

**Commission Review**  
*Log of Permanent Rule Filings*  
*March 23, 2010 through April 20, 2010*

**SOCIAL SERVICES COMMISSION**

The rules in Subchapter 70I concern the minimum licensing standards for residential child-care including general licensing requirements (.0100); minimum licensure standards (.0200); organization and administration (.0300); personnel (.0400); service planning (.0500); service delivery (.0600); buildings, grounds and equipment (.0700); best practice standards (.0800); and physical plant (.0900).

Governance 10A NCAC 70I .0301  
Amend

**LABOR, DEPARTMENT OF**

The rules in Chapter 7 are from the Commissioner of Labor and cover the Occupational and Safety Health Act (OSHA). The rules in Subchapter 7F cover specific OSHA standards for various industries: general (.0100); construction (.0200); agriculture (.0300); shops fabricating structural steel and steel plate (.0400); maritime (.0500); communication towers (.0600); blasting and use of explosives (.0700); and cranes and derricks standards (.0900).

Steel Erection 13 NCAC 07F .0205  
Amend

Design, Construction and Testing 13 NCAC 07F .0909  
Amend

**TRANSPORTATION, DEPARTMENT OF**

The rules in Chapter 2 are from the Division of Highways. The rules in Subchapter 2D concern highway operations including standards for design and construction (.0100); landscape (.0200); field operations-maintenance and equipment (.0400); ferry operations (.0500); oversize-overweight permits (.0600); highway design branch (.0700); prequalification advertising and bidding regulations (.0800); regulations for informal construction and repair contracts (.0900); adopt-a-highway program (.1000); and disadvantaged business enterprise, minority business enterprise and women business enterprise programs for highway and bridge construction contracts (.1100).

Permits-Weight, Dimensions and Limitations 19A NCAC 02D .0607  
Amend

**CHIROPRACTIC EXAMINERS, BOARD OF**

The rules in Chapter 10 include organization of the Board (.0100); the practice of chiropractic (.0200); rules of unethical conduct (.0300); rule-making procedures (.0400); investigation of complaints (.0500); contested cases and hearings in contested cases (.0600-.0700); and miscellaneous provisions (.0800).

Certification of Radiologic Technologists 21 NCAC 10 .0206  
Amend

**COSMETIC ART EXAMINERS, BOARD OF**

The rules in Subchapter 14A are the Cosmetic Art Board of Examiners departmental rules including organizational rules (.0100); and license renewal waiver for armed forces (.0400).

License Renewal Waiver for Armed Forces 21 NCAC 14A .0401  
Adopt

The rules in Chapter 14 are from the Cosmetic Art Examiners. The rules in Subchapter 14F govern all aspects of licensing a beauty salon.

Separation of Beauty Salon 21 NCAC 14F .0104  
Amend

The rules in Subchapter 14G give the requirements for the establishment of cosmetic art schools.

Space Requirements 21 NCAC 14G .0103  
Amend

Equipment and Teachers 21 NCAC 14G .0107  
Amend

The rules in Chapter 14 are from the Board of Cosmetic Art Examiners. The rules in Subchapter 14I govern the operation of cosmetic art schools including record keeping (.0100); the reception area (.0200); classrooms (.0300); and licensure of convicted felons (.0400).

Transfer of Credit 21 NCAC 14I .0105  
Amend

Report of Enrollment 21 NCAC 14I .0107  
Amend

Seal 21 NCAC 14I .0108  
Amend

Recitation Room 21 NCAC 14I .0301  
Amend

Application/Licensure/Individuals Who Have Been Convicted... 21 NCAC 14I .0401  
Amend

The rules in Subchapter 14J cover the cosmetology curriculum including the beginners' department (.0100); the advanced department (.0200); combined studies (.0300); the course of study (.0400); and credit for study outside of North Carolina (.0500).

Equipment for Beginner Department 21 NCAC 14J .0106  
Amend

Equipment in Advanced Department 21 NCAC 14J .0206  
Amend

Live Model/Mannequin Performance Requirements 21 NCAC 14J .0207  
Amend

Internships 21 NCAC 14J .0208  
Amend

The rules in Subchapter 14L deal with teacher qualifications and examinations (.0100) and teacher program and curriculum (.0200).

Supervision of Cosmetic Art Teacher Trainee 21 NCAC 14L .0208  
Amend

The rules in Subchapter 14N deal with examinations including general provisions (.0100), cosmetologist exam (.0200), manicurist exam (.0300), cosmetologist teacher exam (.0400), and manicurist teach examination (.0500), esthetician examination (.0600), and esthetician teacher examination (.0700).

Passing Grades for Examination 21 NCAC 14N .0110  
Amend

Re-examination 21 NCAC 14N .0113  
Amend

Full Time and Part Time Equivalency 21 NCAC 14N .0115  
Amend

The rules in Subchapter 14P are civil penalty rules.

<u>Revocation of Licenses and Other Disciplinary Measures</u>	21	NCAC 14P .0108
Amend		
<u>Establishment of Cosmetic Art Schools</u>	21	NCAC 14P .0111
Amend		
<u>Operations of Schools of Cosmetic Art</u>	21	NCAC 14P .0113
Amend		
<u>Cosmetology Curriculum</u>	21	NCAC 14P .0114
Amend		

The rules in Subchapter 14R are continuing education rules.

