Burgos, Alexander N

Subject: FW: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Monday, October 13, 2025 4:55 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Liebman, Brian R <brian.liebman@oah.nc.gov>
Subject: RE: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

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Thank you! That is a relief.

I will, of course, be at the meeting.

Jeffrey P. Gray
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434 Fayetteville Street, Suite 2500
P.O. Box 1351
Raleigh, NC 27601 (27602)
Telephone: 919-828-0731
Facsimile: 919-828-6592
E-mail: jgray@bdixon.com

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Monday, October 13, 2025 4:29 PM
To: Gray, Jeffrey <JGray@bdixon.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Liebman, Brian R <brian.liebman@oah.nc.gov>
Subject: Re: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

Jeff,

I have reviewed your updates, and it appears to me that this resolves the Commission's objection. I will let you know if anything changes between now and the meeting.

Sincerely,

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

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From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Monday, October 13, 2025 3:21 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Liebman, Brian R <brian.liebman@oah.nc.gov>
Subject: RE: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

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Seth:

Attached are the four rules referenced above with the proposed language we've previously discussed. Again, my apologies for the misunderstanding.

The changes reflective of the RRC's objection are found exclusively in subsection (a) and new (b) of each rule. I have used the last version sent to Bill Peaslee in June therefore his requested changes are reflected by yellow highlighting in the remainder of each rule.

Jeff

Jeffrey P. Gray
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14B NCAC 16 .0701 is proposed for amendment, with changes, as published in 39:15 NCR 1034-1040 as follows:

14B NCAC 16 .0701 APPLICATION FOR UNARMED SECURITY GUARD REGISTRATION

(a) Each employer or his or her designee shall submit an online application for the registration of each employee unarmed security guard to the ~~Board.~~ Board containing the applicant's:

(1) name, address, telephone numbers, and social security number;

(2) gender and race;

(3) residence history;

(4) date of birth, birth country, state or province, county or parish, and citizenship; and

(5) driver's license number and state of issuance.

(b) This online submission shall be accompanied by:

(1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;

(2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;

(3) a statement of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;

(4) the applicant's non-refundable registration fee, along with the convenience fee charged by the Board's on-line application vendor and a separate credit card transaction fee;

(5) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;

(6) ~~one original~~ a signed SBI release of information ~~form~~ form; ~~that shall be uploaded online with the original mailed to the Board's administrative office;~~

(7) a statement signed by a certified trainer that the applicant has completed the training requirements of Rule .0707 of this ~~Section;~~ Section, unless a valid statement [~~if~~ is] on file in the Board's office; and

(8) a completed affidavit form and public notice statement form.

~~(b) The employer of each applicant for registration shall give the applicant a copy of the online application and a copy of the completed affidavit form to serve as a record of application and shall retain a copy of the application, including affidavit, in the guard's personnel file in the employer's office.~~

(b) The applicant's ~~copy~~ copies of the ~~application and~~ application, affidavit, training certification, and the [~~completed affidavit form~~] [~~a copy of the appropriate~~] statement required by Subparagraph (a)(7) of this [~~Rule, unless a valid statement is on file in the Board's office,~~] Rule shall together serve as a temporary registration ~~card that~~ card. These

copies shall be carried by the applicant ~~when he or she is working within the scope of his or her [probationary or permanent] employment~~ while performing job duties and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board. However, if the statement required by Subparagraph (a)(7) is already on file with the Board, the applicant does not need to carry or present the statement.

(c) A copy of the statement required by Subparagraph (a)(7) of this Rule shall be retained by the licensee in the individual applicant's personnel file in the employer's office.

History Note: *Authority G.S. 74C-5; 74C-8.1; 74C-11;*
Eff. June 1, 1984;
Amended Eff. May 1, 2012; July 1, 2011; August 1, 1998; December 1, 1995; June 1, 1994; February 1, 1990; May 1, 1988;
Transferred and Recodified from 12 NCAC 07D .0701 Eff. July 1, 2015;
Amended Eff. November 1, 2017;
Readopted Eff. March 1, 2020;
Amended Eff. November 1, 2025; September 1, 2024; January 1, 2024; July 1, 2021.

14B NCAC 16 .0801 is proposed for amendment, with changes, as published in 39:15 NCR 1034-1040 as follows:

14B NCAC 16 .0801 APPLICATION/ARMED SECURITY GUARD FIREARM REGISTRATION PERMIT

(a) Each employer or his or her designee shall submit an online application for the registration of each employee unarmed security guard to the ~~Board.~~ Board containing the applicant's:

(1) name, address, telephone numbers, and social security number;

(2) gender and race;

(3) residence history;

(4) date of birth, birth country, state or province, county or parish, and citizenship; and

(5) driver's license number and state of issuance.

(b) This online submission shall be accompanied by:

(1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;

(2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;

(3) ~~upload online~~ a statement of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;

(4) the applicant's non-refundable registration fee, along with the convenience fee charged by the Board's on-line application vendor and credit card transaction fee;

(5) a statement signed by a certified trainer that the applicant has successfully completed the training requirements of Rule .0807 of this Section;

~~(6) a certification by the applicant that he or she is at least 21 years of age;~~

(6) a statement signed by a certified trainer that the applicant has completed the training requirements of Rule .0707 of this Chapter, unless a valid statement is on file in the [~~Boards~~ Board's] office;

(7) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board; ~~and~~

(8) a signed SBI release of information form; and

~~(8)~~ (9) a completed affidavit form and public notice statement form.

~~(b) The employer of each applicant for registration shall give the applicant a copy of the online application, the completed affidavit form, and proof of completion of a Board approved firearms course and shall retain a copy of the application, including affidavit and proof of course completion, in the guard's personnel file in the employer's office.~~

~~(c)~~ (b) The applicant's copy of the ~~application, affidavit,~~ application and proof of completion of a Board approved firearms course shall serve as a temporary registration card that shall be carried by the applicant when he or she is working within the scope of his or her employment and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board.

~~(d)~~ (c) Applications submitted without proof of completion of a ~~Board-approved~~ Board-approved firearms training course shall not serve as temporary registration cards.

~~(e)~~ (d) The provisions of Paragraphs (a), (b), and (c) of this Rule also apply to any employee whose employment is terminated within 30 days of employment.

History Note: *Authority G.S. 74C-5; 74C-9; 74C-13;*
Eff. June 1, 1984;
Amended Eff. May 1, 2012; April 1, 2008; August 1, 1998; December 1, 1995; February 1, 1990; May 1, 1988; July 1, 1987;
Transferred and Recodified from 12 NCAC 07D .0801 Eff. July 1, 2015;
Amended Eff. November 1, 2017;
Readopted Eff. March 1, 2020;
Amended Eff. November 1, 2025; September 1, 2024; July 1, 2021.

14B NCAC 16 .1301 is proposed for amendment, with changes, as published in 39:15 NCR 1034-1040 as follows:

14B NCAC 16 .1301 APPLICATION FOR UNARMED ARMORED CAR SERVICE GUARD REGISTRATION

(a) Each employer or his or her designee shall submit an online application for the registration of each employee unarmed security guard to the ~~Board.~~ Board containing the applicant's:

(1) name, address, telephone numbers, and social security number;

(2) gender and race;

(3) residence history;

(4) current employer and employment history;

(5) date of birth, birth country, state or province, county or parish, and citizenship; and

(6) driver's license number and state of issuance.

(b) This online submission shall be accompanied by:

(1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;

(2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;

(3) ~~upload online~~ a statement of the result of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;

(4) the applicant's non-refundable registration fee, along with the convenience fee charged by the Board's on-line application vendor and credit card transaction fee;

(5) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;

(6) a statement signed by a certified trainer that the applicant has ~~successfully~~ completed the training requirements of Rule .1307 of this ~~Section, if applicable; and~~ Section unless a valid statement is on file in the Board's office;

(7) a signed SBI release of information form; and

~~(7)~~ (8) a completed affidavit form and public notice statement form.

~~(b) The employer of each applicant for registration shall give the applicant a copy of the online application and completed affidavit and shall retain a copy of the application, including the affidavit, in the guard's personnel file in the employer's office.~~

~~(c)~~ (b) The applicant's ~~copy~~ copies of the ~~application and~~ application, affidavit, training certification, and the [~~completed affidavit form~~] [~~a copy of the appropriate~~] statement required by Subparagraph (a)(6) of this [~~Rule, unless~~

~~a valid statement is on file in the Board's office,~~] Rule shall together serve as a temporary registration ~~card that~~ card. These copies shall be carried by the applicant ~~when he or she is working is within the scope of his or her [probationary or permanent] employment~~ while performing job duties and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board. However, if the statement required by Subparagraph (a)(6) is already on file with the Board, the applicant does not need to carry or present the statement.

~~(d)~~ (c) A copy of the statement specified in Subparagraph (a)(6) of this Rule shall be retained by the licensee in the individual applicant's personnel file in the employer's office.

History Note: *Authority G.S. 74C-3; 74C-5; 74C-8.1(a);*
Eff. January 1, 2013;
Transferred and Recodified from 12 NCAC 07D .1401 Eff. July 1, 2015;
Amended Eff. November 1, 2017;
Readopted Eff. March 1, 2020;
Amended Eff. November 1, 2025; September 1, 2024; July 1, 2021.

14B NCAC 16 .1401 is proposed for amendment, with changes, as published in 39:45 NCR 1034-1040 as follows:

14B NCAC 16 .1401 APPLICATION/ARMED ARMORED CAR SERVICE GUARD FIREARM REGISTRATION PERMIT

(a) Each employer or his or her designee shall submit an online application for the registration of each employee unarmed security guard to the ~~Board.~~ Board containing the applicant's:

(1) name, address, telephone numbers, and social security number;

(2) gender and race;

(3) residence history;

(4) current employer and employment history;

(5) date of birth, birth country, state or province, county or parish, and citizenship; and

(6) driver's license number and state of issuance.

(b) This online submission shall be accompanied by:

(1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigation or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;

(2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with application submission;

(3) ~~upload online~~ a statement of the result of a statewide criminal history records search from the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;

(4) the applicant's non-refundable registration fee, along with the convenience fee charged by the Board's on-line application vendor and credit card transaction fee;

(5) a statement signed by a certified trainer that the applicant has successfully completed the training requirements of Rule .1407 of this Section;

~~(6) a certification by the applicant that he or she is at least 18 years of age;~~

(6) a statement signed by a certified trainer that the applicant has completed the training

(7) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;

(8) a signed SBI release of information form; and

~~(8)~~ (9) a completed affidavit form and public notice statement form.

~~(b) The employer of each applicant for registration shall give the applicant a copy of the online application and completed affidavit form and shall retain a copy of the application, including affidavit, in the guard's personnel file in the employer's office.~~

~~(c)~~ (b) The applicant's ~~copy~~ copies of the [application, affidavit,] [~~application and a copy of the statement required by Subparagraph (a)(5)~~] training certification, and the statements required by Subparagraphs (a)(5) and (a)(6) of this Rule, [training certification ~~and a copy of the statement required by Subparagraph(a)(6), unless a valid statement is on file in the Board's office,~~] shall together serve as a temporary registration ~~card that~~ card. These copies shall be carried by the applicant ~~when he or she is working within the scope of his or her employment~~ while performing job duties and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board. However, if the statement required by Subparagraph (a)(6) is already on file with the Board, the applicant does not need to carry or present the statement.

~~(d)~~ (c) ~~Online applications~~ Applications submitted without proof of completion of a ~~Board approved~~ Board-approved firearms training course shall not serve as temporary registration cards. ~~unless the armored car employer has obtained prior approval from the Director. The Director shall grant prior approval if the armored car employer provides proof that the applicant has received prior Board approved firearms training.~~

~~(e)~~ (d) The provisions of Paragraphs (a), (b), and (c) of this Rule also apply to any employee whose employment is terminated within 30 days of employment.

