REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Bureau of Investigation

RULE CITATION: All Rules

DEADLINE FOR RECEIPT: November 18, 2026.

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

The History Note for each rule cites G.S. 143B-1208.16 and 143B-1208.19. However, I don't see where those statutes exist. Please clarify and cite the correct authority.

For rules that have multiple pages, line numbering should restart on each page.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to Agency: November 3, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Bureau of Investigation

RULE CITATION: 14B NCAC 18A .0101

DEADLINE FOR RECEIPT: November 18, 2026.

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 13, delete "automatically" since it's unnecessary.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to Agency: November 3, 2026

14B NCAC 18A .0101 is readopted as published in 41:04 NCR 358-369 as follows:

CHAPTER 18 – DIVISION OF CRIMINAL INFORMATION NETWORK

SUBCHAPTER 18A – ORGANIZATIONAL FUNCTIONS AND DEFINITIONS

SECTION .0100 – GENERAL PROVISIONS

14B NCAC 18A .0101 SCOPE

(a) The rules in this Chapter are the rules of the North Carolina State Bureau of Investigation, Division of Criminal Information Network ~~(DCI).~~(DCIN).

(b) The FBI Criminal Justice information Services (CJIS) Security Policy is incorporated by reference herein and shall automatically include any later amendments or editions that may be published by the FBI. The policy is available at no charge on the FBI website: ~~http://www.fbi.gov/about-us/cjis/cjis-security-policy-resource-center/view.~~ https://le.fbi.gov/cjis-division/cjis-security-policy-resource-center.

History Note: *Authority ~~G.S. 114-10; 114-10.1;~~G.S. 143B-1208.16; 143B-1208.19;*
Eff. August 1, 2014;
Transferred and Recodified from 12 NCAC 04H .0101 Eff. November 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, ~~2016.~~2016;
Readopted Eff. December 1, 2026.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Bureau of Investigation

RULE CITATION: 14B NCAC 18A .0102

DEADLINE FOR RECEIPT: November 18, 2026.

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Lines 2-3, delete the blank line between these lines.

In the History Note, all the statutes cited as "Authority" don't appear to exist.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to Agency: November 3, 2026

14B NCAC 18A .0102 is readopted as published in 41:04 NCR 358-369 as follows:

14B NCAC 18A .0102 DEFINITIONS

As used in this Chapter:

(1) "ACIIS" means Canada's Automated Criminal Intelligence and Information System.

(2) "Administration of criminal justice" means the:

(a) detection of accused persons or criminal offenders;

(b) apprehension of accused persons or criminal offenders;

(c) detention of accused persons or criminal offenders;

(d) pretrial release of accused persons or criminal offenders;

(e) post-trial release of accused persons or criminal offenders;

(f) prosecution of accused persons or criminal offenders;

(g) adjudication of accused persons or criminal offenders;

(h) correctional supervision of accused persons or criminal offenders;

(i) rehabilitation of accused persons or criminal offenders;

(j) collection of criminal history record information;

(k) storage of criminal history record information;

(l) dissemination of criminal history record information;

(m) screening of persons for the purpose of criminal justice employment; or

(n) administration of crime prevention programs to the extent access to criminal history record information is limited to law enforcement agencies for law enforcement programs (e.g. record checks of individuals who participate in Neighborhood Watch or safe house programs) and the result of such checks will not be disseminated outside the law enforcement agency.

(3) "Advanced authentication" means an alternative method of verifying the identity of a computer system user. Examples include software tokens, hardware tokens, and biometric systems. These alternative methods are used in conjunction with traditional methods of verifying identity such as ~~user names~~usernames and passwords.

(4) "AOC" means the North Carolina Administrative Office of the Courts.

(5) "Authorized recipient" means any person or organization who is authorized to receive state and national criminal justice information by virtue of being:

(a) a member of a law enforcement/criminal justice agency approved pursuant to Rule .0201 of this Subchapter; or

(b) a non-criminal justice agency authorized pursuant to local ordinance or a state or federal law.

(6) "CCH" means computerized criminal history record information. CCH can be obtained through ~~DCIN or through N-DEx.~~DCIN.

(7) "Certification" means documentation provided by CIIS showing that a person has been trained in the abilities of DCIN ~~devices,~~devices and has knowledge for accessing those programs that are developed and administered by CIIS for local law enforcement and criminal justice agencies.

(8) "CHRI" means criminal history record information. CHRI is information collected by and maintained in the files of criminal justice agencies concerning individuals, consisting of identifiable descriptions, notations of arrest, detentions, indictments or other formal criminal charges. This includes any disposition, sentencing, correctional supervision, and release information.

(9) "CIIS" means Criminal Information and Identification Section. CIIS is a section of ~~DCI~~the SBI that manages all CJIS programs within North Carolina, including DCIN.

(10) "CJI" means criminal justice information. CJI is all of the FBI CJIS provided data necessary for law enforcement agencies to perform their mission and enforce laws, including biometric information, identity history person, organization, property, and case or incident history data. In addition, CJI refers to FBI CJIS provided data necessary for civil agencies to perform their mission including data used to make hiring decisions.

(11) "CJIS" means Criminal Justice Information Services. CJIS is the FBI division responsible for the collection, warehousing, and dissemination of relevant criminal justice information to the FBI and law enforcement, criminal justice, civilian, academic, employment, and licensing agencies.

(12) "CJIS Security Policy" means a document published by the FBI CJIS Information Security Officer that provides criminal justice and non-criminal justice agencies with a set of minimum security requirements for the access to FBI CJIS systems to protect and safeguard criminal justice information whether in transit or at rest.

(13) "Class B misdemeanor" ~~includes~~means either of the following:

(a) any act committed or omitted in violation of any common law, duly enacted ordinance, criminal statute, or criminal traffic code of any jurisdiction other than North Carolina, either civil or military, for which the maximum punishment allowable for the designated offense under the laws, statutes, or ordinances of the jurisdiction in which the offense occurred includes imprisonment for a term of more than six months but not more than two years. ~~Specifically excluded~~Excluded from this are motor vehicle or traffic offenses designated as being misdemeanors under the laws of jurisdictions other than the State of North Carolina with the following exceptions:

(i) either first or subsequent offenses of driving while impaired if the maximum allowable punishment is for a term of more than six months but not more than two ~~years, and~~years; and

(ii) driving while license is permanently revoked or permanently suspended.

(b) "Class B Misdemeanor" shall also include acts committed or omitted in North Carolina prior to October 1, 1994 in violation of any common law, duly enacted ordinance, criminal statute, or criminal traffic code of this state for which the maximum punishment allowable for the designated offense included imprisonment for a term of more than six months but not more than two years.

(14) "Convicted" or "conviction" means, for purposes of DCIN user certification, the entry of:

(a) a plea of guilty;

(b) a verdict or finding of guilt by a jury, judge, magistrate, or other adjudicating body, tribunal, or official, either civilian or military; or

(c) a plea of no contest, nolo contendere, or the equivalent.

(15) "Criminal justice agency" means the courts, a government agency, or any subunit thereof which performs the administration of criminal justice pursuant to statute or executive ~~order~~order, and which allocates more than 50 percent of its annual budget to the administration of criminal justice. State and federal Inspector General Offices are included in this definition.

(16) "Criminal justice board" means a board composed of heads of law enforcement or criminal justice agencies that have management control over a communications center.

(17) "CSA" means CJIS System Agency. The CSA is a state, federal, international, tribal, or territorial criminal justice agency on the CJIS network providing statewide (or equivalent) service to its criminal justice agency users with respect to the CJIS data from various systems managed by the FBI. In North Carolina, the CSA is the SBI.

(18) "CSO" means CJIS System Officer. The CSO an individual located within the CSA responsible for the administration of the CJIS network on behalf of the CSA. In North Carolina, the CSO is employed by the SBI.