<u>Continuing Education Requirements</u>	21	NCAC 14R .0101
Amend		

## PHARMACY, BOARD OF

The rules in Chapter 46 cover organization of the board (.1200); general definitions (.1300); hospitals and other health facilities (.1400); admission requirements and examinations (.1500); licenses and permits (.1600); drugs dispensed by nurse and physician assistants (.1700); prescriptions (.1800); forms (.1900); administrative provisions (.2000); elections (.2100); continuing education (.2200); prescription information and records (.2300); dispensing in health departments (.2400); miscellaneous provisions (.2500); devices (.2600); nuclear pharmacy (.2700); compounding (.2800); product selection (.2900); disposal of unwanted drugs (.3000); clinical pharmacist practitioner (.3100); impaired pharmacist peer review program (.3200); and registry of pharmacist technicians (.3300).

<u>Supervision of Unit Dose Medication Systems</u>	21	NCAC 46 .1418
Adopt		
<u>Drug, Supplies and Medical Device Repository Program</u>	21	NCAC 46 .2513
Adopt		

## REAL ESTATE COMMISSION

The rules in Chapter 58 are from the North Carolina 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>Offers and Sales Contracts</u>	21	NCAC 58A .0112
Amend		
<u>Residential Property Disclosure Statement</u>	21	NCAC 58A .0114
Amend		
<u>Attendance and Participation Requirements</u>	21	NCAC 58A .1705
Amend		
<u>Filing</u>	21	NCAC 58A .2001
Adopt		
<u>Escrow Account</u>	21	NCAC 58A .2002
Adopt		
<u>Applicability</u>	21	NCAC 58A .2101
Adopt		
<u>Postponement of Fees</u>	21	NCAC 58A .2102
Adopt		
<u>Postponement of Continuing Education</u>	21	NCAC 58A .2103
Adopt		

<u>Postponement of Postlicensing Education</u>	21	NCAC 58A .2104
Adopt		
<u>Proof of Eligibility</u>	21	NCAC 58A .2105
Adopt		

The rules in Subchapter 58C deal with real estate prelicensing education schools including rules dealing with the licensing of all schools except private real estate schools (.0100); private real estate schools (.0200); prelicensing courses (.0300); and pre-licensing course instructors (.0600).

<u>Application for Approval</u>	21	NCAC 58C .0102
Amend		
<u>Criteria for Approval</u>	21	NCAC 58C .0103
Amend		
<u>Administration</u>	21	NCAC 58C .0206
Amend		
<u>Program Structuring and Admission Requirements</u>	21	NCAC 58C .0302
Amend		

The rules in Subchapter 58E are the real estate continuing education rules both update and elective course components including rules dealing with update courses (.0100); update course instructors (.0200); elective courses, sponsors, and instructors (.0300); general sponsor requirements (.0400); course operational requirements (.0500); and broker-in-charge annual review (.0600).

<u>Criteria for Elective Course Approval</u>	21	NCAC 58E .0304
Amend		
<u>Denial or Withdrawal of Approval</u>	21	NCAC 58E .0412
Amend		
<u>Monitoring Attendance</u>	21	NCAC 58E .0510
Amend		
<u>Purpose and Applicability</u>	21	NCAC 58E .0601
Adopt		
<u>Course Description</u>	21	NCAC 58E .0602
Adopt		
<u>Authority to Conduct Course</u>	21	NCAC 58E .0603
Adopt		
<u>Course Operational Requirements</u>	21	NCAC 58E .0604
Adopt		

## BUILDING CODE COUNCIL

<u>NC Administrative Code - Approval Required</u>	107.3
Amend	
<u>NC Building Code - Cooperative Innovative High School Pro...</u>	202
Amend	
<u>NC Building Code - Business Group B Occupancies</u>	304.1
Amend	
<u>NC Building Code - Educational Group E</u>	305.1
Amend	
<u>NC Building Code - General</u>	3103.1
Amend	
<u>NC Fire Code - Cooperative Innovative High School Program</u>	202
Amend	
<u>NC Fire Code - Fire and Evacuation Drill Frequency and Pa...</u>	Table 405.2
Amend	

<u>NC Plumbing Code - Identification of Nonpotable Water</u>	608.8
Amend	
<u>NC Plumbing Code - Information</u>	608.8.1
Amend	
<u>NC Plumbing Code - Color</u>	608.8.2
Amend	
<u>NC Plumbing Code - Above-ground Sanitary Drainage and Ven...</u>	702.1
Amend	
<u>NC Plumbing Code - Fittings</u>	702.4
Amend	
<u>NC Plumbing Code - Inside Storm Drainage Conductors</u>	1102.2
Amend	
<u>NC Plumbing Code - Fittings</u>	1102.7
Amend	
<u>NC Residential Code - Maximum Slope</u>	R311.6.1
Amend	
<u>NC Residential Code - Concrete and Masonry Foundation Walls</u>	R404.1
Amend	