

Commission Review
Log of Permanent Rule Filings
March 21, 2020 through April 20, 2020

PESTICIDE BOARD

The rules in Chapter 9 are from the Food and Drug Protection Division of the Department of Agriculture and Consumer Services.

The rules in Subchapter 9L are from the N.C. Pesticide Board and include organizational rules (.0100); registration (.0300); samples and submissions (.0400); pesticide licenses (.0500); pesticide and pesticide container disposal (.0600); declaration of pests and restrictions on their control (.0700); bulk distribution of pesticides (.0800); aerial application of pesticides (.1000); private pesticide applicator certification (.1100); arsenic trioxide (.1200); availability of restricted use pesticides (.1300); ground application of pesticides (.1400); worker protection standards for agricultural pesticides (.1800); pesticide storage (.1900); chemigation (any process whereby pesticides are applied to land, crops, or plants using an irrigation system) (.2000); hearing rules of the North Carolina pesticide board (.2100); and interim protection measures for the Carolina heelsplitter mussel (.2200).

<u>Duties of Pesticide Section</u>	02	NCAC 09L .0101
Readopt without Changes		
<u>Duties (Continued)</u>	02	NCAC 09L .0102
Readopt without Changes		
<u>Assignment of Duties</u>	02	NCAC 09L .0103
Readopt without Changes		
<u>Registration for the Following Year</u>	02	NCAC 09L .0308
Readopt without Changes		
<u>Reregistration</u>	02	NCAC 09L .0310
Readopt without Changes		
<u>Registration of Pesticides to Meet Special Local Needs</u>	02	NCAC 09L .0317
Readopt without Changes		
<u>Exemption of Agencies for Use of Pesticides in Emergencies</u>	02	NCAC 09L .0318
Readopt without Changes		
<u>Tolerances</u>	02	NCAC 09L .0402
Readopt with Changes		
<u>List of Restricted Use Pesticides</u>	02	NCAC 09L .0502
Readopt without Changes		
<u>Pesticide Applicators</u>	02	NCAC 09L .0503
Readopt without Changes		
<u>Definitions</u>	02	NCAC 09L .0504
Readopt without Changes		
<u>Classifications</u>	02	NCAC 09L .0505
Readopt without Changes		
<u>Consultant Education Requirements</u>	02	NCAC 09L .0509
Readopt without Changes		
<u>Re-Examinations</u>	02	NCAC 09L .0515
Readopt without Changes		
<u>Continuances</u>	02	NCAC 09L .0516
Readopt with Changes		
<u>Certification</u>	02	NCAC 09L .0519
Readopt without Changes		

<u>Recertification Requirements</u>	02	NCAC 09L .0520
Readopt without Changes		
<u>Recertification Options</u>	02	NCAC 09L .0522
Readopt without Changes		
<u>Recertification in Additional Categories</u>	02	NCAC 09L .0523
Readopt without Changes		
<u>Expiration of Certification</u>	02	NCAC 09L .0524
Readopt without Changes		
<u>Recertification of Pesticide Dealers</u>	02	NCAC 09L .0525
Readopt without Changes		
<u>Pesticide Dealer Recertification Options</u>	02	NCAC 09L .0526
Readopt without Changes		
<u>Expiration of Pesticide Dealer Certification</u>	02	NCAC 09L .0527
Readopt without Changes		
<u>Soil and Growing Media Fumigation Examination Waiver</u>	02	NCAC 09L .0529
Readopt without Changes		
<u>Disposal of Pesticides</u>	02	NCAC 09L .0602
Readopt without Changes		
<u>Disposal of Pesticide Containers</u>	02	NCAC 09L .0603
Readopt without Changes		
<u>Orchard Rats</u>	02	NCAC 09L .0701
Readopt without Changes		
<u>Restrictions Concerning Control of Orchard Rats</u>	02	NCAC 09L .0702
Readopt without Changes		
<u>Gulls</u>	02	NCAC 09L .0703
Readopt without Changes		
<u>Restrictions Concerning Control of Pigeons</u>	02	NCAC 09L .0705
Readopt without Changes		
<u>Eastern and Hairy-Tailed Moles</u>	02	NCAC 09L .0707
Readopt without Changes		
<u>Adoption by Reference</u>	02	NCAC 09L .0810
Readopt without Changes		
<u>Definitions</u>	02	NCAC 09L .1001
Readopt without Changes		
<u>General Requirements</u>	02	NCAC 09L .1002
Readopt without Changes		
<u>Drift Control</u>	02	NCAC 09L .1003
Readopt without Changes		
<u>Restricted Areas</u>	02	NCAC 09L .1005
Readopt without Changes		
<u>Exemptions</u>	02	NCAC 09L .1006
Readopt without Changes		
<u>Notification of Apiaries</u>	02	NCAC 09L .1009
Readopt without Changes		
<u>Definitions</u>	02	NCAC 09L .1102
Readopt without Changes		
<u>Certification Examination</u>	02	NCAC 09L .1103
Readopt without Changes		
<u>Single Purchase Emergency Certification Permit</u>	02	NCAC 09L .1104

Readopt without Changes	
<u>Applications Under Supervision Of Certified Applicator</u>	02 NCAC 09L .1105
Readopt without Changes	
<u>Age Limitations</u>	02 NCAC 09L .1107
Readopt without Changes	
<u>Term of Certification; Recertification</u>	02 NCAC 09L .1108
Readopt without Changes	
<u>Certification of Private Applicators</u>	02 NCAC 09L .1109
Readopt without Changes	
<u>Certification/Recertification Fee</u>	02 NCAC 09L .1111
Readopt without Changes	
<u>Restrictions on Use and Storage</u>	02 NCAC 09L .1201
Readopt without Changes	
<u>Pesticide Dealer and Purchaser Responsibility</u>	02 NCAC 09L .1202
Readopt without Changes	
<u>General Requirements</u>	02 NCAC 09L .1302
Readopt without Changes	
<u>Exemptions</u>	02 NCAC 09L .1303
Readopt without Changes	
<u>Record Keeping Requirements</u>	02 NCAC 09L .1305
Readopt without Changes	
<u>Recipient Identification</u>	02 NCAC 09L .1306
Readopt without Changes	
<u>Definitions</u>	02 NCAC 09L .1401
Readopt without Changes	
<u>Record Keeping Requirements</u>	02 NCAC 09L .1402
Readopt without Changes	
<u>Drift Control</u>	02 NCAC 09L .1404
Readopt without Changes	
<u>Adoption by Reference</u>	02 NCAC 09L .1805
Readopt without Changes	
<u>Crop Advisor Exemption</u>	02 NCAC 09L .1806
Readopt without Changes	
<u>Definitions</u>	02 NCAC 09L .1901
Readopt without Changes	
<u>Storage Requirements for All Pesticides</u>	02 NCAC 09L .1902
Readopt without Changes	
<u>Storage Facility Requirements: RUP</u>	02 NCAC 09L .1905
Readopt without Changes	
<u>Large Storage Facility Requirements: RUP</u>	02 NCAC 09L .1906
Readopt without Changes	
<u>Purpose and Implementation of Contingency Plan</u>	02 NCAC 09L .1907
Readopt without Changes	
<u>Content of Contingency Plan</u>	02 NCAC 09L .1908
Readopt without Changes	
<u>Copies of Contingency Plan</u>	02 NCAC 09L .1909
Readopt without Changes	
<u>Effective Date of Storage Regulation</u>	02 NCAC 09L .1913
Readopt without Changes	

<u>Bulk Storage Requirements</u>	02	NCAC 09L .1914
Readopt without Changes		
<u>Definitions</u>	02	NCAC 09L .2001
Readopt without Changes		
<u>Application of Pesticides Through Irrigation Systems</u>	02	NCAC 09L .2002
Readopt without Changes		
<u>Prohibition of Connection to a Public Water System</u>	02	NCAC 09L .2003
Readopt without Changes		
<u>Inspection: Maintenance and Modification</u>	02	NCAC 09L .2004
Readopt without Changes		
<u>Definitions</u>	02	NCAC 09L .2201
Readopt without Changes		
<u>Pesticide Use Limitation Areas</u>	02	NCAC 09L .2202
Readopt without Changes		
<u>Pesticides with Additional Use Limitations</u>	02	NCAC 09L .2203
Readopt without Changes		

PARKS AND RECREATION AUTHORITY

The rules in Subchapter 13k concern the general provisions of the parks and recreation trust fund grants for local government.

