

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0101

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

This Rule neither imposes a requirement nor confers a benefit on any person. Consider repealing it.

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0101 is readopted as published in 32:12 NCR 1202 as follows:
2

3 **CHAPTER 17 - NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD**
4

5 **SECTION .0100 - ORGANIZATION AND GENERAL PROVISIONS**
6

7 **14B NCAC 17 .0101 PURPOSE**

8 The Alarm Systems Licensing Board is established within the North Carolina Department of Public Safety for the
9 purpose of administering the licensing of and setting the educational and training requirements for persons, firms,
10 associations, and corporations engaged in providing alarm systems and services to citizens of North Carolina.
11

12 *History Note: Authority G.S. 74D-4;*

13 *Temporary Rule Eff. January 9, 1984, for a Period of 120 Days to Expire on May 7, 1984;*

14 *Eff. May 1, 1984;*

15 *Transferred and Recodified from 12 NCAC 11 .0101 Eff. July 1, 2015;*

16 *Amended Eff. December 1, 2017;*

17 *Readopted Eff. June 1, 2018.*

1 14B NCAC 17 .0102 is readopted as published in 32:12 NCR 1202 as follows:

2

3 **14B NCAC 17 .0102 LOCATION**

4 The administrative offices of the Alarm Systems Licensing Board are located at 3101 Industrial Drive, Suite 104,
5 Raleigh, North Carolina 27609, telephone (919) 788-5320.

6

7 *History Note: Authority G.S. 74D-4; 74D-5;*

8 *Temporary Rule Eff. January 9, 1984, for a Period of 120 Days to Expire on May 7, 1984;*

9 *Eff. May 1, 1984;*

10 *Amended Eff. December 1, 2012;*

11 *Transferred and Recodified from 12 NCAC 11 .0102 Eff. July 1, 2015;*

12 *Amended Eff. December 1, 2017;*

13 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0103

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Throughout this rule, please re-order all items into alphabetical order.

Line 15 – replace “residential or commercial location” with “protected premises”

Line 16 – replace “utilization” with “use”

Line 21 – replace “the” with “a protected”

Line 21 – delete the comma

Line 23 – add a comma after “repairing”

Line 25 – add “a” before “protected”

Line 25 – add a comma after “firm”

Line 27 – replace “residential or commercial location” with “protected premises”

Line 27 – delete “certain”

Line 32 – delete “such knowledge”

Line 33 – replace “that” with “of”

Line 33 – replace “application has been gained” with “applications”

Lines 34-page 2, line 1 – consider revising and listing as follows:

- (13) "Employee" means:
 - (a) a person who has an agreement with a licensee to perform alarm systems business activities under the direct supervision and control of the licensee, for whose

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

- services any charges are determined, imposed, and collected by the licensee, and for whose alarm systems business activities the licensee is legally liable; or
- (b) a person who solicits customers at a residential or commercial location whose services are compensated by payment of a referral fee or commission by a licensee.

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0103 is readopted as published in 32:12 NCR 1202 and amended as published in 32:13 NCR 1268 as
2 follows:

3
4 **14B NCAC 17 .0103 DEFINITIONS**

5 In addition to the definitions under G.S. Chapter 74D, the following definitions shall apply throughout this Chapter:

- 6 (1) "Applicant" means any person, firm, or corporation applying to the Board for a license or
7 registration.
- 8 (2) "Board" means the Alarm Systems Licensing Board established by G.S. Chapter 74D.
- 9 (3) "Branch Manager or Operator" means the licensee endowed with the responsibility and liability for
10 a branch office.
- 11 (4) "Branch Office" means a separate but dependent part of a central organization. The establishment
12 of a telephone number or mailing address in the company name constitutes prima facie evidence of
13 a branch office.
- 14 (5) "Chairman" means the Chairman of the Alarm Systems Licensing Board.
- 15 (6) "Installs" means placing an alarm device in a residential or commercial location and includes
16 demonstrating the utilization of an alarm system device for a specific location and function within
17 the protected premises and, with such knowledge of the alarm system operation, delivering that
18 device to the owner or operator of the protected premises.
- 19 (7) "Licensee" means any person licensed pursuant to G.S. Chapter 74D.
- 20 (8) "Responds" means receiving a monitored alarm signal that indicates the existence of an
21 unauthorized intrusion or taking from the premises of a customer, and being required by contract to
22 take action upon receipt of that alarm signal.
- 23 (9) "Services" means inspecting, testing, repairing or replacing an alarm system device within protected
24 premises.
- 25 (10) "Monitors" means receiving a signal from protected premises or contracting with a person, firm or
26 corporation to provide accessible equipment and personnel to receive a signal from an alarm device
27 in a residential or commercial location and take certain action in response.
- 28 (11) "Qualifying Agent" means any person who meets the requirements of G.S. 74D-2(c), provided that
29 no licensee may act as qualifying agent for more than one alarm systems business without prior
30 authorization of the Board.
- 31 (12) "Knowledge of Specific Applications" means obtaining specific information about the premises
32 which is protected or is to be protected, such knowledge gained during an on-site visit. Conducting
33 a survey shall be prima facie evidence that knowledge of specific application has been gained.
- 34 (13) "Employee" means a person who has an agreement with a licensee to perform alarm systems
35 business activities under the direct supervision and control of the licensee, for whose services any
36 charges are determined imposed and collected by the licensee, and for whose alarm systems business
37 activities the licensee is legally ~~liable~~. liable, a person who solicits customers at a residential or

1 commercial location whose services are compensated by payment of a referral fee or commission
2 by a licensee.

3 (14) "Agency Head" means the Chairman of the Alarm Systems Licensing Board.

4
5 *History Note: Authority G.S. 74D-2; 74D-5;*
6 *Temporary Rule Eff. January 9, 1984, for a Period of 120 Days to Expire on May 7, 1984;*
7 *Eff. May 1, 1984;*
8 *Amended Eff. August 1, 1988; February 1, 1988; July 1, 1987; January 1, 1986;*
9 *Transferred and Recodified from 12 NCAC 11 .0103 Eff. July 1, 2015;*
10 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0104

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Lines 4-5 – Paragraph (a) merely repeats the authority in G.S. 74D-5. Consider deleting it.

Line 6 – do you mean “may” or “shall”? If “may,” what standards, factors or circumstances determine whether the Board “may” issue a reprimand?

Line 12 – add a comma after “agent”

Line 13 – do you mean “may” or “shall”? If “may,” what standards, factors or circumstances determine whether the Board “may” consider evidence of past disciplinary action?

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0104 is readopted as published in 32:12 NCR 1202 as follows:

2

3 **14B NCAC 17 .0104 DISCIPLINARY ACTIONS**

4 (a) The Board may deny, suspend, or revoke a license or registration in accordance with G.S. Chapter 74D and this
5 Chapter.

6 (b) The Board may issue a written reprimand to a holder of a license or registration identification card when the Board
7 determines:

8 (1) the holder has violated any of the provisions of this Chapter or G.S. Chapter 74D that were
9 applicable to the holder;

10 (2) the violation did not result in the physical injury of any person or property loss to any person; and

11 (3) the holder expresses an intention to or already has corrected the improper activity.

12 (c) A notice of any disciplinary action shall be sent to the employer of the holder, the qualifying agent and the holder.

13 (d) Evidence of disciplinary action may be presented and considered at any subsequent disciplinary proceeding of the
14 holder.

15

16 *History Note: Authority G.S. 74D-2; 74D-5; 74D-6; 74D-8; 74D-10;*

17 *Temporary Rule Eff. January 9, 1984, for a Period of 120 Days to Expire on May 7, 1984;*

18 *Eff. May 1, 1984;*

19 *Amended Eff. July 1, 1987;*

20 *Transferred and Recodified from 12 NCAC 11 .0104 Eff. July 1, 2015;*

21 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0105

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 5 – replace “any” with “an”

Line 5 – delete the comma after “denied”

Lines 7, 11, 13, 15, 18, and 20 – do not capitalize the first word on each of these lines.

Line 7 – replace “displays or” with “displays,”

Line 8 – replace “fraudulently altered” with “fraudulently-altered” What does “fraudulently-altered” mean?

Line 11 – replace “any” with “another” if that is what is meant.

Line 15 – replace “which” with “that”

Line 15 – replace “official state authorized” with “an official State-authorized”

Line 17 – replace the period after “number” with a semicolon

Line 19 – replace the period with a semicolon and add “or” at the end of the line

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0105 is readopted as published in 32:12 NCR 1202 as follows:

2

3 **14B NCAC 17 .0105 PROHIBITED ACTS**

4 In addition to the prohibited acts set forth elsewhere in this Subchapter and in Chapter 74D of the General Statutes,
5 any applicant, licensee, or registrant who does any of the following shall have his or her application denied, or his or
6 her license or registration revoked or suspended:

- 7 (1) Displays or causes or permits to be displayed, or has in his or her possession any cancelled, revoked,
8 suspended, fictitious, fraudulently altered license or registration identification card, or any document
9 simulating a license or registration identification card or purporting to be or to have been issued as
10 a license or registration identification card;
- 11 (2) Lends his or her license or registration identification card to any person or allows the use thereof by
12 another;
- 13 (3) Displays or represents any license or registration identification card not issued to him or her as being
14 his or her license or registration identification card;
- 15 (4) Includes in any advertisement a statement which implies official state authorized certification or
16 approval other than this statement: "Licensed by the Alarm Systems Licensing Board of the State
17 of North Carolina." Licensees may include their license number.
- 18 (5) Includes in the company name the word "police" or other law enforcement designation that implies
19 that the alarm company is affiliated with a local, state, or federal law enforcement agency.
- 20 (6) Makes any false statement or gives any false information to a third party provider in connection
21 with any criminal history record check provided to the Board.

22

23 *History Note: Authority G.S. 74D-5; 74D-6; 74D-10;*
24 *Temporary Rule Eff. January 9, 1984, for a Period of 120 Days to Expire on May 7, 1984;*
25 *Eff. May 1, 1984;*
26 *Amended Eff. June 1, 2014; August 1, 2007;*
27 *Transferred and Recodified from 12 NCAC 11 .0105 Eff. July 1, 2015;*
28 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0106

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 7 – do not capitalize “state” unless you mean the State of North Carolina

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0106 is readopted as published in 32:12 NCR 1202 as follows:

2

3 **14B NCAC 17 .0106 DETERMINATION OF EXPERIENCE**

4 (a) Experience requirements shall be determined in the following manner: one year's experience = 1,000 hours.

5 (b) The Board shall not consider any experience claimed by the applicant if gained while not in possession of a valid
6 license or registration while such license or registration was required by existing or previously existing laws of the
7 United States, any State, or any political subdivision thereof.

8

9 *History Note: Authority G.S. 74D-5;*

10 *Temporary Rule Eff. January 9, 1984, for a Period of 120 Days to Expire on May 7, 1984;*

11 *Eff. May 1, 1984;*

12 *Amended Eff. November 1, 2010; September 1, 1993;*

13 *Transferred and Recodified from 12 NCAC 11 .0106 Eff. July 1, 2015;*

14 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0107

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 5 – delete “hereby”

Lines 5-7 – replace everything following “to apply to actions...” with “including subsequent amendments and editions” Please do not cite to statutes that have been repealed.

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0107 is readopted as published in 32:12 NCR 1202 as follows:

2

3 **14B NCAC 17 .0107 RULEMAKING AND ADMINISTRATIVE HEARING PROCEDURES**

4 The Administrative Procedures for rule-making and hearings, codified at Title 26, Subchapters 2 and 3 of the North
5 Carolina Administrative Code, effective August 1, 1986, are hereby adopted by reference to apply to actions of the
6 Alarm Systems Licensing Board. Pursuant to G.S. 150B-14(c) this reference shall automatically include any later
7 amendments and additions to Title 26 Subchapters 2 and 3 of the North Carolina Administrative Code.

8

9 *History Note:* *Authority G.S. 74D-5;*

10 *Eff. August 1, 1988;*

11 *Transferred and Recodified from 12 NCAC 11 .0122 Eff. July 1, 2015;*

12 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0108

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 5 – add a comma after “association”

Line 6 – add a comma after “to”

Line 6 – add a comma after “electronic”

Line 7 – delete “must”

Line 7 – replace “consist” with “consists”

Line 8 – replace “sale(s) and/or service(s)” with “sales and services”

Line 9 – add “and” before “telephone”

Line 9 – replace “and” with “the”

Line 10 – add a comma after “Number”

Line 11 – add a comma after “association”

Line 13 – add a comma after “terminated”

Line 13 – add a comma after “response”

Line 13 – delete the comma after “consumer”

Line 15 – replace “service(s)” with “services”

Line 15 – replace “consumer initiated” with “consumer-initiated”

Line 16 – add a comma after “association”

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

Line 18 – add a comma after “response”

Line 18 – delete the comma after “consumer”

Line 19 – add a comma after “address”

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0108 is readopted as published in 32:12 NCR 1202 as follows:

2

3 **14B NCAC 17 .0108 CONSUMER CONTRACT AND DISCLOSURE REQUIREMENTS FOR ALARM**
4 **SERVICES**

5 (a) Every person, firm, association or corporation licensed to engage in the alarm systems business in North Carolina
6 who sells, installs, services, responds to or monitors electrical, electronic or mechanical alarm systems shall execute
7 with the consumer a written contract in all transactions that must consist of the following:

8 (1) A description of the sale(s) and/or service(s) in brief, simple terminology;

9 (2) The company's name, address, telephone number, and North Carolina Alarm Systems License
10 Number and the North Carolina Alarm Systems Licensing Board's address and telephone number.

11 (b) Any person, firm, association or corporation licensed to engage in the alarm systems business in North Carolina
12 by providing sales, installation, service, response, or monitoring to a consumer and who unilaterally terminates, causes
13 to be terminated or reasonably knows of the termination of the monitoring, response or service to that consumer, shall
14 provide notification to that consumer by verified personal service or certified mail at least 10 days prior to cessation
15 of the service(s). This provision shall not apply to consumer initiated action to terminate or upon consumer relocation.

16 (c) Any person, firm, association or corporation licensed to engage in the alarm systems business in North Carolina
17 by providing sales, installation, service, response, or monitoring to a consumer and who changes or causes to be
18 changed the monitoring, response or service to that consumer, shall provide written notification to that consumer of
19 the change, the effective date, and the name, address and telephone number of the new provider.

20

21 *History Note: Authority G.S. 74D-2(a); 74D-5;*

22 *Eff. July 1, 1995;*

23 *Transferred and Recodified from 12 NCAC 11 .0123 Eff. July 1, 2015;*

24 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0201

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 6 requires the use of a form. Pursuant to G.S. 150B-2(8a)(d), the form itself does not need to be in a rule, but the contents of the form must be in rule or law. Are the substantive contents of the form set forth in rule or law?

Lines 8-16 – please compare these lines to similar lines in Rules .0204, .0301, and .0306 and satisfy yourself that the differences among them are intended.

Line 8 – what does “classifiable fingerprints” mean? Is this defined or a term of art?

Line 12 – consider deleting “for residents of North Carolina” Compare with .0204(a)(2).

Line 13 – replace “74C-8.1(a)” with “74D-2.1(a)” if that is what is meant.

Line 23 – replace “has an understanding of” with “understands”

Line 25 requires the use of a form. Pursuant to G.S. 150B-2(8a)(d), the form itself does not need to be in a rule, but the contents of the form must be in rule or law. Are the substantive contents of the form set forth in rule or law?

Line 29 – add a reference to G.S. 74D-2.1.

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0201 is readopted as published in 32:12 NCR 1202 as follows:

2
3 **SECTION .0200 – PROVISIONS FOR LICENSEES**
4

5 **14B NCAC 17 .0201 APPLICATION FOR LICENSE**

6 (a) Each applicant for a license shall complete an application form provided by the Board. This form and one
7 additional copy shall be submitted to the administrator and shall be accompanied by:

- 8 (1) one set of classifiable fingerprints on an applicant card provided by the Board;
9 (2) one head and shoulders digital photograph of the applicant in JPG format of acceptable quality for
10 identification, taken within six months prior to submission, and submitted by e-mail to PPSASL-
11 Photos@ncdps.gov or by compact disc;
12 (3) for residents of North Carolina, statements of the results of a statewide criminal history records
13 search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for any state
14 where the applicant has resided within the preceding 60 months;
15 (4) the applicant's application fee; and
16 (5) an Equifax credit check run within 30 days of the license application submission date.

17 (b) Each applicant shall provide evidence of high school graduation either by diploma, G.E.D. certificate, or other
18 equivalent documentation.

19 (c) Each applicant for a license shall meet personally with either a Board investigator, the Screening Committee, the
20 Director, or a Board representative designated by the Director prior to being issued a license. The applicant shall
21 discuss the provisions of G.S. 74D and the administrative rules in this Chapter during the personal meeting. The
22 applicant shall sign a form provided by the Board indicating that the applicant has reviewed the information with the
23 Board's representative and that the applicant has an understanding of G.S. 74D and the administrative rules in this
24 Chapter.

25 (d) Each applicant for a branch office license shall complete an application form provided by the Board. This form
26 and one additional copy shall be submitted to the administrator and shall be accompanied by the branch office
27 application fee.
28

29 *History Note: Authority G.S. 74D-2; 74D-3; 74D-5; 74D-7;*
30 *Temporary Rule Eff. January 9, 1984, for a period of 120 days to expire on May 7, 1984;*
31 *Eff. May 1, 1984;*
32 *Amended Eff. December 1, 2012; February 1, 2012; January 1, 2007; September 1, 2006; March*
33 *1, 1993; July 1, 1987; January 1, 1986;*
34 *Transferred and Recodified from 12 NCAC 11 .0201 Eff. July 1, 2015;*
35 *Amended Eff. December 1, 2017;*
36 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0202

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Lines 6, 8, and 11 – do not capitalize the first word on each of these lines.

Line 6 – delete “to the Board’s satisfaction”

Line 7 – replace the comma after “installation” with “or”

Line 14 – replace “Any” with “An”

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0202 is readopted as published in 32:12 NCR 1202 as follows:

2

3 **14B NCAC 17 .0202 EXPERIENCE REQUIREMENTS FOR LICENSE**

4 (a) Applicants for an alarm system license shall meet the following requirements, which are additional to those
5 specified in G.S. 74D:

6 (1) Establish to the Board's satisfaction two year's experience within the past five years in alarm systems
7 installation, service, or alarm systems business management;

8 (2) No longer than one year prior to the application date, successfully pass an oral or written
9 examination required by the Board to measure an individual's knowledge and competence in the
10 alarm systems business; or

11 (3) No longer than one year prior to the application date, successfully complete the Certified Alarm
12 Technician Level I Course offered by the National Electronic Security Association or Elite CEU's
13 on-line training course.

14 (b) Any applicant who takes the examination required by the Board under Subparagraph (a)(2) of this Rule and who
15 does not successfully complete said examination after two attempts shall wait six months before being allowed to take
16 the examination again.

17

18 *History Note: Authority G.S. 74D-5;*

19 *Temporary Rule Eff. January 9, 1984, for a period of 120 days to expire on May 7, 1984;*

20 *Eff. May 1, 1984;*

21 *Amended Eff. January 1, 2007; August 1, 1998; January 1, 1995; March 1, 1993; August 3, 1992;*

22 *June 1, 1990;*

23 *Transferred and Recodified from 12 NCAC 11 .0202 Eff. July 1, 2015;*

24 *Amended Eff. December. 1, 2017;*

25 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0203

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 4 – replace “are” with “shall be”

Lines 5, 6, 7, and 8 – do not capitalize the first word on each of these lines.

Line 10 – replace “in the form of a” with “by”

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0203 is readopted as published in 32:12 NCR 1220 as follows:

2

3 **14B NCAC 17 .0203 FEES FOR LICENSES**

4 (a) Application license fees are as follows:

- 5 (1) One hundred fifty dollars (\$150.00) non-refundable initial application fee;
- 6 (2) Three hundred seventy-five dollar (\$375.00) biennial fee for a new or renewal license;
- 7 (3) One hundred fifty dollars (\$150.00) branch office license fee;
- 8 (4) One hundred dollars (\$100.00) late renewal fee to be paid in addition to the renewal fee if the license
- 9 has not been renewed on or before the expiration date.

10 (b) Fees shall be paid in the form of a check or money order made payable to the Alarm Systems Licensing Board.

11

12 *History Note: Authority G.S. 74D-7;*
13 *Temporary Rule Eff. January 9, 1984, for a period of 120 days to expire on May 7, 1984;*
14 *Eff. May 1, 1984;*
15 *Amended Eff. January 1, 1986;*
16 *Temporary Amendment Eff. October 6, 1992 for a period of 180 days or until the permanent rule*
17 *becomes effective, whichever is sooner;*
18 *Amended Eff. February 1, 2010; March 1, 1993;*
19 *Transferred and Recodified from 12 NCAC 11 .0203 Eff. July 1, 2015;*
20 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0204
0204

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 4 requires the use of a form. Pursuant to G.S. 150B-2(8a)(d), the form itself does not need to be in a rule, but the contents of the form must be in rule or law. Are the substantive contents of the form set forth in rule or law?

Lines 7-13 – please compare these lines to similar lines in Rules .0201, .0301, and .0306 and satisfy yourself that the differences among them are intended.

Lines 14-15 – replace “In no event shall renewal be” with “No renewal shall be”

Line 18 – replace “must” with “shall”

Line 20 – replace “Any” with “All” if that is what is meant.

Line 24 – replace “by” with “in”

Line 25 – replace “must” with “shall”

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0204 is readopted as published in 32:12 NCR 1220 as follows:

2
3 **14B NCAC 17 .0204 RENEWAL OF LICENSE**

4 (a) Each applicant for a license renewal shall complete a renewal form provided by the Board. This form shall be
5 submitted to the director not less than 30 days prior to expiration of the applicant's current license and shall be
6 accompanied by:

- 7 (1) two head and shoulders color photographs of the applicant of acceptable quality for identification
8 and made within 90 days of the application one inch by one inch in size;
9 (2) statements of the result of a local criminal history records search by the reporting services designated
10 by the Board pursuant to G.S. 74D-2.1 for any state where the applicant has resided within the
11 preceding 24 months;
12 (3) the applicant's renewal fee as set forth in .0203(a)(2); and
13 (4) proof of liability insurance pursuant to G.S. Sec. 74D-9.

14 (b) Applications for renewal shall be submitted not less than 30 days before the expiration date of the license. In no
15 event shall renewal be granted more than 90 days after the date of expiration of a license. Renewals shall be dated on
16 the next day following expiration of the prior license.

17 (c) Applications for renewal submitted after the expiration date of the license shall be accompanied by the late renewal
18 fee established by Rule .0203 of this Section and must be submitted not later than 90 days after the expiration date of
19 the license.

20 (d) The administrator shall approve or deny all applications for renewal. Any denials shall be submitted to the Board
21 for a final board decision.

22 (e) Members of the armed forces whose licenses are in good standing and to whom G.S. 105-249.2 grants an extension
23 of time to file a tax return shall be granted the same extension of time to pay the license renewal fee and to complete
24 the continuing education requirements prescribed by Section .0500 of this Chapter. A copy of the military order or
25 the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue must be
26 furnished to the Board.

27
28 *History Note: Authority G.S. 74D-2(a); 74D-5; 74D-7; 93B-15;*
29 *Eff. January 1, 1995;*
30 *Temporary Adoption Eff. May 18, 1995;*
31 *Amended Eff. February 1, 2012; July 1, 2010; May 1, 1999; October 1, 1995;*
32 *Transferred and Recodified from 12 NCAC 11 .0204 Eff. July 1, 2015;*
33 *Amended Eff. April 1, 2018; Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0205

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 5 – delete the sentence that begins “Such card will be...”

Line 6 – add “acting” before “within”

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0205 is readopted as published in 32:12 NCR 1202 as follows:

2

3 **14B NCAC 17 .0205 IDENTIFICATION CARDS OF LICENSEES**

4 Upon the issuance of a license, a pocket identification card of design, size, and content approved by the Board shall
5 be issued by the administrator. Such card will be evidence that the holder is duly licensed under G.S. Chapter 74D.

6 The holder shall have this card in his possession at all times when he is within the scope of his employment.

7

8 *History Note: Authority G.S. 74D-7;*

9 *Temporary Rule Eff. January 9, 1984, for a period of 120 days to expire on May 7, 1984;*

10 *Eff. May 1, 1984;*

11 *Transferred and Recodified from 12 NCAC 11 .0205 Eff. July 1, 2015;*

12 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0206

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 4 – replace “are subject to” with “shall be available for” if that is what is meant.

Line 5 – add “or her” after “his”

Line 7 – add “form” before “NCUI”

Line 8 – delete the semicolon

Line 8 – replace “an additional” with “and shall also submit a”

Lines 9-10 – consider revising as follows: “In lieu of submitting copies of the quarterly reports, within 10 days of a request by the Board a licensee shall provide its Employment ...”

Line 13 requires the use of a form. Pursuant to G.S. 150B-2(8a)(d), the form itself does not need to be in a rule, but the contents of the form must be in rule or law. Are the substantive contents of the form set forth in rule or law?

Line 13 – replace “licensed a” with “includes a licensed”

Line 15 – delete “then”

Line 15 – replace “must” with “shall”

Line 17 – replace “must” with “shall”

Line 17 – replace “that” with “who”

Line 18 – replace “must” with “shall”

Line 23 – replace “may” with “can”

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0206 is readopted as published in 32:12 NCR 1202 as follows:

2

3 **14B NCAC 17 .0206 RECORDS INSPECTION**

4 (a) Records of a licensee maintained to satisfy the requirements of G.S. Chapter 74D or this Chapter are subject to
5 inspection by the Director or his staff upon demand between 8:00 a.m. and 5:00 p.m. Monday through Friday.

6 (b) All licensees having registered employees shall submit a copy of their current quarterly Employment Security
7 Commission NCUI 101-625 to the Director's office at the same time the form is submitted to the Employment Security
8 Commission; and an additional list of non-Employment Security Commission employees currently employed by the
9 licensee with the dates of employment. In lieu of submitting copies of the quarterly reports, the Board may request,
10 and the licensee shall provide within 10 days of the request, the businesses' Employment Security Commission account
11 number along with the personal identification number (PIN) so that the Board may access the data electronically.
12 Those licensees who do not submit an Employment Security Commission NCUI 101-625 shall submit the names of
13 their employees on a form provided by the Board. The licensee of a firm, association, or corporation that license a
14 department or division shall also submit additional documentation as required by Paragraph (c) of this Rule.

15 (c) If a department or division of a firm, association, or corporation is licensed, then the licensee must submit a list
16 of all employees who work with the department or division to the Board prior to the issuance of the license. This list
17 must indicate the employees that work with the department or division and are listed on the report required in
18 Paragraph (b) of this Rule. If the department or division hires a new employee, the licensee must report the hiring
19 within 5 days of employment.

20 (d) All records required to be kept by either Chapter 74D of the General Statutes of North Carolina or by this Chapter
21 shall be retained for at least three years. If the licensee is unable to produce records as required by this Rule, the
22 licensee shall give the Board it's Employment Security Commission account number along with the personal
23 identification number (PIN) so that the Board may access the data electronically.

24

25 *History Note: Authority G.S. 74D-5;*
26 *Temporary Rule Eff. January 9, 1984, for a period of 120 days to expire on May 7, 1984;*
27 *Eff. May 1, 1984;*
28 *Amended Eff. September 1, 2009; March 1, 1993; August 1, 1988; July 1, 1987; January 1, 1986;*
29 *Transferred and Recodified from 12 NCAC 11 .0206 Eff. July 1, 2015;*
30 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0207

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 4 – replace “must” with “shall”

Line 4 – add a comma after “number”

Line 5 – the phrase “as they occur” is vague. Replace it with a definite period of time.

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0207 is readopted as published in 32:12 NCR 1202 as follows:

2

3 **14B NCAC 17 .0207 LICENSE REQUIREMENTS**

4 All licensees must inform the Board of their home address, business street address, home telephone number and
5 business telephone number and inform the Board of any changes as they occur.

6

7 *History Note: Authority G.S. 74D-5;*

8 *Eff. June 1, 1990;*

9 *Transferred and Recodified from 12 NCAC 11 .0207 Eff. July 1, 2015;*

10 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0208

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 4 – define or delete “satisfactorily”

Line 5 – replace “must” with “shall”

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0208 is readopted as published in 32:12 NCR 1202 as follows:

2

3 **14B NCAC 17 .0208 TRAINING REQUIREMENTS FOR ALARM LICENSEES**

4 Every Alarm licensee shall satisfactorily complete viewing of a video training session offered by the Alarm Systems
5 Licensing Board. This video training session will be offered quarterly and must be completed by the licensee within
6 90 days of licensure.

7

8 *History Note: Authority G.S. 74D-5(a)(2);*

9 *Eff. March 1, 1993;*

10 *Transferred and Recodified from 12 NCAC 11 .0208 Eff. July 1, 2015;*

11 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0209

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 5 requires the use of a form. Pursuant to G.S. 150B-2(8a)(d), the form itself does not need to be in a rule, but the contents of the form must be in rule or law. Are the substantive contents of the form set forth in rule or law?

Line 6 – add “form” after “application”

Line 7 – replace “for license shall call for” with “license shall include”

Line 8 – replace “any” with “all” and replace “conviction” with “convictions”

Line 9 – add a comma after “suspension”

Line 11 – add a comma after “corporations”

Lines 13-14 – revise as follows: “...company shall file with its license application form a copy...”

Line 14 – add a comma after “state”

Line 15 – add a comma after “55-15-01”

Line 16 – replace “which shall be” with “that is”

Line 16 – replace “duly certified” with “duly-certified”

Line 17 – replace “said” with “this”

Line 26 – replace “narcotic drug; provided that, for purposes...” with “narcotic drug. For the purposes...”

Line 26 – add a comma after “guilty”

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

Line 27 – replace “or no” with “no”

Line 27 – add a comma after “contest”

Lines 28-29 – consider revising as follows:

A company business license issued by the Board shall be displayed at the principle place of business within the State of North Carolina.

Lines 32-33 – except for the first “The,” replace each “the” with “a” in the first sentence of Paragraph (e).

Lines 33-34 – delete the second sentence of Paragraph (e).

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0209 is readopted as published in 32:12 NCR 1202 as follows:

2
3 **14B NCAC 17 .0209 COMPANY BUSINESS LICENSE**

4 (a) Any firm, association, or corporation required to be licensed pursuant to G.S. 74D-2(a) shall submit an application
5 for a company business license on a form provided by the Board. A sole proprietorship that is owned and operated
6 by an individual holding a current alarm systems business license shall be exempt from this Rule. This application
7 for license shall call for such information as the firm, association, or corporation name; the address of its principal
8 office within the State; any past conviction for criminal offenses of any company director or officer; information
9 concerning the past revocation, suspension or denial of a business or professional license to any director or officer; a
10 list of all directors and officers of the firm, association, or corporation; a list of all persons, firms, associations,
11 corporations or other entities owning 10 percent or more of the outstanding shares of any class of stock; and the name
12 and address of the qualifying agent.

13 (b) In addition to the items required in Paragraph (a) of this Rule, an out-of-state company shall further qualify by
14 filing with its application for a license, a copy of its certificate of authority to transact business in this state issued by
15 the North Carolina Secretary of State in accordance with G.S. 55-15-01 and a consent to service of process and
16 pleadings which shall be authenticated by its company seal and accompanied by a duly certified copy of the resolution
17 of the board of directors authorizing the proper officer or officers to execute said consent.

18 (c) After filing a completed written application with the Board, the Board shall conduct a background investigation
19 to ascertain if the qualifying agent is in a management position. The Board shall also determine if the directors or
20 officers have the requisite good moral character as defined in G.S. 74D-6(3). It shall be prima facie evidence of good
21 moral character if a director or officer has not been convicted by any local, State, federal, or military court of any
22 crime involving the use, carrying, or possession of a firearm; conviction of any crime involving the use, possession,
23 sale, manufacture, distribution, or transportation of a controlled substance, drug, narcotic, or alcoholic beverage;
24 conviction of a crime involving assault or an act of violence; conviction of a crime involving breaking or entering,
25 burglary, larceny, or any offense involving moral turpitude; or does not have a history of addiction to alcohol or a
26 narcotic drug; provided that, for purposes of this Section, "conviction" means and includes the entry of a plea of guilty
27 or no contest or a verdict rendered in open court by a judge or jury.

28 (d) Upon satisfactory completion of the background investigation, a company business license may be issued. This
29 license shall be conspicuously displayed at the principle place of business within the State of North Carolina.

30 (e) The company business license shall be issued only to the corporation and shall not be construed to extend to the
31 licensing of its directors, officers, or employees.

32 (f) The issuance of the company business license is issued to the firm, association, or corporation in addition to the
33 license issued to the qualifying agent. Therefore, the qualifying agent for the firm, association, or corporation which
34 has been issued the company business license shall be responsible for assuring compliance with G.S. 74D.

35 (g) Within 90 days of the death of a licensee, the existing qualifying agent or a newly designated replacement
36 qualifying agent for the company may submit a written request to the Board, asking that the deceased licensee's license
37 number remain on company advertisements. The Board shall permit the use of the deceased licensee's license number

1 only if the current qualifying agent's license number is printed immediately adjacent to and in the same size print as
2 the deceased licensee's license number.

3

4 *History Note: Authority G.S. 74D-2(a); 74D-5;*

5 *Eff. November 1, 1993;*

6 *Amended Eff. July 1, 2005; March 1, 1995;*

7 *Transferred and Recodified from 12 NCAC 11 .0209 Eff. July 1, 2015;*

8 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0210

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 6 – replace “must” with “shall”

Line 7 – add a comma after “intermediate”

Line 9 – replace “must” with “shall”

Line 12 – replace “must obtain” with “shall employ” if that is what is meant

Line 16 – add a comma after “service”

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0210 is readopted as published in 32:12 NCR 1202 as follows:

2

3 **14B NCAC 17 .0210 ELECTRICAL CONTRACTING LICENSE REQUIREMENTS**

4

5 (a) Each firm, association, corporation, department, division, or branch office required to be licensed pursuant to G.S.
6 74D-2(a) must employ on a full-time basis a licensee or registered employee who holds a license for either a SP-LV,
7 limited, intermediate or unlimited examination as administered by the North Carolina Board of Examiners of Electrical
8 Contractors. Pursuant to Rule .0206 of this Section, each firm, association, corporation, department, division, or
9 branch office must maintain in its records a copy of the licensee's or registered employee's Electrical Contractors
10 License.

11 (b) In the event the licensee holding the electrical contractor's license ceases to perform his duties, the business entity
12 shall notify the Board in writing within 10 working days. The business entity must obtain a substitute electrical
13 contractor licensee within 30 days after the original electrical licensee ceases to serve.

14 (c) If a company provides only alarm systems monitoring services and submits a written request to the Board
15 certifying that they provide only monitoring services and do not sell, install, service, or respond to burglar alarms, the
16 Board shall exempt the company from compliance with this rule. If the company later elects to sell, install, service or
17 respond to burglar alarms, then the company shall be required to fulfill the requirements of this rule.

18

19 *History Note: Authority G.S. 74D-2(a); 74D-5;*

20 *Eff. January 1, 1995;*

21 *Temporary Adoption Eff. May 18, 1995;*

22 *Amended Eff. September 1, 2008; May 1, 1999; October 1, 1995;*

23 *Transferred and Recodified from 12 NCAC 11 .0210 Eff. July 1, 2015;*

24 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0301

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 6 requires the use of a form. Pursuant to G.S. 150B-2(8a)(d), the form itself does not need to be in a rule, but the contents of the form must be in rule or law. Are the substantive contents of the form set forth in rule or law?

Lines 8-15 – please compare these lines to similar lines in Rules .0201, .0204, and .0306 and satisfy yourself that the differences among them are intended.

Line 8 – what does “classifiable fingerprints” mean? Is this defined or a term of art?

Line 12 – consider deleting “for residents of North Carolina” Compare with .0204(a)(2).

Line 13 – replace “74C-8.1(a)” with “74D-2.1(a)” if that is what is meant.

Line 17 requires the use of a form. Pursuant to G.S. 150B-2(8a)(d), the form itself does not need to be in a rule, but the contents of the form must be in rule or law. Are the substantive contents of the form set forth in rule or law?

Line 24 – add a reference to G.S. 74D-2.1.

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0301 is readopted as published in 32:12 NCR 1202 as follows:
2

3 **SECTION .0300 – PROVISIONS FOR REGISTRANTS**
4

5 **14B NCAC 17 .0301 APPLICATION FOR REGISTRATION**

6 (a) Each licensee or qualifying agent shall submit and sign an application form for the registration of his employee
7 on a form provided by the Board. This form, when sent to the Board, shall be accompanied by:

- 8 (1) one set of classifiable fingerprints on a standard F.B.I. applicant card;
- 9 (2) one head and shoulders digital photograph of the applicant in JPG format of acceptable quality for
10 identification, taken within six months prior to submission, and submitted by e-mail to PPSASL-
11 Photos@ncdps.gov or by compact disc;
- 12 (3) for residents of North Carolina, statements of the results of a statewide criminal history records
13 search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for any state
14 where the applicant has resided within the preceeding 60 months; and
- 15 (4) the registration fee required by Rule .0302 of this Section.

16 (b) The employer of an applicant who is currently registered with another alarm business shall complete an application
17 form provided by the Board. This form shall be accompanied by the applicant's multiple registration fee.

18 (c) The employer of each applicant for registration shall retain a copy of the applicant's application in the individual
19 applicant's personnel file in the employer's office.

20 (d) The employer of an applicant for registration shall complete and submit to the Board a certification of the
21 background and criminal record check of each applicant signed by the licensee or qualifying agent. A copy of this
22 certification shall be retained in the individual applicant's personnel file in the employer's office.

23
24 *History Note: Authority G.S. 74D-5; 74D-8;*
25 *Temporary Rule Eff. January 9, 1984 for a Period of 120 Days to Expire on May 7, 1984;*
26 *Eff. May 1, 1984;*
27 *Amended Eff. December 1, 2012; January 1, 2007; July 1, 1993; March 1, 1993; September 1, 1990;*
28 *November 1, 1988;*
29 *Transferred and Recodified from 12 NCAC 11 .0301 Eff. July 1, 2015;*
30 *Amended Eff. December 1, 2017;*
31 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0302

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 6 – what statute authorizes the Board to charge a fee for “lost cards”?

Line 8 – what statute authorizes the Board to charge an “annual multiple registration fee”?

Line 13 – replace “in the form of a” with “by”

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0302 is readopted as published in 32:12 NCR 1202 as follows:

2

3 **14B NCAC 17 .0302 FEES FOR REGISTRATION**

4 (a) Registration fees are as follows:

5 (1) Forty-five dollar (\$45.00) non-refundable biennial registration fee;

6 (2) Ten dollar (\$10.00) non-refundable re-issue fee for lost cards or for registration of an employee who
7 changes employment to another licensee;

8 (3) Ten dollar (\$10.00) non-refundable annual multiple registration fee;

9 (4) Ten dollar (\$10.00) fee for each reconsideration of a registration permit that has been previously
10 filed with the Board but returned to the licensee or applicant for correctable errors;

11 (5) Twenty dollar (\$20.00) late renewal fee to be paid for an application submitted no more than 30
12 days from the date the registration expires and to be paid in addition to the renewal fee.