~~(19) "DCI" means the Division of Criminal Information. DCI is the agency established by the Attorney General of North Carolina in accordance with Article 3 of Chapter 114 of the North Carolina General Statutes. The North Carolina State Bureau of Investigation's Criminal Information and Identification Section is a part of DCI.~~

~~(20)~~(19) "DCIN" means the Division of Criminal Information Network. DCIN is the computer network used to collect, maintain, correlate, and disseminate information collected by CIIS under Article 3 of Chapter 114 of the North Carolina General Statutes. DCIN also provides access to information collected by other federal, state, and local entities necessary for the administration of criminal justice.

~~(21)~~(20) "DCIN user" means a person who has been certified through the DCIN certification process.

~~(22)~~(21) "Device" means an electronic instrument used by a DCIN user to accomplish message switching, DMV inquiries, functional messages, or DCIN, NCIC, Nlets on-line file transactions.

~~(23)~~(22) "Direct access" means having the authority to:

(a) access systems managed by the FBI CJIS Division, whether by manual or automated means, not requiring the assistance of, or intervention by, any other party; or

(b) query or update national databases maintained by the FBI CJIS Division including national queries and updates automatically or manually generated by the CSA.

~~(24)~~(23) "Disposition" means information on any action that results in termination or indeterminate suspension of the prosecution of a criminal charge.

~~(25)~~(24) "Dissemination" means any transfer of information, whether orally, in writing, or by electronic means.

~~(26)~~(25) "DMV" means the North Carolina Division of Motor Vehicles.

~~(27)~~(26) "DMV information" includes vehicle description and registration information, and information maintained on individuals to include name, address, date of birth, license number, license issuance and expiration, control number issuance, and moving vehicle violation or convictions.

~~(28)~~(27) "DAC"~~"DOC"~~ means North Carolina Department of Adult Correction.

~~(29)~~(28) "End user interface" means software that is utilized by a certified user to connect to DCIN and perform message or file transactions.

~~(30)~~(29) "Expunge" means to remove criminal history record information from the DCIN and FBI computerized criminal history and identification files pursuant to state statute.

~~(31)~~(30) "FBI" means the Federal Bureau of Investigation.

~~(32)~~(31) "FFL" means federal firearm licensee. ~~A~~An FFL is any individual, corporation, company, association, firm, partnership, society, or joint stock company that has been licensed by the federal government to engage in the business of importing, manufacturing, or dealing in firearms or ammunition in accordance with 18 USC § 923.

~~(33)~~(32) "III" means Interstate Identification Index. III is the FBI CJIS service that manages automated submission and requests for criminal history record information.

~~(34)~~(33) "Inappropriate message" means any message that is not related to the administration of criminal justice.

~~(35)~~(34) "National Incident Based Reporting System" or "NIBRS"~~"Incident based reporting" or "I Base"~~ is a system used to collect criminal offense and arrest information for each criminal offense reported.

~~(36)~~(35) "INTERPOL" means International Criminal Police Organization.

~~(37)~~(36) "N-DEx" means Law Enforcement National Data Exchange. N-DEx is the repository of criminal justice records, available in a secure online environment, managed by the FBI Criminal Justice Information Services (CJIS) Division. N-DEx is available to criminal justice agencies throughout North Carolina, and its use is governed by federal regulations.

~~(38)~~(37) "NCIC" means National Crime Information Center. NCIC is an information system maintained by the FBI that stores criminal justice information which can be queried by federal, state, and local law enforcement and other criminal justice agencies.

~~(39)~~(38) "NFF" means the National Fingerprint File. NFF is an FBI maintained enhancement to the Interstate Identification Index whereby only a single fingerprint card is submitted per state to the FBI for each offender at the national level.

~~(40)~~(39) "Need-to-know" means for purposes of the administration of criminal justice, for purposes of criminal justice agency employment, or for some other purpose permitted by local ordinance, state statute, or federal regulation.

~~(41)~~(40) "NICS" means the National Instant Criminal Background Check System. NICS is the system mandated by the Brady Handgun Violence Protection Act of 1993 that is used by FFLs to instantly determine via telephone or other electronic means whether the transfer of a firearm would be in violation of Section 922(g) or (n) of Title 18, United States Code, or state law, by evaluating the prospective buyer's criminal history. In North Carolina, NICS is used by sheriff's offices throughout the state to assist in determining an individual's eligibility for ~~either a permit to purchase a firearm or~~ a concealed handgun permit. NICS can also be used by North Carolina law enforcement/criminal justice agencies for the purpose of returning firearms.

~~(42)~~(41) "Nlets" means the International Justice and Public Safety Network.

~~(43)~~(42) "Non-criminal justice agency" or "NCJA" means any agency or sub-unit thereof whose charter does not include the responsibility to administer criminal justice, but may need to process criminal justice information. A NCJA may be public or private. An example is ~~a 911 communications center that performs dispatching functions for a criminal justice agency (government),~~ a bank needing access to criminal justice information for hiring purposes (private), or a county school board that uses criminal history record information to assist in employee hiring decisions (public).

~~(44)~~(43) "Non-criminal justice information" means any information or message that does not directly pertain to the necessary operation of a law enforcement or criminal justice agency. This includes accessing any files or sending any DCIN messages of a personal nature. ~~Examples of messages that are non-criminal justice include:~~

~~(a) accessing any DMV file for:~~

~~(i) political purposes;~~

~~(ii) vehicle repossession purposes; and~~

~~(iii) to obtain information on an estranged spouse or romantic interest;~~

~~(b) a message to confirm meal plans;~~

~~(c) a message to have a conversation; and~~

~~(d) a message to send well wishes during a holiday or birthday.~~

~~(45)~~(44) "Official record holder" means the agency that maintains the master documentation and all investigative supplements of a restricted file entry or unrestricted file entry.

~~(46)~~(45) "Ordinance" means a rule or law promulgated by a governmental authority including one adopted and enforced by a municipality or other local authority.

~~(47)~~(46) "ORI" means Originating Agency Identifier, which is a unique alpha numeric identifier assigned by NCIC to each authorized criminal justice and non-criminal justice agency, identifying that agency in all computer transactions.

~~(48)~~(47) "Private contractor" means any non-governmental non-criminal justice agency that has contracted with a government agency to provide services necessary to the administration of criminal justice.

~~(49)~~(48) "Re-certification" means renewal of a user's initial DCIN certification every two years.

~~(50)~~(49) "Restricted files" means those files maintained by NCIC that are protected as criminal history record information (CHRI), which is consistent with Title 28, Part 20 of the United States Code of Federal Regulations (CFR). Restricted files consist of:

(a) Gang Files;

(b) Known or Appropriately Suspected Terrorist (KST) Files;

(c) Supervised Release File;

(d) Immigration Violator Files;

(e) National Sex Offender Registry Files;

(f) Historical Protection Order Files of the NCIC;

(g) Identity Theft Files;

(i) Protective Interest File; and

(j) Person With Information (PWI) data within the Missing Person File.

~~(51)~~(50) "Right-to-review" means the right of an individual to inspect his or her own criminal history record information.

~~(52)~~(51) "SAFIS" means Statewide Automated Fingerprint Identification System. SAFIS is a computer-based system for reading, encoding, matching, storing, and retrieving fingerprint minutiae and images.

~~(53)~~(52) "SBI" means the North Carolina State Bureau of Investigation.

~~(54)~~(53) "Secondary dissemination" means the transfer of CCH/CHRI information to anyone legally entitled to receive such information that is outside the initial user agency.

~~(55)~~(54) "SEND message" means messages that may be used by DCIN certified users to exchange official information of an administrative nature between in-state law enforcement/criminal justice agencies and out-of-state agencies by means of Nlets.

