

**Commission Review  
Log of Permanent Rule Filings  
March 22, 2022 through April 20, 2022**

\* Approval Recommended, \*\* Objection Recommended, \*\*\* Other

**STATE AUDITOR, OFFICE OF THE**

The rules in Chapter 1 are departmental rules including petition for rulemaking (.0300).

Petitions for Rulemaking 03 NCAC 01 .0301  
Amend\*

**COMMERCE - EMPLOYMENT SECURITY, DIVISION OF**

The rules in Subchapter 24A concern general information (.0100); requests for documents and public records unrelated to contested claim (.0200); petitions for rulemaking (.0300); and requests for documents, hearing recordings, and transcripts related to pending appeal or contested case (.0500).

Signatures on Reports and Forms 04 NCAC 24A .0108  
Amend\*

The rules in Subchapter 24C concern initial appeals from determination including general initial appeals information (.0100); initial appeals hearing (.0200); legal representation for initial appeals (.0300); subpoenas for initial appeals (.0400); higher authority review of appeals decision (.0500); and post-decision relief (.0600).

Appeals Hearing Notice 04 NCAC 24C .0204  
Amend\*

Telephone Hearings 04 NCAC 24C .0205  
Amend\*

Rescheduling a Hearing 04 NCAC 24C .0207  
Amend\*

Conduct of Hearings 04 NCAC 24C .0209  
Amend\*

Withdrawal of Appeal 04 NCAC 24C .0214  
Amend\*

New Filing After Withdrawal of Appeal 04 NCAC 24C .0215  
Amend\*

**NATURAL AND CULTURAL RESOURCES, DEPARTMENT OF**

The rules in Subchapter 2H concern library services including the government and heritage library (.0100); the state depository library system (.0200); and the library for the blind and physically handicapped (.0300).

Application 07 NCAC 02H .0303  
Amend\*

Circulation 07 NCAC 02H .0305  
Amend\*

Reproduction Services 07 NCAC 02H .0306  
Amend\*\*

## **ENVIRONMENTAL MANAGEMENT COMMISSION**

The rules in Subchapter 2L cover groundwater classifications and standards including general considerations (.0100); classifications and groundwater quality standards (.0200); the assignments of underground water classifications (.0300); risk-based assessment and corrective action for petroleum underground storage tanks (.0400); and risk-based assessment and correction action for non-UST petroleum releases (.0500).

<u>Purpose</u>	15A NCAC 02L .0101
Readopt with Changes*	
<u>Definitions</u>	15A NCAC 02L .0102
Readopt with Changes*	
<u>Policy</u>	15A NCAC 02L .0103
Readopt with Changes*	
<u>Restricted Designation</u>	15A NCAC 02L .0104
Readopt with Changes*	
<u>Initial Response, Site Assessment, and Corrective Action</u>	15A NCAC 02L .0106
Readopt with Changes*	
<u>Compliance Boundary</u>	15A NCAC 02L .0107
Readopt with Changes*	
<u>Review Boundary</u>	15A NCAC 02L .0108
Readopt with Changes*	
<u>Delegation</u>	15A NCAC 02L .0109
Readopt with Changes*	
<u>Monitoring</u>	15A NCAC 02L .0110
Readopt with Changes*	
<u>Reports</u>	15A NCAC 02L .0111
Readopt with Changes*	
<u>Analytical Procedures</u>	15A NCAC 02L .0112
Readopt with Changes*	
<u>Variance</u>	15A NCAC 02L .0113
Readopt with Changes*	
<u>Notification Requirements</u>	15A NCAC 02L .0114
Readopt with Changes*	

## **WILDLIFE RESOURCES COMMISSION**

The rules in Subchapter 10C cover inland fishing including jurisdictional issues involving the Marine Fisheries Commission (.0100); general rules (.0200); game fish in inland fishing waters (.0300); nongame fish in inland fishing waters (.0400); primary nursery areas (.0500); and anadromous fish spawning areas (.0600); game fish in coastal fishing waters (.0700)..