History Note: *Authority G.S. 74C-3; 74C-5; 74C-8.1(a); 74C-13;*
Eff. January 1, 2013;
Transferred and Recodified from 12 NCAC 07D .1501 Eff. July 1, 2015;
Amended Eff. November 1, 2017;
Readopted Eff. March 1, 2020;
Amended Eff. November 1, 2025; September 1, 2024.

Burgos, Alexander N

Subject: FW: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Tuesday, October 7, 2025 8:43 PM
To: Liebman, Brian R <brian.liebman@oah.nc.gov>
Cc: Ascher, Seth M <seth.ascher@oah.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: FW: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

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Brian:

I just now listened to your voice mail message. I thought about cc.'g you on my response to Seth, then didn't. *See*, below.

Have Julie send me all but these four for approval/publication and I will proceed as below when I return on Monday.

Thanks!

Jeff

Jeffrey P. Gray
Of Counsel
Bailey & Dixon, LLP
434 Fayetteville Street, Suite 2500
P.O. Box 1351
Raleigh, NC 27601 (27602)
Telephone: 919-828-0731
Facsimile: 919-828-6592
E-mail: jgray@bdixon.com

From: Gray, Jeffrey
Sent: Tuesday, October 7, 2025 7:52 PM
To: 'Ascher, Seth M' <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

Seth:

I was waiting to call you until you returned tomorrow. Thanks for reaching out.

Evidently, I misunderstood you, so (as you can see) just started the process all over.

I will have the four revised rules (referenced above) to you on Monday, 10/13.

Please confirm that it is acceptable to send the version that also includes the changes I made to Bill Peaslee's Request for Changes.

Jeff

Jeffrey P. Gray
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E-mail: jgray@bdixon.com

Burgos, Alexander N

Subject: FW: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Tuesday, October 7, 2025 2:27 PM
To: Gray, Jeffrey <JGray@bdixon.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

Jeff,

Brian let me know that you reached out to him to republish your rules to respond to the Commission's objections. As far as I know, that is not yet necessary and you can submit the updates directly to me to be resolved as a follow up matter.

Pursuant to G.S. 150B-21.12, when you update a rule to respond to a Commission objection, the Commission must determine if the change is substantial such that republication is required. As you know, I cannot speak for the Commission, but if your updates to the rule are bringing the text of the rule in line with the forms that are already in use, I would likely recommend that the Commission not find that the change is substantial. If the Commission finds that the changes are substantial, then you would be required to republish.

Happy to discuss this further if you have something else in mind.

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

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Burgos, Alexander N

Subject: FW: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Tuesday, September 9, 2025 4:37 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

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Yes, except for the punctuation. (I still like that idea.)

Thank you for looking this over. I will prepare them this evening. I have a Board meeting next week wherein I can start the process anew.

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E-mail: jgray@bdixon.com

Burgos, Alexander N

Subject: FW: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Tuesday, September 9, 2025 4:15 PM
To: Gray, Jeffrey <JGray@bdixon.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

Jeff,

What you are proposing in part (a) looks like it remedies the concerns raised by the Commision at the last meeting.

As I recall, your position was that item (b) plus these additions to (a) would represent the complete substantive contents of the form. Assuming that is correct, I think you are on the right path.

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

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Burgos, Alexander N

Subject: FW: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401
Attachments: 14B NCAC 16 .0701 - proposed for amendment - 090825.docx

From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Tuesday, September 9, 2025 9:51 AM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Seth:

Attached is an example of language that will hopefully resolve this issue.

I used the version of the rule(s) that Bill had requested multiple technical changes. Since we are having to start over I will use his changes in the new versions. For our purposes today you need only look at the new language in (a).

