

**G.S. 150B-21.3A Report for 10A NCAC 41B, INJURY CONTROL**

Agency - DHHS

Comment Period - 6/6/17 - 8/5/17

Date Submitted to APO - December 18, 2017

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SUBCHAPTER 41B – INJURY CONTROL	SECTION .0100 – GENERAL POLICIES	10A NCAC 41B .0101	DEFINITIONS	Amended Eff. November 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0200 - BLOOD ALCOHOL TEST REGULATIONS	10A NCAC 41B .0201	INITIAL PERMIT FOR BLOOD ANALYST	Readopted Eff. December 5, 1977	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41B .0202	GRANTING PERMITS	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41B .0203	APPROVED PERMITS	Amended Eff. April 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41B .0204	MODIFICATION OF PERMIT	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41B .0205	RENEWAL OF PERMIT	Amended Eff. January 1, 1985	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41B .0206	DETERMINATION OF RENEWAL OF PERMIT	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41B .0207	EVALUATION OF BLOOD ANALYSTS	Readopted Eff. December 5, 1977	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41B .0208	REVOCAION OF PERMIT	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41B .0209	REPORTING OF ALCOHOL CONCENTRATIONS BY BLOOD ANALYSTS	Eff. October 1, 1986	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0300 - BREATH ALCOHOL TEST REGULATIONS	10A NCAC 41B .0301	APPLICATION FOR INITIAL PERMIT	Amended Eff. May 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41B .0302	LIMITATION OF PERMIT	Amended Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41B .0303	RENEWAL OF PERMIT	Eff. January 1, 1982	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41B .0304	CONDITIONS FOR RENEWAL OF PERMIT	CONDITIONS FOR RENEWAL OF PERMIT	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41B .0306	TESTING OF EQUIPMENT	Eff. January 1, 1982	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41B .0307	EVALUATION OF PERMITTEES	Eff. January 1, 1982	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41B .0308	REVOCAION OF PERMIT	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41B .0313	BREATH-TESTING INSTRUMENTS: REPORTING OF SEQUENTIAL TESTS	Amended Eff. May 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41B .0320	INTOXILYZER: MODEL 5000	Amended Eff. November 1, 2007	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code

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		10A NCAC 41B .0321	PREVENTIVE MAINTENANCE: INTOXILYZER: MODEL 5000	Amended Eff. November 1, 2007	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 41B .0322	INTOXIMETERS: MODEL INTOX EC/IR II	Eff. November 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41B .0323	PREVENTIVE MAINTENANCE: INTOXIMETERS: MODEL INTOX EC/IR II	Eff. November 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	<b>SECTION .0400 - CONTROLLED DRINKING PROGRAMS</b>	10A NCAC 41B .0401	APPLICATION OF REGULATIONS	Amended Eff. January 1, 1982	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41B .0402	AUTHORIZATION	Amended Eff. January 1, 1982	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41B .0403	HANDLING ALCOHOLIC BEVERAGES	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41B .0404	QUANTITY LIMITS	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41B .0405	EXCESS OF QUANTITIES	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41B .0406	RESTRICTED USE OF ALCOHOLIC BEVERAGES	Amended Eff. October 1, 1986	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41B .0407	RECORDS	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	<b>SECTION .0500 - ALCOHOL SCREENING TEST DEVICES</b>	10A NCAC 41B .0501	SCREENING TESTS FOR ALCOHOL CONCENTRATION	Amended Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41B .0502	APPROVAL: ALCOHOL SCREENING TEST DEVICES: USE	Amended Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41B .0503	APPROVED ALCOHOL SCREENING TEST DEVICES: CALIBRATION	Amended Eff. July 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note