD GAME LAND IN DAVIDSON COUNTY**

- (a) Seven Days per Week Area
- (b) Deer of either sex may be taken on all the open days of the applicable Deer With Visible Antlers Season.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0248    LOWER FISHING CREEK GAME LAND IN EDGEcombe AND HALIFAX COUNTIES**

- (a) Seven Days per Week Area
- (b) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (c) Horseback riding is prohibited.
- (d) The use of dogs for hunting deer is prohibited.
- (e) Target Shooting is prohibited.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0249    MAYO GAME LAND IN PERSON COUNTY**

- (a) Seven Days per Week Area
- (b) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (c) Waterfowl shall be taken only on:
  - (1) Tuesdays, Thursdays, and Saturdays applicable waterfowl seasons;
  - (2) Christmas and New Year's Days; and
  - (3) the opening and closing days of the applicable waterfowl seasons.
- (d) Target shooting is prohibited.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0250    MITCHELL RIVER GAME LAND IN SURRY COUNTY**

- (a) Four Days per Week Area
- (b) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Tuesday thereafter.
- (c) Horseback riding is prohibited except on designated trails May 16 through August 31, and all horseback riding is prohibited from September 1 through May 15.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0251    NANTAHALA GAME LAND IN CHEROKEE, CLAY, GRAHAM, JACKSON, MACON, SWAIN, AND TRANSYLVANIA COUNTIES**

- (a) Seven Days per Week Area
- (b) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season in that portion located in Transylvania County.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0252    NEEDMORE GAME LAND IN MACON AND SWAIN COUNTIES.**

- (a) Seven Days per Week Area
- (b) Horseback riding is prohibited except on designated trails May 16 through August 31, and all horseback riding is prohibited from September 1 through May 15.
- (c) On posted dove fields, dove hunting on the opening day of dove season is by permit only.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0254    NEW LAKE GAME LAND IN HYDE AND TYRRELL COUNTIES**

- (a) Seven Days per Week Area
- (b) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (c) Bear shall not be harvested on Sunday.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0255    NICHOLSON CREEK GAME LAND IN HOKE COUNTY**

- (a) Three Days per Week Area
- (b) Deer of either sex may be taken with archery equipment on open hunting days from the Saturday on or nearest September 10 through the fourth Friday before Thanksgiving Day.
- (c) Deer of either sex may be taken with blackpowder firearms on open hunting days beginning the fourth Saturday before Thanksgiving Day through the Wednesday of the second week thereafter.

(d) The Deer With Visible Antlers season consists of the open hunting days from the second Saturday before Thanksgiving Day through the third Saturday after Thanksgiving Day.

(e) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season.

(f) The use of dogs for hunting deer is prohibited.

(g) Wild turkey hunting is by permit only.

(h) On Lake Upchurch, the following activities are prohibited:

- (1) Operating any vessel or vehicle powered by an internal combustion engine; and
- (2) Swimming.
- (3) Target shooting is prohibited.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0256 NORTH RIVER GAME LAND IN CAMDEN AND CURRITUCK COUNTIES**

(a) Seven Days per Week Area

(b) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.

(c) The boundary of the Game Land shall extend five yards from the edge of the marsh or shoreline.

(d) Hunting on the posted waterfowl impoundment is by permit only.

(e) Bear shall not be harvested on Sunday.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0257 NORTHWEST RIVER MARSH GAME LAND IN CURRITUCK COUNTY**

(a) Seven Days per Week Area

(b) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.

(c) The boundary of the Game Land shall extend five yards from the edge of the marsh or shoreline.

(d) Bear shall not be harvested on Sunday.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0258 PEE DEE RIVER GAME LAND IN ANSON, MONTGOMERY, RICHMOND, AND STANLY COUNTIES**

(a) Seven Days per Week Area

(b) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.

(c) Use of centerfire rifles is prohibited in that portion in Anson and Richmond counties North of US-74.

(d) Target shooting is prohibited.

(e) Horseback riding is allowed seven days per week from May 16 through August 31, and on Sundays only September 1 through May 15 only on roads opened to vehicular traffic and gated roads and trails posted for equestrian use.

(f) Pursuing or chasing deer or bear with dogs for the purposes of training or hunting shall be prohibited on that portion south of US-74.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0259 PERKINS GAME LAND IN DAVIE COUNTY**

(a) Four Days per Week Area

(b) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season through the second Tuesday thereafter.

(c) Horseback riding is prohibited from November 1 through January 1.

(d) Target Shooting is prohibited.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0261 POND MOUNTAIN GAME LAND IN ASHE COUNTY**

(a) Seven Days per Week Area

(b) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.

(c) Horseback riding is prohibited except on designated trails from May 16 through August 31 and Sundays from September 1 through October 31. All horseback riding is prohibited from November 1 through May 15.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0267 ROBESON GAME LAND IN ROBESON COUNTY**

(a) Four Days per Week Area

(b) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.

(c) Bear shall not be harvested on Sunday

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0270 SAMPSON GAME LAND IN SAMPSON COUNTY**

(a) Four Days per Week Area

(b) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.

(c) Target shooting is prohibited.

(d) Bear shall not be harvested on Sunday.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0271 SANDHILLS GAME LAND IN HOKE, MOORE, RICHMOND, AND SCOTLAND COUNTIES**

(a) Three Days per Week Area

(b) Hunting is prohibited on the J. Robert Gordon Field Trial Grounds from October 22 through March 31 except as follows:

- (1) deer of either-sex may be taken with archery equipment on all the open days of the archery

season through the fourth Friday before Thanksgiving Day; with blackpowder firearms and archery equipment all the open days of the blackpowder firearms season through the third Wednesday before Thanksgiving Day; and only deer with visible antlers may be taken with all legal weapons from the second Saturday before Thanksgiving Day through the Saturday following Thanksgiving Day;

- (2) dove may be taken all open days from the opening day of the dove season through the third Saturday thereafter;
- (3) squirrel (gray and fox) may be taken all the open days from the second Saturday before Thanksgiving Day through the Saturday following Thanksgiving Day;
- (4) rabbit may be taken all open days from the second Saturday preceding Thanksgiving Day through the Saturday following Thanksgiving Day;
- (5) waterfowl may be taken on open days during any waterfowl season;
- (6) wild animals and wild birds may be taken as part of a Disabled Sportsmen Program Permit Hunt; and
- (7) raccoon and opossum may be taken on open days from sunrise Monday on or nearest October 15 through the last day of February.

(c) The Deer With Visible Antlers season is the open hunting days from the second Saturday before Thanksgiving Day through the third Saturday after Thanksgiving Day except on the J. Robert Gordon Field Trial Grounds.

(d) The archery season is all open days from the Saturday on or nearest to Sept. 10 to the fourth Friday before Thanksgiving Day and, except on the J. Robert Gordon Field Trial Grounds, the third Monday after Thanksgiving Day through January 1. Deer of either sex may be taken with archery equipment on all open hunting days during the archery season, by permit during the Deer with Visible antlers season, and the blackpowder firearms season as stated in this Subparagraph. Only deer with visible antlers may be taken from the third Monday after Thanksgiving Day through January 1.

(e) Blackpowder firearms season is all the open days from the fourth Saturday preceding Thanksgiving Day through the Wednesday of the second week thereafter and, except on the J. Robert Gordon Field Trial Grounds, the third Monday after Thanksgiving Day through January 1. Deer of either sex may be taken with blackpowder firearms on all open hunting days during the blackpowder firearms season and by permit during the Deer With Visible Antlers season. Only deer with visible antlers may be taken from the third Monday after Thanksgiving Day through January 1.

(f) Either-sex deer hunting during the Deer With Visible Antlers Season is by permit only.

(g) In addition to the regular hunting days, waterfowl may be taken on the opening and closing days of the applicable waterfowl seasons.

(h) Wild turkey hunting is by permit only.

(i) Horseback riding on field trial grounds from October 22 through March 31 is prohibited unless participating in authorized field trials. Horseback riding is allowed on the remainder of the Sandhills Game Land seven days per week on roads that are open to vehicular traffic and gated roads and trails posted for equestrian use.

(j) Camping and the presence of campers and tents in designated Hunter Camping Areas are limited to September 1 through the last day of February and March 31 through May 14.

(k) Target shooting is prohibited, except at the John F. Lentz Hunter Education Complex.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

#### **15A NCAC 10D .0272 SANDY CREEK GAME LAND IN NASH AND FRANKLIN COUNTIES**

(a) Seven Days per Week Area

(b) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.

(c) Horseback riding is prohibited.

(d) The use of dogs for hunting deer is prohibited.

(e) Target Shooting is prohibited.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

#### **15A NCAC 10D .0275 SHOCCO CREEK GAME LAND IN FRANKLIN, HALIFAX, NASH, AND WARREN COUNTIES**

(a) Seven Days per Week Area

(b) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.

(c) Horseback riding is prohibited.

(d) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.

(e) Target Shooting is prohibited.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

#### **15A NCAC 10D .0277 STONES CREEK GAME LAND IN ONSLOW COUNTY**

(a) Six Days per Week Area

(b) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.

(c) The use of dogs for hunting deer is prohibited on Mondays, Wednesdays, and Fridays.

(d) Swimming in all lakes is prohibited.

(e) Waterfowl may be taken only on the following days:

- (1) the opening and closing days of the applicable waterfowl seasons;
- (2) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- (3) Tuesdays and Saturdays of the applicable waterfowl seasons.

- (f) Target shooting is prohibited.  
 (g) Geocaching is restricted to closed days for taking bear, deer, turkey, and waterfowl.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0278 SUGGS MILL POND GAME LAND IN BLADEN AND CUMBERLAND COUNTIES**

- (a) Hunting and trapping is by permit only.  
 (b) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.  
 (c) Entry is prohibited on scheduled hunt or trapping days except for:

- (1) hunters or trappers holding special hunt or trapping permits; and
- (2) persons using Campground Road to access Suggs Mill Pond Lake at the dam.

(d) During the period of November 1 through January 31, except on Sundays, the use of vessels on Suggs Mill Pond Lake and Little Singletary Lake is limited to waterfowl hunting only by waterfowl hunters possessing a valid and current Hunting Opportunity Permit issued by the Wildlife Resources Commission pursuant to G.S. 113-264(d).

(e) During the period of November 1 through March 15, the use of vessels on managed waterfowl impoundments is limited to waterfowl hunting only by waterfowl hunters possessing a valid and current Hunting Opportunity Permit issued by the Wildlife Resources Commission pursuant to G.S. 113-264(d).

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0279 SUGGS SUTTON LAKE GAME LAND IN NEW HANOVER AND BRUNSWICK COUNTIES**

- (a) Seven Days per Week Area  
 (b) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.  
 (c) Target shooting is prohibited.  
 (d) Bear shall not be harvested on Sunday.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0282 THREE TOP MOUNTAIN GAME LAND IN ASHE COUNTY**

- (a) Seven Days per Week Area  
 (b) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.  
 (c) Horseback riding is prohibited.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0283 THURMOND CHATHAM GAME LAND IN ALLEGHANY AND WILKES COUNTIES**

- (a) Seven Days per Week Area  
 (b) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.  
 (c) Horseback riding is prohibited except on designated trails May 16 through August 31, and all horseback riding is prohibited from September 1 through May 15. People age 16 or older horseback riding on this game land shall possess a Game Lands license.  
 (d) The maximum period of consecutive overnight camping at any designated campground is 14 days within any 30 day period from May 1 through August 31. After 14 consecutive days of camping all personal belongings must be removed from the game land.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0284 TILLERY GAME LAND IN HALIFAX COUNTY**

- (a) Seven Days per Week Area  
 (b) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.  
 (c) Horseback riding is prohibited.  
 (d) The use of dogs for hunting deer is prohibited.  
 (e) Wild turkey hunting is by permit only.  
 (f) Target Shooting is prohibited.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0285 TOXAWAY GAME LAND IN JACKSON AND TRANSYLVANIA COUNTIES**

- (a) Seven Days per Week Area  
 (b) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.  
 (c) Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0286 UWHARRIE GAME LAND IN DAVIDSON, MONTGOMERY, AND RANDOLPH COUNTIES**

- (a) Seven Days per Week Area  
 (b) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.  
 (c) On the posted waterfowl impoundment, waterfowl may be taken only on the following days:

- (1) the opening and closing days of the applicable waterfowl seasons;
- (2) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and

(3) Mondays, Wednesdays and Saturdays of the applicable waterfowl seasons.

(d) Target shooting is prohibited, except at the Flintlock Valley Shooting Range.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0288 VAN SWAMP GAME LAND IN BEAUFORT AND WASHINGTON COUNTIES**

(a) Seven Days per Week Area

(b) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.

(c) Bear may only be taken the first Saturday, Monday, and Tuesday of the November Bear Season and the second Saturday, Monday, and Tuesday of the December Bear Season.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0292 WILLIAM H. SILVER GAME LAND IN HAYWOOD COUNTY**

(a) Seven Days per Week Area

(b) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

**15A NCAC 10D .0293 YADKIN RIVER GAME LAND IN DAVIDSON, DAVIE, MONTGOMERY, ROWAN, AND STANLY COUNTIES**

(a) Seven Days per Week Area

(b) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter in that portion in Montgomery county, and deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season in those portions in Davidson, Davie, Rowan, and Stanly counties.

(c) On the Lick Creek Tract, deer and bear hunting is archery only.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

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*Notice is hereby given in accordance with G.S. 150B-21.2 that the Wildlife Resources Commission intends to amend the rule cited as 15A NCAC 10F .0201.*

**Link to agency website pursuant to G.S. 150B-19.1(c):**  
<https://www.ncwildlife.org/Proposed-Regulations>

**Proposed Effective Date:** April 1, 2022

**Public Hearing:**

**Date:** December 16, 2021

**Time:** 2:00 p.m.

**Location:** Register online: [https://ncwildlife.org.zoomgov.com/webinar/register/WN\\_rQEorCCJTgqu3NHXE1UNZA](https://ncwildlife.org.zoomgov.com/webinar/register/WN_rQEorCCJTgqu3NHXE1UNZA) Webinar ID: 160 707 2608 US: +1 669 254 5252 or 833 568 8864 (Toll Free)

**Reason for Proposed Action:** The PFD type code references must be removed to be in compliance with Title 33 of the Code of Federal Regulations, Subpart B Part 175.

**Comments may be submitted to:** Rulemaking Coordinator, 1701 Mail Service Center, Raleigh, NC 27699; email [regulations@ncwildlife.org](mailto:regulations@ncwildlife.org)

**Comment period ends:** January 31, 2022

**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 10 - WILDLIFE RESOURCES AND WATER SAFETY**

**SUBCHAPTER 10F - MOTORBOATS AND WATER SAFETY**

**SECTION .0200 - SAFETY EQUIPMENT AND ACCIDENT REPORTS**

**15A NCAC 10F .0201 SAFETY EQUIPMENT**

(a) All vessels subject to the rules of this Section shall meet the vessel equipment requirements set forth in G.S. 75A-6(n), 46 CFR 25, and 33 CFR 175. 46 CFR 25 and 33 CFR 175 are incorporated by reference, including subsequent amendments and editions, and can be found free of charge online at [www.ecfr.gov](http://www.ecfr.gov). Notwithstanding the federal regulations incorporated in this Paragraph, Paragraphs (b) through (g) shall apply to vessels operating in State waters. To the extent these vessel equipment requirements conflict with the incorporated federal regulations,

federal regulations shall supersede any and all State laws or regulations.

(b) Personal flotation devices (PFDs) shall be required as follows:

- (1) No person may operate a vessel unless, for each person on the vessel, at least one ~~Type I, H, or III~~ U.S. Coast Guard approved wearable PFD is on board and readily accessible. Any U.S. Coast Guard approved wearable PFD may be carried to meet the requirement, provided:

- (A) the approved label for the PFD indicates that the device is approved for the activity for which the vessel is being used; or

- (B) the PFD is used in accordance with the requirements on the approval label and with the requirements in its owner's manual.

- (2) No person shall operate a vessel 16 feet or more in length unless one ~~type IV~~ U.S. Coast Guard approved throwable PFD is on board and immediately available for use, in addition to the total number of PFDs required in Subparagraph (1) of this Paragraph.

- (3) No person shall operate a vessel while the vessel is underway with any child under 13 years old aboard unless each child is:

- (A) wearing an appropriate PFD approved by the U.S. Coast Guard;
  - (B) below decks; or
  - (C) in an enclosed cabin.

This Subparagraph shall not apply to a vessel that is registered as a commercial vessel.

- (4) ~~A Type V PFD may be carried in lieu of any PFD required under Subparagraph (1) of this Paragraph provided:~~

- (A) ~~the approval label for the Type V PFD indicates that the device is approved for the activity for which the vessel is being used; or~~

- (B) ~~the Type V PFD is used in accordance with the requirements on the approval label and with the requirements in its owner's manual.~~

- ~~(5)~~(4) No person shall operate a vessel unless each required PFD is:

- (A) in serviceable condition;
  - (B) of appropriate size and fit for the intended wearer;
  - (C) United States Coast Guard approved; and
  - (D) legibly marked with its approval number, as specified in 46 CFR 25 Uninspected Vessels, Requirements and 33 CFR 175 Personal Flotation Devices.

- ~~(6)~~(5) Exemptions shall apply as follows:

- (A) Canoes and kayaks 16 feet in length and over shall be exempted from the

requirements for carriage of the additional ~~Type IV~~ U.S. Coast Guard approved throwable PFD as specified in Subparagraph (b)(2) of this Rule.

- (B) Sailboards, surfboards, tubes, swimming rafts, inflatable toys, and similar devices used as water toys or swimming aids shall be exempted from the requirements for carriage of any PFD required under this Paragraph.

- (C) Manually propelled vessels such as racing shells, rowing sculls, racing canoes, and racing kayaks that are recognized by national and international racing associations for use in competitive racing, that are not designed to carry any equipment not solely for competitive racing, and in which all occupants with the with exception of a coxswain, if one is present, row, scull, or paddle, shall be exempted from the requirements for carriage of any type PFD required under this Paragraph.

(c) Fire Extinguishers shall be required as follows:

- (1) All motorboats shall carry at least the minimum number of USCG-approved hand portable fire extinguishers specified in this Rule if:

- (A) the motorboat has closed compartments under thwarts and seats in which portable fuel tanks may be stored;

- (B) the motorboat has double bottoms that are not sealed to the hull or that are not completely filled with flotation material;

- (C) the motorboat has closed living spaces;

- (D) the motorboat has closed stowage compartments in which combustible or flammable materials are stowed;

- (E) the motorboat has permanently installed fuel tanks; or

- (F) the motorboat is Class 2 or longer.

- (2) Class A and Class 1 Motorboats less than 26 feet in length shall carry one Type B-I extinguisher.

- (3) Class 2 Motorboats shall carry two Type B-I extinguishers.

- (4) Class 3 Motorboats shall carry three Type B-I extinguishers.

- (5) One Type B-II hand held fire extinguisher may be substituted for two B-I hand portable fire extinguishers. A fixed fire extinguishing system installed in the engine compartment shall be deemed equal to one Type B-I hand portable fire extinguisher.

Open Vessels. Vessels less than 26 feet in length, propelled by outboard motors and not carrying passengers for hire, shall not be required to carry portable fire extinguishers if the construction of the vessels will not permit the entrapment of explosive or flammable gases or vapors.

(d) Every engine, except outboard motors, using gasoline as fuel and installed in a vessel shall be equipped with an acceptable means of backfire flame control that meets the requirements of 46 CFR 25 and 33 CFR 175.

(e) Every vessel, except open vessels using liquid of a volatile nature as fuel, shall be equipped with an operable ventilation system as required by 33 CFR 175.201 and 46 CFR 25.40-1, to remove any explosive or flammable gases from the bilges of the engine and fuel tank compartments that meets the requirements of 46 CFR 25 and 33 CFR 175.

(f) Sound devices shall be required as follows:

- (1) Vessels less than 12 meters or 39.4 feet in length shall be equipped with some means of making an efficient sound signal; and
- (2) Vessels equal to or greater than 12 meters or 39.4 feet in length shall be equipped with a whistle and a bell that comply with 33 USC 2033.

(g) Lights. The lights prescribed by this Paragraph shall be exhibited from sunset to sunrise and in fog, mist, falling snow, heavy rainstorms, sandstorms, or any other similar circumstances of restricted visibility. They may be exhibited in all other circumstances when deemed necessary. During such times no other lights shall be exhibited, except those that cannot be mistaken for the lights specified in these Rules, do not impair their visibility or distinctive character, or do not interfere with keeping a proper lookout. Lights shall be required as follows:

- (1) Vessels, other than those vessels described in Subparagraphs (g)(3)-(7) of this Rule, equal to or greater than 12 meters or 39.4 feet but less than 20 meters or 65.6 feet in length shall exhibit:
  - (A) A masthead light forward visible for three miles;
  - (B) Sidelights, green to starboard and red to port, visible for two miles; and
  - (C) A stern light visible for two miles.
- (2) Vessels, other than those vessels described in Subparagraphs (g)(3)-(7) of this Rule, less than 12 meters or 39.4 feet in length shall exhibit:
  - (A) An all-round white light visible for two miles; and
  - (B) Sidelights, green to starboard and red to port, visible for 1 mile.
- (3) Sailing vessels underway that are seven meters or 23 feet in length or greater shall exhibit:
  - (A) A stern light visible for two miles; and
  - (B) Sidelights, green to starboard and red to port, visible for two miles.
- (4) In a sailing vessel less than 20 meters or 65.6 feet in length, the lights prescribed in Subparagraph (3) of this Paragraph may be combined in one lantern carried at or near the top of the mast where it can be best seen.

(5) A sailing vessel of less than seven meters or 23 feet in length shall, if practicable, exhibit the lights prescribed in Subparagraph (3) or (4) of this Paragraph; if not practicable the vessel shall have ready at hand an electric torch or lighted lantern showing a white light that shall be exhibited in sufficient time to prevent a collision.

(6) A vessel under oars shall either:

- (A) exhibit the lights prescribed in Subparagraph (g)(5) of this Rule for sailing vessels; or
- (B) have ready at hand an electric torch or lighted lantern showing a white light that shall be exhibited in sufficient time to prevent a collision.

(7) On public waters not subject to the jurisdiction of the United States, vessels propelled by machinery of 10 horsepower or less, in lieu of the foregoing requirements, may carry from one-half hour after sunset to one-half hour before sunrise a white light in the stern or have on board a hand flashlight in good working condition which shall be ready at hand and shall be temporarily displayed in sufficient time to prevent collision. The Subparagraph shall not apply to vessels in waters of this State that are subject to the jurisdiction of the United States.

*Authority G.S. 75A-3; 75A-6; 113-307.*

## TITLE 21 - OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS

### CHAPTER 06 - BOARD OF BARBER EXAMINERS

*Notice is hereby given in accordance with G.S. 150B-21.2 that the Board of Barber Examiners intends to amend the rules cited as 21 NCAC 06L .0103, and .0118.*

**Link to agency website pursuant to G.S. 150B-19.1(c):**  
<https://www.barbers.nc.gov/news.html>

**Proposed Effective Date:** April 1, 2022

**Public Hearing:**

**Date:** December 17, 2021

**Time:** 10:00 a.m.

**Location:** By videoconference at <https://bit.ly/300jNII> or by teleconference at (984) 204-1487, conference ID 165 207 965#

**Reason for Proposed Action:** *The amendment to 21 NCAC 06L .0103 would allow barber shops to have exposed pipes within the business. This change would allow shops more flexibility according to their aesthetic needs.*

*The amendment to 21 NCAC 06L .0118 would allow staff members to conduct a new inspection promptly after a barber*



*shop fails, whereas the current rule prohibits a new inspection within 30 days. This change would offer an incentive to shops to quickly resolve their sanitation issues.*

**Comments may be submitted to:** *Dennis Seavers, 7001 Mail Service Center, Raleigh, NC 27699-7000; phone (919) 814-0641; fax (919) 981-5068; email dennis.seavers@nc.gov*

**Comment period ends:** *January 31, 2022*

**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 06L - BARBER SHOPS

### 21 NCAC 06L .0103 EQUIPMENT

- (a) Each barber shall have a cabinet for barbering equipment. The cabinets shall be constructed of material that may be cleaned.
- (b) Each shop shall have smooth finished walls and floors, with no exposed pipes, floors.
- (c) Each barber chair shall be covered with a smooth, non-porous surface, such as vinyl or leather, which is easily cleaned as required by G.S. 86A-15(a)(2)(c).
- (d) Each shop shall have within the shop or building functioning toilet facilities for employees and patrons.
- (e) Each barber shop shall have a cabinet, or other method of storage, such that clean towels are stored separate from used towels.
- (f) In addition to the requirements of Paragraph (d) of this Rule, barber shops that are permitted on or after January 1, 1995 or undergo structural renovations after that date, shall have within the shop or building a hand-washing sink or lavatory for patrons with hot and cold water, soap, and disposable towels.
- (g) Where a barber shop is located within a shop licensed by the North Carolina Board of Cosmetic Art Examiners, the toilet facility and sink may be shared with the cosmetology shop.

(h) Paragraphs (a), (d), and (f) of this Rule do not apply to barber shops operated by the North Carolina Department of Public Safety, Division of Adult Correction and Juvenile Justice.

(i) All equipment and tools used in the practice of barbering as set forth in G.S. 86A-2 shall be suitable for the safe cutting of hair and shall be maintained in a sanitary and good operating condition as required by G.S. 86A-15(a)(2).

*Authority G.S. 86A-2; 86A-15.*

### 21 NCAC 06L .0118 SANITARY RATINGS AND POSTING OF RATINGS

(a) The sanitary rating of a barber shop shall be based on a system of grading outlined in 21 NCAC 06L .0119. Based on the grading, all establishments shall be rated in the following manner:

- (1) all establishments receiving a sanitary rating of at least 90 percent shall be awarded a grade A;
- (2) all establishments receiving a sanitary rating of at least 80 percent, and less than 90 percent, shall be awarded a grade B; and
- (3) a sanitary rating of less than 80 percent shall be awarded a failing grade.

(b) Every barber shop shall be given a sanitary rating.

(c) The sanitary rating of A, B, or failing given to a barber shop establishment shall be posted in a conspicuous place, defined as a place easily seen by the public at the front of the shop, at all times.

(d) No newly established barber shop shall be permitted to operate without first having obtained a sanitary rating card with a grade of not less than 80 percent.

(e) Barber inspectors shall give each barber shop a new sanitary rating card.

~~(f) A re-inspection for the purpose of raising a failing sanitary rating of a barber shop shall not be given within 30 days.~~

*Authority G.S. 86A-5(a)(1); 86A-15.*

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## CHAPTER 10 – BOARD OF CHIROPRACTIC EXAMINERS

*Notice is hereby given in accordance with G.S. 150B-21.2 that the Board of Chiropractic Examiners intends to adopt the rule cited as 21 NCAC 10 .0217 and amend the rule cited as 21 NCAC 10 .0208.*

**Link to agency website pursuant to G.S. 150B-19.1(c):**  
[www.ncchiroboard.com](http://www.ncchiroboard.com)

**Proposed Effective Date:** *July 1, 2022*

**Public Hearing:**

**Date:** *January 18, 2022*

**Time:** *10:00 a.m.*

**Location:**

*Via Zoom:*

*<https://us02web.zoom.us/j/89722630516?pwd=ZStnME4vdDdvTWtHWWsxVFgrOHNSUT09>*

*Meeting ID: 897 2263 0516*

Passcode: 440040

**Reason for Proposed Action:**

**21 NCAC 10 .0208** - To clarify the training and documentation needed to perform acupuncture.

**21 NCAC 10 .0217** - To clarify how professional corporations must be named and identified.

**Comments may be submitted to:** Dr. Joe Siragusa, NC Board of Chiropractic Examiners, 9121 Anson Way, Suite 200, Raleigh, NC 27615

**Comment period ends:** January 31, 2022

**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

**SECTION .0200 - PRACTICE OF CHIROPRACTIC**

**21 NCAC 10 .0208 ACUPUNCTURE**

(a) ~~Until July 1, 2008, in~~ In order to perform acupuncture, a licentiate or applicant for licensure ~~must~~ shall first certify to the Board that he ~~or she~~ has completed a minimum of ~~100 hours'~~ 200 hours of instruction sponsored or given by a chiropractic college accredited by the Council on Chiropractic Education or a college or university accredited by an accrediting body recognized by the US Department of Education. ~~coursework in acupuncture meridian therapy, including sterile needle technique, theory of acupuncture and differential diagnosis of clinical indications.~~ The 200 hours of instruction must contain at least 30 percent practical, hands-on hours. Individual classes can only be taken once for credit. To perform acupuncture, a licentiate shall also take the National Board of Chiropractic Examiners Acupuncture Examination and receive a passing score of 375 or greater. This coursework must be offered as either part of the curriculum leading to the Doctor of Chiropractic degree or at the post-doctoral level, and by a college accredited pursuant to G.S. 90-

~~143(b). Beginning July 1, 2008, in order to perform acupuncture, a licentiate or applicant for licensure must first certify to the Board that he has completed a minimum of 200 hours of the above-described coursework; provided, that this requirement of 200 hours' coursework shall apply only to a licentiate or applicant for licensure whose initial certification date falls on or after July 1, 2008. Any licentiate certified prior to July 1, 2008 may continue to perform acupuncture without obtaining additional education.~~

(b) Prior to performing acupuncture, a licentiate or applicant for licensure must provide the Board with the following:

- (1) An official transcript from an accredited acupuncture program demonstrating completion of the 200 hours of instruction described in this Rule; and
- (2) Proof of successful completion of the acupuncture examination described in this Rule.

(c) Licentiates holding an active license as of December 31, 2022 and who have received prior approval from the Board to perform acupuncture are not required to meet the requirements of this rule. However, if a licentiate grandfathered under this Rule subsequently allows his or her license to lapse or if the license is subsequently subject to active suspension or placed in a status other than active, the licentiate shall be required to comply with this rule before being permitted to perform acupuncture.

*Authority G.S. 90-142; 90-143; 90-151.*

**21 NCAC 10 .0217 PROFESSIONAL ENTITIES**

(a) A chiropractor who seeks to deliver chiropractic services through a professional corporation or professional limited liability company shall obtain Board approval for such entity's Articles of Incorporation/Organization prior to filing such Articles with the Secretary of State.

(b) No proper names of persons other than licensees may be included in the name and all professional entities must include the word "Chiropractor," "Chiropractic," or the name of a licensed chiropractor who is an owner of the professional entity. The name of a professional entity shall not be false or misleading. For the purposes of this rule, "misleading" is defined as possessing the capacity or tendency to create a mistaken understanding or impression. Misleading includes a name that implies services beyond the scope of practice set forth in Art. 8, Chapter 90 of the NC General Statutes.

(c) The professional entity may not be identical or so similar in name to an existing registered business entity as to be misleading. Business entities organized for the primary purpose of providing professional chiropractic services shall not contain the name of an individual unless:

- (1) The named individual is licensed under this statute; or
- (2) The named individual is either a deceased or retired owner of the business, provided that the professional entity has permission to use the name of the deceased or retired owner.

(d) The professional entity shall specify its business structure in all printed material and social media by use of the designation "P.C.," "P.A.," or "P.L.L.C."

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***PROPOSED RULES***

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(e) If a living owner of a professional entity whose surname appears in the entity name becomes a "disqualified person" as defined in G.S. 55B-2, the name of the professional entity shall be changed to comply with G.S. 55B.

(f) A professional entity shall not change its name or operate under an assumed name without first applying to the Board for a determination that the proposed name meets the requirements of this Rule. Requests for name changes and requests to operate under an assumed name shall be submitted in writing to the Board. Requests shall contain the following:

- (1) Name, email address, and phone number of the requesting person;

- (2) Name, email address, and phone number of the incorporating licensee;
- (3) Requested name of the professional corporation; and
- (4) Mailing address of the professional corporation.

Use of an assumed name that has not been registered pursuant to Art. 14A of G.S. 66 shall be prima facie evidence of using a misleading name.

*Authority G.S. 55B-12; 90-154.2; 90-157.3.*

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**APPROVED RULES**

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*This Section includes a listing of rules approved by the Rules Review Commission followed by the full text of those rules. The rules that have been approved by the RRC in a form different from that originally noticed in the Register or when no notice was required to be published in the Register are identified by an \* in the listing of approved rules. Statutory Reference: G.S. 150B-21.17.*

Rules approved by the Rules Review Commission at its meeting on October 21, 2021 Meeting.

**REGISTER CITATION TO THE  
NOTICE OF TEXT****INSURANCE, DEPARTMENT OF**

<u>Statement of Action</u>	11 NCAC 04 .0117*	35:14 NCR
<u>Insurance Carriers as Lenders</u>	11 NCAC 04 .0118*	35:14 NCR
<u>Insurer Defined</u>	11 NCAC 04 .0119	35:14 NCR
<u>Use of Specific Company Name in Responses</u>	11 NCAC 04 .0123*	35:14 NCR
<u>Insurance Company Contact Persons</u>	11 NCAC 04 .0124*	35:14 NCR
<u>Information Used in Claim Settlements</u>	11 NCAC 04 .0312*	35:14 NCR
<u>Provisions of Contracts</u>	11 NCAC 04 .0313*	35:14 NCR
<u>Student Loans</u>	11 NCAC 04 .0320	35:14 NCR
<u>Billing Procedures for Automobile Insurance</u>	11 NCAC 04 .0416*	35:14 NCR
<u>Written Confirmation of Oral Agreements</u>	11 NCAC 04 .0420*	35:14 NCR
<u>Cancellation of Insurance</u>	11 NCAC 04 .0422	35:14 NCR
<u>Ethical Standards</u>	11 NCAC 04 .0423*	35:14 NCR
<u>Like Kind and Quality</u>	11 NCAC 04 .0426*	35:14 NCR
<u>Definition of Claimant</u>	11 NCAC 04 .0431*	35:14 NCR
<u>Report of Theft or Loss of Pyrotechnics</u>	11 NCAC 05D .0113	35:14 NCR
<u>Report of Injury or Property Damage</u>	11 NCAC 05D .0114	35:14 NCR
<u>Inspections</u>	11 NCAC 05D .0115	35:14 NCR

**ALARM SYSTEMS LICENSING BOARD**

<u>Application for License</u>	14B NCAC 17 .0201*	35:21 NCR
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**COASTAL RESOURCES COMMISSION**

<u>Statutory Exceptions from the Definition of Development</u>	15A NCAC 07K .0101	34:09 NCR
<u>Maintenance and Repair</u>	15A NCAC 07K .0103*	34:09 NCR
<u>Exemption: Projects Requiring Dredge: Fill: State Easement</u>	15A NCAC 07K .0202*	34:09 NCR
<u>Exemptions for Projects Requiring Air Quality Permit</u>	15A NCAC 07K .0204*	34:09 NCR
<u>Exemptions for Projects Requiring the NPDES</u>	15A NCAC 07K .0205*	34:09 NCR
<u>Small Ditches Exempted</u>	15A NCAC 07K .0206*	34:09 NCR
<u>Exemption/Accessory Uses/Maintenance Repair/Replacement</u>	15A NCAC 07K .0209*	34:09 NCR
<u>Nomination Categories Excluded: Minor Permit Exemption</u>	15A NCAC 07K .0210*	34:09 NCR
<u>Jockey's Ridge AEC</u>	15A NCAC 07K .0211	34:09 NCR
<u>Installation and Maintenance of Sand Fencing</u>	15A NCAC 07K .0212*	34:09 NCR
<u>Maintenance of Federal Navigation Channels</u>	15A NCAC 07K .0401*	34:09 NCR
<u>Federal Agency Activities Exempted</u>	15A NCAC 07K .0402	34:09 NCR

**TRANSPORTATION - MOTOR VEHICLES, DIVISION OF**

<u>General Information</u>	19A NCAC 03A .0105*	36:03 NCR
<u>Forms</u>	19A NCAC 03B .0103*	35:18 NCR
<u>Driver's License Examination and Online Renewal</u>	19A NCAC 03B .0201*	36:03 NCR

<u>Acute or Chronic Illnesses</u>	19A NCAC 03B .0301	35:18 NCR
<u>Driving Records</u>	19A NCAC 03B .0403*	35:18 NCR
<u>Definitions</u>	19A NCAC 03B .0702*	35:18 NCR
<u>Requirements for Third Party Testers</u>	19A NCAC 03B .0703*	35:18 NCR
<u>Requirements for Third Party Examiners</u>	19A NCAC 03B .0704*	35:18 NCR
<u>Certificates</u>	19A NCAC 03B .0705*	35:18 NCR
<u>Application for Third Party Tester Certification</u>	19A NCAC 03B .0706*	35:18 NCR
<u>Application for Third Party Examiner Certification</u>	19A NCAC 03B .0707*	35:18 NCR
<u>On-Site Inspections and Audits</u>	19A NCAC 03B .0709*	35:18 NCR
<u>Evaluation of Applicants by the Division</u>	19A NCAC 03B .0711*	35:18 NCR
<u>Definition</u>	19A NCAC 03B .0801	35:18 NCR

## **DENTAL EXAMINERS, BOARD OF**

<u>Educational Requirements</u>	21 NCAC 16O .0402*	36:01 NCR
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## **PHARMACY, BOARD OF**

<u>Definitions</u>	21 NCAC 46 .1317*	35:22 NCR
<u>Limited Service Permits</u>	21 NCAC 46 .1616*	35:22 NCR
<u>Drugs to be Dispensed</u>	21 NCAC 46 .1703*	35:22 NCR
<u>Retrospective Review and Consultation</u>	21 NCAC 46 .1706	35:22 NCR
<u>Responsibilities of Pharmacist-Manager</u>	21 NCAC 46 .2502	35:22 NCR

## **TITLE 08 – DEPARTMENT OF INSURANCE**

### **11 NCAC 04 .0117 STATEMENT OF ACTION**

(a) When an insurer denies a claim that included information for the insurer to identify the coverage involved, the denial shall be in writing and cite the policy provision or other legal basis used to deny the claim.

(b) When an insurer offers to settle a claim that included information for the insurer to identify the coverage involved, the offer, when requested by the consumer, shall be in writing and cite the specific policy provision or legal basis used in support of the claim statement.

*History Note: Authority G.S. 58-2-40; 58-3-100; 58-63-15(11); 58-67-150;*

*Eff. December 15, 1979;*

*Amended Eff. April 1, 1989; December 15, 1979;*

*Readopted Eff. November 1, 2021.*

### **11 NCAC 04 .0118 INSURANCE CARRIERS AS LENDERS**

(a) Any lender who offers an insurance product to a consumer either directly or indirectly through a subsidiary or affiliate in conjunction with an extension of credit shall inform the consumer of the protections afforded by G.S. 58-3-135.

(b) Nothing in this Rule shall limit the right of the lender to require insurance in connection with a loan.

(c) This Rule shall not apply where the extension of credit arises out of a life insurance contract itself or where the extension of credit is subject to the provisions of Regulation Z,

12 CFR 226, or other federal statutes or regulations requiring similar disclosures.

*History Note: Authority G.S. 58-2-40; 58-3-135; 58-3-150; Eff. July 1, 1986;*

*Amended Eff. April 8, 2002; April 1, 1989;*

*Readopted Eff. November 1, 2021.*

### **11 NCAC 04 .0119 INSURER DEFINED**

*History Note: Authority G.S. 58-2-40; 58-65-1; 58-67-150; Eff. April 1, 1989;*

*Amended Eff. April 8, 2002;*

*Repealed Eff. November 1, 2021.*

### **11 NCAC 04 .0123 USE OF SPECIFIC COMPANY NAME IN RESPONSES**

When an insurer makes a written response to an inquiry by the Division or complaint made by a consumer, the insurer shall identify on its response:

- (1) its mailing address;
- (2) official corporate name of the company against which the complaint is made;
- (3) the NAIC company code; and
- (4) specific corporate name if the insurer is part of a group of companies.

*History Note: Authority G.S. 58-2-40; 58-2-190; 58-3-50; 58-63-65;*

*Eff. April 1, 1995;*

*Amended Eff. February 1, 1996;*

*Readopted Eff. November 1, 2021.*

**11 NCAC 04 .0124 INSURANCE COMPANY  
CONTACT PERSONS**

- (a) Every insurer shall provide the Division with company contact information using a form provided by the Division, which shall include the name, title, address, and telephone number, including a toll-free number, of a designated person to whom any person may send a complaint or inquiry, and the company president's name, address, and telephone number for the Division's use.
- (b) The form shall be completed, signed by a corporate officer, and returned to the Division by every insurer.
- (c) A new form must be filed with the Division within 15 business days after any change in the information on the form.

*History Note: Authority G.S. 58-2-40; 58-2-190; 58-63-65; Eff. April 1, 1995;  
Amended Eff. February 1, 1996;  
Readopted Eff. November 1, 2021.*

**11 NCAC 04 .0312 INFORMATION USED IN  
CLAIM SETTLEMENTS**

- (a) Any information, including medical information, used in whole or in part as the basis of settling a life, accident, health, or disability claim shall be provided to the Division as requested in connection with a complaint or injury. The delivery method may include a secure electronic portal provided by the Division.
- (b) To the extent permitted by law, the Department shall treat medical information as confidential.

*History Note: Authority G.S. 58-2-40; 58-2-190; 58-2-195; 58-2-200; 58-63-20; 58-65-105; 58-67-65; 58-67-150;  
Eff. December 15, 1979;  
Amended Eff. April 1, 1989;  
Readopted Eff. November 1, 2021.*

**11 NCAC 04 .0313 PROVISIONS OF CONTRACTS**

The following phrases and provisions, found in life, accident, health, and disability contracts, if not defined in the contracts, shall be construed by the Department in the following manner:

- (1) Regular Care and Attendance of a Physician. As used in life, accident, health, and disability policies, "regular care and attendance of a physician" shall not be construed to require insureds to see or be under the care of a physician on a regular basis if it can be shown that the insured has reached his or her maximum point of recovery yet is still disabled under the terms of the insurance contract. This requirement shall not restrict the right of the insurer, at its own expense, to examine or cause to have examined the insured according to the terms of the contract of insurance.
- (2) Premature Baby. A premature baby shall not be considered a well baby. The protection afforded newborn infants under G.S. 58-51-30 shall be provided to premature babies.

- (3) Medical Necessity. "Medical necessity" shall be construed as including treatment that restores not only the insured's physical but also his or her mental well-being. As used in this Item, "restoration of mental well-being" does not require coverage of psychiatric disorders when those disorders are excluded under the express terms of the contract.
- (4) Sound Health. The question, "Are you in sound health?" shall be considered ambiguous, and therefore answers to that question on an insurance application shall not be used as the basis for rescission of a policy or denial of a claim.

*History Note: Authority G.S. 58-2-40; 58-3-150; 58-51-1; 58-63-15; 58-63-65; 58-65-1; 58-65-40; 58-67-65; 58-67-150;  
Eff. December 15, 1979;  
Amended Eff. July 1, 2012; April 8, 2002; April 1, 1989;  
Readopted Eff. November 1, 2021.*

**11 NCAC 04 .0320 STUDENT LOANS**

*History Note: Authority G.S. 58-2-40; 58-3-135; 58-3-150;  
Eff. July 1, 1986;  
Amended Eff. April 8, 2002; April 1, 1989;  
Repealed Eff. November 1, 2021.*

**11 NCAC 04 .0416 BILLING PROCEDURES FOR  
AUTOMOBILE INSURANCE**

- (a) With respect to new business, an insurer shall take no more than 90 days from the effective date of the policy to make any investigation other than review of the initial application and to bill the insured for proper rate classification or sub-classification.
- (b) With respect to renewal business, an insurer shall not bill for any additional premium after the renewal quotation is made for any condition that existed at the time of renewal and is on the driver's motor vehicle record.
- (c) With respect to renewal business, if the insured does not provide updated and complete rating information necessary to underwrite the policy or makes an effort to withhold rating information, the insurer shall take no more than 90 days from the effective date of the renewal to make inquiry of the insured, to make any other investigation, and to bill the insured for proper rate classification and sub-classification.
- (d) When an insurer obtains information from sources other than the Department of Motor Vehicles for use in underwriting an automobile policy and the insured alleges that the information is incorrect, the insurer shall verify the accuracy of such information.
- (e) Unearned premium refunds shall be determined from the later of either the date the consumer gives direct notice to a company or an agent of the company of the cancellation or the effective date of cancellation requested by the insured. In the case of physical damage insurance where there is a loss payee, the effective date of cancellation for the purposes of determining unearned premium refund shall be 10 days from

the date cancellation notice was given to a company or a company's agent.

(f) If the consumer can show proof that within the 10 day period in this Rule where cancellation involves a loss payee, and the consumer had obtained replacement physical damage coverage that included the loss payee, then the cancellation date for purposes of determining unearned premium refund shall be the last date of any lapse in coverage for the loss payee during the 10 day time set out in this Rule. In the case of no lapse, shall be determined as if no loss payee was involved.

*History Note: Authority G.S. 58-2-40; 58-63-65;*  
*Eff. December 15, 1979;*  
*Amended Eff. April 1, 1989; July 1, 1986;*  
*Readopted Eff. November 1, 2021.*

**11 NCAC 04 .0420 WRITTEN CONFIRMATION OF ORAL AGREEMENTS**

(a) Once an insurer accepts liability or advises a claimant to have damaged property repaired with the understanding that the insurer will pay or reimburse the claimant, the insurer shall, if requested by the claimant, confirm the understanding in writing. Such writing shall clearly state the responsibility assumed by the insurer for payment of incurred costs.

(b) If so requested by the claimant, the insurer or its representative shall confirm in writing all other oral agreements between itself or its representative and the claimant.

*History Note: Authority G.S. 58-2-40; 58-3-100; 58-63-15;*  
*Eff. December 15, 1979;*  
*Readopted Eff. November 1, 2021.*

**11 NCAC 04 .0422 CANCELLATION OF INSURANCE**

The Commissioner shall consider an unfair trade practice the cancellation by an insurer of any personal lines insurance policy for which the premium has been paid because there is another policy in force for which the premium has not been paid.

*History Note: Authority G.S. 58-2-40; 58-63-40;*  
*Eff. December 15, 1979;*  
*Amended Eff. February 1, 1996;*  
*Readopted Eff. November 1, 2021.*

**11 NCAC 04 .0423 ETHICAL STANDARDS**

(a) Every agent, limited representative, broker, adjuster, appraiser, or other insurer's representative shall, when conducting insurance business with a member of the public:

- (1) identify himself or herself and his or her occupation; and
- (2) provide his or her National Producer Number and the Department's website address and phone number for verification of licensure status when requested to show proof of licensure by any claimant, any repairer while he or she is investigating a claim or loss, any Department representative, or any other person with whom he or she has contact while performing his or her insurance business.

(b) No claims management person, agent, agency employee, limited representative, broker, adjuster, appraiser, or other insurer's representative shall:

- (1) accept any gratuity or other form of remuneration from any provider of services for recommending that provider to claimants;
- (2) purchase salvage from a claimant;
- (3) intimidate or discourage any claimant from seeking legal advice or counsel by withdrawing and reducing a settlement offer previously tendered to the claimant or threatening to do so if the claimant seeks legal advice or counsel. No adjuster shall advise a claimant of the advisability of seeking legal counsel nor recommend any legal counsel to any claimant; or
- (4) cause a delay in the settlement of a property damage claim on account of the claimant's choice of a motor vehicle repair service.

(c) No claims management person, agent, agency employee, limited representative, broker, or other insurer's representative shall recommend the utilization of a particular motor vehicle repair service without informing the claimant that he or she is under no obligation to use the recommended repair service and that he or she may use the service of his or her choice.

*History Note: Authority G.S. 58-2-40; 58-33-130; 58-35-25; 58-63-65; 58-65-40;*  
*Eff. December 15, 1979;*  
*Amended Eff. October 1, 2010; April 1, 1993; April 1, 1989;*  
*July 1, 1986;*  
*Readopted Eff. November 1, 2021.*

**11 NCAC 04 .0426 LIKE KIND AND QUALITY**

No insurer shall require the use of an aftermarket part in the repair of a motor vehicle unless the aftermarket part is at least equal to the original part in terms of fit, quality, performance, and warranty. Insurers specifying the use of aftermarket parts shall include in the estimate the costs of any modifications made necessary by the use of aftermarket parts.

*History Note: Authority G.S. 58-2-40;*  
*Eff. April 1, 1989;*  
*Readopted Eff. November 1, 2021.*

**11 NCAC 04 .0431 DEFINITION OF CLAIMANT**

As used in this Section, unless the context indicates otherwise, "claimant" means a first party claimant or a third party claimant.

*History Note: Authority G.S. 58-2-40(1); 58-63-15;*  
*Eff. April 1, 1993;*  
*Readopted Eff. November 1, 2021.*

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**11 NCAC 05D .0113 REPORT OF THEFT OR LOSS OF PYROTECHNICS**

(a) A permittee shall report the theft or loss of pyrotechnics to the county sheriff or city police, to ATF and to OSFM, by telephone, within eight hours after the permittee discovers the

theft or loss. OSFM may be reached at 919-661-5880 during normal working hours and at the North Carolina Highway Patrol dispatch number, 919-733-3861, outside normal working hours.

(b) Within 24 hours after discovery of the loss or theft, the permittee shall provide OSFM written notice that includes a description of the pyrotechnics, including the manufacturer, brand name, any manufacturer marking and quantity, and a description of the circumstances surrounding the theft or loss. The written notice shall also name the law enforcement agencies contacted by the permittee under Paragraph (a) of this Rule.

*History Note: Authority G.S. 58-82A-1;  
Eff. February 1, 2010;  
Readopted Eff. November 1, 2021.*

#### **11 NCAC 05D .0114 REPORT OF INJURY OR PROPERTY DAMAGE**

(a) A permittee shall notify OSFM within 24 hours after any of the following involving pyrotechnics:

- (1) A fire causing property damage in excess of one thousand dollars (\$1,000) to an automobile or ten thousand dollars (\$10,000) to real property;
- (2) An injury to any person caused by the display resulting in hospitalization; or
- (3) Damage to property in excess of one thousand dollars (\$1,000), not related to fire.

(b) OSFM may be reached at 919-661-5880 during normal working hours and at the North Carolina Highway Patrol dispatch number, 919-733-3861, outside normal working hours.

(c) The permittee shall submit a written report to OSFM within three days after a pyrotechnics display conducted by the permittee if any of the following occurred:

- (1) Any of the incidents identified in Paragraph (a) of this Rule; or
- (2) Whenever a defective pyrotechnic product or equipment resulting in any amount of injury or damage occurs.

*History Note: Authority G.S. 58-82A-1;  
Eff. February 1, 2010;  
Readopted Eff. October 1, 2021.*

#### **11 NCAC 05D .0115 INSPECTIONS**

(a) A permittee shall make any records required under Article 54 of Chapter 14 of the General Statutes and Article 82A of Chapter 58 of the General Statutes available to authorized representatives of OSFM or a city or county fire code official.

(b) A permittee shall allow the display site, storage facility, or delivery point to be inspected at all times by authorized representatives of OSFM or a city or county fire code official.

*History Note: Authority G.S. 58-82A-1;  
Eff. February 1, 2010;  
Readopted Eff. November 1, 2021.*

### **TITLE 14B - DEPARTMENT OF PUBLIC SAFETY**

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

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

- (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigation or one set of classifiable fingerprints on an F.B.I. fingerprint card provided by the Board and mailed separately to the Board's office;
- (2) one head and shoulders digital photograph of the applicant in JPG format of sufficient quality for identification, taken within six months prior to the online submission, and uploaded with the application submission;
- (3) statements of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74D-2.1(a) for any state where the applicant has resided within the preceeding 60 months; and
- (4) the applicant's application fee, along with a four dollar (\$4.00) convenience fee charged by the third-party vendor and credit card transaction fee charged by the applicant's credit card provider and collected online.

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

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

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

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

*Temporary Rule Eff. January 9, 1984, for a period of 120 days to expire on May 7, 1984;*

*Eff. May 1, 1984;*

*Amended Eff. December 1, 2012; February 1, 2012; January 1, 2007; September 1, 2006; March 1, 1993; July 1, 1987; January 1, 1986;*

*Transferred and Recodified from 12 NCAC 11 .0201 Eff. July 1, 2015;*



*Amended Eff. December 1, 2017;  
Readopted Eff. June 1, 2018;  
Amended Eff. September 1, 2019;  
Emergency Amendment Eff. June 9, 2020;  
Amended Eff. August 1, 2020;  
Temporary Amendment Eff. August 28, 2020;  
Temporary Amendment Expired Eff. June 12, 2021;  
Amended Eff. November 1, 2021.*

## **TITLE 15A – DEPARTMENT OF ENVIRONMENTAL QUALITY**

### **15A NCAC 07K .0101 STATUTORY EXCEPTIONS FROM THE DEFINITION OF DEVELOPMENT**

No permit shall be required for those activities set out in G.S. 113A-103(5)(b)(1) - (9) as exclusions from the definition of development.

*History Note: Authority G.S. 113A-103; 113A-118;  
Eff. March 29, 1978;  
Amended Eff. November 1, 1984; March 1, 1980; March 30, 1979;  
Readopted Eff. November 1, 2021.*

### **15A NCAC 07K .0103 MAINTENANCE AND REPAIR**

(a) "Maintenance and "repairs" are specifically excluded from the definition of "development" under the conditions and in the circumstances set out in G.S. 113A-103(5)(b)(5). Individuals required to take such measures within an AEC shall contact the local CAMA representative for consultation before beginning work.

(b) Beach bulldozing, defined as the process of moving natural beach material from any point seaward of the first line of stable vegetation, for the purpose of preventing damage to imminently threatened structures as defined in 15A NCAC 07H .0308(a), by the creation of protective sand dunes shall qualify for an exclusion under G.S. 113A-103(5)(b)(5) subject to the following limitations:

- (1) The area where this activity is being performed must maintain a slope that follows the pre-emergency slope as closely as possible so as not to endanger the public or hinder the public's use of the beach. All mechanically disturbed areas shall be graded smooth of ruts and spoil berms that are perpendicular to the shoreline. The movement of material utilizing a bulldozer, front-end loader, back hoe, scraper, or any type of earth moving or construction equipment shall not exceed one foot in depth measured from the surface elevation;
- (2) The activity shall not exceed the lateral bounds of the applicant's property without written permission of adjoining landowners;
- (3) Movement of material from seaward of the mean low water line shall not be permitted under this exemption;

- (4) The activity shall not increase erosion on neighboring properties and shall not have a significant adverse impact on natural or cultural resources; and
- (5) The activity may be undertaken to protect threatened on-site waste disposal systems as well as the threatened structure's foundations.

(c) Redistribution of sand that results from storm overwash or aeolian transport around buildings, pools, roads, parking areas and associated structures is considered maintenance so long as the sand remains within the Ocean Hazard AEC. Individuals proposing such activities shall consult with the Division of Coastal Management or the local permit officer to determine whether the proposed activity qualifies for the exclusion under G.S. 113A-103(5)(b)(5).

*History Note: Authority G.S. 113A-103(5)(b)(5); 113A-118(a);  
Eff. November 1, 1984;  
Amended Eff. March 1, 1985;  
RRC Objection Eff. January 18, 1996 due to ambiguity;  
Amended Eff. February 1, 2019; March 1, 1996;  
Readopted Eff. November 1, 2021.*

### **15A NCAC 07K .0202 EXEMPTION: PROJECTS REQUIRING DREDGE: FILL: STATE EASEMENT**

The following classes of minor maintenance and improvement are exempted from the major development permit requirement:

- (1) In-Place Maintenance of Previously-Permitted Projects. These projects are ones for which a dredge and fill permit or State easement has been issued and which, though the existing project may be enlarged, are undertaken for maintenance purposes. Projects falling into this category shall be exempted from the CAMA major development permit if:
  - (a) project dimensions remain the same as or are no greater than 20 percent of those dimensions authorized under the previously permitted project;
  - (b) the project is for similar purposes as those of the previously-permitted project; and
  - (c) a change of conditions in the area, or additional comments from State or federal review agencies do not indicate that the action would cause negative impacts to the environment or adjacent property owners.
- (2) Additions/Modifications to Previously Permitted Projects. These projects are ones already in place and permitted that will be added on to or modified in some fashion. Projects falling into this category shall be exempted from the CAMA major-development permit if:
  - (a) for bulkheads:

- (i) Bulkhead must be positioned so as not to extend more than an average distance of two feet waterward of the mean high water contour; in no place shall the bulkhead be more than five feet waterward of the mean high water contour;
  - (ii) All backfill comes from an upland source;
  - (iii) No marsh area is excavated or filled;
  - (iv) Work is undertaken to prevent loss of private residential property due to erosion;
  - (v) The bulkhead is constructed prior to any backfilling activities;
  - (vi) The bulkhead is constructed so as to prevent seepage of backfill materials through the bulkhead; and
  - (vii) The bulkhead is not constructed in the Ocean Hazard AEC.
- (b) for piers, docks, and boathouses:
- (i) The modification or addition is not within 150 feet of the edge of a federally-maintained channel;
  - (ii) The structure, as modified, is 200 feet or less in total length offshore; or
  - (iii) The structure, as modified, does not extend past the four feet mean low water contour line (four feet depth at mean low water) of the waterbody; and
  - (iv) The project as modified will not exceed six feet width; and
  - (v) The modification or addition does not include an enclosed structure; and
  - (vi) The project will continue to be used for private, residential purposes.
- (c) for boat ramps:
- (i) The project, as modified, would not exceed 10 feet in width and 20 feet offshore; and

- (ii) The project will continue to be used for private, residential purposes.

*History Note:* Authority G.S. 113A-103(5)(c); 113A-118(a);  
*Eff. March 29, 1978;*  
*Amended Eff. July 1, 1981;*  
*Readopted Eff. November 1, 2021.*

**15A NCAC 07K .0204 EXEMPTIONS FOR PROJECTS REQUIRING AIR QUALITY PERMIT**

Modification to Existing Sources or Control Devices. Projects in this category are modifications to facilities or control devices that upgrade existing capacities or are intended to meet air quality standards. Projects falling into this category shall be exempted from the CAMA major development permit if:

- (1) The modification is limited to upgrading existing capabilities or to meet air quality standards; or
- (2) The modification involves installation of additional abatement devices necessary to meet air quality standards; and
- (3) The modification does not involve land-disturbing activities or necessitate surface or subsurface disposal of water.

*History Note:* Authority G.S. 113A-103(5)(c); 113A-118(a);  
*Eff. March 29, 1978;*  
*Readopted Eff. November 1, 2021.*

**15A NCAC 07K .0205 EXEMPTIONS FOR PROJECTS REQUIRING THE NPDES**

(a) Projects requiring the National Pollution Discharge Elimination System permit are those that will discharge wastewater from an outlet, point source, or disposal system into the surface waters of the State.

(b) Modification of Existing Facilities. Projects in this category are those facilities that undergo modification to meet effluent limitations set forth in 15A NCAC 02B .0404, which is hereby incorporated by reference, including subsequent amendments. Projects falling into this category will be exempted from the CAMA major development permit if:

- (1) Modifications are for the purpose of upgrading facilities to meet current effluent limitation standards;
- (2) Modifications are for the purpose of improving existing capacities or providing back up units for existing capacities;
- (3) The modification is for treating waste load types similar to those in the previously permitted activity; or
- (4) The final discharge flow that may be associated with the modification remains the same as the discharge flow permitted before modification; and

- (5) No additional acreage is necessary for land disposal of dewatered wastes or does not require subsurface pollutant injection; and
- (6) No significant land-disturbing activity is involved.

*History Note:* Authority G.S. 113A-103(5)(c); 113A-118(a);  
*Eff. March 29, 1978;*  
*Readopted Eff. November 1, 2021.*

**15A NCAC 07K .0206 AGRICULTURAL AND FORESTRY DITCHES EXEMPTED**

- (a) Ditches used for agricultural or forestry purposes with maximum dimensions equal to or less than six feet (top width) by four feet deep are exempted from the CAMA permit requirement.
- (b) All ditches with maximum dimensions greater than six feet by four feet will require a permit.
- (c) Width and depth dimensions of all ditches will be measured at the ground level.

*History Note:* Authority G.S. 113A-103(5)(a); 113A-118(a);  
*Eff. November 1, 1984;*  
*Readopted Eff. November 1, 2021.*

**15A NCAC 07K .0209 EXEMPTION / ACCESSORY USES / MAINTENANCE REPAIR / REPLACEMENT**

- (a) Accessory buildings customarily incident to an existing structure are excluded from the definition of development if the work does not involve filling, excavation, or the alteration of any sand dune or beach as set out in G.S. 113A-103(5)(b)(6). Accessory buildings are subordinate in size and purpose to the principal structure and do not require, or consist of the expansion of the existing structure as defined by an increase in footprint or total floor area of the existing structure. A building with a footprint of 100 square feet or less is considered an accessory building as long as it is customarily incident to and subordinate in size and purpose to the principal structure. Buildings of a larger size may be considered accessory buildings if necessary for customary use.
- (b) Accessory uses as described in Paragraph (a) of this Rule and that are required to support the existing dominant use, but not within the exclusion set out in G.S. 113A-103(5)(b)(6) and that require no plumbing, electrical, or other service connections and do not exceed 200 square feet are exempt from the CAMA minor development permit requirement if they meet the criteria set out in Paragraph (d) of this Rule.
- (c) Any structure, or part thereof, consistent with this Chapter may be maintained, repaired, or replaced, in a similar size and location as the existing structure without requiring a permit, unless the repair or replacement would be in violation of the criteria set out in Paragraph (d) of this Rule. This exemption applies to those projects that are not within the exclusion for maintenance and repairs as set out in G.S. 113A-103(5)(b)(6), Rule .0103 of this Subchapter and Rule 07J .0210.

(d) In order to be eligible for the exemptions described in Paragraphs (b) and (c), of this Rule, the proposed development activity must meet the following criteria:

- (1) the development must not disturb a land area of greater than 200 square feet on a slope of greater than 10 percent;
- (2) the development must not involve removal, damage, or destruction of threatened or endangered animal or plant species;
- (3) the development must not alter naturally or artificially created surface drainage channels;
- (4) the development must not alter the land form or vegetation of a frontal dune;
- (5) the development must not be within 30 feet of normal water level or normal high water level; and
- (6) the development must be consistent with all applicable use standards and local land use plans in effect at the time the exemption is granted.

*History Note:* Authority G.S. 113A-103(5); 113A-111; 113A-118(a); 113A-120(a)(8);  
*Eff. November 1, 1984;*  
*Amended Eff. August 1, 2007; March 1, 2006; July 1, 2004;*  
*August 1, 2002; August 1, 2000;*  
*Readopted Eff. November 1, 2021.*

**15A NCAC 07K .0210 NOMINATION CATEGORIES EXCLUDED: MINOR PERMIT EXEMPTION**

The minor development permit exemptions in this Section are not applicable to the "Areas That Sustain Remnant Species," as defined in 15A NCAC 07H .0505, "Complex Natural Areas," as defined in 15A NCAC 07H .0506, and "Unique Geologic Formations," as defined in 15A NCAC 07H .0507 categories of areas of environmental concern.

*History Note:* Authority G.S. 113A-103(5)(c); 113A-118(a);  
*Eff. November 1, 1984;*  
*Readopted Eff. November 1, 2021.*

**15A NCAC 07K .0211 JOCKEY'S RIDGE AEC**

All development in the Jockey's Ridge area of environmental concern designated pursuant to 15A NCAC 07H .0507 that is not within any other designated area of environmental concern shall be exempt from CAMA major and minor permit requirements provided it does not involve the removal of more than ten cubic yards of sand per year from the area within the AEC boundary.

*History Note:* Authority G.S. 113A-103(5)c.;  
*Eff. March 1, 1988;*  
*Readopted Eff. November 1, 2021.*

**15A NCAC 07K .0212 INSTALLATION AND MAINTENANCE OF SAND FENCING**

Sand fences that are installed and maintained subject to the following criteria are exempt from the permit requirements of the Coastal Area Management Act:

- (1) Sand fencing may only be installed for the purpose of: building sand dunes by trapping wind blown sand or the protection of the dune(s) and vegetation (planted or existing).
- (2) Sand fencing shall not impede existing public access to the beach, recreational use of the beach, or emergency vehicle access. Sand fencing shall not be installed in a manner that impedes or restricts established common law and statutory rights of public access and use of public trust lands and waters.
- (3) Sand fencing shall not be installed in a manner that impedes, traps, or otherwise endangers sea turtles, sea turtle nests or sea turtle hatchlings.
- (4) Non-functioning, damaged, or unsecured sand fencing shall be removed by the property owner upon discovery.
- (5) Sand fencing shall be constructed from evenly spaced thin (approximately 1 to 1 ½ inches wide) wooden vertical slats connected with twisted wire, no more than 5 feet in height. Wooden posts or stakes no larger than 2" X 4" or 3" diameter shall support sand fencing.
- (6) Location. Sand fencing shall be placed as far landward as possible to avoid interference with sea turtle nesting, existing public access, recreational use of the beach, and emergency vehicle access.
  - (a) Sand fencing shall not be placed on the wet sand beach area;
  - (b) Sand fencing installed parallel to the shoreline shall be located no farther waterward than the crest of the frontal or primary dune; or
  - (c) Sand fencing installed waterward of the crest of the frontal or primary dune shall be installed at an angle no less than 45 degrees to the shoreline. Individual sections of sand fence shall not exceed more than 10 feet in length and shall be spaced no less than seven feet apart, and shall not extend more than 10 feet waterward of the following locations, whichever is most waterward, as defined in 15A NCAC 07H .0305: the first line of stable natural vegetation, the toe of the frontal or primary dune, or erosion escarpment of frontal or primary dune; and
  - (d) Sand fencing along public accessways may equal the length of the accessway, and may include a 45 degree funnel on the waterward end. The waterward location of the funnel shall not exceed 10 feet

waterward of the locations identified in Sub-Item (6)(c) of this Item.

*History Note: Authority G.S. 113A-103(5)(c);  
Eff. August 1, 2002;  
Readopted Eff. November 1, 2021.*

#### **15A NCAC 07K .0401 MAINTENANCE OF FEDERAL NAVIGATION CHANNELS**

- (a) Operation and maintenance of all federal navigation channels subject to the authority of the US Army Corps of Engineers are hereby granted an exemption from the CAMA permit requirement. Activities exempted by this requirement must be consistent with the Coastal Area Management Act (CAMA) and the rules of this Chapter to the maximum extent practicable as set forth in 15 CFR 930.32.
- (b) For the purposes of this Section, operation and maintenance activities shall mean only those activities that allow for navigation over existing water courses and that take place within authorized project dimensions as defined in project documents. Such activities may include hydraulic pipeline dredging, sidecast dredging, mechanical dredging, disposition of dredged materials, and activities necessary to accomplish dredging, such as laying pipes to move material from the dredging site to the disposal area.

*History Note: Authority G.S. 113A-103(5)(c);  
Eff. June 18, 1979;  
Amended Eff. September 6, 1979;  
Readopted Eff. November 1, 2021.*

#### **15A NCAC 07K .0402 FEDERAL AGENCY ACTIVITIES EXEMPTED**

All federal agency development activities in areas of environmental concern are hereby granted an exemption from the CAMA permit requirement.

*History Note: Authority G.S. 113A-103(5)(c)  
Eff. June 18, 1979;  
Amended Eff. April 22, 1980; September 6, 1979;  
Readopted Eff. November 1, 2021.*

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### **TITLE 19A – DEPARTMENT OF TRANSPORTATION**

#### **19A NCAC 03A .0105 GENERAL INFORMATION**

The following is general information about the Division of Motor Vehicles:

- (1) The mailing address is 3101 Mail Service Center, Raleigh, North Carolina 27697-3101.
- (2) The physical location is 1515 North Church Street, Rocky Mount, North Carolina 27804.
- (3) The web page address is www.ncdmv.org.

*History Note: Authority G.S. 20-1; 20-2;  
Eff. November 1, 2021.*

**19A NCAC 03B .0103 FORMS**

*History Note:* Authority G.S. 20-7; 20-39;  
*Eff.* July 1, 1978;  
*Amended Eff.* November 1, 1991; June 5, 1981;  
*Repealed Eff.* November 1, 2021.

**19A NCAC 03B .0201 DRIVER'S LICENSE EXAMINATION AND ONLINE RENEWAL**

(a) The Division shall issue a driver's license to any person who is eligible under G.S. 20 and completes the following requirements:

- (1) The Knowledge Examination, which is an automated computer examination that tests the applicant's knowledge of rules of the road. An audio component allows applicants with reading comprehension difficulties to listen to the test questions by use of earphones. Eighty percent of the questions shall be answered correctly to pass. For the issuance of a remote renewal, the requirement of a knowledge examination shall be waived.
- (2) The Road Sign Examination, which tests the applicant's knowledge of highway signs and their meanings. Applicants for a regular Class C license shall correctly identify 9 of 12 road signs. Applicants for A or B licenses shall correctly identify all road signs. For the issuance of a remote renewal, the requirement of the road signs test shall be waived.
- (3) The Visual Acuity Test, which examines an applicant's visual ability to identify letters or symbols from a specific distance. The applicant's vision shall be 20/40 or better in at least one eye to receive an unrestricted license. A license shall be restricted to require corrective lenses if acuity is less than 20/40 in either eye or both eyes together.
- (4) The Road Test, which measures the applicant's ability to operate a motor vehicle safely in actual traffic situations. The required maneuvers are: quick stop, turnabout, backing, approach corner, right turns, left turns, traffic lights, use of vehicle operating equipment, starts, use of lanes, use of brakes, following, and paying attention. Pass or failure is based upon the applicant's ability to execute the required maneuvers. The test is scored by the driver license examiner. For the issuance of a remote renewal, the requirement of a road test shall be waived.
- (5) The Remote Renewal allows drivers to remotely renew a driver's license by mail or electronic device. Eligible applicants who wish to renew remotely by electronic means, may go to [www.ncdot.gov/dmv](http://www.ncdot.gov/dmv) and submit

responses to a series of automated questions that guide applicants through the online renewal process. A driver's license issued by remote renewal expires in accordance with G.S. 20-7(f)(6)c.

- (6) The Attestation supports application for a remote renewal to affirm the following as part of the remote renewal process:
    - (A) The applicant is a resident of North Carolina;
    - (B) The license holder's name as it appears on the license to be renewed has not changed;
    - (C) All information provided during the application for a remote renewal has been provided truthfully;
    - (D) The applicant knows of no change in his or her vision since the last time the applicant passed the visual acuity test in Subparagraph (a)(3) of this Rule that would impair the applicant's ability to safely drive a motor vehicle; and
    - (E) That no change in physical or mental abilities has occurred since the last issuance.
  - (7) If the applicant has an existing DMV photo on file, no additional photographs are required and the requirements in G.S. 20-7(n)(4) shall be waived for a remote renewal.
  - (8) Upon completion of the remote renewal process, the license shall be renewed if all criteria in G.S. 20-7 are met. The applicant shall use the current license for all driver license purposes until the license becomes invalid for some other reason, or receipt of the new license card.
- (b) The tests contained in Paragraph (a) of this Rule shall be administered as follows:
- (1) Applicants applying for a driver's license for the first time shall complete the full examination to include the knowledge examination, road signs test, visual acuity test, and road test. Applicants in this Subparagraph are not eligible to apply for remote renewal.
  - (2) Applicants seeking to renew a valid, unexpired North Carolina driver's license shall complete the road signs test and visual acuity test, unless the applicant is renewing remotely. Applicants possessing a previously issued North Carolina driver's license, expired less than two years, shall complete the road signs test and visual acuity test. An applicant shall attest during the application for a remote driver license renewal that the applicant knows of no change in his or her vision as set out in Part (a)(6)(D) of this Rule.

- (3) Applicants possessing a previously issued North Carolina driver's license expired greater than two years shall complete the full examination, to include the knowledge examination, road signs test, visual acuity test, and road test. Applicants in this Subparagraph are not eligible to apply for remote renewal.
- (4) Applicants seeking to transfer their current driver's license from another state or applicants possessing a driver's license issued by another state that is expired less than two years shall complete the road signs test and visual acuity test. Applicants in this Subparagraph are not eligible to apply for remote renewal.
- (5) Applicants with a driver's license issued by another state, expired more than two years, shall complete the full examination, to include the knowledge examination, road signs test, visual acuity test, and road test. Applicants in this Subparagraph are not eligible to apply for remote renewal.

*History Note:* Authority G.S. 20-2; 20-7(a),(c),(f); 20-39; s. 34.8(a), 34.8(b);  
*Eff.* July 1, 1978;  
*Amended Eff.* May 4, 2015; May 1, 2014; December 1, 1993;  
 July 1, 1982; June 5, 1981;  
*Emergency Amendment Eff.* July 22, 2020 to expire pursuant to S.L. 2020-97, s. 3.20, expiration extended pursuant to S.L. 2021-13;  
*Readopted Eff.* November 1, 2021.

**19A NCAC 03B .0301 ACUTE OR CHRONIC ILLNESSES**

*History Note:* Authority G.S. 20-2(b); 20-9; 20-17.1;  
*Eff.* July 1, 1978;  
*Amended Eff.* November 1, 1991; June 5, 1981;  
*Repealed Eff.* November 1, 2021.

**19A NCAC 03B .0403 DRIVING RECORDS**

*History Note:* Authority G.S. 20-1; 20-26(b),(c); 20-39;  
*Eff.* July 1, 1978;  
*Amended Eff.* December 1, 1993; November 1, 1991; July 1, 1982;  
*Repealed Eff.* November 1, 2021.

**19A NCAC 03B .0702 DEFINITIONS**

The following definitions shall apply for purposes of the rules of this Section:

- (1) "Division" means the North Carolina Division of Motor Vehicles.
- (2) "Commissioner" means the North Carolina Commissioner of Motor Vehicles.
- (3) "CDL" means Commercial Drivers License.

- (4) "FHWA" means the Federal Highway Administration.
- (5) "FMCSR" means the Federal Motor Carrier Safety Regulations promulgated by the U.S. Department of Transportation as set forth in 49 CFR Part 383, Subparts F, G, and H, which are hereby incorporated by reference, including subsequent amendments and editions, and can be found at no cost at [www.fmcsa.dot.gov/regulations](http://www.fmcsa.dot.gov/regulations).
- (6) "Approved Testing Program" means the skills tests as required by FMCSR that is administered by a Third Party Tester.
- (7) "Tester Certificate" means the document issued to a Third Party Tester authorizing him or her to administer the approved testing program on behalf of the Division.
- (8) "Third Party Tester" means a government entity, association, educational institution, or business entity engaged in the use of commercial motor vehicles, licensed by the Division to administer the approved testing program for CDL applicants in accordance with these Rules.
- (9) "Third Party Examiner" means an individual who is a payroll employee of a Third Party Tester and who has been issued an examiner certificate to conduct the skills tests required for a CDL.

*History Note:* Authority G.S. 20-37.22;  
*Eff.* September 1, 1990;  
*Readopted Eff.* November 1, 2021.

**19A NCAC 03B .0703 REQUIREMENTS FOR THIRD PARTY TESTERS**

(a) To be certified as a Third Party Tester a person must:

- (1) apply in accordance with Rule .0706 of this Section and enter into an agreement with the Division in accordance with 49 CFR 383.75;
- (2) maintain a place of business with at least one occupied structure within the state of North Carolina;
- (3) have at least one certified Third Party Examiner in its employ;
- (4) allow FHWA, its representatives, and the Division to conduct random examinations, inspections, and audits without prior notice;
- (5) allow the Division to conduct periodic, but at least annual on-site inspections;
- (6) maintain at each third party testing location, for a minimum of two years, a record of each driver for whom the Third Party Tester conducts a skills test, whether the driver passes or fails the test. Each such record shall include:
  - (A) the complete name and address of the driver;

- (B) the driver's social security number, driver's license number, and the name of the state or jurisdiction that issued the license held by the driver at the time of the test;
  - (C) the date the driver took the skills test;
  - (D) the test score sheets showing the results of the test;
  - (E) the name and identification number of the Third Party Examiner conducting the skills test;
  - (F) the record of all receipts and disbursements;
  - (G) the make, model, and registration number of the commercial motor vehicles used to conduct the testing; and
  - (H) the written contract or copy, if applicable, with any person or group of persons being tested.
- (7) maintain at each approved testing location, a record of each Third Party Examiner in the employ of the Third Party Tester at that location. Each record shall include:
- (A) a valid Examiner Certificate indicating the Examiner at that location;
  - (B) a copy of the Third Party Examiner's current driving record, that shall be updated annually; and
  - (C) evidence that the Third Party Examiner is a payroll employee of the Third Party Tester.
- (8) retain all Third Party Examiner records for at least two years after the Third Party Examiner leaves the employ of the Third Party Tester;
- (9) ensure that the skills tests are conducted in accordance with the requirements of this Section;
- (10) provide documented proof through electronic means provided through a portal by the American Association of Motor Vehicle Administrators for each driver applicant who has taken and passed the required skills tests as set forth in G.S. 20-37.13(a)(3). The driver applicant will then present themselves to the Division and skills test scores will be verified through electronic means provided through a portal by AAMVA as evidence that they successfully passed the driving tests administered by the Third and;
- (11) to maintain certification the Third Party Tester must administer skills tests to a minimum of 10 different driver annually in accordance with the requirements of 49 CFR383.75(c), which is hereby incorporated by reference including subsequent

amendments and editions and can be found at no cost at [www.fmcsa.dot.gov/regulations](http://www.fmcsa.dot.gov/regulations).

(b) In addition to the requirements listed in Paragraph (a) of this Rule, all Third Party Testers who are not governmental entities or associations must:

- (1) Truck and Bus Companies:
  - (A) employ at least 25 full-time, part-time, or seasonal North Carolina commercial motor vehicle licensed drivers;
  - (B) employ an individual who is responsible for the organization's third party testing operation; and
  - (C) have been in operation in North Carolina a minimum of six months. If the truck or bus company has been in operation less than six months under the current company name, the company shall identify previous company names to cover the six-month period.
- (2) Educational Institutions have a commercial motor vehicle training program in operation in North Carolina for a minimum of six months.

*History Note: Authority G.S. 20-37.13; 20-37.22; Eff. September 1, 1990; Amended Eff. August 1, 1994; December 1, 1993; Readopted Eff. November 1, 2021.*

#### **19A NCAC 03B .0704 REQUIREMENTS FOR THIRD PARTY EXAMINERS**

(a) Third Party Examiners may conduct skills tests on behalf of only one Third Party Tester at any given time. If a Third Party Examiner leaves the employ of a Third Party Tester he or she must reapply to conduct tests on behalf of a new Third Party Tester.

- (b) To qualify as a Third Party Examiner, an individual must:
- (1) apply on a form provided and sent to the applicant via email by the Division as set forth in Rule .0707 of this Section;
  - (2) be a payroll employee of the Third Party Tester;
  - (3) possess a valid North Carolina Driver's License with classification and endorsements required for operation of the class and type of commercial motor vehicle used in the skills tests conducted by the Examiner;
  - (4) have completed the Third Party Examiner CDL Training Course conducted by the Division. At a minimum upon completion of the training the Third Party Examiner shall have acquired and demonstrated the following knowledge and skills:
    - (A) understanding of G.S. 20 Article 2C and the rules adopted pursuant thereto;

- (B) knowledge of the CDL testing procedures and forms;
- (C) ability to administer and complete all forms without errors for the CDL skills test; and
- (D) knowledge of testing site and route requirements.
- (5) take part in all Division required advanced training courses, workshops and seminars;
- (6) within 10 years prior to application have had no convictions for Driving While Impaired (DWI);
- (7) within five years prior to application have had no driver's license suspensions, revocations, cancellations, or disqualifications;
- (8) be at least 21 years of age; and
- (9) conduct skills tests on behalf of the Third Party Tester, in accordance with these Rules and in accordance with current instructions provided by the Division.

*History Note: Authority G.S. 20-37.13; 20-37.22;  
Eff. September 1, 1990;  
Amended Eff. August 1, 1994; December 1, 1993;  
Readopted Eff. November 1, 2021.*

**19A NCAC 03B .0705 CERTIFICATES**

- (a) A certificate shall be issued allowing the Third Party Tester to operate an approved testing program to give skills tests to applicants for a CDL as provided in Rule .0703 of this Section.
- (b) An examiner certificate shall be issued to Third Party Examiners of the Third Party Tester as provided in Rule .0704 of this Section.
- (c) A copy of the Examiner's Certificate shall be displayed in the office of the Third Party Tester. The Examiner's certificate shall be effective on the date of issuance and remain in effect unless the Examiner surrenders the certificate to the Division or until the certificate has been revoked or cancelled by the Division as provided in Rule .0716 of this Section.
- (d) The certificate issued by the Division to operate a Third Party Testing Program shall be effective on the date of issuance and shall be displayed in the place of business of the Third Party Tester until cancelled or revoked as provided in Rule .0716 of this Section.
- (e) A certificate to operate a Third Party Testing program shall be non-transferable.

*History Note: Authority G.S. 20-37.13; 20-37.22;  
Eff. September 1, 1990;  
Readopted Eff. November 1, 2021.*

**19A NCAC 03B .0706 APPLICATION FOR THIRD PARTY TESTER CERTIFICATION**

- (a) Before any certificate is issued to a Third Party Tester, an application shall be made in writing to the Division on a form prepared and emailed to the applicant by the Division. The application shall include the information of the Third Party Tester applicant:

- (1) the official name, address, and telephone number of the principal office or headquarters;
- (2) name, title, address, and telephone number of the individual who has been designated the applicant's contact person;
- (3) description of the type of organization that is applying that can include a governmental entity, association, motor carrier, or educational institution, as well as the length of time the organization has been in business in North Carolina, if applicable;
- (4) a description of the vehicle fleet owned or leased by the applicant, including a complete equipment roster as listed for insurance purposes;
- (5) the class of testing for which the applicant is applying;
- (6) the total number of North Carolina licensed drivers employed to operate commercial motor vehicles, and the number of such drivers who are full-time, part-time, and seasonal;
- (7) the name, driver's license number, social security number, and home address of those payroll employees who wish to be approved as Third Party Examiners; and
- (8) proof of the Third Party Tester meets the insurance requirements as stated in Rule .0714(a) – (d) and set forth in G.S. 20-37.22.

- (b) The address of each North Carolina location where the applicant intends to conduct the skills tests as well as a description of the off-road facilities including a map, drawing, or written description of the road test route that will be used for the on-road portion of the skills test.

- (c) Educational institutions shall submit with their application a description of their facilities, equipment, and training curriculum. The number of applications for the previous year and the percent graduated must also be included.

- (d) An applicant for a certificate for a Third Party Tester shall also execute an agreement form provided via email by the Division in which the applicant agrees, at a minimum, to comply with applicable CFRs, G.S. 20-37.13, and the rules of this Section for Third Party Tester, including audit procedures.

*History Note: Authority G.S. 20-37.13; 20-37.22;  
Eff. September 1, 1990;  
Amended Eff. December 1, 1993;  
Readopted Eff. November 1, 2021.*

**19A NCAC 03B .0707 APPLICATION FOR THIRD PARTY EXAMINER CERTIFICATION**

Application for an Examiner Certificate shall be made on a form emailed by the Division. The form shall contain the following information of the Third Party Examiner applicant:

- (1) the full name, home and business address, and telephone numbers;



- (2) the driving history, including class of current license and any endorsements, and restrictions;
- (3) the name, address, and telephone number of the applicant's employer who has applied for or received a certificate as a Third Party Tester; and
- (4) the employer's recommendation of the applicant for and examiner certificate, as well as proof that the applicant is a payroll employee.

*History Note: Authority G.S. 20-37.13; 20-37.22;  
Eff. September 1, 1990;  
Readopted Eff. November 1, 2021.*

**19A NCAC 03B .0709 ON-SITE INSPECTIONS AND AUDITS**

- (a) All applicants for a Third Party Tester Certificate shall permit the FHWA or the Division to inspect and audit its operations, facilities, and records as they relate to its Third Party Testing program, for the purpose of determining whether the applicant is qualified to be certified.
- (b) Third Party Testers who have been certified shall permit the Division or FHWA to periodically inspect and audit its Third Party Testing program to determine whether it remains in compliance with the certification requirements as provided in Rule .0706 of this Section;
- (c) The Division and FHWA shall perform inspections and audits with or without prior notice to the Third Party Tester.
- (d) Inspections and audits shall include an examination of:
  - (1) records relating to Third Party Testing program;
  - (2) evidence of compliance with the FMCSRs;
  - (3) skills testing procedures practices and operations;
  - (4) vehicles used for testing;
  - (5) qualifications of Third Party Examiners;
  - (6) effectiveness of the skills test program by either testing a sample of drivers who have been issued skills test certificates by the Third Party Tester or having Division employees take the skills tests from a Third Party Examiner; and
  - (7) Any Third Party Tester's operation that the Division determines is necessary to verify that the Third Party Tester meets the requirements for the certification as set forth in Rule .0703 of this Section.
- (e) The Division shall prepare a written report of each inspection and audit report of the results of each inspection and audit. A copy of the report shall be provided to the Third Party Tester.

*History Note: Authority G.S. 20-37.13; 20-37.22;  
Eff. September 1, 1990;  
Amended Eff. December 1, 1993;  
Readopted Eff. November 1, 2021.*

**19A NCAC 03B .0711 EVALUATION OF APPLICANTS BY THE DIVISION**

- (a) In order to determine whether a Third Party Tester applicant meets the certification requirements set forth in Rule .0703 of this Section, the Division shall review the materials submitted in accordance with Rule .0706 of this Section and shall schedule an on-site inspection and audit of the applicant's program.
- (b) In order to determine whether a Third Party Examiner applicant meets the certification requirements as set forth in Rule .0704 of this Section, the Division shall review the materials submitted in accordance with Rule .0707 of this Section to include the applicant's driving record, qualification questionnaire, and certificate of training.

*History Note: Authority G.S. 20-37.13; 20-37.22;  
Eff. September 1, 1990;  
Readopted Eff. November 1, 2021.*

**19A NCAC 03B .0801 DEFINITION**

*History Note: Authority G.S. 20-37.22;  
Eff. July 1, 1992;  
Repealed Eff. November 1, 2021.*

**TITLE 21 – OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS**

**CHAPTER 16 – BOARD OF DENTAL EXAMINERS**

**21 NCAC 16G .0109 DENTAL HYGIENIST CERTIFICATION TO ADMINISTER LOCAL ANESTHETICS**

- (a) To apply for certification to administer local anesthetics by block or infiltration techniques:
  - (1) a dental hygienist holding a valid dental hygiene license issued by the Board on or after October 1, 2021, shall submit to the Board a certificate of completion from a dental hygiene program meeting the requirements set out in G.S. 90-225.2; or
  - (2) a dental hygienist licensed in North Carolina or any other state or territory who has been practicing dental hygiene for the two year period set out in G.S. 90-225.3(a)(2) shall submit to the Board evidence of completion of a course meeting the requirements of G.S. 90-225(a)(3), including a notarized letter from a licensed dentist instructor stating the applicant's completion of the required injections in a course.
- (b) The requirements set out in Paragraph (a) of this Rule are in addition to any other applicable requirements set out in this Chapter for the issuance or renewal of a dental hygiene license.
- (c) As a condition to renew a certificate to administer local anesthetics, each dental hygienist shall complete two clock hours of continuing education each calendar year in satisfaction of the requirements of G.S. 90-225.3(c), which may be among

those chosen to satisfy the requirements set out in 21 NCAC 161 .0201(a).

(d) A dental hygienist certified in accordance with this Rule shall conduct administration of local anesthetics only under the direct supervision of a North Carolina licensed dentist.

*History Note: Authority G.S. 90-221; 90-223; 90-225.2; 90-225.3; S.L. 2021-95;*

*Temporary Adoption Eff. November 1, 2021.*

## **21 NCAC 160 .0402 EDUCATIONAL REQUIREMENTS**

(a) A Dental Assistant may aid and assist a licensed dentist in the monitoring of nitrous oxide-oxygen inhalant sedation by completing a Board-approved course totaling at least seven hours that covers the following topics:

- (1) definitions and descriptions of physiological and psychological aspects of pain and anxiety;
- (2) the states of drug-induced central nervous system depression through all levels of consciousness and unconsciousness, with emphasis on the distinction between the conscious and unconscious state;
- (3) respiratory and circulatory physiology, and related anatomy;
- (4) pharmacology of agents used in the nitrous oxide techniques being taught, including drug interaction and incompatibility;
- (5) patient monitoring, with particular attention to vital signs and reflexes related to consciousness;
- (6) prevention, recognition, and management of complications and life threatening situations that may occur during the use of the nitrous oxide techniques, including cardiopulmonary resuscitation;
- (7) description and use of ventilation sedation equipment; and
- (8) potential health hazards of trace anesthetics, and proposed techniques for elimination of these potential health hazards.

(b) Courses approved to satisfy the educational requirements of this Rule shall be provided and taught by:

- (1) an instructor who is a dentist holding an unrestricted license as defined by 21 NCAC 16A .0101(7);
- (2) an instructor licensed pursuant to 21 NCAC 16B .0701; or
- (3) a dental hygienist or dental assistant under the direction of an instructor who satisfies the requirements of Subparagraph (b)(1) or (b)(2) of this Rule, who shall be physically present and administer nitrous oxide if it is administered in the course.

(c) Courses shall be reviewed at any Board meeting and approved by a majority of the Board to satisfy the educational requirements of this Rule. A list of approved courses is available on the Board's website at [www.ncdentalboard.org](http://www.ncdentalboard.org).

*History Note: Authority G.S. 90-29(b)(6); 90-29(c)(10); 90-29(c)(13); 90-48; 90-223;*

*Eff. July 16, 1980;*

*Amended Eff. April 1, 2016; May 1, 1989;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018;*

*Amended Eff. November 1, 2021.*

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## **CHAPTER 46 - BOARD OF PHARMACY**

### **21 NCAC 46 .1317 DEFINITIONS**

Terms used in this Chapter and G.S. 90, Article 4A, are defined as follows, unless otherwise defined in G.S. 90, Article 4A:

- (1) Ambulation assistance equipment. Devices that aid in walking, excluding canes, crutches, and walkers.
- (2) Approved school or college of pharmacy. A school or college of pharmacy accredited by the American Council on Pharmaceutical Education.
- (3) Diagnostic equipment. Equipment used to record physiological information while a person goes about normal daily living or while asleep in order to document a disease process. Early pregnancy tests (EPTs), thermometers, glucose meters, and cholesterol equipment are not included as diagnostic equipment.
- (4) Drug regimen review or drug use review. A review of a patient's record by a licensed pharmacist that involves interpretation and evaluation of the drug therapy and other pharmaceutical care services to achieve intended medication outcomes and minimize negative effects of drug therapy.
- (5) Employee. A person who is or would be considered an employee under the North Carolina Workers' Compensation Act. This definition applies to locations both within and outside of this State holding pharmacy or device and medical equipment permits and without regard to the number of persons employed by the permit holder.
- (6) Graduate of an approved school or college of pharmacy. A person who has received an undergraduate professional degree in pharmacy from an approved school or college of pharmacy.
- (7) Health Care Facility. One of the following organizations whose primary purpose is to provide a physical environment for patients to obtain health care services:
  - (a) a hospital;
  - (b) a long-term care facility;
  - (c) a mental health facility;
  - (d) a drug abuse treatment center;
  - (e) an assisted living facility;

- (f) an ambulatory surgical center;
- (g) a penal institution; or
- (h) a hospice.
- (8) Health Care Facility Pharmacy. A pharmacy permitted by the Board that provides services to patients of a Health Care Facility.
- (9) Internet pharmacy.
  - (a) A pharmacy that maintains an Internet web site for the purpose of selling or distributing prescription drugs; or
  - (b) A pharmacy that uses the Internet, either itself, or through agreement with a third party, to communicate with or obtain information from patients; uses such communication or information, in whole or in part, to solicit, fill or refill prescriptions; or otherwise uses such communication or information, in whole or in part, to engage in the practice of pharmacy.

Notwithstanding Sub-items (a) and (b) above, a pharmacy shall not be deemed an Internet pharmacy if it maintains each Internet web site for the following purposes only:

  - (i) To post advertisements that do not attempt to facilitate, directly or through agreement with a third party, an actual transaction involving a prescription drug;
  - (ii) To allow a patient to communicate a request for a refill of a valid prescription originally filled by the pharmacy that maintains the Internet web site;
  - (iii) To allow a customer to research drug interactions and clinical pharmacology information; or
  - (iv) To allow a patient to send an electronic mail message to a pharmacist licensed in North Carolina.
- (10) Medication Order. An order for a drug, device, or medical equipment for a patient from a person authorized by law to prescribe them.
- (11) Mobility equipment. Devices that aid a person in self-movement other than walking, including manual or power wheelchairs and scooters.
- (12) North Carolina resident or resident of North Carolina. Any patient who is a temporary or

- permanent resident of the State of North Carolina or present in the State of North Carolina at the time a drug, device, or medical equipment is dispensed to that person.
- (13) Oxygen and respiratory care equipment. Equipment or devices used to administer oxygen or other legend drugs, maintain viable airways, or monitor cardio-respiratory conditions or events, including the following:
  - (a) compressed medical gases;
  - (b) oxygen concentrators;
  - (c) liquid oxygen;
  - (d) nebulizers;
  - (e) compressors;
  - (f) aerosol therapy devices;
  - (g) portable suction machines;
  - (h) nasal continuous positive airway pressure (CPAP) machines;
  - (i) Bi-phasic positive pressure devices (BiPAP);
  - (j) infant monitors, such as apnea monitors and cardio-respiratory monitors;
  - (k) positive and negative pressure mechanical ventilators; and
  - (l) pulse oximeters.
- (14) Patient medication profile, patient profile, or pharmacy profile. A list of all medications prescribed for or dispensed to a patient.
- (15) Pharmacist-Manager. The person who accepts responsibility for the operation of a pharmacy in conformance with all statutes and rules pertinent to the practice of pharmacy and distribution of drugs by signing the permit application, its renewal, or addenda thereto.
- (16) Pharmacy Intern. Any person who is registered with the Board under the internship program of the Board to acquire pharmacy experience or enrolled in approved academic internship programs. A pharmacy intern working under a pharmacist preceptor or supervising pharmacist may, while under supervision, perform all acts constituting the practice of pharmacy.
- (17) Rehabilitation environmental control equipment. Equipment or devices that permit a person with disabilities to control his or her immediate surroundings.
- (18) Undergraduate professional degree in pharmacy. A Bachelor of Science in Pharmacy or a Doctor of Pharmacy degree.