Jeff

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Telephone: 919-828-0731
Facsimile: 919-828-6592
E-mail: jgray@bdixon.com

14B NCAC 16 .0701 is proposed for amendment as follows:

14B NCAC 16 .0701 APPLICATION FOR UNARMED SECURITY GUARD REGISTRATION

(a) Each employer or his or her designee shall submit an online application for the registration of each ~~employee~~ unarmed security guard to the ~~Board.~~ Board containing the applicant's:

(1) name, address, telephone numbers, and social security number;

(2) gender, race, and military service;

(3) residence history;

(4) current employer and employment history;

(5) date of birth, birth country, state or province, county or parish, and citizenship; and

(6) driver's license number and state of issuance.

(b) This online submission shall be accompanied by:

(1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;

(2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;

(3) a statement of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;

(4) the applicant's non-refundable registration fee, along with the convenience fee charged by the Board's on-line application vendor and a separate credit card transaction fee;

(5) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;

(6) ~~one original~~ a signed SBI release of information ~~form~~ form; ~~that shall be uploaded online with the original mailed to the Board's administrative office;~~

(7) a statement signed by a certified trainer that the applicant has completed the training requirements of Rule .0707 of this ~~Section;~~ Section, unless a valid statement is on file in the Board's office; and

(8) a completed affidavit form and public notice statement form.

~~(b) The employer of each applicant for registration shall give the applicant a copy of the online application and a copy of the completed affidavit form to serve as a record of application and shall retain a copy of the application, including affidavit, in the guard's personnel file in the employer's office.~~

~~(b)~~ (c) The applicant's ~~copy~~ copies of the ~~application and~~ application, affidavit, training certification, and the ~~completed affidavit form~~ statement required by Subparagraph (a)(7) of this Rule shall together serve as a temporary registration ~~card that~~ card. These copies shall be carried by the applicant ~~when he or she is working within the scope~~

~~of his or her employment~~ while performing job duties and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board. However, if the statement required by Subparagraph (a)(7) is already on file with the Board, the applicant does not need to carry or present the statement.

~~(c)~~ (d) A copy of the statement required by Subparagraph (a)(7) of this Rule shall be retained by the licensee in the individual applicant's personnel file in the employer's office.

History Note: *Authority G.S. 74C-5; 74C-8.1; 74C-11;*
Eff. June 1, 1984;
Amended Eff. May 1, 2012; July 1, 2011; August 1, 1998; December 1, 1995; June 1, 1994; February 1, 1990; May 1, 1988;
Transferred and Recodified from 12 NCAC 07D .0701 Eff. July 1, 2015;
Amended Eff. November 1, 2017;
Readopted Eff. March 1, 2020;
Amended Eff. _____; September 1, 2024; January 1, 2024; July 1, 2021.

Burgos, Alexander N

Subject: FW: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Friday, September 5, 2025 12:43 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

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Seth:

Thanks so much for talking with me.

I will work a template up using these two rules as a guideline and share it with you on Monday.

Jeff

Jeffrey P. Gray
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E-mail: jgray@bdixon.com

Burgos, Alexander N

Subject: FW: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Friday, September 5, 2025 11:59 AM
To: Gray, Jeffrey <JGray@bdixon.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

Jeff,

Thanks for taking the time to talk today. As we discussed, you plan to update the rules currently under objection to address the issue raised, and move forward with updating other rules in a similar situation.

Per our discussion, I was also able to identify a recent rule enumerating the contents of a form that was approved by the Commission in December 2023: 10A NCAC 14E .0106 and 10A NCAC 14E .0109 (https://www.oah.nc.gov/122023-dshr-final-revised-rules/open). I will note that those particular rules were part of a package that had a significant number withdrawn on unrelated statutory authority issues, but those two rules went through with updates to specify the details of the form.

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

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From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Friday, September 5, 2025 8:53 AM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Seth:

Can we move our call up? Maybe 11:00 a.m.?

Jeff

Jeffrey P. Gray
Of Counsel
Bailey & Dixon, LLP
434 Fayetteville Street, Suite 2500
P.O. Box 1351
Raleigh, NC 27601 (27602)
Telephone: 919-828-0731
Facsimile: 919-828-6592
E-mail: jgray@bdixon.com

Burgos, Alexander N

Subject: FW: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Wednesday, September 3, 2025 4:19 PM
To: Gray, Jeffrey <JGray@bdixon.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

Let's say 1 PM.