<u>Eligible Participants</u>	07	NCAC 13K .0102
Readopt without Changes		
<u>Funding Cycle</u>	07	NCAC 13K .0103
Amend		
<u>Evaluation of Applications</u>	07	NCAC 13K .0105
Readopt without Changes		
<u>Grant Agreement</u>	07	NCAC 13K .0106
Readopt with Changes		
<u>Matching Requirements</u>	07	NCAC 13K .0107
Readopt without Changes		
<u>Eligible Projects and Costs</u>	07	NCAC 13K .0108
Readopt with Changes		
<u>Site Control and Dedication</u>	07	NCAC 13K .0109
Readopt with Changes		
<u>Inspections</u>	07	NCAC 13K .0110
Readopt without Changes		

TRANSPORTATION, DEPARTMENT OF

The rules in Chapter 2 are from the Division of Highways.

The rules in Subchapter 2E concern miscellaneous operations including tort claims (.0100); outdoor advertising (.0200); junkyard control (.0300); general ordinances (.0400); selective vegetation removal policy (.0600); professional or specialized services (.0700); solicitation of contributions for religious purposes at rest areas (.0800); distribution of newspapers from dispensers at rest areas and welcome centers (.0900); scenic byways (.1000); tourist-oriented directional sign program (.1100); private property owners (.1200).

<u>Selective Vegetation Removal Permit Required to Remove Ve...</u>	19A	NCAC 02E .0601
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Readopt without Changes	
<u>Requests for Selective Vegetation Removal Permits for a F...</u>	19A NCAC 02E .0602
Readopt without Changes	
<u>Issuance or Denial of Selective Vegetation Removal Permit...</u>	19A NCAC 02E .0603
Readopt without Changes	
<u>Conditions of Selective Vegetation Removal Permit for Fac...</u>	19A NCAC 02E .0604
Readopt without Changes	
<u>Requests for Selective Vegetation Removal Permits for Out...</u>	19A NCAC 02E .0608
Readopt without Changes	
<u>Issuance or Denial of Selective Vegetation Removal Permit...</u>	19A NCAC 02E .0609
Readopt without Changes	
<u>Conditions of Selective Vegetation Removal Permit for Out...</u>	19A NCAC 02E .0610
Readopt without Changes	
<u>Beautification and Replanting Requirements for Selective ...</u>	19A NCAC 02E .0611
Readopt without Changes	

REAL ESTATE COMMISSION

The rules in Subchapter 58A are rules relating to real estate brokers and salesmen including rules dealing with general brokerage (.0100); application for license (.0300); examinations (.0400); licensing (.0500); real estate commission hearings (.0600); petitions for rules (.0700); rulemaking (.0800); declaratory rulings (.0900); real estate education and recovery fund (.1400); discriminatory practices prohibited (.1600); mandatory continuing education (.1700); limited nonresident commercial licensing (.1800); post-licensure education (.1900); annual reports (.2000); brokers in military service (.2100); and broker price opinions and comparative market analyses (.2200).

<u>Broker-In-Charge</u>	21 NCAC 58A .0110
Amend	
<u>License Application and Fee</u>	21 NCAC 58A .0302
Amend	
<u>Petition for Predetermination</u>	21 NCAC 58A .0305
Adopt	
<u>Provisional Broker to be Supervised by Broker</u>	21 NCAC 58A .0506
Amend	
<u>Procedures for Requesting Hearings When Applicant's Chara...</u>	21 NCAC 58A .0616
Amend	
<u>Equivalent Credit</u>	21 NCAC 58A .1708
Amend	
<u>Denial or Withdrawal of Continuing Education Credit</u>	21 NCAC 58A .1710
Amend	
<u>Continuing Education Required of Nonresident Brokers</u>	21 NCAC 58A .1711
Amend	
<u>Extensions of Time to Complete Postlicensing Education</u>	21 NCAC 58A .1903
Repeal	
<u>Denial or Withdrawal of Postlicensing Education Credit</u>	21 NCAC 58A .1904
Amend	

The rules in Subchapter 58H concern real estate education including general rules (.0100); real estate schools (.0200); approved instructors (.0300); and real estate courses (.0400).