<u>Scope and Purpose</u>	15A NCAC 10C .0101
Readopt without Changes*	
<u>Inland Fishing Waters</u>	15A NCAC 10C .0102
Readopt without Changes*	
<u>Coastal Fishing Waters</u>	15A NCAC 10C .0103
Readopt with Changes*	

<u>Joint Fishing Waters</u> Readopt with Changes*	15A NCAC 10C .0104
<u>Posting Dividing Lines</u> Readopt without Changes*	15A NCAC 10C .0105
<u>Applicability of Regulations: Joint Waters</u> Readopt with Changes*	15A NCAC 10C .0106
<u>Special Regulations: Joint Waters</u> Readopt with Changes*	15A NCAC 10C .0107
<u>Specific Classification of Waters</u> Readopt/Repeal*	15A NCAC 10C .0108
<u>Protection of Sea Turtles</u> Readopt without Changes*	15A NCAC 10C .0109
<u>Management Responsibility for Estuarine Striped Bass in W...</u> Readopt with Changes*	15A NCAC 10C .0110
<u>Implementation of Estuarine Striped Bass Management Plans...</u> Readopt/Repeal*	15A NCAC 10C .0111
<u>Inland Game Fishes Designated</u> Amend*	15A NCAC 10C .0301
<u>Manner of Taking Inland Game Fishes</u> Amend*	15A NCAC 10C .0302
<u>Taking Possession of Inland Game Fishes</u> Readopt with Changes*	15A NCAC 10C .0304
<u>Largemouth Bass</u> Amend*	15A NCAC 10C .0305
<u>Crappie</u> Amend*	15A NCAC 10C .0306
<u>Flounder</u> Amend*	15A NCAC 10C .0307
<u>Kokanee Salmon</u> Amend*	15A NCAC 10C .0308
<u>American Shad and Hickory Shad</u> Amend*	15A NCAC 10C .0313
<u>Striped Bass</u> Amend*	15A NCAC 10C .0314
<u>White Bass</u> Readopt without Changes*	15A NCAC 10C .0318
<u>White Perch</u> Amend*	15A NCAC 10C .0319
<u>Smallmouth Bass</u> Amend*	15A NCAC 10C .0321
<u>Alabama Bass and Spotted Bass</u> Amend*	15A NCAC 10C .0322
<u>Redeye Bass</u> Amend*	15A NCAC 10C .0323
<u>Bullheads</u> Amend*	15A NCAC 10C .0324
<u>Trout</u> Adopt*	15A NCAC 10C .0325
<u>Red Drum</u>	15A NCAC 10C .0326

Adopt*	
<u>Manner of Taking Nongame Fishes</u>	15A NCAC 10C .0401
Amend*	
<u>Taking Nongame Fishes by Special Device for Bait or Perso...</u>	15A NCAC 10C .0402
Amend*	
<u>Special Devices</u>	15A NCAC 10C .0404
Readopt without Changes*	
<u>Possession of Licenses</u>	15A NCAC 10C .0405
Readopt without Changes*	
<u>Trawls and Dredges</u>	15A NCAC 10C .0406
Readopt without Changes*	
<u>Permitted Special Devices and Open Seasons</u>	15A NCAC 10C .0407
Readopt without Changes*	
<u>Taking and Possession of Nongame Fishes</u>	15A NCAC 10C .0409
Adopt*	
<u>American Eel</u>	15A NCAC 10C .0410
Adopt*	
<u>Atlantic Croaker</u>	15A NCAC 10C .0411
Adopt*	
<u>Black Drum</u>	15A NCAC 10C .0412
Adopt*	
<u>Blue Crab</u>	15A NCAC 10C .0413
Adopt*	
<u>Bluefish</u>	15A NCAC 10C .0414
Adopt*	
<u>Bowfin</u>	15A NCAC 10C .0415
Adopt*	
<u>Blue Catfish, Channel Catfish, and Flathead Catfish</u>	15A NCAC 10C .0416
Adopt*	
<u>Cobia</u>	15A NCAC 10C .0417
Adopt*	
<u>Freshwater Mussels</u>	15A NCAC 10C .0418
Adopt*	
<u>Grass Carp</u>	15A NCAC 10C .0419
Adopt*	
<u>King Mackerel</u>	15A NCAC 10C .0420
Adopt*	
<u>Margined Madtom and Tadpole Madtom</u>	15A NCAC 10C .0421
Adopt*	
<u>Striped Mullet and White Mullet</u>	15A NCAC 10C .0422
Adopt*	
<u>Alewife and Blueback Herring</u>	15A NCAC 10C .0423
Adopt*	
<u>Shark</u>	15A NCAC 10C .0424
Adopt*	
<u>Sheephead</u>	15A NCAC 10C .0425
Adopt*	
<u>Spanish Mackerel</u>	15A NCAC 10C .0426
Adopt*	

