

G.S. 150B-21.3A Report for 11 NCAC 05, OFFICE OF STATE FIRE MARSHAL

Agency - Office of State Fire Marshal

Comment Period - August 1, 2018 - October 1, 2018

Date Submitted to APO - November 19, 2018

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	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 05A - FIRE AND RESCUE	SECTION .0100 - GENERAL PROVISIONS	11 NCAC 05A .0101	DEFINITIONS	Amended Eff. February 1, 2017	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 05A .0103	MAILING ADDRESS	Amended Eff. October 1, 2006	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0200 - STATE VOLUNTEER FIRE DEPARTMENT	11 NCAC 05A .0202	COMPREHENSIVE EMERGENCY MANAGEMENT PLAN	Amended Eff. February 1, 2017	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0300 - FIREFIGHTERS' RELIEF FUND	11 NCAC 05A .0302	CERTIFICATION OF ELIGIBILITY	Amended Eff. February 1, 2017	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 05A .0303	ADMINISTRATION OF FIREFIGHTERS' RELIEF FUND	Amended Eff. February 1, 2017	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0600 - VOLUNTEER FIRE DEPARTMENT FUND	11 NCAC 05A .0602	FIRE DISTRICT RATING CERTIFICATION	Amended Eff. February 1, 2017	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 05A .0603	REQUIREMENTS	Amended Eff. May 1, 2017	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 05A .0604	OTHER GRANT CRITERIA	Amended Eff. February 1, 2017	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0700 - VOLUNTEER RESCUE/EMS FUND	11 NCAC 05A .0701	DEFINITIONS	Amended Eff. February 1, 2017	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 05A .0702	ALS CERTIFICATION	Amended Eff. February 1, 2017	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 05A .0703	REQUIREMENTS FOR UNITS REQUIRED TO MATCH GRANTS	Amended Eff. May 1, 2017	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 05A .0705	OTHER GRANT CRITERIA	Amended Eff. February 1, 2017	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0800 - CIGARETTE FIRE-SAFETY STANDARDS	11 NCAC 05A .0801	CERTIFICATIONS	Eff. February 1, 2010	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
SUBCHAPTER 5B - N.C. STATE FIRE COMMISSION	SECTION .0100 - GENERAL PROVISIONS	11 NCAC 05B .0101	DEFINITIONS	Eff. November 1, 1988	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 05B .0102	PURPOSE	Amended Eff. April 8, 2002	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 05B .0103	MAILING ADDRESS	Eff. November 1, 1988	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0200 - MASTER PLANNING	11 NCAC 05B .0201	STATE FIRE TRAINING	Eff. November 1, 1988	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 05B .0202	ADDITIONAL PROGRAMS	Eff. November 1, 1988	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0300 - CERTIFICATION OF FIRE SERVICE PERSONNEL	11 NCAC 05B .0301	MINIMUM PROFESSIONAL QUALIFICATIONS	Eff. November 1, 1988	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt

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Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	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
		11 NCAC 05B .0302	VOLUNTARY CERTIFICATION	Eff. November 1, 1988	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 05B .0303	COORDINATION WITH OTHER STATE AGENCIES	Eff. November 1, 1988	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0400 - FIRE INCIDENT REPORTING	11 NCAC 05B .0401	DEVELOPMENT	Eff. November 1, 1988	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 05B .0402	OPERATION AND CONTROL	Eff. November 1, 1988	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0500 - CENTRAL INFORMATION OFFICE	11 NCAC 05B .0501	COLLECTION AND DISSEMINATION OF INFORMATION	Eff. November 1, 1988	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 05B .0502	FEDERAL PROGRAMS	Eff. November 1, 1988	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
SUBCHAPTER 5C - WORKER'S COMPENSATION FUND	SECTION .0100 - GENERAL PROVISIONS	11 NCAC 05C .0101	DEFINITIONS	Eff. August 1, 1998	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 05C .0102	MEMBERSHIP CANCELLATION	Eff. August 1, 1998	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 05C .0103	ROSTER OF COVERED INDIVIDUALS	Eff. August 1, 1998	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
SUBCHAPTER 05D - PYROTECHNICS	SECTION .0100 - GENERAL PROVISIONS	11 NCAC 05D .0101	DEFINITIONS	Eff. February 1, 2010	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		11 NCAC 05D .0102	DISPLAY OPERATOR'S IDENTIFICATION BADGES	Eff. February 1, 2010	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		11 NCAC 05D .0103	DISPLAY OPERATOR'S PERMIT	Eff. February 1, 2010	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		11 NCAC 05D .0104	ASSISTANT DISPLAY OPERATOR'S PERMIT	Eff. February 1, 2010	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		11 NCAC 05D .0105	ASSISTANT DISPLAY OPERATOR'S CERTIFICATION	Eff. February 1, 2010	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		11 NCAC 05D .0106	APPLICATION FOR PERMIT	Eff. February 1, 2010	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		11 NCAC 05D .0107	EXAMINATION	Eff. February 1, 2010	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		11 NCAC 05D .0108	APPLICATION FOR RECIPROCITY	Eff. February 1, 2010	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		11 NCAC 05D .0109	PERMIT RENEWAL	Eff. February 1, 2010	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		11 NCAC 05D .0110	FEES	Eff. February 1, 2010	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		11 NCAC 05D .0111	NOTIFICATION TO OSFM	Eff. February 1, 2010	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		11 NCAC 05D .0112	REPLACEMENT AND DUPLICATE PERMIT	Eff. February 1, 2010	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		11 NCAC 05D .0113	REPORT OF THEFT OR LOSS OF PYROTECHNICS	Eff. February 1, 2010	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt

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		11 NCAC 05D .0114	REPORT OF INJURY OR PROPERTY DAMAGE	Eff. February 1, 2010	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 05D .0115	INSPECTIONS	Eff. February 1, 2010	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt