

1 21 NCAC 29 .0201 is amended as published in 40:10 NCR 839 as follows:

2
3 **SECTION 0200 - EXAMINATION**
4

5 **21 NCAC 29 .0201 EXAMINATION FEE**

6 (a) ~~The Board shall charge the examination fee as follows: Applicants seeking to take the Locksmith licensing~~
7 ~~examination shall remit to the Board, along with the application as set forth in Rule .0202 of this Section, a fee of two~~
8 ~~hundred dollars (\$200.00).~~

9 (1) ~~Two hundred dollars (\$200.00) for first time test takers;~~

10 (2) ~~Fifty dollars (\$50.00) for second time applicants who fail to pass pursuant to 21 NCAC 29 .0203;~~
11 ~~and~~

12 (3) ~~Two hundred dollars (\$200.00) for third and subsequent test takers.~~

13 (b) The applicant may take the examination at a commercial testing center that charges a fee. ~~However, the~~
14 ~~examination fee required in this Rule shall not be affected and the Board shall not be responsible for any additional~~
15 ~~fee assessed by the testing center. The applicant, and not the Board, shall bear the cost of any fees assessed by the~~
16 ~~commercial testing center.~~

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18 *History Note: Authority G.S. 74F-6; 74F-9;*

19 *Temporary Adoption Eff. October 17, 2002;*

20 *Eff. August 1, 2004;*

21 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2,*
22 *2016;*

23 *Amended Eff. June 1, 2026; June 1, 2017.*

1 21 NCAC 29 .0202 is amended **with changes** as published in 40:10 NCR 839-840 as follows:

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3 **21 NCAC 29 .0202 APPLICATION REQUIREMENTS**

4 (a) Applicants must register for an examination on the form prescribed by the Board. The application must be
5 submitted to the Board's office at least 15 days before the requested examination date.

6 (b) To apply for a license, an individual must submit the following to the Board:

7 (1) all **applicable** fees as set forth in Rule .0201 of this Section; and

8 (2) a completed license application, as described in Paragraph (c) of this Rule.

9 (c) A license application for an individual shall contain the following:

10 (1) the person's name;

11 (2) the person's place of birth, date of birth, social security number, and citizenship status;

12 (3) the person's current physical address, mailing address, telephone number, email address, and
13 website;

14 (4) the person's out-of-state licenses or certifications held, if any;

15 (5) a list of all addresses at which the applicant has lived during the past five years;

16 (6) the name, [**email,**] **email address,** home address, and length of relationship of two [**disinterested**]
17 character references;

18 (7) whether the applicant possesses a valid motor vehicle operator's permit and, if so, the license
19 [**number,**] **number** and issuing state;

20 (8) whether the applicant:

21 (A) has ever been involuntarily dismissed, fired, or allowed to resign in lieu of firing as a result
22 of theft, embezzlement, or any alleged act that, if true, could have resulted in criminal
23 prosecution;

24 (B) has ever been charged, convicted, or pled guilty to a criminal offense other than a minor
25 traffic violation in any state;

26 (C) has ever been convicted or pled guilty at a court-martial while a member of the Armed or
27 Reserved Forces;

28 (D) has ever been denied any **professional** license or had any **professional** license revoked in
29 any state, including North Carolina;

30 (E) has ever served in any branch of the US Military Services, and, if so, a copy of the
31 applicant's Form DD-214 or equivalent;

32 (9) the applicant's affirmation that all answers and statements in the application and supporting
33 documents provided are true and accurate to the best of the applicant's knowledge. That the applicant
34 understands the Board may verify and investigate such information, and that any material omission,
35 misrepresentation, or falsification is grounds for the Board's denial of the license application or
36 revocation of a license;

- 1 (10) the applicant's agreement that he or she has fully read the obligations of a licensee and will abide by
- 2 the North Carolina Locksmith Licensing Act and the rules duly promulgated by the Board;
- 3 (11) the applicant's signature and the date;
- 4 (12) the applicant's signed and notarized authorization for release of records related to the applicant's
- 5 military, education, and employment history;
- 6 (13) the business name and trade name, address, website, and federal Employer Identification Number
- 7 ("EIN") of the businesses under which the applicant is providing locksmith services; and
- 8 (14) a signed electronic fingerprint submission to authorize the North Carolina State Bureau of
- 9 Investigation to perform a national criminal history record check.

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11 *History Note: Authority G.S. 74F-6; 74F-7;*
12 *Temporary Adoption Eff. November 13, 2002;*
13 *Eff. August 1, 2004;*
14 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2,*
15 ~~2016.~~ 2016;
16 Amended Eff. June 1, 2026.

1 21 NCAC 29 .0204 is amended **with changes** as published in 40:10 NCR 840 as follows:

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3 **21 NCAC 29 .0204 REQUIREMENTS OF EXAMINEES**

4 (a) Applicants at an examination session shall present a government-issued photo ID identification card to the
5 examination proctor before the beginning of the examination session.

6 (b) The applicant shall not bring books, calculators, or other items that may compromise the security and validity of
7 the exam, such as a study guide or objects that are **disruptive disruptive**, into the examination room.

8 ~~Cellphones shall be turned off during the examination.~~ Electronic devices shall not be allowed in the examination
9 room during the examination. Applicants shall not speak with ~~others~~ anyone except the proctor during the examination
10 session.

11 (d) Applicants shall obey instructions from the proctor regarding when to begin and cease work on the examination.

12 (e) Applicants shall be excused from the room during the examination only with permission from the proctor.

13 (f) Failure to abide by any of the Paragraphs of this Rule shall result in invalidation of the applicant's examination
14 results.

15 (g) Applicants shall not make any written markings on the examination book provided by the proctor.

16 (h) The applicant shall exit the examination room if the proctor determines that the applicant is disrupting the
17 examination or failing to abide by any of the Paragraphs of this Rule. If an applicant is asked to exit the examination
18 room, examination fees shall not be refunded.

19 (i) Applicants shall be informed of the results of the examination by email. Examination results shall not be provided
20 by the **proctored** **proctor** at the testing site.

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22 *History Note: Authority G.S. 74F-6; 74F-7;*

23 *Temporary Adoption Eff. November 13, 2002;*

24 *Eff. August 1, 2004;*

25 *Readopted Eff. June 1, 2017- 2017;*

26 *Amended Eff. June 1, 2026.*

1 21 NCAC 29 .0206 is amended **with changes** as published in 40:10 NCR 840 as follows:

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3 **21 NCAC 29 .0206 SPECIAL ADMINISTRATION**

4 (a) Applicants with disabilities as defined by the Americans with Disabilities Act of 1990 (ADA), which is hereby
5 incorporated by reference, including subsequent amendments and editions, available at no cost at www.ada.gov, and
6 documented by a licensed medical professional shall be administered the NC Locksmith Licensing Exam under
7 conditions that shall minimize the effect of the disabilities on their testing performance. Special test administrations
8 shall be as comparable as possible to a standard ~~administration and shall be granted upon request of the applicant and~~
9 ~~Board approval.~~ testing administration.

10 (b) Applicants desiring to request testing accommodations under the ADA shall provide the following information to
11 the Board at least 30 days prior to the desired testing date:

- 12 (1) the type of accommodation requested;
- 13 (2) a description of the limitations caused by the applicant's medical condition;
- 14 (3) the manner in which the applicant's limitations impact the applicant's ability to take the examination
15 required for licensure by the Board;
- 16 (4) whether the applicant previously has been provided with a testing **accommodation;** ~~accommodation~~
17 ~~in the past;~~ and
- 18 (5) medical certification from the applicant's treating healthcare provider attesting to the accuracy of
19 the information provided by the applicant as set forth in Paragraph (b) of this Rule.

20 (c) The Board shall approve the requested testing accommodations if the Board determines that the requested testing
21 accommodation constitutes a reasonable accommodation under **the** ADA.

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23 *History Note: Authority G.S. 74F-6; 74F-7;*
24 *Eff. November 1, 2007;*
25 *Readopted Eff. June 1, ~~2017~~ 2017;*
26 *Amended Eff. June 1, 2026.*

1 21 NCAC 29 .0501 is amended **with changes** as published in 40:10 NCR 840 as follows:

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3 **SECTION .0500 - CODE OF ETHICS**
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5 **21 NCAC 29 .0501 OBLIGATION OF LICENSED LOCKSMITHS**

6 (a) By applying for and accepting a license issued by the Board, all licensees become obligated to comply with the
7 provisions of this Section. Failure to comply ~~may result~~ shall be grounds for ~~in~~ disciplinary action by the Board.

8 (b) ~~The obligations of this Chapter extend to all employees of licensed individuals and licensed~~ **Licensed** individuals
9 shall be responsible for the actions of their ~~employees,~~ employees who are acting under their direct control and
10 supervision, as defined by G.S. 74F-16(1). The term "employee" shall mean every person engaged in ~~employment~~
11 ~~under a contract of hire or apprenticeship,~~ employment, express or implied, oral or written, including non-citizens,
12 and also minors, whether lawfully or unlawfully employed.

13 (c) A licensed locksmith shall employ all apprentices under their supervision. A licensed locksmith shall provide
14 [direct control and] supervision for all apprentice locksmiths in their employ. A licensed locksmith is responsible for
15 the instruction and training of their apprentice locksmiths in locksmith services and locksmith tools as defined in G.S.
16 74F-4. A licensed locksmith is responsible for the quality of their apprentice locksmith's services.

17 (d) A licensed locksmith shall dispatch an apprentice locksmith to the location where locksmith services are to be
18 performed. A licensed locksmith shall be aware of the name and location of the client, the locksmith services required
19 to be performed, the apprentice locksmith's ability to perform the locksmith services required, and the fee charged by
20 the apprentice locksmith for the locksmith services performed.

21 (e) Upon request, an apprentice locksmith shall provide to the Board the contact information for their supervising
22 licensed locksmith.

23 (f) A licensed locksmith shall report to the Board **if, in the licensed locksmith's opinion, the apprentice locksmith has**
24 **demonstrated any gross negligence, incompetency, or misconduct in the performance of locksmith services while**
25 **under the licensed locksmith's supervision.** ~~of an apprentice locksmith.~~

26 (g) A licensed locksmith and apprentice locksmith shall identify themselves and their company or business name
27 truthfully while providing locksmith services.

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29 *History Note: Authority G.S. 74F-3; 74F-6; 74F-7.1; 74F-16;*
30 *Temporary Adoption Eff. August 13, 2002;*
31 *Eff. August 1, 2004;*
32 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2,*
33 *2016;*
34 *Amended Eff. June 1, 2026; April 1, 2023.*
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