

# PETITION FOR RULEMAKING

To the Honorable Chair, North Carolina Locksmith Licensing Board

PO Box 10972, Raleigh, NC 27605

Date: June 4, 2026

Petitioner: Kenneth Wayne

Address: 1403 N. Bragg Blvd. Spring Lake, NC 28390

License Number: 2137

Pursuant to G.S. 150B-20 and 21 NCAC 29 .0601, the undersigned respectfully petitions the North Carolina Locksmiths Board to adopt and amend administrative rules as detailed below. This petition seeks a specific, data-driven standardization of continuing education criteria.

## I. Amendment to 21 NCAC 29 .0802 to Remove the Age-Based Continuing Education Exemption

### (a) Citation for Rule to be Amended:

21 NCAC 29 .0802, "REQUIREMENTS"

### (b) Draft of Proposed Amended Rule:

The current text of 21 NCAC 29 .0802(a) reads:

*(a) Every licensee shall obtain 16 contact hours of continuing education during each 3-year renewal cycle, except: (1) Persons exempted from eight contact hours in Rule .0805 of this Section; and (2) Persons who: (A) are at least 62 years of age; (B) have at least 15 years of experience as locksmiths; (C) have been North Carolina licensed locksmiths for at least nine years; and (D) are not subject to an investigation by the Board.*

The petitioner requests that 21 NCAC 29 .0802(a)(2) be amended to remove the chronological age requirement, standardizing the text as follows:

**(a) Every licensee shall obtain 16 contact hours of continuing education during each 3-year renewal cycle, except: (1) Persons exempted from eight contact hours in Rule .0805 of this Section; and (2) Persons who: (A) have at least 15 years of experience as locksmiths; (B) have been North Carolina licensed locksmiths for at least nine years; and (C) are not subject to an investigation by the Board.**

## (c) Statement of Effect and Rationale for Proposed Amendment

This proposed amendment seeks to eliminate the arbitrary age requirement for continuing education exemptions, ensuring that eligibility is based entirely on documented professional tenure, verifiable field experience, and sustained ethical conduct.

### Rationale for Removing the Age Limit:

- **Clarity of Cumulative Milestones and Regulatory Reality:** For the avoidance of doubt, this amendment preserves the required parameters of fifteen (15) years of overall field experience and nine (9) years of active state licensure exactly as established. This petition simply highlights and standardizes the practical compliance reality: for a native North Carolina practitioner who enters the trade and achieves licensure within this state, the concurrent 15-year experience benchmark means they must mechanically complete fifteen (15) consecutive years of continuous regulatory tracking and education cycles before achieving eligibility. Standardizing this framework ensures the board's internal compliance tracking matches the actual, real-world timeline endured by in-state licensees, anchoring the process strictly to verifiable, state-regulated licensure milestones.
- **Optimization of Administrative Resources and Contracted Staff Capacity:** Standardizing the exemption pathway to rely solely on verifiable industry milestones removes the operational complexities of multi-layered tracking. The Board currently expends public funds on the Certemy online portal platform, which features automated, back-end verification architecture where licensees execute their own self-renewals. Concurrently, under Section 1.5 and Section 1.6 of the active Management Services Agreement, the Board contracts with a private management firm (Randolph E. Cloud and Associates, Inc.) to supply an Executive Director and a sufficient number of staff members to perform daily management and administrative services. Because Section 1.9 of this agreement explicitly mandates that the provider's staff shall process license applications, renewals, and all documents integral to the licensing process, and because the database infrastructure to manage compliance parameters is already automated via Certemy, standardizing the rule to a clean, milestone-based timeline places zero cumulative manual labor or administrative strain on the Board's contracted management staff.
- **Focus on Professional Tenure, Not Age:** The intent of continuing education exemptions should be to acknowledge long-term, proven competence in the field. Evaluating practitioners based on an established track record and accumulated industry experience, rather than a specific chronological birth date, aligns with principles of non-discrimination and modern regulatory equity.
- **Preservation of Voluntary Education vs. Regulatory Compulsion:** It is critical to clarify that standardizing this rule to acknowledge professional tenure does not restrict, discourage, or stop veteran practitioners from continuing their education. Highly experienced locksmiths routinely pursue advanced technical training voluntarily to maintain their competitive edge in the marketplace. This amendment simply removes the mandatory regulatory obligation and rigid compliance quotas for a finite, proven pool of tenured professionals. Instead of forcing specialized or veteran locksmiths to take generic, low-friction classes

simply to satisfy a state quota, this framework shifts the paradigm back to professional, self-directed market excellence that aligns with the directional needs of their specific businesses and employers.