~~(56)~~(55) "Servicing agreement" means an agreement between a terminal agency and ~~a non-terminal agency to provide DCIN terminal services.~~any authorized criminal justice agency to provide DCIN services.

~~(57)~~(56) "State" means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico and any territory or possession of the United States.

~~(58)~~(57) "Statute" means a law enacted by a state's legislative branch of government.

~~(59)~~(58) "TAC" means Terminal Agency Coordinator. A TAC is an individual who serves as a point of contact at a local agency in matters relating to DCIN or CJIS information systems. A TAC

administers CJIS and CIIS system programs within the local agency and oversees the agency's compliance with both CIIS rules and CJIS system policies.

~~(60)~~(59) "Terminal agency" means any agency that has a device under its management and control that is capable of communicating with DCIN.

~~(61)~~(60) "Training module" means a manual containing guidelines for users on the operation of DCIN and providing explanations as to what information may be accessed through DCIN.

~~(62)~~(61) "UCR" means the Uniform Crime Reporting program ~~whose purpose it is to collect a summary of criminal offense and arrest information.~~which collects, correlates, and maintains information including crimes committed and arrests made.

~~(63)~~(62) "Unrestricted files" means those files that are maintained by NCIC that are not considered "Restricted Files."

~~(64)~~(63) "User agreement" means an agreement between a terminal agency and CIIS whereby the agency agrees to comply with all CIIS and CJIS rules.

~~(65)~~(64) "User identifier" means a unique identifier assigned by an agency's Terminal Agency Coordinator to all certified DCIN users that is used for gaining access to DCIN and for identifying certified users.

History Note: *Authority ~~G.S. 114-10; 114-10.1;~~G.S. 143B-1208.15A; 143B-1208.16; 143B-1208.18; 143B-1208.19;*
Eff. August 1, 2014;
Transferred and Recodified from 12 NCAC 04H .0102 Eff. November 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, ~~2016.~~2016;
Readopted Eff. December 1, 2026.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Bureau of Investigation

RULE CITATION: 14B NCAC 18A .0103

DEADLINE FOR RECEIPT: November 18, 2026.

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 21, add a comma after "information".

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to Agency: November 3, 2026

14B NCAC 18A .0103 is readopted as published in 41:04 NCR 358-369 as follows:

14B NCAC 18A .0103 FUNCTION OF DCIN

Users of DCIN may:

(1) transmit or receive any criminal justice related message to or from any device connected to DCIN;

~~(2) enter into or retrieve information from North Carolina's:~~

~~(a) recovered vehicle file;~~

~~(b) sex offender registry; and~~

~~(c) concealed handgun permit file~~

~~(3)~~(2) enter into or retrieve information from DCIN user certification and class enrollment files;

~~(4)~~(3) enter into or retrieve information from NCIC's restricted and unrestricted files;

~~(5)~~(4) access NCIC's criminal history data;

~~(6)~~(5) obtain, on a need-to-know basis, the criminal record of an individual by inquiring into the state Computerized Criminal History (CCH) file maintained by CIIS, or CCH files maintained by other states and the Federal Bureau of Investigation (FBI) through III;

~~(7)~~(6) communicate with devices in other states through Nlets with the capability to exchange automobile registration information, driver's license information, criminal history record information, corrections information, and other law enforcement related information;

~~(8)~~(7) obtain information on North Carolina automobile registration, driver's license information and driver's history by accessing DMV maintained files;

~~(9)~~(8) obtain registration information on all North Carolina registered boats, and inquire about aircraft registration and aircraft tracking;

~~(10)~~(9) obtain information on those individuals under the custody or supervision of ~~DOC;~~DAC; and

~~(11)~~(10) access, enter, and modify information contained within the National Instant Criminal Background Check System (NICS).

History Note: *Authority ~~G.S. 114-10; 114-10.1;~~G.S. 143B-1208.16; 143B-1208.19;*
Eff. August 1, 2014;
Transferred and Recodified from 12 NCAC 04H .0103 Eff. November 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, ~~2016.~~2016;
Readopted Eff. December 1, 2026.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Bureau of Investigation

RULE CITATION: 14B NCAC 18A .0202

DEADLINE FOR RECEIPT: November 18, 2026.

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 7, add a comma after "board".

Line 12, add a comma after "suspend".

Line 15, replace "assure" with "ensure".

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to Agency: November 3, 2026

14B NCAC 18A .0202 is readopted as published in 41:04 NCR 358-369 as follows:

14B NCAC 18A .0202 MANAGEMENT CONTROL REQUIREMENTS

Each device with access to DCIN and those personnel who operate devices with DCIN access must be under the direct and immediate management control of a criminal justice agency, criminal justice board or an FBI approved non-criminal justice agency. The degree of management control shall be such that the agency head, board or approved agency has the authority to:

(1) set policies and priorities concerning the use and operation, configuration, or maintenance of devices or computer networks accessing DCIN;

(2) hire, supervise, suspend or dismiss those personnel who will be connected with the operation, configuration, maintenance, or use of devices or computer networks accessing DCIN;

(3) restrict unauthorized personnel from access or use of devices accessing DCIN; and

(4) assure compliance with all rules and regulations of the FBI and SBI in the operation of devices with access to DCIN or use of all information received through DCIN.

History Note: *Authority ~~G.S. 114-10; 114-10.1;~~G.S. 143B-1208.16; 143B-1208.19;*
Eff. August 1, 2014;
Transferred and Recodified from 12 NCAC 04H .0202 Eff. November 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, ~~2016.~~2016;
Readopted Eff. December 1, 2026.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Bureau of Investigation

RULE CITATION: 14B NCAC 18A .0302

DEADLINE FOR RECEIPT: November 18, 2026.

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 12, replace "Rule 18B .0203 of this Chapter" with "14B NCAC 18B .0203".

Line 15, subsection "(e)" doesn't appear to exist. That rule only contains "(1)-(4)".

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to Agency: November 3, 2026

14B NCAC 18A .0302 is readopted as published in 41:04 NCR 358-369 as follows:

14B NCAC 18A .0302 SERVICING AGREEMENT

(a) Any agency authorized pursuant to Rule .0201 of this Subchapter with a DCIN device that provides access to a non-terminal agency shall enter into a written servicing agreement with the serviced agency. The agreement shall include the following information:

(1) the necessity for valid and accurate information being submitted for entry into DCIN;

(2) the necessity for documentation to substantiate data entered into DCIN;

(3) the necessity of adopting timely measures for entering, correcting or canceling data in DCIN;

(4) validation requirements pursuant to Rule 18B .0203 of this Chapter;

(5) the importance of confidentiality of information provided via DCIN;

(6) liabilities;

(7) the ability to confirm a hit 24 hours a day;

(8) the necessity of using the ORI of the official record holder in record entries and updates; and

(9) the necessity of using the ORI of the initial user when making inquiries.

(b) The servicing agreement must be signed by the head of the servicing agency and the head of the non-terminal agency, notarized, and a copy must be forwarded to CIIS by the non-terminal agency.

(c) ~~DCI~~CIIS shall be notified of any cancellations or changes made in servicing agreements by the party making the cancellation or changes.

History Note: *Authority ~~G.S. 114-10; 114-10.1;~~G.S. 143B-1208.16; 143B-1208.19;*
Eff. August 1, 2014;
Transferred and Recodified from 12 NCAC 04H .0302 Eff. November 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, ~~2016.~~2016;
Readopted Eff. December 1, 2026.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Bureau of Investigation

RULE CITATION: 14B NCAC 18A .0304

DEADLINE FOR RECEIPT: November 18, 2026.