13 (b) Fees shall be paid in the form of a check or money order made payable to the Alarm Systems Licensing Board.

14

15 *History Note: Authority G.S. 74D-7;*

16 *Temporary Rule Eff. January 9, 1984, for a period of 120 days to expire on May 7, 1984;*

17 *Eff. May 1, 1984;*

18 *Amended Eff. January 1, 1986;*

19 *Temporary Amendment Eff. October 6, 1992 for a period of 180 days or until the permanent rule*
20 *becomes effective, whichever is sooner;*

21 *Amended Eff. May 1, 2010; February 1, 2010; April 1, 2005; March 1, 1993;*

22 *Transferred and Recodified from 12 NCAC 11 .0302 Eff. July 1, 2015;*

23 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0303

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 4 – replace “must” with “shall”

Line 6 – delete “and”

Lines 7-16 – replace all of Item (3) with this following: “be of good moral character and temperate habits, as set forth in G.S. 74D-2(d)(2); and”

Lines 17-22 – in the entire Code, I was able to find only two boards or commissions that take this approach to “mental disease or defect.” See 14B NCAC 16 .0703 and .1303 and compare with 12 NCAC 09B .0101(6). Neither of these other two rules includes involuntary commitment. In addition, what does “found to have been restored by a psychiatrist” mean in lines 20-21? Finally, what statute authorizes the Board to (a) restrict registration as set forth in Item (4) or (b) determine whether a psychiatric restoration (whatever that means) would be sufficient to meet the registration requirements?

Line 21 – replace “will” with “shall”

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0303 is readopted as published in 32:12 NCR 1202 as follows:

2

3 **14B NCAC 17 .0303 MINIMUM STANDARDS FOR REGISTRATION**

4 An applicant for registration must:

5 (1) be at least 18 years of age;

6 (2) be a citizen of the United States or a resident alien; and

7 (3) be of good moral character and temperate habits. Any of the following shall be prima facie evidence
8 that the applicant does not have good moral character or temperate habits: conviction by any local,
9 state, federal, or military court of any crime involving the illegal use, carrying, or possession of a
10 firearm; conviction of any crime involving the illegal use, possession, sale, manufacture,
11 distribution, or transportation of a controlled substance, drug, narcotic, or alcoholic beverage,
12 conviction of a crime involving felonious assault or an act of violence; conviction of a crime
13 involving unlawful breaking and/or entering, burglary, larceny, any offense involving moral
14 turpitude; or a history of addiction to alcohol or a narcotic drug; provided that, for purposes of (3)
15 of this Rule, "conviction" means and includes the entry of a plea of guilty, plea of no contest, or a
16 verdict of guilty;

17 (4) not have been declared by any court of competent jurisdiction incompetent by reason of mental
18 disease or defect; or not have voluntarily committed himself or herself to an institution for treatment
19 of mental disease or defect; or not have been involuntarily committed to an institution for treatment
20 of mental disease or defect by a district court judge. When an individual has been treated and found
21 to have been restored by a psychiatrist, the Board will consider this evidence and determine whether
22 the applicant meets the requirements of this Paragraph.

23

24 *History Note: Authority G.S. 74D-5; 74D-8;*
25 *Temporary Rule Eff. January 9, 1984, for a Period of 120 Days to Expire on May 7, 1984;*
26 *Eff. May 1, 1984;*
27 *Amended Eff. March 1, 1993; January 1, 1986;*
28 *Transferred and Recodified from 12 NCAC 11 .0303 Eff. July 1, 2015;*
29 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0304

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Lines 4-5 – delete Paragraph (a)

Line 6 – replace “Any” with “A”

Line 6 – replace “will” with “shall”

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0304 is readopted as published in 32:12 NCR 1202 as follows:

2

3 **14B NCAC 17 .0304 INVESTIGATION FOR REGISTRATION**

4 (a) After the administrator receives a complete application for registration, the administrator may cause to be made
5 such further investigation of the applicant as deemed necessary.

6 (b) Any denial of an applicant for registration by the administrator will be subject to review by the Board.

7

8 *History Note: Authority G.S. 74D-5; 74D-8;*

9 *Temporary Rule Eff. January 9, 1984, for a Period of 120 Days to Expire on May 7, 1984;*

10 *Eff. May 1, 1984;*

11 *Transferred and Recodified from 12 NCAC 11 .0304 Eff. July 1, 2015;*

12 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0305

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 4 – replace “must” with “shall”

Line 6 – replace “must” with “shall”

Line 8 – delete “any”

Line 9 – do you mean “eligibility” or “inelegibility”?

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0305 is readopted as published in 32:12 NCR 1202 as follows:

2

3 **14B NCAC 17 .0305 REGISTRATION IDENTIFICATION CARDS**

4 (a) The registration identification card must be carried by the registrant when performing the duties of an alarm
5 systems employee.

6 (b) The registration identification card must be exhibited upon the request of any law enforcement officer or any other
7 authorized representative of the Board.

8 (c) Registration identification card holders shall immediately notify the Board upon receipt of any information relating
9 to the holder's eligibility to continue holding such a card.

10 (d) Upon revocation or suspension by the Board, a holder shall return the registration identification card to the
11 administrator within 10 days of the date of the revocation or suspension.

12

13 *History Note: Authority G.S. 74D-8;*

14 *Temporary Rule Eff. January 9, 1984, for a Period of 120 Days to Expire on May 7, 1984;*

15 *Eff. May 1, 1984;*

16 *Transferred and Recodified from 12 NCAC 11 .0305 Eff. July 1, 2015;*

17 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0306

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 4 – delete the comma

Line 4 requires the use of a form. Pursuant to G.S. 150B-2(8a)(d), the form itself does not need to be in a rule, but the contents of the form must be in rule or law. Are the substantive contents of the form set forth in rule or law?

Lines 7-12 – please compare these lines to similar lines in Rules .0201, .0204, and .0301 and satisfy yourself that the differences among them are intended.

Line 9 – replace “City/County” with City or County

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0306 is readopted as published in 32:12 NCR 1202 as follows:

2
3 **14B NCAC 17 .0306 RENEWAL OR REREGISTRATION OF REGISTRATION**

4 (a) Each applicant for renewal of a registration identification card or his employer, shall complete a form provided
5 by the Board. This form shall be submitted not less than 30 days prior to expiration of the applicant's current card and
6 shall be accompanied by:

- 7 (1) two head and shoulders color photographs of the applicant of acceptable quality for identification
8 and made within 90 days of the application one inch by one inch in size;
9 (2) statements of the result of a local criminal history records search by the City/County Bureau or Clerk
10 of Superior Court in each county where the applicant has resided within the immediately preceding
11 24 months; and
12 (3) the applicant's renewal fee.

13 (b) Each licensee shall provide each applicant for registration or re-registration an application form provided by the
14 Board. This form shall be submitted to the Board and accompanied by:

- 15 (1) two head and shoulders photographs of the applicant of acceptable quality for identification and
16 made within 90 days of the application one inch by one inch in size; and
17 (2) the applicant's reregistration fee.

18 (c) The employer of each applicant for a registration renewal or reregistration shall give the applicant a copy of the
19 application which will serve as a record of application for renewal and shall retain a copy of the applicant's renewal
20 application in the individual's personnel file in the employer's office.

21 (d) Members of the armed forces whose registrations are in good standing and to whom G.S. 105-249.2 grants an
22 extension of time to file a tax return are granted that same extension of time to pay the registration renewal fee and to
23 complete the continuing education requirements prescribed by Section .0500 of this Chapter. A copy of the military
24 order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue
25 must be furnished to the Board.

26
27 *History Note: Authority G.S. 74D-7; 74D-8; 93B-15;*
28 *Temporary Rule Eff. January 9, 1984, for a Period of 120 Days to Expire on May 7, 1984;*
29 *Eff. May 1, 1984;*
30 *Amended Eff. February 1, 2012; July 1, 2010; March 1, 1993; December 1, 1988; July 1, 1987;*
31 *Transferred and Recodified from 12 NCAC 11 .0306 Eff. July 1, 2015;*
32 *Readopted Eff. June 1, 2018.*

1 14B NCAC 17 .0307 is readopted as published in 32:12 NCR 1202 as follows:

2

3 **14B NCAC 17 .0307 SUSPENSION OF AUTHORITY TO EXPEND FUNDS**

4 In the event that Board's authority to expend funds is suspended pursuant to G.S. 93B-2(d), the Board shall continue
5 to issue and renew licenses and all fees tendered shall be placed in an escrow account maintained by the Board for
6 this purpose. Once the Board's authority is restored, the funds shall be moved from the escrow account into the general
7 operating account.

8

9 *History Note: Authority G.S. 93B-2(b);*

10 *Eff. December 1, 2012;*

11 *Transferred and Recodified from 12 NCAC 11 .0307 Eff. July 1, 2015;*

12 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0401

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 4 – replace “under” with “in”

Lines 14-27 – consider revising as follows:

- (5) "Reimbursable Loss" means only those losses of money or other property that meet all of the following tests:
 - (a) the obligation was incurred on or after July 1, 1983;
 - (b) the loss was caused by a licensee defaulting on an obligation that was entered into by the licensee to perform alarm systems services; and
 - (c) the aggrieved party has exhausted all civil remedies against the licensee or his estate and has complied with these rules.
 - (d) The following shall be excluded from reimbursable losses:
 - (i) losses of spouses, children, parents, grandparents, siblings, partners, associates, and employees of the licensee causing the losses;
 - (ii) losses covered by any bond, surety agreement, or insurance contract to the extent covered thereby; and
 - (iii) losses that have been otherwise reimbursed by or on behalf of the licensee who defaulted on an obligation.

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0401 is readopted as published in 32:12 NCR 1202 as follows:

2
3 **SECTION .0400 - RECOVERY FUND**

4
5 **14B NCAC 17 .0401 DEFINITIONS**

6 In addition to the definitions under Article 2 of Chapter 74D of the General Statutes of North Carolina, the following
7 definitions shall apply through this Section:

- 8 (1) "Board" means the Alarm Systems Licensing Board.
- 9 (2) "Fund" means the Recovery Fund of the Alarm Systems Licensing Act.
- 10 (3) "Aggrieved Party" means a person who has suffered a direct or monetary loss because of a licensee's
11 acts.
- 12 (4) "Licensee" means a person who, at the time of the act complained of, was licensed by the Alarm
13 Systems Licensing Board.
- 14 (5) "Reimbursable Loss" means:
- 15 (a) only those losses of money or other property which meet all of the following tests:
- 16 (i) The obligation was incurred on or after July 1, 1983;
- 17 (ii) The loss was caused by a licensee defaulting on an obligation owed where such
18 obligation was entered into by the licensee to perform alarm systems services; and
- 19 (iii) The aggrieved party has exhausted all civil remedies against the licensee or his
20 estate and has complied with these rules.
- 21 (b) the following shall be excluded from "reimbursable losses":
- 22 (i) Losses of spouses, children, parents, grandparents, siblings, partners, associates
23 and employees of the licensee causing the losses;
- 24 (ii) Losses covered by any bond, surety agreement, or insurance contract to the extent
25 covered thereby; and
- 26 (iii) Losses which have been otherwise received from or paid by or on behalf of the
27 licensee who defaulted on an obligation.

28
29 *History Note: Authority G.S. 74D-30; 74D-31;*
30 *Eff. June 1, 1990;*
31 *Transferred and Recodified from 12 NCAC 11 .0401 Eff. July 1, 2015;*
32 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0402

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 5 – delete “minimum”

Lines 6-15 – do not capitalize the first word on each of these lines

Line 10 – do you mean “relative” or “relevant”?

Line 13 – delete “etc.” or replace it with a phrase like “and other similar documents”

Line 15 – replace “any” with “all”

Line 18 – you cite as authority a statute that has been repealed. Do you need this rule? What statute authorizes it?

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0402 is readopted as published in 32:12 NCR 1202 as follows:

2

3 **14B NCAC 17 .0402 PETITION FOR HEARING/APPLICATION FOR RELIEF**

4 The Board shall prepare a Form of Petition for Hearing and Application for Relief which shall require the following
5 minimum information:

- 6 (1) The name and address of the aggrieved party;
- 7 (2) The name and address of the licensee who defaulted on an obligation;
- 8 (3) The amount of the alleged loss for which application is made;
- 9 (4) The date or period of time during which the alleged loss was incurred;
- 10 (5) A general statement of facts relative to the application;
- 11 (6) Verification by the aggrieved party;
- 12 (7) All supporting documents, including, but not limited to:
 - 13 (a) Copies of all contracts, invoices, returned checks, etc.;
 - 14 (b) Copies of all court proceedings against the licensee; and
 - 15 (c) Copies of all documents showing any reimbursement or receipt of funds in payment of any
16 portion of the loss.

17

18 *History Note: Authority G.S. 74D-31;*

19 *Eff. June 1, 1990;*

20 *Transferred and Recodified from 12 NCAC 11 .0402 Eff. July 1, 2015;*

21 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0403

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 4 – who is the “administrator”? Capitalize consistently (see line 7).

Line 7 – replace “such” with “an”

Line 7 – delete “in such a manner as he deems necessary and desirable”

Line 9 – replace “extent” with “amount”

Line 9 – replace “for which the application should be” with “of reimbursement”

Line 10 – define “reasonable time”

Line 14 – you cite as authority a statute that has been repealed. Do you need this rule? What statute authorizes it?

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0403 is readopted as published in 32:12 NCR 1202 as follows:

2

3 **14B NCAC 17 .0403 PROCESSING APPLICATIONS**

4 (a) The Board shall cause each application to be sent to the administrator for investigation and report. A copy of the
5 application shall be served upon or sent by registered mail to the last known address of the licensee who it is claimed
6 defaulted on an obligation.

7 (b) The Administrator shall conduct such investigation in such manner as he deems necessary and desirable in order
8 to determine whether the application is for a reimbursable loss and in order to guide and advise the Board in
9 determining the extent, if any, for which the application should be paid from the fund.

10 (c) A report from the Administrator shall be submitted to the Chairman of the Board within a reasonable time.

11 (d) The Board shall hold a hearing on every application filed by an aggrieved party. The hearing shall be held before
12 the Board and shall follow the guidelines set out in Chapter 150B of the General Statutes of North Carolina.

13

14 *History Note: Authority G.S. 74D-31;*

15 *Eff. June 1, 1990;*

16 *Transferred and Recodified from 12 NCAC 11 .0403 Eff. July 1, 2015;*

17 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0501

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 6 – delete the underscore before “shall”

Lines 14-15 – the second sentence of Item (5) is not a definition. If it is needed, is there a rule to which it could be moved?

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0501 is readopted as published in 32:12 NCR 1202 as follows:
2

3 **SECTION .0500 - CONTINUING EDUCATION FOR LICENSEES**
4

5 **14B NCAC 17 .0501 DEFINITIONS**

6 In addition to the definitions set forth in Rule .0103 of this Section, the following definitions shall apply to this Section:

- 7 (1) "continuing education" or "CE" refers to any educational activity approved by the Board to be a
8 continuing education activity.
9 (2) "credit hour" means sixty minutes of continuing education instruction.
10 (3) "year" refers to the calendar year after the issuance of a new or renewal license.
11 (4) "licensee" shall refer to an individual who holds an alarm systems business license issued by the
12 Board.
13 (5) "registrant" shall refer to an individual who holds an alarm systems business registration permit
14 issued by the Board. Only registrants who engage in installation, service, sales, or monitoring of
15 alarm systems shall be required to complete the continuing education requirements.
16

17 *History Note: Authority G.S. 74D-2; 74D-5;*
18 *Eff. May 1, 1999;*
19 *Amended Eff. July 18, 2002;*
20 *Transferred and Recodified from 12 NCAC 11 .0501 Eff. July 1, 2015;*
21 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0502

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Lines 4 and 5 – what is the “renewal period”? Is there a rules that can be cited to define this term?

Line 7 – replace “regularly scheduled” with “regularly-scheduled”

Lines 8-9 – delete the last sentence of this Rule if it is no longer needed.

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0502 is readopted as published in 32:12 NCR 1202 as follows:

2

3 **14B NCAC 17 .0502 REQUIRED CONTINUING EDUCATION HOURS**

4 Each licensee shall complete at least six credit hours of continuing education training during each renewal period.

5 Each registrant shall complete at least three credit hours of continuing education training during each renewal period.

6 Credit shall be given only for classes that have been pre-approved by the Board. A licensee or registrant who attends
7 a complete meeting of a regularly scheduled meeting of the Alarm Systems Licensing Board shall receive three credit
8 hours for each meeting that the licensee or registrant attends. Said credit shall be applied retroactively for those that
9 signed the attendance sheet and attended a regularly scheduled Board meeting prior to the adoption of this Rule.

10

11 *History Note: Authority G.S. 74D-2; 74D-5;*

12 *Eff. May 1, 1999.*

13 *Amended Eff. July 18, 2002;*

14 *Transferred and Recodified from 12 NCAC 11 .0502 Eff. July 1, 2015;*

15 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0503

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 4 – replace “may” with “seeking to”

Line 4 – replace “by submitting” with “shall submit”

Line 5 – delete “for consideration”

Line 10 – replace “receive sanctioning from” with “be sanctioned by”

Lines 17, 21, and 29 – delete the comma

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0503 is readopted as published in 32:12 NCR 1202 as follows:

2
3 **14B NCAC 17 .0503 ACCREDITATION STANDARDS**

4 (a) CE courses may obtain the sanction of the Alarm Systems Licensing Board by submitting the following
5 information to the Board for consideration:

- 6 (1) the nature and purpose of the course;
- 7 (2) the course objectives or goals;
- 8 (3) the outline of the course, including the number of training hours for each segment; and
- 9 (4) the identity of each instructor.

10 (b) To determine if a course will receive sanctioning from the Alarm Systems Licensing Board, the Board shall
11 complete the following review:

- 12 (1) The matter shall be referred to the Education and Training Committee for the appointment of a sub-
13 committee that shall review the course under consideration. The sub-committee shall consist of at
14 least one member of the Education and Training Committee, one member of the Board's staff, and
15 one industry licensee who has no vested interest in the course. Other members of the sub-committee
16 may be appointed at the discretion of the Education and Training Committee Chairman.
- 17 (2) The sub-committee shall review the course to determine if the course is pertinent to the industry,
18 and if the course meets its stated objectives.
- 19 (3) When the sub-committee completes its review, it shall report to the Education and Training
20 Committee. The Education and Training Committee shall review the course to determine if the
21 course is pertinent to the industry, and if the course meets its stated objective. The Education and
22 Training Committee shall then report the findings with a recommendation of acceptance or denial
23 to the Alarm Systems Licensing Board.
- 24 (4) For any online course being reviewed by the Committee, the course sponsor shall allow the
25 Committee to review the online course and any associated test and shall include with the application
26 instructions and an access code for computer login.

27 (c) Upon receipt of the Education and Training Committee report, the Alarm Systems Licensing Board shall determine
28 by majority vote if the course will be sanctioned for continuing education credits. In making its determination, the
29 Board shall review the course to determine if the course is pertinent to the industry, and if the course meets its stated
30 objective.

31 (d) Each approved course shall remain an approved course for four years from the date of approval by the Board.

32
33 *History Note: Authority G.S. 74D-2; 74D-5;*
34 *Eff. May 1, 1999;*
35 *Amended Eff. July 1, 2010; July 18, 2002;*
36 *Transferred and Recodified from 12 NCAC 11 .0503 Eff. July 1, 2015;.*
37 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0504

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 5 – do you mean to cite Rule .0503? It does not seem to set forth required credits.

Line 10 – delete the comma

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0504 is readopted as published in 32:12 NCR 102 as follows:

2

3 **14B NCAC 17 .0504 NON-RESIDENT LICENSEE OR REGISTRANT CONTINUING EDUCATION**
4 **CREDITS**

5 A non-resident licensee or registrant shall obtain the required continuing education credits as set forth in Rule .0503
6 of this Section. If a non-resident licensee or registrant resides in a state that requires continuing education for an alarm
7 systems business license, then the continuing education courses to be offered in the state of residence may be
8 considered by the North Carolina Alarm Systems Licensing Board for sanctioning in North Carolina on an individual
9 course basis. In determining if the course is to be sanctioned, the Board shall review the course to determine if the
10 course is pertinent to the industry, and if the course meets its stated objective.

11

12 *History Note: Authority G.S. 74D-2; 74D-5;*

13 *Eff. May 1, 1999;*

14 *Amended Eff. July 18, 2002;*

15 *Transferred and Recodified from 12 NCAC 11 .0504 Eff. July 1, 2015;*

16 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0505

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 5 – replace “renewal, and for each course taken such report” with “renewal. For each course taken the report”

Lines 9 – delete “be required to”

Line 11 – replace “Said” with “This”

Lines 12 and 15 – replace “a CE Certificate(s)” with “CE Certificates”

Line 12 – add a comma after “attached”

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0505 is readopted as published in 32:12 NCR 1202 as follows:

2

3 **14B NCAC 17 .0505 RECORDING AND REPORTING CONTINUING EDUCATION CREDITS**

4 (a) Each licensee shall be responsible for recording and reporting continuing education credits to the Board at the
5 time of license or registration renewal, and for each course taken such report shall include a certificate of course
6 completion that is signed by at least one course instructor, indicates the name of the licensee or registrant who
7 completed the course, indicates the date of course completion, and indicates the number of hours taken by the licensee
8 or registrant. Credit shall not be given if a certificate of course completion is dated more than two years from the
9 license or registration permit renewal date. Each course instructor shall be required to maintain a course roster and
10 shall verify the identity of each participant by a government issued photo identification, such as a driver's license.
11 Said roster shall be delivered to the Board's office within two weeks of the completion date of the course.

12 (b) All applications for renewal of a license or registration permit shall have a CE Certificate(s) attached verifying
13 completion of the required number of credit hours. If an applicant is filing an application designated as "new" and the
14 applicant has been licensed or registered for any period of time within the previous two years, the applicant shall attach
15 a CE Certificate(s) verifying completion of the required number of credit hours. An applicant shall not be required to
16 submit a CE Certificate if the applicant is filing an application designated as a "transfer" or "duplicate" and if the
17 applicant has a current registration card issued by the Board.

18

19 *History Note: Authority G.S. 74D-2; 74D-5;*

20 *Eff. May 1, 1999;*

21 *Amended Eff. March 1, 2006; March 1, 2004; July 18, 2002;*

22 *Transferred and Recodified from 12 NCAC 11 .0505 Eff. July 1, 2015;*

23 *Readopted Eff. June 1, 2018.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0506

DEADLINE FOR RECEIPT: Friday, May 11, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 4 – add “or her” after “his”

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

Jason Thomas
Commission Counsel
Date submitted to agency: Friday, April 27, 2018

1 14B NCAC 17 .0506 is readopted as published in 32:12 NCR 1202 as follows:

2

3 **14B NCAC 17 .0506 NON-COMPLIANCE**

4 If a licensee or registrant fails to comply with this Section of the rules, his license or registration permit shall not be
5 renewed.

6

7 *History Note: Authority G.S. 74D-2; 74D-5;*

8 *Eff. May 1, 1999;*

9 *Amended Eff. July 18, 2002;*

10 *Transferred and Recodified from 12 NCAC 11 .0506 Eff. July 1, 2015;*

11 *Readopted Eff. June 1, 2018.*