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

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Burgos, Alexander N

Subject: FW: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Wednesday, September 3, 2025 2:57 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Sure. Just pick a time, any time on Friday.

I have already begun researching what other agencies have, and as I recalled and stated to the Commission, it is all over the board.

I'm thinking of even including punctuation, as is:

(l) there shall me no more than 63 periods;
(m) there shall be no more than 46 semi-colons;
(n) there shall be no more than eight colons;

Whatdaya think???

Jeffrey P. Gray
Of Counsel
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Raleigh, NC 27601 (27602)
Telephone: 919-828-0731
Facsimile: 919-828-6592
E-mail: jgray@bdixon.com

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Wednesday, September 3, 2025 2:46 PM
To: Gray, Jeffrey <JGray@bdixon.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

Jeff,

Do you have time for a call on this Friday or early next week?

Since I did not anticipate the objection, I want to look over everything again and make sure I steer you in the right direction.

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

Burgos, Alexander N

Subject: FW: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Tuesday, September 2, 2025 1:42 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Seth:

RECEIVED.

It appears as if I am going to have to start all over with these, correct?

Jeff

Jeffrey P. Gray
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Bailey & Dixon, LLP
434 Fayetteville Street, Suite 2500
P.O. Box 1351
Raleigh, NC 27601 (27602)
Telephone: 919-828-0731
Facsimile: 919-828-6592
E-mail: jgray@bdixon.com

Burgos, Alexander N

Subject: FW: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401
Attachments: 06.2025 Staff Opinion PPSB 14B NCAC 16 .0701, .0801, .1301, .1401.pdf; PPSB Objection Letter.docx

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From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Thursday, August 28, 2025 3:27 PM
To: Gray, Jeffrey <JGray@bdixon.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

Jeff,

Attached is a letter memorializing the objection by the Commission at today's meeting. Let me know if you have any questions.

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

August 28, 2025

Jeff Gray, Counsel
Private Protective Services Board
Sent via email only to: jgray@bdixon.com

Re: Objection to 14B NCAC 16 .0701, .0801, .1301, .1401

Dear Mr. Gray:

This letter will serve as the written notice of objection pursuant to G.S. 150B-21.12.

At its meeting on August 28, 2025, the Rules Review Commission (RRC) objected to 14B NCAC 16 .0701, .0801, .1301, and .1401. Specifically, the Commission objected for the rules failing to meet the standards in G.S. 150B-21.9(a)(2), and (4) because they required a form that did not have its complete contents or substantive requirements prescribed by rule or statute. *See* G.S. 150B-2(8a)d. The attached staff opinion from the June 2025 meeting provides additional context for the Commission's objection.

If you have any questions regarding the Commission's actions, please let me know.

Sincerely,

/s/ Seth Ascher
Seth Ascher
Commission Counsel

CC:

Melissa Owens Lassiter, Director
Chief Administrative Law Judge

John C. Evans
Senior Administrative Law Judge

RRC STAFF OPINION

PLEASE NOTE: THIS COMMUNICATION IS EITHER 1) ONLY THE RECOMMENDATION OF AN RRC STAFF ATTORNEY AS TO ACTION THAT THE ATTORNEY BELIEVES THE COMMISSION SHOULD TAKE ON THE CITED RULE AT ITS NEXT MEETING, OR 2) AN OPINION OF THAT ATTORNEY AS TO SOME MATTER CONCERNING THAT RULE. THE AGENCY AND MEMBERS OF THE PUBLIC ARE INVITED TO SUBMIT THEIR OWN COMMENTS AND RECOMMENDATIONS (ACCORDING TO RRC RULES) TO THE COMMISSION.