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Lines 10-11, replace "Rule 18B .0307 of this Chapter" with "14B NCAC 18B .0307". Also, I don't see "CIIS rules" in .0407. Please clarify.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to Agency: November 3, 2026

14B NCAC 18A .0304 is readopted as published in 41:04 NCR 358-369 as follows:

14B NCAC 18A .0304 DISCLOSURE AGREEMENT

(a) A written disclosure agreement shall be entered into between the SBI and any individual or agency seeking access to ~~DCI-maintained~~DCIN-maintained criminal justice information for purposes of research.

(b) The disclosure agreement shall state that each participant and employee of every program of research with access to computerized information is aware of the issues of privacy and the limitations regarding the use of accessed information, and that he or she is bound by CIIS rules concerning these issues pursuant to Rule 18B .0407 of this Chapter.

History Note: *Authority ~~G.S. 114-10; 114-10.1;~~G.S. 143B-1208.16; 143B-1208.19;*
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Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, ~~2016.~~2016;
Readopted Eff. December 1, 2026.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Bureau of Investigation

RULE CITATION: 14B NCAC 18B .0101

DEADLINE FOR RECEIPT: November 18, 2026.

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 12, does your agency intend to use the defined "FBI CJIS Security Policy" to enforce this Rule and others? If so, please incorporate the Policy by reference in accordance with G.S, 150B-21.6.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to Agency: November 3, 2026

14B NCAC 18B .0101 is readopted as published in 41:04 NCR 358-369 as follows:

SUBCHAPTER 18B – SECURITY AND PRIVACY

SECTION .0100 – SECURITY AT DCIN DEVICE SITES

14B NCAC 18B .0101 SECURITY OF DCIN DEVICES

Agencies that have management control of a DCIN device shall institute controls for maintaining the sensitivity and confidentiality of all criminal justice information (CJI) provided through DCIN. These controls include the following:

(1) a DCIN device and any peripheral or network-connected printer shall be within a physically secure location, as defined by the FBI CJIS Security Policy, accessible only to authorized personnel. Any DCIN device not located within a physically secured location shall have advanced authentication measures installed and enabled; and

(2) DCIN training module documents shall be located in a physically secure ~~location~~location, as defined by FBI CJIS Security Policy, accessible only by authorized personnel.

History Note: *Authority ~~G.S. 114-10; 114-10.1;~~G.S. 143B-1208.16; 143B-1208.19;*
Eff. August 1, 2014;
Transferred and Recodified from 12 NCAC 04I .0101 Eff. November 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, ~~2016.~~2016;
Readopted Eff. December 1, 2026.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Bureau of Investigation

RULE CITATION: 14B NCAC 18B .0202

DEADLINE FOR RECEIPT: November 18, 2026.

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Lines 6-7, what is the meaning of "when conditions for entry are met"? Within "three days" of what event/incident? Is this phrase referring to (b)(1)-(3)?

Line 7, what is the meaning of "except when a federal law, state statute, or documentation exists to support a delayed entry"? The use of "support" in this context is unclear and ambiguous.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to Agency: November 3, 2026

14B NCAC 18B .0202 is readopted as published in 41:04 NCR 358-369 as follows:

14B NCAC 18B .0202 TIMELINESS

(a) Law enforcement and criminal justice agencies shall enter records within three days when conditions for entry are met except when a federal law, state statute, or documentation exists to support a delayed entry. Any decision to delay entry under this exception shall be documented.

(b) Timeliness can be defined based on the type of record entry being made:

(1) Wanted Person File - entry of a wanted person shall be made immediately after the decision to arrest or to authorize arrest has been made, and the decision to extradite has been made. "Immediately" is defined as within three days.

(2) Missing Person File - entry of a missing person shall be made as soon as possible once the minimum data required for entry (i.e., all mandatory fields) and the appropriate record documentation are available. For missing persons under age 21, a NCIC Missing Person File record shall be entered within two hours of receiving the minimum data required for entry.

(3) Article, Boat, Gun, License Plate, Securities, Vehicle Part, Boat Part, Vehicle, Protection Order, and Sex Offender Registry Files - entry is made as soon as possible once the minimum data required for entry (i.e., all mandatory fields) and the record documentation are available. Information about stolen license plates and vehicles shall be verified through the motor vehicle registration files prior to record entry if possible. However, if motor vehicle registration files are not accessible, the record shall be entered into NCIC and verification shall be completed when the registration files become available.

History Note: *Authority ~~G.S. 114-10; 114-10.1;~~G.S. 143B-1208.16; 143B-1208.19;*
Eff. August 1, 2014;
Transferred and Recodified from 12 NCAC 04I .0202 Eff. November 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, ~~2016.~~2016;
Readopted Eff. December 1, 2026.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Bureau of Investigation

RULE CITATION: 14B NCAC 18B .0203

DEADLINE FOR RECEIPT: November 18, 2026.

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 10, replace "any" with "the" and delete "appropriate". Also, add a comma after "files".

Line 17, is "may" or "shall" intended?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to Agency: November 3, 2026

14B NCAC 18B .0203 is readopted as published in 41:04 NCR 358-369 as follows:

14B NCAC 18B .0203 VALIDATIONS

(a) Law enforcement and criminal justice agencies shall validate all record ~~entries, with the exception of articles,~~ entries made into the NCIC restricted and unrestricted files.

(b) Validation shall be accomplished by reviewing the original entry and current supporting documents. Stolen vehicle, stolen boat, wanted person, missing person, protection order, and sex offender file entries require consultation with any appropriate complainant, victim, prosecutor, court, motor vehicle registry files or other appropriate source or individual in addition to the review of the original file entry and supporting documents.

(c) Validations shall be conducted through the CIIS automated method.

(d) Any records containing inaccurate data shall be modified and records which are no longer current or cannot be substantiated by a source document shall be removed from the NCIC.

(e) Any agency that does not properly validate its records shall have their records purged for that month by NCIC. An agency shall be notified of the record purge through an NCIC-generated message sent to the agency's main DCIN device. An agency may re-enter the cancelled records once the records have been validated.

History Note: *Authority ~~G.S. 114-10; 114-10.1;~~G.S. 143B-1208.16; 143B-1208.19;*
Eff. August 1, 2014;
Transferred and Recodified from 12 NCAC 04I .0203 Eff. November 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, ~~2016.~~2016;
Readopted Eff. December 1, 2026.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Bureau of Investigation

RULE CITATION: 14B NCAC 18B .0301

DEADLINE FOR RECEIPT: November 18, 2026.

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 23, delete "the" before "North".

Line 35, how is G.S. 15A-1383 authority for this Rule?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to Agency: November 3, 2026

14B NCAC 18B .0301 is readopted as published in 41:04 NCR 358-369 as follows:

SECTION .0300 – SUBMISSION OF DATA FOR CRIMINAL HISTORY RECORDS

14B NCAC 18B .0301 ARREST FINGERPRINT CARD

(a) Fingerprint cards submitted in accordance with G.S. 15A-502 must contain the following information on the arrestee in order to be processed by the SBI or FBI:

(1) ORI number and address of arresting agency;

(2) complete name;

(3) date of birth;

(4) race;

(5) sex;

(6) date of arrest;

(7) criminal charges; and

(8) a set of fingerprint impressions and palm ~~prints if the agency is capable of capturing palm prints.~~prints.

(b) Any fingerprint cards physically received by the SBI that do not meet these requirements shall be returned to the submitting agency to be corrected and resubmitted. Any fingerprint cards that have been submitted electronically to the SBI that do not meet these standards shall not be accepted. The submitting agency shall receive electronic notification that the prints did not meet minimum standards through the agency's LiveScan device.

(c) The arrest and fingerprint information contained on the arrest fingerprint card shall be added to the North Carolina's CCH files, and electronically forwarded to the FBI's Interstate Identification Index (III) for processing.