<u>Spot</u> Adopt*	15A NCAC 10C .0427
<u>Tarpon</u> Adopt*	15A NCAC 10C .0428
<u>Weakfish (Gray Trout)</u> Adopt*	15A NCAC 10C .0429
<u>Other Fish</u> Adopt*	15A NCAC 10C .0430
<u>Inland Game Fishes Designated in Coastal Fishing Waters</u> Adopt*	15A NCAC 10C .0701

The rules in Subchapter 10D are game lands rules.

<u>Hunting on Game Lands</u> Amend*	15A NCAC 10D .0103
<u>Buffalo Cove Game Land in Caldwell and Wilkes Counties</u> Adopt*	15A NCAC 10D .0209
<u>Dupont State Forest Game Lands in Henderson and Transylvania...</u> Adopt*	15A NCAC 10D .0226
<u>Goose Creek Game Land in Beaufort and Pamlico Counties</u> Adopt*	15A NCAC 10D .0229
<u>Green River Game Land in Henderson and Polk Counties</u> Adopt*	15A NCAC 10D .0230
<u>Johns River Game Land in Burke County</u> Adopt*	15A NCAC 10D .0239
<u>Jordan Game Land in Chatham, Durham, Orange, and Wake Country...</u> Adopt*	15A NCAC 10D .0240
<u>Kings Creek Game Lands in Caldwell and Wilkes Counties</u> Adopt*	15A NCAC 10D .0243
<u>Pisgah Game Land in Avery, Buncombe, Burke, Caldwell, Hay...</u> Adopt*	15A NCAC 10D .0260
<u>South Mountains Game Land in Burke, Cleveland, McDowell, ...</u> Adopt*	15A NCAC 10D .0276

The rules in Subchapter 10F cover motorboats and water safety including boat registration (.0100); safety equipment and accident reports (.0200); and local water safety regulations covering speed limits, no-wake restrictions, restrictions on swimming and other activities, and placement of markers for designated counties or municipalities (.0300).

<u>Henderson County</u> Repeal*	15A NCAC 10F .0312
<u>Stanly County</u> Amend*	15A NCAC 10F .0317
<u>Warren County</u> Repeal*	15A NCAC 10F .0318
<u>Burke County</u> Amend*	15A NCAC 10F .0323
<u>Montgomery County</u> Amend*	15A NCAC 10F .0327
<u>Mecklenburg and Gaston Counties</u> Amend*	15A NCAC 10F .0333

<u>Northampton and Warren Counties</u> Amend*	15A NCAC 10F .0336
<u>Pitt County</u> Amend*	15A NCAC 10F .0354
<u>Halifax County</u> Adopt*	15A NCAC 10F .0378

## **ARCHITECTURE AND REGISTERED INTERIOR DESIGNERS, BOARD OF**

The rules in Chapter 2 are from the Board of Architecture and include general provisions (.0100); practice of architecture (.0200); examination procedures (.0300); rules, petitions, and hearings (.0400); declaratory rulings (.0500); administrative hearings: procedures (.0600); administrative hearings: decisions and related rights (.0700); judicial review (.0800); and continuing education (.0900).