AGENCY: Private Protective Services Board

RULE CITATION: 14B NCAC 16 .0701, .0801, .1301, and .1401

RECOMMENDATION DATE: June 20, 2025

RECOMMENDED ACTION:

Approve, but note staff's comment

X Object, based on:

Lack of statutory authority

X Unclear or ambiguous

Unnecessary

X Failure to comply with the APA

Extend the period of review

COMMENT:

The above captioned Rule requires employers to submit "an online application for registration" for each employee. The Rule thereafter prescribed documents which shall accompany the application.

G.S. 150B-2 (8a) defines the word "rule." It further sets forth items which do not meet the definition the term, including "A form, the contents or substantive requirements of which are prescribed by rule."

A form is a form whether it is electronic or on paper.

Staff counsel inquired of the agency which rule set forth the contents or substantive requirements of the application. The agency responded:

> *THE NEED FOR A SEPARATE RULE WITH THE SUBSTANTIVE REQUIREMENTS WAS RESOLVED YEARS AGO IN THAT THE ONLY ENTITY THAT CAN ACCESS THE APPLICATION PORTAL IS A LICENSED BUSINESS (AND NOT THE GENERAL PUBLIC) AND ALL THE REQUIREMENTS ARE SELF-EXPLANATORY THEREIN.*

The agency's response was nonresponsive to the inquiry and the agency provided no further context for its assertion that issue was "resolved." The agency appears to aver that the contents

and substantive requirements of its application is neither "an agency regulation, standard, or statement of general applicability" pursuant to G.S. 150B-2(8a).

The agency's interpretation narrowly defines "general applicability," effectively excluding from rulemaking requirements any forms or applications directed solely at regulated entities. As a result, the agency is able to require regulated entities to provide any information it deems necessary via the online application, without subjecting the requirements to the notice, comment, and participation procedures mandated by the Administrative Procedures Act (APA.) This approach also excludes the general public from meaningful oversight.

Such a restrictive reading of "rule" undermines the transparency and public participation that are foundational principles of the APA. By limiting access to the contents and substantive requirements of the application to only licensed businesses and withholding it from public view, the agency circumvents these statutory protections.

In summary, the agency requires employers to complete a form but fails to provide any rules specifying the form's contents and substantive requirements.

Accordingly, staff recommends objection to the rule pursuant to G.S. 150B-21.9(a)(2) and (4) for lack of clarity and ambiguousness, and failure to adopt the rule in accordance with Part 2 of Article 2A of the APA.

William W. Peaslee
Commission Counsel

§ 150B-21.9. Standards and timetable for review by Commission.

(a) Standards. – The Commission must determine whether a rule meets all of the following criteria:

(1) It is within the authority delegated to the agency by the General Assembly.

(2) It is clear and unambiguous.

(3) It is reasonably necessary to implement or interpret an enactment of the General Assembly, or of Congress, or a regulation of a federal agency. The Commission shall consider the cumulative effect of all rules adopted by the agency related to the specific purpose for which the rule is proposed.

(4) It was adopted in accordance with Part 2 of this Article.

The Commission shall not consider questions relating to the quality or efficacy of the rule but shall restrict its review to determination of the standards set forth in this subsection.

The Commission may ask the Office of State Budget and Management to determine if a rule has a substantial economic impact and is therefore required to have a fiscal note. The Commission must ask the Office of State Budget and Management to make this determination if a fiscal note was not prepared for a rule and the Commission receives a written request for a determination of whether the rule has a substantial economic impact.

(a1) Entry of a rule in the North Carolina Administrative Code after review by the Commission creates a rebuttable presumption that the rule was adopted in accordance with Part 2 of this Article.

(b) Timetable. – The Commission must review a permanent rule submitted to it on or before the twentieth of a month by the last day of the next month. The Commission must review a rule submitted to it after the twentieth of a month by the last day of the second subsequent month. The Commission must review a temporary rule in accordance with the timetable and procedure set forth in G.S. 150B-21.1. (1991, c. 418, s. 1; 1995, c. 507, s. 27.8(f); 2000-140, s. 93.1(a); 2001-424, s. 12.2(b); 2003-229, s. 9.)

William W. Peaslee
Commission Counsel

§ 150B-2. Definitions.

