

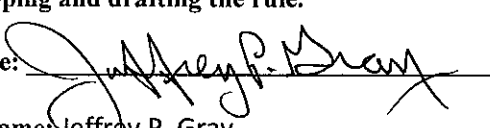
RULES REVIEW COMMISSION

G.S. 150B-19.1 CERTIFICATION

Instructions for completing and submitting the application for Rules Review Commission certification of compliance with the provisions of G.S. 150B-19.1 prior to publishing a notice of text:

- Complete and print out the certification form
- Sign (or have appropriate person sign) the form
- Scan the form, a dated copy of the proposed rule, and copies of any necessary attachments
- Email the scanned document(s) as an attachment to the email to: oah.rules@oah.nc.gov
- An automatically generated email will be sent indicating receipt of the email

Filed
 2011 APR 11 PM 1:00
 Office of
 Administrative Hearings

Rule-making Agency: Alarm Systems Licensing Board	
Rule Citation(s): 12 NCAC 11 .0201	
(1a) What is the authority for this rule? (attach a copy of any federal authority or state authority that is not in the current edition of the NCGS) NCGS § 74D-2; NCGS § 74D-3; NCGS § 74D-5; NCGS § 74D-7; NCGS § 74D-10	
(1b) Why is this rule necessary to serve the public interest? This rule change requires the Board staff, not the applicant, to perform a credit history check.	
(2) How did the agency seek to reduce the burden upon those persons or entities who must comply with this rule? By removing the requirement that the applicant provide a credit check as part of the application process.	
(3) Why is the rule reasonably necessary to implement or interpret federal or state law? "Financial responsibility" is a requirement of licensure. A credit history check is the most efficient and common form of determining financial responsibility.	
(4a) Are there existing rules adopted by the agency related to this specific purpose? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If "yes," provide citation: 12 NCAC 11 .0201	
(4b) If "yes," did the agency consider the cumulative effect of all rules adopted by the agency related to the specific purpose for which this rule is proposed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
(5) If appropriate, is this rule based on sound, reasonably available scientific, technical, economic, and other relevant information? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable If "yes," include a reference to the information to be included in the Notice of Text:	
(6) How is the rule designed to achieve the regulatory objective in a cost-effective and timely manner? Many credit history providers, especially the "free" ones, provide a mass of unorganized and difficult to decipher documents. The Board's staff is capable of obtaining a detailed and succinct report, thereby saving staff time and filing space.	
AGENCY CERTIFICATION The agency adhered to the principles in G.S. 150B-19.1 in developing and drafting the rule. Signature:  Typed Name: Jeffrey P. Gray Title: Rulemaking Coordinator	RRC CERTIFICATION The Rules Review Commission certifies that the agency adhered to the principles in G.S. 150B-19.1. By: _____ Date: _____

Counsel Note

Your agency submitted a rule for certification for publication pursuant to G.S. 150B-19.1. The Commission has not met and has not made a decision regarding this request.

In reviewing the rule submitted by your agency for certification, Counsel has noted the following, and recommends changing the rule as set forth below.

These are not required changes for approval pursuant to G.S. 150B-19.1. Do not submit a rewritten rule to address the requests set forth below. This is intended to assist you in preparing the rules for publication in the N.C. Register. Therefore, if you make these changes, please format them as required by 26 NCAC Subchapter 02C.

Rule Citation: 12 NCAC 11 .0201

Agency: Alarm Systems Licensing Board

On line 28, the proposed language deletes “administrator” and replaces it with “Director.” Should the same change be made to line 5?

Line 10, add a comma after “North Carolina”

Line 14, the proposed language deletes the comma after “residents.” This change seems unnecessary and should not be made

SECTION .0200 – PROVISIONS FOR LICENSEES

12 NCAC 11 .0201 APPLICATION FOR LICENSE

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

- (1) one set of classifiable fingerprints on an applicant card provided by the Board;
- (2) one head and shoulders digital photograph of the applicant in JPG format of acceptable quality for identification and taken within six months prior to submission and submitted by e-mail to PPSB/ASLB-photos@ncdoj.gov or by compact disc;
- (3) for residents of North Carolina statements of the results of a statewide criminal history records search for the past five years conducted by an Administrative Offices of the Courts' approved firm that conducts criminal history searches and bases its search on the criminal history database maintained by the North Carolina Administrative Offices of the Courts;
- (4) for out-of-state ~~residents~~, residents statements of the results of a statewide criminal history records search for the past five years conducted by a Board approved company under contract with, or appointed by, the Board to conduct criminal history searches which bases its search on the criminal history database maintained by the state of residence; and
- (5) the applicant's application fee; and fee.
- (6) ~~an Equifax credit check run within 30 days of the license application submission date.~~

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

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

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

History Note: Authority G.S. 74D-2; 74D-3; 74D-5; 74D-7; 74D-10

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.