<u>Definitions</u>	21 NCAC 58H .0101
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Amend	
<u>Applicability</u>	21 NCAC 58H .0201
Amend	
<u>Application for Education Provider Certification</u>	21 NCAC 58H .0202
Amend	
<u>Education Director</u>	21 NCAC 58H .0203
Amend	
<u>Policies and Procedures Disclosure</u>	21 NCAC 58H .0204
Amend	
<u>Course Materials</u>	21 NCAC 58H .0205
Amend	
<u>Advertising and Recruitment Activities</u>	21 NCAC 58H .0206
Amend	
<u>Course Completion Certificates and Reports</u>	21 NCAC 58H .0207
Amend	
<u>Education Provider Records</u>	21 NCAC 58H .0208
Amend	
<u>Expiration and Renewal of Provider Certification</u>	21 NCAC 58H .0209
Amend	
<u>Denial, Withdrawal, or Termination of Education Provider ...</u>	21 NCAC 58H .0210
Amend	
<u>Prelicensing and Postlicensing Roster Reporting</u>	21 NCAC 58H .0211
Repeal	
<u>School Records</u>	21 NCAC 58H .0212
Repeal	
<u>Evaluations of Instructor Performance</u>	21 NCAC 58H .0213
Repeal	
<u>Expiration and Renewal of a School Approval or License</u>	21 NCAC 58H .0214
Repeal	
<u>Denial, Withdrawal, or Termination of School Approval or ...</u>	21 NCAC 58H .0215
Repeal	
<u>Prelicensing, Postlicensing, and Update Course Instructor...</u>	21 NCAC 58H .0301
Amend	
<u>Application and Criteria for Instructor Approval</u>	21 NCAC 58H .0302
Amend	
<u>Denial or Withdrawal of Instructor Approval</u>	21 NCAC 58H .0303
Amend	
<u>Instructor Conduct and Performance</u>	21 NCAC 58H .0304
Amend	
<u>Digital Video Recordings</u>	21 NCAC 58H .0305
Amend	
<u>Approval of a Real Estate Education Course</u>	21 NCAC 58H .0401
Amend	
<u>Continuing Education Elective Course Requirements</u>	21 NCAC 58H .0402
Amend	
<u>Commission Created Update Courses</u>	21 NCAC 58H .0403
Amend	
<u>Course Scheduling</u>	21 NCAC 58H .0404
Amend	

<u>Denial or Withdrawal of Sponsor Approval</u> Repeal	21 NCAC 58H .0405
<u>Approval and Renewal of Elective Course</u> Repeal	21 NCAC 58H .0406
<u>Continuing Education Elective Course Requirements</u> Repeal	21 NCAC 58H .0407
<u>Commission Created Update Courses</u> Repeal	21 NCAC 58H .0408
<u>Records and Commission Review</u> Repeal	21 NCAC 58H .0409
<u>Continuing Education Course Scheduling and Notification</u> Repeal	21 NCAC 58H .0410
<u>Continuing Education Course Attendance</u> Repeal	21 NCAC 58H .0411
<u>Continuing Education Roster Reports and Certificates</u> Repeal	21 NCAC 58H .0412
<u>Continuing Education Course Cost, Cancellation, and Refunds</u> Repeal	21 NCAC 58H .0413
<u>Advertising</u> Repeal	21 NCAC 58H .0414

BUILDING CODE COUNCIL

<u>2018 NC Administrative Code/Inspections of Component or E...</u> Amend	107.6
<u>2018 NC Residential Code/Cross Bracing</u> Amend	AM109.1.4
<u>2018 NC Residential Code/Height</u> Amend	R311.7.8.1
<u>2018 NC Building Code/Allowable Number of Stories Above G...</u> Amend	504.4
<u>2018 NC Building Code/Height</u> Amend	905.3.1
<u>2018 NC Building Code/Type A Units</u> Amend	1107.6.2.2.1
<u>2018 NC Fire Code/Temporary Sleeping Units for Disaster R...</u> Amend	321
<u>2018 NC Fire Code/Height</u> Amend	905.3.1
<u>2018 NC Plumbing Code/Above-Ground Sanitary Drainage and ...</u> Amend	702.1
<u>2018 NC Plumbing Code/Fittings</u> Amend	702.4
<u>2018 NC Plumbing Code/Cured in Place Piping</u> Amend	718
<u>2018 NC Plumbing Code/Single Stack Vent System</u> Amend	917
<u>2018 NC Plumbing Code/Engineered Single Stack Systems</u> Amend	917.1.1

2018 NC Plumbing Code/Inside Storm Drainage Conductors
Amend
2018 NC Plumbing Code/Fittings
Amend

1102.2

1102.7