<u>Organization of Board and Officers</u> Repeal*	21 NCAC 02 .0102
<u>Seal of Board</u> Amend*	21 NCAC 02 .0106
<u>Fees</u> Amend*	21 NCAC 02 .0108
<u>Definitions</u> Amend*	21 NCAC 02 .0109
<u>Architect, Registered Interior Designer, Firm or Partners...</u> Amend*	21 NCAC 02 .0201
<u>Applicability of Board Rules</u> Repeal*	21 NCAC 02 .0202
<u>Rules of Professional Conduct</u> Amend*	21 NCAC 02 .0203
<u>Forms of Practice</u> Amend*	21 NCAC 02 .0204
<u>Name of Firm</u> Amend*	21 NCAC 02 .0205
<u>Requirement for and Use of Professional Seal</u> Amend*	21 NCAC 02 .0206
<u>Dishonest Conduct</u> Repeal*	21 NCAC 02 .0208
<u>Unprofessional Conduct</u> Repeal*	21 NCAC 02 .0209
<u>Independent Judgement and Disclosure</u> Repeal*	21 NCAC 02 .0212
<u>Individual Licenses and Registrations</u> Amend*	21 NCAC 02 .0213
<u>Firm Practice of Architecture and Registered Interior Design</u> Amend*	21 NCAC 02 .0214
<u>Out of State Firms</u> Amend*	21 NCAC 02 .0215
<u>Architect Emeritus</u> Amend*	21 NCAC 02 .0217
<u>Limited Liability Companies</u> Repeal*	21 NCAC 02 .0218

<u>Architectural Licensure by Examination</u> Amend*	21	NCAC 02	.0302
<u>Architecture Licensure by Reciprocity</u> Amend*	21	NCAC 02	.0303
<u>Interior Design Registration</u> Adopt*	21	NCAC 02	.0306
<u>Scope</u> Amend*	21	NCAC 02	.0901
<u>Requirements</u> Amend*	21	NCAC 02	.0903
<u>Determination of Credit</u> Amend*	21	NCAC 02	.0904
<u>Record Keeping</u> Amend*	21	NCAC 02	.0905
<u>Exceptions</u> Amend*	21	NCAC 02	.0906
<u>Reinstatement</u> Amend*	21	NCAC 02	.0907
<u>Reciprocity</u> Amend*	21	NCAC 02	.0908
<u>Forms</u> Amend*	21	NCAC 02	.0909
<u>Non-Compliance</u> Amend*	21	NCAC 02	.0910

## **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 Course</u> Amend*	21	NCAC 58A	.1712
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The rules in Subchapter 58B deal with time shares including time share project registration (.0100); public offering statement (.0200); cancellation (.0300); time share sales operation (.0400); handling and accounting of funds (.0500); project broker (.0600); and time share forms (.0700)

<u>Application For Registration</u> Amend*	21	NCAC 58B	.0101
<u>Registration Fee</u> Amend*	21	NCAC 58B	.0102
<u>Renewal of Timeshare Program Registration</u> Amend*	21	NCAC 58B	.0103
<u>Amendments to Timeshare Program Registration</u> Amend*	21	NCAC 58B	.0104
<u>Notice of Termination</u> Amend*	21	NCAC 58B	.0105

<u>General Provisions</u> Amend*	21	NCAC 58B .0201
<u>Public Offering Statement Summary</u> Amend*	21	NCAC 58B .0202
<u>Receipt for Public Offering Statement</u> Amend*	21	NCAC 58B .0203
<u>Proof of Cancellation</u> Amend*	21	NCAC 58B .0301
<u>Retention of Timeshare Records</u> Amend*	21	NCAC 58B .0401
<u>Timeshare Agency Agreements and Disclosure</u> Amend*	21	NCAC 58B .0402
<u>Timeshare Trust Funds</u> Amend*	21	NCAC 58B .0501
<u>Designation of Program Broker</u> Amend*	21	NCAC 58B .0601
<u>Duties of the Program Broker</u> Amend*	21	NCAC 58B .0602

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>Limitation, Denial, Withdrawal, or Termination of Education...</u> Amend*	21	NCAC 58H .0210
<u>Limitation, Denial, or Withdrawal of Instructor Approval</u> Amend*	21	NCAC 58H .0303

## **BUILDING CODE COUNCIL**

<u>2018 NC Building Code/Hoistway Opening Protection</u> Amend*	Section 3006.3
<u>2018 NC Fire Code</u> Amend*	Section 304.4.2.3
<u>2018 NC Building Code/Hoistway Opening Protection Required</u> Amend*	Section 3006.2
<u>2018 NC Building Code/Unsafe Structures and Equipment</u> Amend*	Section 116
<u>2018 NC Residential Code/Retaining Walls</u> Amend*	R404.4