*History Note: Authority G.S. 90-85.3; 90-85.6; 90-85.13; 90-85.14; 90-85.15; 90-85.21; 90-85.21A; 90-85.22; 90-85.26; 90-85.32; 90-85.33; 90-85.34; 90-85.38; 90-85.40; Eff. May 1, 1989;*

*Amended Eff. March 1, 2013; February 1, 2007; March 1, 2004; April 1, 1999; May 1, 1997; September 1, 1995; September 1, 1993; October 1, 1990; January 1, 1990;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017;*  
*Amended Eff. November 1, 2021.*

## **21 NCAC 46 .1616 LIMITED SERVICE PERMITS**

(a) The following pharmacy practice locations are eligible to apply for "limited service permits" whose operations are modified by the provisions set forth in this Rule:

- (1) auxiliary medication inventories permitted and operating in health care facilities pursuant to Rule .1414(d) of this Chapter;
- (2) automated dispensing or drug supply devices permitted and operating in health care facilities pursuant to Rule .1419 of this Chapter;
- (3) facilities where drugs are dispensed only by nurse practitioners or physician assistants pursuant to Section .1700 of this Chapter;
- (4) county health departments or other governmental entities providing local health services under G.S. 130A-34 where drugs are dispensed only by registered nurses and only pursuant to G.S. 90-85.34A and Section .2400 of this Chapter;
- (5) county health departments or other governmental entities providing local health services under G.S. 130A-34 that engage in dispensing beyond that set out in G.S. 90-85.34A and Section .2400 of this Chapter;
- (6) free clinics, as defined in G.S. 90-85.44(a)(6); or
- (7) critical access hospitals, as defined in G.S. 131E-76.

(b) A pharmacist-manager for a limited service permit may designate one assistant pharmacist-manager but is not required to do so. The assistant pharmacist-manager shall be responsible for exercising all of the responsibilities of a pharmacist-manager when the assistant pharmacist-manager is present and the pharmacist-manager is not present at the limited service permit. If the pharmacist-manager chooses to designate an assistant pharmacist-manager, the pharmacist-manager shall notify the Board on the limited service permit application and, in writing, within 15 days of any change in the designation. Notwithstanding the pharmacist-manager's designation of an assistant pharmacist-manager, the pharmacist-manager shall be responsible for ensuring the pharmacy's compliance with all statutes, rules, and standards at all times.

(c) For limited service permits, the pharmacist-manager attendance requirements set out in Rule .2502(b) of this Chapter are modified only as set forth herein:

- (1) For limited service permits described in Subparagraphs (a)(1) and (2) of this Rule, either the pharmacist-manager or the assistant pharmacist-manager must perform an in-person, on-site visit at least once per calendar quarter to inspect the permit, review

the operations of the permit with the persons involved in accessing them, and ensure that the permits are operated in compliance with all applicable State and federal laws.

- (2) For limited service permits described in Subparagraphs (a)(3) and (4) of this Rule, either the pharmacist-manager or the assistant pharmacist-manager must perform an in-person, on-site visit at least once per week to inspect the permit, review the operations of the permit with the persons involved in dispensing, and ensure that the permits are operated in compliance with all applicable State and federal laws.

- (3) For limited service permits described in Subparagraphs (a)(5), (6), and (7) of this Rule, either the pharmacist-manager or the assistant pharmacist-manager employed or otherwise engaged to supply pharmaceutical services may have a flexible schedule of attendance but shall be present for at least one-half of the hours the pharmacy is open or 20 hours a week, whichever is less. For the limited service permits described in Subparagraphs (a)(5) and (6) of this Rule, a licensed pharmacist must be present when the pharmacy is open as described in Rule .2502(e) of this Chapter. For the limited service permits described in Subparagraph (a)(7) of this Rule, the limited service permit may operate in the absence of a pharmacist only as set out in Rule .1413 of this Chapter.

- (4) The limited service permit may name a temporary pharmacist-manager or assistant pharmacist-manager for a period not to exceed 90 days from the departure date of the previous pharmacist-manager or assistant pharmacist-manager. The temporary pharmacist-manager or assistant pharmacist-manager must accept the responsibilities of that position and must be present as set forth in this Rule. A limited service permit may not operate for a period of more than 30 days without a pharmacist employed or otherwise engaged as a permanent or temporary pharmacist-manager who has signed the permit for that pharmacy.

(d) A person may serve as the pharmacist-manager or the assistant pharmacist-manager for multiple limited service permits, and may serve as the pharmacist-manager or assistant pharmacist-manager for limited service permits in addition to serving as the pharmacist-manager for a maximum of one permit other than a limited service permit. A person may serve multiple limited permits only if that person is able to fulfill all of that person's duties under State and federal law.

(e) Other than as set forth in this Rule, limited service permits and their personnel must follow all requirements of State and federal law. This Rule does not replace or modify the

requirements that the pharmacist-manager provide oversight and supervision as provided elsewhere in this Chapter.

*History Note: Authority G.S. 90-18.1(c); 90-18.2; 90-85.6; 90-85.21; 90-85.33; 90-85.34; Eff. November 1, 2021.*

**21 NCAC 46 .1703 DRUGS TO BE DISPENSED**

- (a) The nurse practitioner may dispense any and all drugs that the nurse practitioner is authorized by law to prescribe.
- (b) The physician assistant may dispense any and all drugs that the physician assistant is authorized by law to prescribe.
- (c) All drugs dispensed by a nurse practitioner or physician assistant must be dispensed from a place holding a current pharmacy permit from the Board as required by G.S. 90-85.21.
- (d) The pharmacist-manager, or another licensed pharmacist working under the pharmacist-manager's supervision, shall be available for consultation in person, by telephone, or other means of direct communication at all times when drugs are dispensed, including to perform drug regimen review for patients as needed.
- (e) All drugs dispensed pursuant to G.S. 90-18.1(c), 90-18.2(c), and the rules of this Section shall be packaged, labeled, and otherwise dispensed in compliance with State and federal law, and records of dispensing shall be kept in compliance with State and federal law. The pharmacist-manager shall be responsible for compliance with these laws at all times, regardless of whether the pharmacist-manager is present at the time of dispensing.

*History Note: Authority G.S. 90-18.1; 90-18.2; 90-85.6; Eff. April 1, 1983; Amended Eff. April 1, 1999; May 1, 1997; May 1, 1989; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017; Amended Eff. November 1, 2021.*

**21 NCAC 46 .1706 RETROSPECTIVE REVIEW AND CONSULTATION**

During the weekly in-person, on-site visit required by Rule .1616(c)(2) of this Chapter, if not more frequently, the pharmacist-manager or assistant pharmacist-manager shall retrospectively perform a drug regimen review of all drugs dispensed by a nurse practitioner or physician assistant. During this review, the pharmacist-manager or assistant pharmacist-manager shall:

- (1) review the appropriateness of the choice of medication(s) for each patient and the patient's therapeutic regimen, including choice of medication, dose, frequency, and route of administration;
- (2) identify and resolve therapeutic duplication in each patient's medication regimen; and
- (3) consider patient-specific medication contraindications.

*History Note: Authority G.S. 90-18.1; 90-18.2; 90-85.6; Eff. April 1, 1999;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017; Amended Eff. November 1, 2021.*

**21 NCAC 46 .2502 RESPONSIBILITIES OF PHARMACIST-MANAGER**

- (a) The pharmacist-manager shall assure that prescription legend drugs and controlled substances are safe and secure within the pharmacy.
- (b) Except as expressly provided in Rule .1616 of this Chapter, the pharmacist-manager employed or otherwise engaged to supply pharmaceutical services may have a flexible schedule of attendance but shall be present for at least one-half the hours the pharmacy is open or 32 hours a week, whichever is less. A pharmacist employee not meeting this requirement may serve as temporary pharmacist-manager of the permit holder for a period not to exceed 90 days from the departure date of the previous pharmacist-manager, if the pharmacist employee is present at least 20 hours per week in the pharmacy. A pharmacy may not operate for a period of more than 30 days without a pharmacist employed or otherwise engaged as a permanent or temporary pharmacist-manager who has signed the permit for that pharmacy.
- (c) Whenever a change of ownership or change of pharmacist-manager occurs, the successor pharmacist-manager shall complete an inventory of all controlled substances in the pharmacy within 10 days. A written record of the inventory, signed and dated by the successor pharmacist-manager, shall be maintained in the pharmacy with other controlled substances records for a period of three years.
- (d) The pharmacist-manager shall develop and implement a system of inventory record-keeping and control that will enable that pharmacist-manager to detect any shortage or discrepancy in the inventories of controlled substances at that pharmacy at the earliest practicable time.
- (e) The pharmacist-manager shall maintain authority and control over all access to the pharmacy and shall be responsible for the security of the pharmacy. Except as provided in Rules .1413(c) and .1616(c)(1) and (2) of this Chapter, a pharmacist must be present at both the opening and closing of the pharmacy. If no pharmacist will be present in the pharmacy for a period of 90 minutes or more between the opening and closing of the pharmacy, the pharmacy shall be secured to prohibit unauthorized entry.
- (f) These duties shall be in addition to the duties of pharmacist-managers as set forth in the other rules in this Chapter.
- (g) A person shall not simultaneously serve as pharmacist-manager for more than one permit, unless:
  - (1) any additional permits beyond that one permit is a limited service permit as provided in Rule .1616 of this Chapter;
  - (2) the person is serving simultaneously as pharmacist-manager at two pharmacies holding full service permits, one of which is a newly permitted pharmacy that has not yet begun providing pharmacy services to patients. When the newly permitted pharmacy begins providing pharmacy

services to patients or six months from the issuance of the new pharmacy permit, whichever occurs sooner, the person shall relinquish the former pharmacist-manager position and notify the Board of having done so.

(h) When a pharmacy is to be closed permanently, the pharmacist-manager shall inform the Board and the United States Drug Enforcement Administration of the closing, arrange for the proper disposition of the pharmaceuticals, and return the pharmacy permit to the Board's offices within 10 days of the closing date. If possible, notice of the closing shall be given to the public by posted notice at the pharmacy at least 30 days prior to the closing date and 15 days after the closing date. Such notice shall notify the public that prescription files may be transferred to a pharmacy of the patient's or customer's choice during the 30-day period prior to the closing date. During the 30-day period prior to the closing date, the pharmacist-manager and the pharmacy's owner (if the owner is other than the pharmacist-manager), shall transfer prescription files to another pharmacy chosen by the patient or customer, upon request. Absent specific instructions from the patient or customer, the pharmacist-manager and the pharmacy's owner (if the owner is other than the pharmacist-manager), shall transfer prescription files to another pharmacy for maintenance of patient therapy and shall inform the public of such transfer by posted notice at the pharmacy for 15 days after the closing date, if possible. Controlled substance records shall be retained for the period of time required by law.

(i) If possible, the pharmacist-manager shall ensure that notice of the temporary closing of any pharmacy for more than 14 consecutive days is given to the public by posted notice at the pharmacy at least 30 days prior to the closing date, and 15 days after the closing date. Such notice shall notify the public that prescription files may be transferred to a pharmacy of the patient's or customer's choice during the 30-day period prior to the closing date. During the 30-day period prior to the closing date, the pharmacist-manager and the pharmacy's owner (if the owner is other than the pharmacist-manager), shall transfer

prescription files to another pharmacy chosen by the patient or customer, upon request.

(j) The pharmacist-manager shall prepare a plan to safeguard prescription records and pharmaceuticals and minimize the interruption of pharmacy services in the event of a natural disaster such as hurricane or flood.

(k) The pharmacist-manager shall separate from the dispensing stock all drug products more than six months out of date.

(l) The pharmacist-manager shall report to the Board information that reasonably suggests that there is a probability that a prescription drug or device dispensed from a location holding a permit has caused or contributed to the death of a patient or customer. This report shall be filed in writing on a form provided by the Board within 14 days of the owner representative or pharmacist-manager's becoming aware of the event. The pharmacist-manager shall retain all documents, labels, vials, supplies, substances, and internal investigative reports relating to the event. All such items shall be made available to the Board upon request.

(m) The Board shall not disclose the identity of a pharmacist-manager who makes a report under Paragraph (l) of this Rule, except as required by law. No report made under Paragraph (l) of this Rule shall be released except as required by law.

(n) In any Board proceeding, the Board shall consider compliance with Paragraph (l) of this Rule as a mitigating factor and noncompliance with Paragraph (l) of this Rule as an aggravating factor.

*History Note: Authority G.S. 90-85.6; 90-85.21; 90-85.21A; 90-85.25; 90-85.26; 90-85.32;*

*Eff. May 1, 1989;*

*Amended Eff. April 1, 2006; February 1, 2005; August 1, 2002; December 1, 2001; April 1, 2001; April 1, 1999; July 1, 1996; March 1, 1992; October 1, 1990;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017;*

*Amended Eff. November 1, 2021; March 1, 2019.*

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## **RULES REVIEW COMMISSION**

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*This Section contains information for the meeting of the Rules Review Commission December 16, 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 2<sup>nd</sup> 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. (2<sup>nd</sup> Vice Chair)  
Margaret Currin  
Jeff Hyde  
Robert A. Rucho

#### **Appointed by House**

Andrew P. Atkins (1st Vice Chair)  
Wayne R. Boyles, III  
Barbara A. Jackson  
Randy Overton  
Paul Powell

### **COMMISSION COUNSEL**

Amber Cronk May      984-236-1936  
Brian Liebman      984-236-1948

### **RULES REVIEW COMMISSION MEETING DATES**

December 16, 2021      February 17, 2022  
January 20, 2022      March 17, 2022

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### **AGENDA**

#### **RULES REVIEW COMMISSION**

**THURSDAY, DECEMBER 16, 2021, 9:00 A.M.**  
**1711 New Hope Church Rd., Raleigh, NC 27609**

- I. Ethics reminder by the chair as set out in G.S. 138A-15(e)
- II. Approval of the minutes from the last meeting
- III. Follow-up matters
  - A. Criminal Justice Education and Training Standards Commission - 12 NCAC 09B .0202, .0209, .0210, .0211, .0212, .0213, .0214, .0226, .0232, .0233, .0237, .0238, .0242, .0244, .0417; 09G .0414, .0415, .0416
- IV. Review of Log of Filings (Permanent Rules) for rules filed between October 21, 2021 through November 22, 2021
  - Soil and Water Conservation Commission (May)
  - Medical Care Commission (May)
  - DHHS - Division of Health Service Regulation (May)
  - Criminal Justice Education and Training Standards Commission (May)
  - Private Protective Services Board (May)
  - Environmental Management Commission (May)
  - Marine Fisheries Commission (May)
  - Board of Chiropractic Examiners (May)
  - Licensing Board for General Contractors (May)
  - Board of Landscape Architects (May)
  - Medical Board (May)
  - Board of Pharmacy (May)
- V. Review of Log of Filings (Temporary Rules) for any rule filed within 15 business days prior to the RRC Meeting
- VI. Existing Rules Review
- VII. Commission Business
  - Review of 2022 RRC meeting dates
  - Next meeting: January 20, 2022

**Commission Review  
Log of Permanent Rule Filings  
October 21, 2021 through November 22, 2021**

**SOIL AND WATER CONSERVATION COMMISSION**

The rules in Subchapter 59A concern organization and operation including general provisions (.0100); supervisor training program (.0200); and supervisor removal (.0300).

<u>Objectives</u>	02	NCAC	59A	.0101
Amend*				
<u>Address</u>	02	NCAC	59A	.0102
Amend*				
<u>Definitions</u>	02	NCAC	59A	.0103
Amend*				
<u>Supervisor Vacancies</u>	02	NCAC	59A	.0104
Repeal*				
<u>General</u>	02	NCAC	59A	.0201
Adopt*				
<u>Required Basic Training</u>	02	NCAC	59A	.0202
Adopt*				
<u>Continuing Training Requirements</u>	02	NCAC	59A	.0203
Adopt*				
<u>Supervisor Training Credits</u>	02	NCAC	59A	.0204
Adopt*				
<u>Supervisor Removal Procedures and Reporting</u>	02	NCAC	59A	.0301
Adopt*				
<u>Inquiry Committee</u>	02	NCAC	59A	.0302
Adopt*				

**MEDICAL CARE COMMISSION**

The rules in Subchapter 13F concern licensing of homes for the aged and infirm and include definitions (.0100); licensing (.0200); physical plant (.0300); staff qualification (.0400); staff orientation training, competency and continuing education (.0500); staffing (.0600); admission and discharge (.0700); resident assessment and care plan (.0800); resident care and services (.0900); medication (.1000); Resident's funds and refunds (.1100); policies; records and reports (.1200); special care units for alzheimer and related disorders (.1300); special care units for mental health disorders (.1400); use of physical restraints and alternatives (.1500); rated certificates (.1600); administrator certification and renewal (.1700); and infection prevention and control (.1800).