(d) Criminal fingerprint cards shall be submitted in the following ways:

(1) electronically through the agency's LiveScan device to North Carolina's Statewide Automated Fingerprint Identification System (SAFIS); or

(2) mail addressed to:

North Carolina State Bureau of Investigation
Criminal Information and Identification Section
3320 Garner Road
Raleigh, North Carolina ~~27626~~27610
Attention: AFIS & Technical Search Unit

History Note: *Authority G.S. 15A-502; 15A-1383;*
Eff. August 1, 2014;
Transferred and Recodified from 12 NCAC 04I .0301 Eff. November 1, 2015;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, ~~2016.~~2016;

Readopted Eff. December 1, 2026.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Bureau of Investigation

RULE CITATION: 14B NCAC 18B .0401

DEADLINE FOR RECEIPT: November 18, 2026.

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Page 2, line 52, delete "at the latest" since it's unnecessary.

Line 54, replace "his" with "their".

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to Agency: November 3, 2026

14B NCAC 18B .0401 is readopted as published in 41:04 NCR 358-369 as follows:

SECTION .0400 – USE AND ACCESS REQUIREMENTS FOR CRIMINAL HISTORY RECORD INFORMATION, NICS INFORMATION, AND N-DEX INFORMATION

14B NCAC 18B .0401 DISSEMINATION AND LOGGING OF CHRI AND NICS RECORDS

(a) Criminal history record information (CHRI) obtained from or through DCIN, NCIC, NICS, N-DEx, or Nlets shall not be disseminated to anyone outside of those agencies eligible under 14B NCAC 18A .0201(a) except as provided by Rules .0403, .0405, .0406, and .0409 of this Section. Any agency assigned a limited access ORI shall not obtain CHRI. Any agency requesting CHRI that has not received an ORI pursuant to 14B NCAC 18A .0201(a) shall be denied access and referred to the North Carolina CSO.

(b) CHRI is available to eligible agency personnel only on a "need-to-know" basis as defined in ~~12 NCAC 04H .0104.~~14B NCAC 18A .0102(39).

(c) The use or dissemination of CHRI obtained through ~~DCIN or N-DEx~~DCIN, NCIC, NICS, N-Dex, or Nlets for unauthorized purposes is a violation of this Rule.

(d) CIIS shall maintain an automated log of CCH/CHRI/National Instant Criminal Background Check System (NICS) inquiries for a period of not less than one year from the date of inquiry. The automated log shall contain the following information as supplied by the user on the inquiry screen and shall be made available on-line to the inquiring agency;

(1) date of inquiry;

(2) name of record subject;

(3) state identification number (SID) or FBI number of the record subject;

(4) message key used to obtain information;

(5) purpose code;

(6) user's initials;

(7) (Attention field) name of person and agency requesting information who is the initial user of the record;

(8) (Attention 2 field) name of person and agency requesting information who is outside of the initial user agency. If there is not a second individual receiving the information, information indicating why the information is requested may be placed in this field; and

(9) if applicable, NICS Transaction Number (NTN) for NICS logs only.

(e) Criminal justice agencies making secondary disseminations of CCH, CHRI, N-DEx, or NICS information obtained through DCIN shall maintain a log of the dissemination in a case. This log must identify the name of the recipient and their agency.

(f) Each criminal justice agency obtaining CHRI through a DCIN device shall conduct an audit of their automated CCH log as provided by DCIN once every month for the previous month. The audit shall take place within 15 business

days of the end of the month being reviewed. This audit shall include a review for unauthorized inquiries and disseminations, improper use of agency ORI's, agency names, and purpose codes. These logs must be maintained on file for one year from the date of the inquiry, and may be maintained electronically by the criminal justice agency. Any violation of CIIS rules must be reported by an agency representative to CIIS within 20 business days of the end of the month being reviewed. On those months that do not contain 20 business days, any violations of CIIS rules must be reported by an agency representative to CIIS by the first business day of the following month, at the latest. If an agency does not have a device connected to DCIN that can receive CHRI, this audit is not required.

(g) Each criminal justice agency obtaining information from NICS or N-DEx shall conduct the same monthly audit as those for CHRI logs. The audit shall take place within 15 business days of the end of the month being reviewed. This audit shall include a review for unauthorized inquiries or disseminations and improper use of purpose codes. These logs must be maintained on file for one year from the date of inquiry, and may be maintained electronically by the criminal justice agency. Any violation of CIIS rules must be reported by an agency representative to CIIS within 20 business days of the end of the month being reviewed. On those months that do not contain 20 business days, any violations of CIIS rules must be reported by an agency representative to CIIS by the first business day of the following month, at the latest.

(h) DCIN automated CCH logs, automated NICS logs, and any secondary dissemination logs shall be available for audit or inspection by the CSO or his designee as provided in 14B NCAC 18B .0801.

(i) Out of state agencies requesting a statewide criminal record check shall utilize NCIC.

History Note: *Authority ~~G.S. 114-10; 114-10.1;~~G.S. 143B-1208.16; 143B-1208.19;*
Eff. August 1, 2014;
Transferred and Recodified from 12 NCAC 04I .0401 Eff. November 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, ~~2016.~~2016;
Readopted Eff. December 1, 2026.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Bureau of Investigation

RULE CITATION: 14B NCAC 18B .0404

DEADLINE FOR RECEIPT: November 18, 2026.

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 20, pursuant to G.S. 150B-2(8a)(d), is each required field on the "form" in a rule or general statute? Please review and comply with RRC guidance found here: https://www.oah.nc.gov/rrc-final-guidance-forms/open.

Line 29, "G.S. 143B-930" was recodified as G.S. 143B-1209.10. Please update.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to Agency: November 3, 2026

14B NCAC 18B .0404 is readopted as published in 41:04 NCR 358-369 as follows:

14B NCAC 18B .0404 RIGHT TO REVIEW

(a) An individual may obtain a copy of his or her own criminal history record by submitting a written request to the North Carolina State Bureau of Investigation Criminal Information and Identification Section, Attention: Applicant Unit - Right to Review, 3320 Garner Road, Raleigh, North Carolina ~~27626.~~27610. The written request must be accompanied by a certified check or money order in the amount of fourteen dollars ($14.00) payable to the North Carolina State Bureau of Investigation, and must contain proof of identity to include:

(1) complete name and address;

(2) race;

(3) sex;

(4) date of birth;

(5) ~~social security number;~~Social Security Number; and

(6) a legible set of fingerprint impressions.

(b) The response shall be submitted only to the individual. Copies of the response shall not be provided by DCI to a third party.

(c) The accuracy or completeness of an individual's record may be challenged by submitting the "Right to Review Request Criminal History Written Exception" form available from ~~DCI.~~CIIS.

(d) Upon receipt of the "Right to Review Request Criminal History Written Exception", ~~the~~ CIIS shall initiate an internal record audit of the challenger's record to determine its accuracy. If any potential inaccuracies or omissions are discovered, ~~DCI~~CIIS shall coordinate with the arresting agency to review the charge information previously submitted by that agency. Appropriate action shall be taken based on, in part, information ~~provide~~provided by the arresting agency. ~~DCI~~CIIS shall inform the challenger in writing of the results of the audit.

(e) If the audit fails to disclose any inaccuracies, or if the challenger wishes to contest the results of the audit, he or she is entitled to an administrative hearing pursuant to G.S. 150B-23.

History Note: *Authority ~~G.S. 114-10; 114-10.1; 114-19.1;~~G.S. 143B-930; 143B-1208.16; 143B-1208.19;*
Eff. August 1, 2014;
Transferred and Recodified from 12 NCAC 04I .0404 Eff. November 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, ~~2016.~~2016;
Readopted Eff. December 1, 2026.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Bureau of Investigation

RULE CITATION: 14B NCAC 18B .0405

DEADLINE FOR RECEIPT: November 18, 2026.

