

G.S. 150B-21.3A Report for 10A NCAC 41B, INJURY CONTROL												
Agency - Department of Health and Human Services												
Comment Period - 5/11/26 - 7/20/26												
Date Submitted to APO - September 30, 2026												
Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SUBCHAPTER 41B – INJURY CONTROL	SECTION .0100 – GENERAL POLICIES	10A NCAC 41B .0101	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0200 - BLOOD ALCOHOL TEST REGULATIONS	10A NCAC 41B .0201	INITIAL PERMIT FOR BLOOD ANALYST	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 41B .0202	GRANTING PERMITS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 41B .0203	APPROVED PERMITS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 41B .0204	MODIFICATION OF PERMIT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 41B .0205	RENEWAL OF PERMIT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 41B .0206	DETERMINATION OF RENEWAL OF PERMIT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 41B .0207	EVALUATION OF BLOOD ANALYSTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 41B .0208	REVOCAION OF PERMIT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 41B .0209	REPORTING OF ALCOHOL CONCENTRATIONS BY BLOOD ANALYSTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0300 - BREATH ALCOHOL TEST REGULATIONS	10A NCAC 41B .0301	APPLICATION FOR INITIAL PERMIT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 41B .0302	LIMITATION OF PERMIT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 41B .0303	RENEWAL OF PERMIT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 41B .0304	CONDITIONS FOR RENEWAL OF PERMIT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 41B .0306	TESTING OF EQUIPMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 41B .0307	EVALUATION OF PERMITTEES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 41B .0308	REVOCAION OF PERMIT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 41B .0313	BREATH-TESTING INSTRUMENTS: REPORTING OF SEQUENTIAL TESTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		10A NCAC 41B .0322	INTOXIMETERS: MODEL INTOX EC/IR II AND MODEL INTOX EC/IR II (ENHANCED WITH SERIAL NUMBER 10,000 OR HIGHER)	Amended Eff. April 1, 2020	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 41B .0323	PREVENTIVE MAINTENANCE: INTOXIMETERS: MODEL INTOX EC/IR II AND MODEL INTOX EC/IR II (ENHANCED WITH SERIAL NUMBER 10,000 OR HIGHER)	Amended Eff. April 1, 2020	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0400 - CONTROLLED DRINKING PROGRAMS	10A NCAC 41B .0401	APPLICATION OF REGULATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 41B .0402	AUTHORIZATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 41B .0403	HANDLING ALCOHOLIC BEVERAGES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 41B .0404	QUANTITY LIMITS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 41B .0405	EXCESS OF QUANTITIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 41B .0406	RESTRICTED USE OF ALCOHOLIC BEVERAGES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 41B .0407	RECORDS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0500 - ALCOHOL SCREENING TEST DEVICES	10A NCAC 41B .0501	SCREENING TESTS FOR ALCOHOL CONCENTRATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 41B .0502	APPROVAL: ALCOHOL SCREENING TEST DEVICES: USE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 41B .0503	APPROVED ALCOHOL SCREENING TEST DEVICES: CALIBRATION	Amended Eff. April 1, 2020	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt