

REQUEST FOR TECHNICAL CHANGE

AGENCY: Criminal Justice Education and Training Standards Commission

RULE CITATION: All Rules

DEADLINE FOR RECEIPT: Thursday, July 10, 2014

NOTE WELL: *This request when viewed on computer extends 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 this office to inquire concerning the staff recommendation.

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

Please delete the actual text that has been struck through in each rule. An example of formatting permanent repealed rules can be found at <http://www.oah.state.nc.us/rules/examples.html>.

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

1 12 NCAC 09A .0108 is repealed as published in volume 28, issue 15, pages 1716-1717 as follows:

2 12 NCAC 09A .0108 APPLICABILITY OF RADAR/TDS STANDARDS PRE 7/1/82

3 ~~(a) The Commission takes official notice that minimum standards and levels of training for certification and recertification of~~
4 ~~operators and instructors for training programs in radio microwave and other electronic speed measuring instruments have~~
5 ~~been established by the Commission through rule making. Additionally, many law enforcement officers have met such~~
6 ~~standards and have been certified as operators and instructors.~~

7 ~~(b) The standards in this Rule and levels of training are in form and substance the same as required by G.S. 17C-6(a)(11)(12)~~
8 ~~and (13) and 6(d).~~

9 ~~(c) Any law enforcement officer who has met these standards and has been certified prior to July 1, 1982, has met the~~
10 ~~standards in effect as of July 1, 1982, shall be subject to all terms and conditions for recertification, supplementary training~~
11 ~~and discipline that apply to such certification.~~

12 ~~(d) The Commission takes official notice that, by operation of law and formal rule making by the Commission, all standards,~~
13 ~~levels of training, approved equipment, testing procedures and other rules pertaining to the use of radio microwave and other~~
14 ~~electronic speed measuring instruments, currently embodied within the rules of the Commission (12 NCAC 9A, 9B and 9C)~~
15 ~~are mandatory.~~

16
17 *History Note: Authority G.S. 17C-6;*

18 *Eff. July 1, 1982-1982:*

19 *Repealed Effective July 1, 2014.*
20
21
22
23
24

12 NCAC 09B .0311 is repealed as published in volume 28, issue 15, page 1717 as follows:

12 NCAC 09B .0311 CERTIFIED INSTRUCTORS PRE 7/1/82

~~Any radar or radar and time distance instructors certified pursuant to standards in effect between November 1, 1981 and July 1, 1982 shall continue to hold certification with full force and effect. The terms and conditions of 12 NCAC 9B .0310 shall apply to these instructors.~~

History Note: Authority G.S. 17C-6;

Eff. July 1, 1982;

Amended Eff. April 1, ~~1999~~ 1999;

Repealed Effective July 1, 2014.

REQUEST FOR TECHNICAL CHANGE

AGENCY: Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09A .0217 and .0218

DEADLINE FOR RECEIPT: Thursday, July 10, 2014

NOTE WELL: *This request when viewed on computer extends 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 this office to inquire concerning the staff recommendation.

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

Please combine the repealed rules with a single history note pursuant to 26 NCAC 2C .0406(b) which states:

(b) Notwithstanding Paragraph (a) of this Rule, the agency shall combine repealed rules with a single history note if the rules are consecutive numerically in the same section and the effective dates and repealed dates are identical. The agency shall combine authority cites and any other dates.

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Amber Cronk May
Commission Counsel
June 25, 2014

1 **12 NCAC 09C .0217 is repealed as published in volume 28, issue 15, page 1717 as follows:**

2 **12 NCAC 09C .0217 APPLICATION FOR LAW ENFORCEMENT EMPLOYMENT**

3 ~~The Application for Law Enforcement Employment is a card suitable for use by law enforcement agencies for preliminary~~
4 ~~screening of new applicants for employment and for documenting the applicant's submission of required documentation.~~

5
6 *History Note: Authority G.S. 17C-6; 150B-11;*

7 *Eff. January 1, ~~1981~~1981;*

8 *Repealed Effective July 1, 2014.*
9
10

1 **12 NCAC 09C .0218 is repealed as published in volume 28, issue 15, page 1717 as follows:**

2 **12 NCAC 09C .0218 FORM ORDER BLANK**

3 ~~The Form Order Blank, is a means by which an agency may order copies of forms described in this Section.~~

4

5 *History Note: Authority G.S. 17C-6; 150B-11;*

6 *Eff. January 1, ~~1981~~.1981;*

7 *Repealed Effective July1, 2014.*

8

9

1 **12 NCAC 09C .0220 is repealed as published in volume 28, issue 15, page 1717 as follows:**

2 **12 NCAC 09C .0220 ACQUISITION OF FORMS**

3 ~~All forms described in this Section may be obtained by forwarding a request by letter or by using the Form Order Blank to the~~
4 ~~Standards Division at P.O. Drawer 149, Raleigh, North Carolina 27602.~~

5
6 *History Note: Authority G.S. 17C-6; 150B-11;*

7 *Eff. January 1, ~~1981~~1981;*

8 *Repealed Effective July 1, 2014.*