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 6, replace "which" with "to".

Line 8, add a comma after "purposes".

Page 2, lines 43-44, G.S. 114-19.1 has been recodified as "G.S. 143B-930". Please update.

Line 44, delete "or any other applicable statute" or cite the specific statute(s).

Line 55, in the History Note, "G.S. 143B-930" was recodified as G.S. 143B-1209.10. Please update.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to Agency: November 3, 2026

14B NCAC 18B .0405 is readopted as published in 41:04 NCR 358-369 as follows:

14B NCAC 18B .0405 CCH USE IN LICENSING AND NON-CRIMINAL JUSTICE EMPLOYMENT PURPOSES

(a) Criminal justice agencies authorized under ~~12 NCAC 04H .0201~~14B NCAC 18A .0201 which issue licenses or approve non-criminal justice employment and want to use computerized criminal history information maintained by ~~DCI~~CIIS for licensing, permit, and non-criminal justice employment purposes shall submit to CIIS a written request listing the types of licenses, permits, and employment for which they desire to use computerized criminal history information. A copy of the local ordinance or a reference to the North Carolina General Statute giving authority to issue a particular permit or license must be included in the written request.

(b) Authorization to use computerized criminal history information for licensing, permit, or employment purposes may be given only after ~~the DCI and the North Carolina Attorney General's Office have~~the FBI has evaluated and granted authorization based upon the authority of the North Carolina General Statutes or local ordinance pertaining to the issuance of that particular license or permit for employment.

(c) Once authorization by the FBI has been given, ~~DCI~~CIIS shall provide the agency an access agreement, which outlines the guidelines for information usage. The access agreement shall also include information on billing mechanisms. ~~DCI~~CIIS shall bill the agency fourteen dollars ($14.00) for a check of North Carolina computerized criminal history files, and thirty-eight dollars ($38.00) for a search of both the North Carolina computerized criminal history files and a search of the FBI's Interstate Identification Index (III) files. ~~DCI~~The SBI shall send an invoice to the requesting agency to collect these fees.

(d) The access agreement shall be signed by the requesting agency's head, and returned to ~~DCI.~~CIIS.

(e) The agency's terminal, if applicable, shall receive the capability to use the purpose code "E" in the purpose field of the North Carolina CCH inquiry screens for employment or licensing once the agency head has signed the access agreement and returned it to ~~DCI.~~CIIS. Once an agency has received this capability, it shall use the purpose code "E", the proper two character code, and the name of the person receiving the record. A log of all primary and any secondary dissemination must also be kept for one year on all responses received from this type of inquiry.

(f) Criminal justice agencies may also gain access by submission of non-criminal justice applicant fingerprint cards. Approval must be obtained pursuant to the procedure in Paragraph (a) of this Rule. One applicant fingerprint card must be submitted on each individual. The fingerprint card must contain the following information on the applicant in order to be processed by ~~DCI~~CIIS and the FBI:

(1) complete name;

(2) date of birth;

(3) race;

(4) sex;

(5) reason fingerprinted to include the N.C.G.S. or local ordinance number;

(6) position applied for;

(7) the licensing or employing agency; and

(8) a set of legible fingerprint impressions.

~~DCI~~CIIS shall return the letter of fulfillment to the submitting agency indicating the existence or absence of a criminal record.

(g) Requests from non-criminal justice agencies or individuals to use criminal history information maintained by ~~DCI~~CIIS for licensing and employment purposes shall be treated as a fee for service request pursuant to G.S. 114-19.1 or any other applicable statute. The process for approval for non-criminal justice agencies or individuals shall be the same process as in Paragraph (a) of this Rule.

(h) Upon being approved, the requesting agency shall submit its requests to the North Carolina State Bureau of Investigation, Criminal Information and Identification Section, ~~Special Processing Unit,~~CIIS Applicant Unit, 3320 Garner Road, Raleigh, North Carolina ~~27626.~~27610. Each request shall include a fee in the form of a certified cashier's check, money order, or direct billing of ten dollars ($10.00) for a name-only check, fourteen dollars ($14.00) for a state-only ~~fingerprint based~~fingerprint-based check, or thirty-eight dollars ($38.00) for a state and national ~~fingerprint based~~fingerprint-based check (if applicable).

(i) Criminal history record information accessible pursuant to this Rule shall be North Carolina criminal history record information, and FBI III information if permitted by statute.

History Note: *Authority ~~G.S. 114-10; 114-10.1; 114-19.1;~~G.S. 143B-930; 143B-1208.16; 143B-1208.19;*
Eff. August 1, 2014;
Transferred and Recodified from 12 NCAC 04I .0405 Eff. November 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, ~~2016.~~2016;
Readopted Eff. December 1, 2026.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Bureau of Investigation

RULE CITATION: 14B NCAC 18B .0406

DEADLINE FOR RECEIPT: November 18, 2026.

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 16, add a comma after "permit".

Line 28, delete "reasonable" since it's unclear. Or replace it with an objective amount of time for the applicant to correct the record.

Line 29, delete "/arrest" since an applicant cannot be "guilty" of an "arrest".

Line 31, add a comma after "complete".

Line 31, in the History Note, "G.S. 143B-930" was recodified as G.S. 143B-1209.10. Please update.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to Agency: November 3, 2026

14B NCAC 18B .0406 is readopted as published in 41:04 NCR 358-369 as follows:

14B NCAC 18B .0406 RESTRICTIVE USE OF CCH FOR EMPLOYMENT PURPOSES

(a) Use of computerized criminal history information maintained by the CIIS for licensing permits or non-criminal justice employment purposes shall be authorized only for those criminal justice and non-criminal justice agencies who have complied with Rule .0405 of this Section.

(b) The following requirements and restrictions are applicable to all agencies who have received approval to use computerized criminal history information for licensing, permits, or non-criminal justice employment purposes. Each such agency is responsible for their implementation:

(1) computerized criminal history information obtained shall not be used or disseminated for any other purpose;

(2) computerized criminal history information obtained shall not be released to or reviewed by anyone other than the agencies authorized by CIIS;

(3) the only data in the computerized criminal history files which may be used in an agency's determination of issuing or denying a license, permit or employment are those crimes stipulated in the referenced ordinance or statutory authority as grounds for disqualification. All criminal history arrest information held by CIIS shall be released regardless of disposition status. Each agency is responsible for reviewing each statutory authority and knowing what data may be used and what data shall not be used for grounds in denying or issuing a particular license or permit for employment;

(4) prior to denial of a license, permit, or employment due to data contained in a computerized criminal history ~~record,~~ record based upon a name check only, a fingerprint card of the applicant shall be submitted to CIIS for verification that the record belongs to the applicant;

(5) if the information in the record is used to disqualify an applicant, the official making the determination of suitability for licensing or employment shall provide the applicant the opportunity to correct, complete, or challenge the accuracy of the information contained in the record. The applicant must be afforded a reasonable time to correct, complete or to decline to correct or complete the information. An applicant shall not be presumed to be guilty of any charge/arrest for which there is no final disposition stated on the record or otherwise determined. Applicants wishing to correct, complete or otherwise challenge a record must avail themselves of the procedure set forth in Rule .0404(c) of this Section.

(c) A "no-record" response on a computerized criminal history inquiry based upon a name check only does not necessarily mean that the individual does not have a record. If the requesting agency desires a more complete check on an applicant, a fingerprint card of the applicant shall be submitted to ~~DCI.~~CIIS.

History Note: *Authority ~~G.S. 114-10; 114-10.1; 114-19.1;~~G.S. 143B-930; 143B-1208.16; 143B-1208.19;*

Eff. August 1, 2014;

Transferred and Recodified from 12 NCAC 04I .0406 Eff. November 1, 2015;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, ~~2016.~~2016;

Readopted Eff. December 1, 2026.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Bureau of Investigation

RULE CITATION: 14B NCAC 18B .0407

DEADLINE FOR RECEIPT: November 18, 2026.

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 6, consider replacing "guarantees" with "ensures".

Line 10, what does "right to privacy" mean in this context?

Line 15, consider replacing "is responsible for cost" with "will pay (or has paid) the associated costs".

Lines 16-17, does this definition of "researcher" apply to other rules, such as 18B .0408?

Line 19, in the History Note, "G.S. 143B-930" was recodified as G.S. 143B-1209.10. Please update.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to Agency: November 3, 2026

14B NCAC 18B .0407 is readopted as published in 41:04 NCR 358-369 as follows:

14B NCAC 18B .0407 RESEARCH USE AND ACCESS OF CCH RECORDS

(a) Researchers who wish to use criminal justice information maintained by CIIS shall first submit to the North Carolina CJIS System Officer (CSO) a completed research design that guarantees protection of security and privacy. Authorization to use computerized criminal history records shall be given after the CSO has approved the research design.

(b) In making a determination to approve the submitted research design, the CSO must ensure that:

(1) an individual's right to privacy will not be violated by the research program;

(2) the program is calculated to prevent injury or embarrassment to any individual;

(3) the results outweigh any disadvantages that are created for the North Carolina criminal justice system if the research information is provided;

(4) the criminal justice community will benefit from the research and use; and

(5) the requestor is responsible for cost.

(c) For purposes of this Rule, a researcher is defined as a non-criminal justice or private agency or a criminal justice agency wishing to access criminal history data for a statistical purpose.

History Note: *Authority ~~G.S. 114-10; 114-10.1; 114-19.1;~~G.S. 143B-930; 143B-1208.16; 143B-1208.19;*
Eff. August 1, 2014;
Transferred and Recodified from 12 NCAC 04I .0407 Eff. November 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, ~~2016.~~2016;
Readopted Eff. December 1, 2026.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Bureau of Investigation

RULE CITATION: 14B NCAC 18B .0408

DEADLINE FOR RECEIPT: November 18, 2026.

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 5, what is the definition of "subjects" in this context?

Lines 5-6, "all such programs" is vague. Please specify which programs are being referred to.

Lines 7-8, what does "shall not be used to the detriment" mean in this context?

Line 13, pursuant to G.S. 150B-2(8a)(d), is each required field on the "Disclosure Agreement" in a rule or general statute? Please review and comply with RRC guidance found here: https://www.oah.nc.gov/rrc-final-guidance-forms/open.

Line 23, in the History Note, "G.S. 143B-930" was recodified as G.S. 143B-1209.10. Please update.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to Agency: November 3, 2026

14B NCAC 18B .0408 is readopted as published in 41:04 NCR 358-369 as follows:

14B NCAC 18B .0408 LIMITATION REQUIREMENTS

Research designs must preserve the anonymity of all subjects. The following requirements are applicable to all such programs of research and each criminal justice agency or researcher is responsible for their implementation:

(1) Computerized criminal history records furnished for purposes of any program of research shall not be used to the detriment of the person(s) to whom such information relates.

(2) Criminal history records furnished for purposes of any program of research shall not be used for any other purpose; nor may such information be used for any program of research other than that authorized by the North Carolina CJIS System Officer (CSO).

(3) Each researcher or anyone having access to the computerized criminal history shall, prior to having such access, sign a Disclosure Agreement with the CSO incorporating the requirements of Rule 18A .0304 of this Chapter.

(4) The authorization for access to computerized criminal history records shall ~~assure~~ensure that the criminal justice agency and CIIS have rights to monitor the program of research to assure compliance with this Rule. Such monitoring rights include the right of CIIS staff to audit and review such monitoring activities and also to pursue their own monitoring activities.

(5) CIIS and the criminal justice agency involved may examine and verify the data generated as a result of the program, and, if a material error or omission is found to have occurred, may order the data not be released for any purpose unless corrected to the satisfaction of the agency and CIIS.

History Note: *Authority ~~G.S. 114-10; 114-10.1; 114-19.1;~~G.S. 143B-930; 143B-1208.16; 143B-1208.19;*
Eff. August 1, 2014;
Transferred and Recodified from 12 NCAC 04I .0408 Eff. November 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, ~~2016.~~2016;
Readopted Eff. December 1, 2026.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Bureau of Investigation

RULE CITATION: 14B NCAC 18B .0409

DEADLINE FOR RECEIPT: November 18, 2026.

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 6, consider adding "criminal" before "proceeding".

Line 11, add a comma after "requirements".

Line 13, pursuant to G.S. 150B-2(8a)(d), is each required field on the "form" in a rule or general statute? Please review and comply with RRC guidance found here: https://www.oah.nc.gov/rrc-final-guidance-forms/open.

Line 27, is the "form" the same one being referred to in line 13?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to Agency: November 3, 2026

14B NCAC 18B .0409 is readopted as published in 41:04 NCR 358-369 as follows:

14B NCAC 18B .0409 ACCESS TO CHRI BY ATTORNEYS

(a) An attorney must have entered ~~in to~~into a proceeding in accordance with G.S. 15A-141 in order to access North Carolina-only CHRI. The attorney may have access to the CHRI of only the defendant he or she is representing. ~~The prosecuting District Attorney must approve the request.~~

(b) If, during a proceeding, an attorney desires CHRI of an individual involved in the proceeding other than the attorney's client, the attorney shall make a motion before the court indicating the desire for the CHRI.

(c) In order to maintain compliance with state and federal requirements an attorney shall disclose the purpose for any request of CHRI.

(d) CIIS shall provide a form to be utilized by any DCIN user when fulfilling a request for CHRI by an attorney. This form shall help ensure compliance with state and federal rules regarding access to and dissemination of CHRI.

(e) The attorney must fill out all applicable fields of the form and return it to the DCIN user to process the request. The attorney shall provide:

(1) the client's name;

(2) docket number for the matter;

(3) prosecutorial district in which the matter is being tried; and

(4) the next date on which the matter is being heard.

(f) The attorney may submit requests for CHRI only within the prosecutorial district of the District Attorney that is prosecuting the defendant(s). If a change of venue has been granted during a proceeding, this Rule still applies, and the attorney must still seek the CHRI from the prosecutorial district within which the proceeding originated.

(g) Records of requests and dissemination to attorneys must be kept by the disseminating agency for a period of one year.

(h) Requests for North Carolina-only CHRI ~~may~~must be notarized ~~in lieu of approval from the District Attorney.~~and the agency must receive the original signature(s) on the form.

History Note: *Authority G.S. ~~114-10; 114-10.1;~~ 15A-141; 143B-1208.16; 143B-1208.19;*
Eff. August 1, 2014;
Transferred and Recodified from 12 NCAC 04I .0409 Eff. November 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, ~~2016.~~2016;
Readopted Eff. December 1, 2026.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Bureau of Investigation

RULE CITATION: 14B NCAC 18B .0501

DEADLINE FOR RECEIPT: November 18, 2026.

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 10, "within the past 90 days" of what event? Does the clock begin upon receipt of the court ordered expungement? Please clarify.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to Agency: November 3, 2026

14B NCAC 18B .0501 is readopted as published in 41:04 NCR 358-369 as follows:

SECTION .0500 – REMOVAL OF CRIMINAL HISTORY RECORD INFORMATION

14B NCAC 18B .0501 EXPUNGEMENTS

Upon the receipt of a valid court ordered expungement, CIIS shall expunge the appropriate CHRI as directed by the court order. An electronic notification regarding the expungement shall be sent to the FBI for processing and all agencies that have inquired on the record within the past 90 days shall be advised of the court order.