- **Market Uniformity and Fairness:** The current age ceiling creates an unnecessary commercial distinction between peer licensees possessing identical professional portfolios. A practitioner who has fulfilled 15 years of field experience and 9 years of state licensure demonstrates the exact same operational proficiency regardless of their chronological age. Standardizing the rule ensures equitable regulatory treatment across the entire industry.

#### **Effect of the Proposed Amendment on Existing Rules or Decisions:**

- This amendment streamlines the continuing education exemption criteria, rendering them strictly experience- and conduct-based, minimizing administrative processing loops.
- It brings the North Carolina Locksmith Licensing Board's framework into direct alignment with peer professional licensing boards within the state, such as the North Carolina Board of Examiners for Engineers and Surveyors (21 NCAC 56 .1707), which structure continuing education exemptions around objective career markers rather than age filters.

#### **Industry or Regulatory Practices Likely to be Affected:**

- **Standardized Eligibility Realignment:** Highly experienced locksmiths who meet the required 15-year field experience and 9-year licensure milestones, but are currently under 62 years of age, would be brought under the uniform exemption framework, formally recognizing their professional tenure.
- **Reduction of Recurring Audit Pools:** Incorporating all qualified, long-term professionals into a single, permanent experience-based tier allows the Board to definitively clear these practitioners from its active, recurring random audit pools, significantly reducing its long-term administrative overhead.

#### **Identification of Persons or Class of Persons Most Likely to be Affected:**

- **Independent Practitioners and Small Business Entities:** North Carolina licensed locksmiths who have achieved the 15-year field experience and 9-year state licensure benchmarks would be preserved under an equitable milestone structure. Recent Board data presented in public sessions explicitly identifies a finite, highly manageable pool of **307 currently eligible veterans**. While previous public records inquiries regarding flat exemption numbers were met with claims of data unavailability, the Board's recent, precise identification of these 307 individuals confirms that this class of licensee is easily isolated, quantified, and tracked within the existing database. Standardizing this rule protects these 307 veterans while immediately integrating an estimated 125 additional qualified practitioners, establishing clear regulatory boundaries for a cumulative class of approximately 432 licensees.
- **The Regulatory Body:** The North Carolina Locksmith Licensing Board would administer a highly defensible, legally objective, and easily automated rule. Because compliance tracking relies directly on the automated infrastructure native to the Board's paid Certemy platform and the staffed processing mandates

of Section 1.9 of the Randolph Cloud contract, adding the remaining tenured practitioners under 62 years of age imposes zero cumulative manual workload or operational friction on the Executive Director or contracted support staff.

## II. Statutory Tracking Text for Proposed Amendment

21 NCAC 29 .0802 is proposed for amendment as follows:

### 21 NCAC 29 .0802 REQUIREMENTS

(a) Every licensee shall obtain 16 contact hours of continuing education during each 3-year renewal cycle, except:

1. Persons exempted from eight contact hours in Rule .0805 of this Section; and
2. ~~Persons who: (A) are at least 62 years of age; (A) have at least 15 years of experience as locksmiths; (B) have been North Carolina licensed locksmiths for at least nine years; and (C) are not subject to an investigation by the Board.~~

(b) The contact hours of continuing education shall be in technical and professional subjects related to the practice of locksmithing.

(c) Licensees shall not carry forward any contact hours of continuing education into the subsequent renewal period.

(d) Licensees shall verify completion of the contact hours of continuing education for the previous license period on their application for license renewal.

**History Note:** Authority G.S. 74F-6; 74F-6(2), (3), (6);

*Eff. February 1, 2005;*

*Amended Eff. April 1, 2012;*

*Readopted Eff. June 1, 2017;*

*Amended Eff. January 1, 2019; April 1, 2026.*

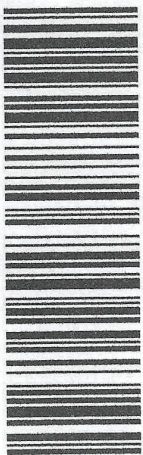
**Respectfully Submitted,**

**Kenneth Wayne, License #2137**

 6-4-26

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OF THE RETURN ADDRESS, FOLD AT DOTTED LINE  
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