<u>Qualification of Food Service Supervisor</u>	10A	NCAC	13F	.0405
Readopt with Changes*				
<u>Food Service Orientation</u>	10A	NCAC	13F	.0509
Amend*				
<u>Availability of Corrective Action and Survey Reports</u>	10A	NCAC	13F	.1213
Readopt with Changes*				

The rules in Subchapter 13G concern licensing of family care homes including definitions (.0100); licensing (.0200); the building (.0300); staff qualifications (.0400); staffing orientation, training, competency and continuing education (.0500); staffing of the home (.0600); admission and discharge (.0700); resident assessment and care plan (.0800); resident care and services (.0900); medications (.1000); management and resident's funds and refunds (.1100); policies, records and reports (.1200); use of physical restraints and alternatives (.1300); rated certificates (.1600); and infection prevention and control (.1700)..



Food Service Orientation Readopt without Changes*	10A NCAC 13G .0509
Availability of Corrective Action and Survey Reports Readopt with Changes*	10A NCAC 13G .1214

**HHS - HEALTH SERVICE REGULATION, DIVISION OF**

The rules in Chapter 14 concern services provided by the Division of Health Service Regulation. The rules in Subchapter 14C are Certificate of Need regulations including general provisions (.0100); applications and review process (.0200); exemptions (.0300); appeal process (.0400); enforcement and sanctions (.0500); and criteria and standards for nursing facility or adult care home services (.1100), intensive care services (.1200), pediatric intensive care services (.1300), neonatal services (.1400), hospices, hospice inpatient facilities, and hospice residential care facilities (.1500), cardiac catheterization equipment and cardiac angioplasty equipment (.1600), open heart surgery services and heart-lung bypass machines (.1700), diagnostic centers (.1800), radiation therapy equipment (.1900), home health services (.2000), surgical services and operating rooms (.2100), end stage renal disease services (.2200), computed tomography equipment (.2300), immediate care facility/mentally retarded (ICF/MR) (.2400), substance abuse/chemical dependency treatment beds (.2500), psychiatric beds (.2600), magnetic resonance imaging scanner (.2700), rehabilitation services (.2800), bone marrow transplantation services (.2900), solid organ transplantation services (.3000), major medical equipment (.3100), lithotripter equipment (.3200), air ambulance (.3300), burn intensive care services (.3400), oncology treatment centers (.3500), gamma knife (.3600), positron emission tomography scanner (.3700), acute care beds (.3800), gastrointestinal endoscopy procedure rooms in licensed health service facilities (.3900), and hospice inpatient facilities and hospice residential care facilities (.4000).

<u>Definitions</u> Readopt with Changes*	10A NCAC 14C .1601
<u>Performance Standards</u> Readopt with Changes*	10A NCAC 14C .1603
<u>Definitions</u> Readopt with Changes*	10A NCAC 14C .1701
<u>Definitions</u> Readopt with Changes*	10A NCAC 14C .1901
<u>Performance Standards</u> Readopt with Changes*	10A NCAC 14C .1903
<u>Definitions</u> Readopt/Repeal*	10A NCAC 14C .2301
<u>Performance Standards</u> Readopt/Repeal*	10A NCAC 14C .2303
<u>Definitions</u> Readopt with Changes*	10A NCAC 14C .2401
<u>Performance Standards</u> Readopt without Changes*	10A NCAC 14C .2403
<u>Definitions</u> Readopt/Repeal*	10A NCAC 14C .2501
<u>Performance Standards</u> Readopt/Repeal*	10A NCAC 14C .2503
<u>Definitions</u> Readopt/Repeal*	10A NCAC 14C .2601
<u>Performance Standards</u> Readopt/Repeal*	10A NCAC 14C .2603
<u>Definitions</u> Readopt with Changes*	10A NCAC 14C .2701
<u>Performance Standards</u> Readopt with Changes*	10A NCAC 14C .2703
<u>Definitions</u>	10A NCAC 14C .3701

Readopt with Changes\*  
Performance Standards  
 Readopt with Changes\*

10A NCAC 14C .3703

## **CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION**

The rules in Chapter 9 are from the Criminal Justice Education and Training Standards Commission. This Commission has primary responsibility for setting statewide education, training, employment, and retention standards for criminal justice personnel (not including sheriffs).

The rules in Subchapter 9A cover the Commission organization and procedure (.0100) and enforcement of the rules (.0200).

Period of Suspension: Revocation: or Denial  
 Amend\*

12 NCAC 09A .0205

The rules in Subchapter 9B cover minimum standards for: employment (.0100); schools and training programs (.0200); criminal justice instructors (.0300); completion of training (.0400); school directors (.0500); and certification of post-secondary criminal justice education programs (.0600).

Basic Training - Juvenile Court Counselors and Chief Cour...  
 Amend\*

12 NCAC 09B .0235

Terms and Conditions of Specialized Instructor Certification  
 Amend\*

12 NCAC 09B .0305

The rules in Subchapter 9G are the standards for correction including scope, applicability and definitions (.0100); minimum standards for certification of correctional officers, probation/parole officers, and probation/parole officers-intermediate (.0200); certification of correctional officers, probation/parole officers, probation/parole officers intermediate and instructors (.0300); minimum standards for training of correctional officers, probation/parole officers, and probation/parole officers-intermediate (.0400); enforcement of rules (.0500); professional certification program (.0600); and forms (.0700).

Period of Suspension: Revocation: or Denial  
 Amend\*

12 NCAC 09G .0505

## **PRIVATE PROTECTIVE SERVICES BOARD**

The rules in Chapter 16 are from the Private Protective Services Board and cover organization and general provisions (.0100); licenses and trainee permits (.0200); security guard patrol and guard dog service (.0300); private investigator: electronic countermeasures (.0400); polygraph (.0500); psychological stress evaluator (PSE) (.0600); unarmed security guard registration (.0700); armed security guard firearm registration permit (.0800); trainer certificate (.0900); recovery fund (.1000); training and supervision for private investigator associates (.1100); continuing education (.1300); and armed armored car service guards firearm registration permit (.1400).

Application for Licenses and Trainee Permits  
 Amend\*

14B NCAC 16 .0201

Renewal of Armed Security Guard Firearm Registration Permit  
 Amend\*

14B NCAC 16 .0806

Renewal of a Firearms Trainer Certificate  
 Amend\*

14B NCAC 16 .0904

Required Continuing Education Hours  
 Amend\*

14B NCAC 16 .1202

Accreditation Standards  
 Amend\*

14B NCAC 16 .1203

## **ENVIRONMENTAL MANAGEMENT COMMISSION**

The rules in Subchapter 2E concern water use registration and allocation including general provisions (.0100); capacity use area No. 1 (.0200); registration of water withdrawals and transfers (.0300); regulation of surface water transfers (.0400); central coastal plain capacity use area (.0500); and water use during drought and water supply emergencies (.0600).

<u>Definitions</u>	15A NCAC 02E .0106
Readopt without Changes*	
<u>Delegation</u>	15A NCAC 02E .0107
Readopt without Changes*	
<u>Application; Processing Fees</u>	15A NCAC 02E .0301
Readopt with Changes*	
<u>Declaration and Delineation of Central Coastal Plain Capa...</u>	15A NCAC 02E .0501
Readopt with Changes*	
<u>Withdrawal Permits</u>	15A NCAC 02E .0502
Readopt with Changes*	
<u>Prescribed Water Use Reductions in Cretaceous Aquifer Zones</u>	15A NCAC 02E .0503
Readopt/Repeal*	
<u>Requirements for Entry and Inspection</u>	15A NCAC 02E .0504
Readopt with Changes*	
<u>Acceptable Withdrawal Methods that do not Require a Permit</u>	15A NCAC 02E .0505
Readopt with Changes*	
<u>Central Coastal Plain Capacity Use Area Status Report</u>	15A NCAC 02E .0506
Readopt/Repeal*	
<u>Definitions</u>	15A NCAC 02E .0507
Readopt with Changes*	
<u>Scope</u>	15A NCAC 02E .0601
Readopt without Changes*	
<u>Definitions</u>	15A NCAC 02E .0602
Readopt with Changes*	
<u>General Information</u>	15A NCAC 02E .0603
Readopt with Changes*	
<u>Annual Reporting of Water Use Data</u>	15A NCAC 02E .0604
Readopt without Changes*	
<u>Water Use Reduction Reporting. New Water Withdrawal Repor...</u>	15A NCAC 02E .0605
Readopt with Changes*	
<u>Water Shortage Response Planning Requirements</u>	15A NCAC 02E .0606
Readopt with Changes*	
<u>Publicly and Privately Owned Water System Water Shortage ...</u>	15A NCAC 02E .0607
Readopt with Changes*	
<u>State Agency Water Shortage Response Planning Requirements</u>	15A NCAC 02E .0608
Readopt with Changes*	
<u>Local Government Water Shortage Response Planning Require...</u>	15A NCAC 02E .0609
Readopt with Changes*	
<u>Business and Industrial Water Shortage Response Planning ...</u>	15A NCAC 02E .0610
Readopt with Changes*	
<u>Agricultural and Horticultural Water Shortage Response Pl...</u>	15A NCAC 02E .0611
Readopt with Changes*	
<u>Default Water Shortage Response Planning Measures</u>	15A NCAC 02E .0612
Readopt with Changes*	
<u>Default Water Use Reduction Measures During NCDMAC Extrem...</u>	15A NCAC 02E .0613
Readopt with Changes*	
<u>Default Water Use Reduction Measures During NCDMAC Except...</u>	15A NCAC 02E .0614

Readopt with Changes\*

Water Reuse During Droughts and Water Emergencies

15A NCAC 02E .0615

Readopt with Changes\*

The rules in Subchapter 2L cover groundwater classifications and standards including general considerations (.0100); classifications and groundwater quality standards (.0200); the assignments of underground water classifications (.0300); risk-based assessment and corrective action for petroleum underground storage tanks (.0400); and risk-based assessment and correction action for non-UST petroleum releases (.0500).

Groundwater Quality Standards

15A NCAC 02L .0202

Amend\*

## **MARINE FISHERIES COMMISSION**

The rules in Subchapter 3Q cover the joint and separate jurisdictions of the Marine Fisheries Commission and the Wildlife Resources Commission including general regulations (.0100); and boundary lines between inland, joint, and coastal waters (.0200).

Scope and Purpose

15A NCAC 03Q .0101

Readopt without Changes\*

Inland Fishing Waters

15A NCAC 03Q .0102

Readopt without Changes\*

Coastal Fishing Waters

15A NCAC 03Q .0103

Readopt without Changes\*

Joint Fishing Waters

15A NCAC 03Q .0104

Readopt without Changes\*

Posting Dividing Lines

15A NCAC 03Q .0105

Readopt without Changes\*

Applicability of Rules: Joint Waters

15A NCAC 03Q .0106

Readopt/Repeal\*

Special Regulations for Fishing Joint Waters

15A NCAC 03Q .0107

Readopt without Changes\*

Management Responsibility for Estuarine Striped Bass in J...

15A NCAC 03Q .0108

Readopt without Changes\*

Implementation of Estuarine Striped Bass Fishery Manageme...

15A NCAC 03Q .0109

Readopt without Changes\*

## **CHIROPRACTIC EXAMINERS, BOARD OF**

The rules in Chapter 10 include organization of the Board (.0100); the practice of chiropractic (.0200); rules of unethical conduct (.0300); rule-making procedures (.0400); investigation of complaints (.0500); contested cases and hearings in contested cases (.0600-.0700); and miscellaneous provisions (.0800).

Requirements for Licensure

21 NCAC 10 .0201

Repeal\*

Licensure: Renewal of License

21 NCAC 10 .0204

Amend\*

Renewal of License

21 NCAC 10 .0205

Repeal\*

Certification of Radiologic Technologists

21 NCAC 10 .0206

Repeal\*

Certified Chiropractic Assistants

21 NCAC 10 .0213

Amend\*

Designation of Specialties

21 NCAC 10 .0304

Amend\*

## **GENERAL CONTRACTORS, LICENSING BOARD FOR**

The rules in Subchapter 12A concern general provisions including organization and responsibilities of the board (.0100); licensing requirements (.0200); application procedure (.0300); examination (.0400); license (.0500); board disciplinary procedures (.0700); contested cases (.0800); and homeowners recovery fund (.0900).

<u>Classification</u>	21	NCAC	12A	.0202
Amend*				
<u>License Granted</u>	21	NCAC	12A	.0501
Amend*				

The rules in Subchapter 12B concern the general provisions (.0100); providers (.0200); courses (.0300); and instructors (.0400) for continuing education.

<u>Denial or Withdrawal of Provider Approval</u>	21	NCAC	12B	.0203
Amend*				
<u>Approval and Renewal of Elective Course</u>	21	NCAC	12B	.0302
Amend*				
<u>Application Criteria for Initial Instructor Approval</u>	21	NCAC	12B	.0401
Amend*				

## **LANDSCAPE ARCHITECTS, BOARD OF**

The rules in Chapter 26 are from the Board of Landscape Architects and include statutory and administrative provisions (.0100); practice rules for registered landscape architects (.0200); examination and licensing procedures (.0300); rules, petitions and hearings (.0400); and board disciplinary procedures (.0500).

<u>Authority: Name and Location of the Board</u>	21	NCAC	26	.0101
Amend*				
<u>Fees</u>	21	NCAC	26	.0105
Amend*				
<u>Definitions</u>	21	NCAC	26	.0107
Amend*				
<u>Board Listing of Individuals and Firm Names</u>	21	NCAC	26	.0201
Amend*				
<u>Name of Firm</u>	21	NCAC	26	.0206
Amend*				
<u>Unprofessional Conduct</u>	21	NCAC	26	.0209
Amend*				
<u>Dishonest Practice</u>	21	NCAC	26	.0210
Amend*				
<u>Scope of Practice</u>	21	NCAC	26	.0212
Adopt*				
<u>License by Comity</u>	21	NCAC	26	.0303
Amend*				
<u>Reinstatement After Revocation</u>	21	NCAC	26	.0306
Amend*				
<u>Duties and Functions of Continuing Education Advisory Com...</u>	21	NCAC	26	.0308
Amend*				
<u>Exemptions and Extension of Time</u>	21	NCAC	26	.0309
Amend*				
<u>Reinstatement Criteria</u>	21	NCAC	26	.0310

Amend*				
<u>Continuing Education Requests for Approval</u>	21	NCAC	26	.0311
Amend*				
<u>Compliance</u>	21	NCAC	26	.0312
Amend*				
<u>Individual Licenses</u>	21	NCAC	26	.0313
Amend*				
<u>Corporate Practice of Landscape Architecture</u>	21	NCAC	26	.0314
Amend*				
<u>Out-of-State Entities</u>	21	NCAC	26	.0315
Amend*				
<u>Complaints and Disciplinary Review Process</u>	21	NCAC	26	.0510
Amend*				

## **MEDICAL BOARD**

The rules in Subchapter 32R concern Continuing Medical Education (CME) Requirements.

<u>Approved Categories of CME</u>	21	NCAC	32R	.0102
Amend*				

The rules in Subchapter 32S regulate physician assistants including physician assistant registration (.0200).

<u>Continuing Medical Education</u>	21	NCAC	32S	.0216
Amend*				

## **PHARMACY, BOARD OF**

The rules in Chapter 46 cover organization of the board (.1200); general definitions (.1300); hospitals and other health facilities (.1400); admission requirements and examinations (.1500); licenses and permits (.1600); drugs dispensed by nurse and physician assistants (.1700); prescriptions (.1800); forms (.1900); administrative provisions (.2000); elections (.2100); continuing education (.2200); prescription information and records (.2300); dispensing in health departments (.2400); miscellaneous provisions (.2500); devices (.2600); nuclear pharmacy (.2700); compounding (.2800); product selection (.2900); disposal of unwanted drugs (.3000); clinical pharmacist practitioner (.3100); impaired pharmacist peer review program (.3200); and registry of pharmacist technicians (.3300).

<u>Remote Medication Order Processing Services</u>	21	NCAC	46	.1417
Repeal*				
<u>Centralized Pharmacy Services</u>	21	NCAC	46	.1816
Amend*				