History Note: *Authority G.S. 15A-145; 15A-146; 90-96; 90-113.14; ~~114.10; 114-10.1;~~ 143B-1208.16; 143B-1208.19; 150B-19(5)b.,e.;*
Eff. August 1, 2014;
Transferred and Recodified from 12 NCAC 04I .0501 Eff. November 1, 2015;
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Readopted Eff. December 1, 2026.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Bureau of Investigation

RULE CITATION: 14B NCAC 18B .0801

DEADLINE FOR RECEIPT: November 18, 2026.

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 17, where can the "FBI CJIS Security Policy" be found?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to Agency: November 3, 2026

14B NCAC 18B .0801 is readopted as published in 41:04 NCR 358-369 as follows:

SECTION .0800 - AUDITS

14B NCAC 18B .0801 AUDITS

(a) CIIS shall biennially audit criminal justice information entered, modified, cancelled, cleared and disseminated by DCIN users. Agencies subject to audit include all agencies that have direct or indirect access to information obtained through DCIN.

(b) CIIS shall send designated representatives to selected law enforcement and criminal justice agency sites to audit:

(1) criminal history usage and dissemination logs;

(2) NICS usage and dissemination logs;

(3) driver history dissemination logs;

(4) security safeguards and procedures adopted for the filing, storage, dissemination, or destruction of criminal history records;

(5) physical security of DCIN devices in accordance with the current FBI CJIS Security Policy;

(6) documentation establishing the accuracy, validity, and timeliness of the entry of records entered into NCIC wanted person, missing person, property, protection order, and DCIN and NCIC sex offender files;

(7) the technical security of devices and computer networks connected to DCIN in accordance with the current FBI CJIS Security Policy;

(8) user certification, status, and background screening;

(9) user agreements between the agency and North Carolina's CSA;

(10) servicing agreements between agencies with DCIN devices and agencies without DCIN devices (when applicable);

(11) use of private contractors or governmental information technology professionals for information technology support along with the proper training and screening of those personnel; and

(12) control agreements between agencies and entities providing information technology support (when applicable).

(c) The audits shall be conducted to ensure that the agencies are complying with state and federal regulations, as well as federal and state statutes on security and privacy of criminal history record information.

(d) CIIS shall provide notice to the audited agency as to the findings of the audit. If discrepancies or deficiencies are discovered during the audit they shall be noted in the findings along with possible sanctions for any deficiencies or rule violations.

(e) If applicable, CIIS shall also biennially audit agencies' N-DEx access and usage. CIIS shall audit:

(1) network security;

(2) N-DEx transactions performed by agency personnel; and

(3) user certification and status

(f) Audits of N-DEx usage shall occur concurrently with an agency's DCIN audit, and shall ensure compliance with state and federal regulations on security and privacy of criminal justice information contained within N-DEx.

History Note: *Authority ~~G.S. 114-10; 114-10.1~~G.S. 143B-1208.16; 143B-1208.19;*
Eff. August 1, 2014;
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Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, ~~2016.~~2016;
Readopted Eff. December 1, 2026.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Bureau of Investigation

RULE CITATION: 14B NCAC 18C .0101

DEADLINE FOR RECEIPT: November 18, 2026.

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 12, add a comma after "period".

Line 24, add "rule or" before "regulation".

Line 25, add a comma after "violation".

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to Agency: November 3, 2026

14B NCAC 18C .0101 is readopted as published in 41:04 NCR 358-369 as follows:

SUBCHAPTER 18C - PENALTIES AND ADMINISTRATIVE HEARINGS

SECTION .0100 - DEFINITIONS AND PENALTY PROVISIONS

14B NCAC 18C .0101 DEFINITIONS

As used in this Subchapter:

(1) "Revocation of certification" means a DCIN user's certification is canceled for a period not to exceed one year. At the end of the revocation period the user must attend the DCIN Module 1 certification class. Notification of the revocation shall be sent by ~~DCI~~CIIS via certified mail to the DCIN user and the user's agency head.

(2) "Suspension of certification" means a DCIN user is prohibited from operating a DCIN device for a period not to exceed 90 days. Notification of the suspension shall be sent by ~~DCI~~CIIS via certified mail to the DCIN user's agency head and to the DCIN user. The agency shall be audited within 90 days of reinstatement of a user's certification.

(3) "Suspension of services" means an agency's direct access to DCIN is suspended for a period not to exceed two weeks after the North Carolina CSO's finding of fault, and the agency head must then appear before the CSO to respond to the cited violation. This suspension may be limited to certain files or may include a complete suspension of services, depending on the administrative procedure violated. The agency is subject to a re-audit after 90 days of reinstatement. Further violations of the same regulation, within two years from the date of the suspension, or failure to appear before the CSO to respond to the cited violation is grounds to cancel the user agreement with the agency.

History Note: *Authority ~~G.S. 114-10; 114-10.1;~~G.S. 143B-1208.16; 143B-1208.19;*
Eff. August 1, 2014;
Transferred and Recodified from 12 NCAC 04J .0101 Eff. November 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, ~~2016.~~2016;
Readopted Eff. December 1, 2026.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Bureau of Investigation

RULE CITATION: 14B NCAC 18C .0102

DEADLINE FOR RECEIPT: November 18, 2026.

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 5, "is found" by whom? Is there an applicable standard of proof that's used?

Line 6, is "may" or "shall" intended?

Lines 6-7, delete ", to include, but not limited to, the following" and replace it with "by".

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to Agency: November 3, 2026

14B NCAC 18C .0102 is readopted as published in 41:04 NCR 358-369 as follows:

14B NCAC 18C .0102 SANCTIONS FOR VIOLATIONS BY INDIVIDUALS

When any certified DCIN user is found to have knowingly and willfully violated any provision of these Rules, ~~DCI~~CIIS may take action to correct the violation and to ensure the violation does not re-occur, to include, but not limited to, the following:

(1) issuing an oral warning and a request for compliance;

(2) issuing a written warning and a request for compliance;

(3) suspending the DCIN user's certification; or

(4) revoking the DCIN user's certification.

History Note: *Authority ~~G.S. 114-10; 114-10.1;~~G.S. 143B-1208.16; 143B-1208.19;*
Eff. August 1, 2014;
Transferred and Recodified from 12 NCAC 04J .0102 Eff. November 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, ~~2016.~~2016;
Readopted Effective December 1, 2026.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina State Bureau of Investigation

RULE CITATION: 14B NCAC 18C .0103

DEADLINE FOR RECEIPT: November 18, 2026.

***PLEASE NOTE:* This request may extend to several pages. Please be sure you have reached the end of the document.**

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 6, is "may" or "shall" intended?

Line 7, delete ", to include, but not limited to, the following" and replace it with "by".

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to Agency: November 3, 2026

14B NCAC 18C .0103 is readopted as published in 41:04 NCR 358-369 as follows:

14B NCAC 18C .0103 SANCTIONS FOR VIOLATIONS BY AGENCIES

When any agency who has entered ~~in to~~into an agreement in accordance with 14B NCAC 18A .0301 is found to have knowingly and willfully violated any provision of these Rules, ~~DCI~~CIIS may take action to correct the violation and to ensure the violation does not re-occur, to include, but not limited to, the following:

(1) issuing an oral warning and a request for compliance;

(2) issuing a written warning and a request for compliance; or

(3) suspending services to the violating agency.

History Note: *Authority ~~G.S. 114-10; 114-10.1;~~G.S. 143B-1208.16; 143B-1208.19;*
Eff. August 1, 2014;
Transferred and Recodified from 12 NCAC 04J .0103 Eff. November 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, ~~2016.~~2016;
Readopted Eff. December 1, 2026.