

7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?

COVID-19 is a respiratory disease that can result in serious illness or death. The COVID-19 virus, previously unidentified in humans, spreads easily from person to person. Once an outbreak of the COVID-19 begins, it is difficult to contain. The World Health Organization, the Center for Disease Control and Prevention, and the United States Department of Health and Human Services have declared COVID-19 a public health threat and emergency. Since travel is being restricted during this worldwide pandemic, those applying to the Board for licensure, will be forced into non-compliant situations.

Executive Order No. 116, declared a state of emergency to coordinate a response and enact protective measures to help prevent the spread of COVID-19. In subsequent Orders, the Governor of North Carolina and the NC Department of Health and Human Services recommended high risk persons stay at home, that schools implement plans for distance or e-learning, that employers and employees use teleworking technologies, and that mass gatherings should cancel, postpone, and modify these events or offer online streaming services, then prohibited mass gatherings, closed schools, and urged social distancing. This rule allows alternatives to a personal meeting for license applicants, many of whom reside out of state.

8. Rule establishes or increases a fee? (See G.S. 12-3.1)

Yes

Agency submitted request for consultation on:
Consultation not required. Cite authority:

No

9. Rule-making Coordinator:

Jeffrey P. Gray

Phone:

(919) 828-0731

E-Mail:

jgray@bdixon.com

Agency contact, if any:

Phone:

E-Mail:

10. Signature of Agency Head*:

Wayne Woodard 2/22/20

* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.

Typed Name:

Title:

ASLB Chairman

E-Mail:

RULES REVIEW COMMISSION USE ONLY

Action taken:

Submitted for RRC Review:

Date returned to agency:

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TEMPORARY RULES
REQUEST FOR TECHNICAL CHANGE

AGENCY: Alarm Systems Licensing Board

RULE CITATION: 14B NCAC 17 .0201

DEADLINE FOR RECEIPT: Tuesday, August 11, 2020

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

In (c), line 26, replace "which" with "that"

Also on line 26, insert a comma after "travel"

And does the state of emergency have to expressly restrict travel or are you getting to the effect of the state of emergency?

On line 27, you state it "may" be waived. Under what circumstances will it not be waived? Do you mean "shall"? Or do you want to use the language from the temporary rule language in 14B NCAC 16 .0201 (approved at the RRC's July meeting), "requirement may be waived if requested by the applicant in lieu of alternative means..."?

In the History Note, Page 2, the History Note is missing the August 1, 2020 amendment. The full History Note will look like this:

*History Note: Authority G.S. 74D-2; 74D-2.1; 74D-3; 74D-5; 74D-7; 74D-8;
Temporary Rule Eff. January 9, 1984, for a period of 120 days to expire on May 7, 1984;
Eff. May 1, 1984;
Amended Eff. December 1, 2012; February 1, 2012; January 1, 2007; September 1, 2006; March 1, 1993; July 1, 1987; January 1, 1986;
Transferred and Recodified from 12 NCAC 11 .0201 Eff. July 1, 2015;
Amended Eff. December 1, 2017;
Readopted Eff. June 1, 2018;
Amended Eff. September 1, 2019;
Emergency Amendment Eff. June 9, 2020;
Amended Eff. August 1, 2020;
Temporary Amendment Eff. August 28, 2020.*

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: August 4, 2020

1 14B NCAC 17 .0201 is amended under temporary procedures as follows:

2
3 14B NCAC 17 .0201 APPLICATION FOR LICENSE

4
5 (a) Each applicant for a license shall submit an online application on the website provided by the Board. When this
6 online application is submitted, it shall be accompanied by:

- 7 (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State
8 Bureau of Investigation or one set of classifiable fingerprints on an F.B.I. fingerprint card provided
9 by the Board and mailed separately to the Board's office;
- 10 (2) one head and shoulders digital photograph of the applicant in JPG format of sufficient quality for
11 identification, taken within six months prior to the online submission, and uploaded with the
12 application submission;
- 13 (3) statements of the results of a statewide criminal history records search by the reporting service
14 designated by the Board pursuant to G.S. 74D-2.1(a) for any state where the applicant has resided
15 within the preceeding 60 months; and
- 16 (4) the applicant's application fee, along with a four dollar (\$4.00) convenience fee charged by the
17 third-party vendor and credit card transaction fee charged by the applicant's credit card provider
18 and collected online.

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

21 (c) Each applicant for a license shall meet personally with either a Board investigator, the Screening Committee, the
22 Director, or a Board representative designated by the Director prior to being issued a license. The applicant shall
23 discuss the provisions of G.S. 74D and the administrative rules in this Chapter during the personal meeting. The
24 applicant shall sign a form provided by the Board stating that the applicant has reviewed the information with the
25 Board's representative and that the applicant understands G.S. 74D and the administrative rules in this Chapter.
26 During a national or State declared state of emergency which restricts or prohibits travel the personal meeting
27 requirement may be waived in lieu of alternative means of communication.

28 (d) Each applicant for a branch office license shall submit an online application on the website provided by the
29 Board. This online application shall be accompanied by the branch office application fee.

30 *History Note: Authority G.S. 74D-2; 74D-2.1; 74D-3; 74D-5; 74D-7; 74D-8;*

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

32 *Eff. May 1, 1984;*

33 *Amended Eff. December 1, 2012; February 1, 2012; January 1, 2007; September 1, 2006; March*
34 *1, 1993; July 1, 1987; January 1, 1986;*

35 *Transferred and Recodified from 12 NCAC 11 .0201 Eff. July 1, 2015;*

36 *Amended Eff. December 1, 2017;*

37 *Readopted Eff. June 1, 2018;*

38 *Amended Eff. September 1, 2019;*

- 1 *Amended Eff. August 1, 2020;*
- 2 *Emergency Amendment Eff. June 9, 2020.*
- 3 *Temporary Amendment Eff. August 28, 2020.*