As used in this Chapter, the following definitions apply:

(1) Administrative law judge. - A person appointed under G.S. 7A-752, 7A-753, or 7A-757.

(1a) Adopt. - To take final action to create, amend, or repeal a rule.

(1b) Agency. - An agency or an officer in the executive branch of the government of this State. The term includes the Council of State, the Governor's Office, a board, a commission, a department, a division, a council, and any other unit of government in the executive branch. A local unit of government is not an agency.

(1c) Codifier of Rules. - The person appointed by the Chief Administrative Law Judge of the Office of Administrative Hearings pursuant to G.S. 7A-760(b).

(1d) Commission. - The Rules Review Commission.

(2) Contested case. - An administrative proceeding pursuant to this Chapter to resolve a dispute between an agency and another person that involves the person's rights, duties, or privileges, including licensing or the levy of a monetary penalty. The term does not include rulemaking, declaratory rulings, or the award or denial of a scholarship, a grant, or a loan.

(2a) Repealed by Session Laws 1991, c. 418, s. 3.

(2b) Hearing officer. - A person or group of persons designated by an agency that is subject to Article 3A of this Chapter to preside in a contested case hearing conducted under that Article.

(3) License. - Any certificate, permit, or other evidence, by whatever name called, of a right or privilege to engage in any activity, except licenses issued under Chapter 20 and Subchapter I of Chapter 105 of the General Statutes, occupational licenses, and certifications of electronic poll books, ballot duplication systems, or voting systems under G.S. 163-165.7.

(4) Licensing. - Any administrative action issuing, failing to issue, suspending, or revoking a license or occupational license. The term does not include controversies over whether an examination was fair or whether the applicant passed the examination.

(4a) Occupational license. - Any certificate, permit, or other evidence, by whatever name called, of a right or privilege to engage in a profession, occupation, or field of endeavor that is issued by an occupational licensing agency.

(4b) Occupational licensing agency. - Any board, commission, committee, or other agency of the State that is established for the primary purpose of regulating the entry of persons into, or the conduct of persons within a particular profession, occupation, or field of endeavor, and that is authorized to issue and revoke licenses. The term does not include State agencies or departments that may as only a part of their regular function issue permits or licenses.

(5) Party. - Any person or agency named or admitted as a party or properly seeking as of right to be admitted as a party and includes the agency as appropriate.

(5a) Person. - Any natural person, partnership, corporation, body politic, and any unincorporated association, organization, or society that may sue or be sued under a common name.

(6) Person aggrieved. - Any person or group of persons of common interest directly or indirectly affected substantially in his, her, or its person, property, or employment by an administrative decision.

(7) Recodified as subdivision (5a) of this section by Session Laws 2021-88, s. 16(a), effective July 22, 2021.

(7a) Policy. - Any nonbinding interpretive statement within the delegated authority of an agency that merely defines, interprets, or explains the meaning of a statute or rule. The term includes any document issued by an agency that is intended and used purely to assist a person to comply with the law, such as a guidance document.

(8) Residence. - Domicile or principal place of business.

(8a) Rule. - Any agency regulation, standard, or statement of general applicability that implements or interprets an enactment of the General Assembly or Congress or a regulation adopted by a federal agency or that describes the procedure or practice requirements of an agency. The term includes the establishment of a fee and the amendment or repeal of a prior rule. The term does not include the following:

a. Statements concerning only the internal management of an agency or group of agencies within the same principal office or department enumerated in G.S. 143A-11 or 143B-6, including policies and procedures manuals, if the statement does not directly or substantially affect the procedural or substantive rights or duties of a person not employed by the agency or group of agencies.

b. Budgets and budget policies and procedures issued by the Director of the Budget, by the head of a department, as defined by G.S. 143A-2 or G.S. 143B-3, or by an occupational licensing board, as defined by G.S. 93B-1.

c. Nonbinding interpretative statements within the delegated authority of an agency that merely define, interpret, or explain the meaning of a statute or rule.

d. A form, the contents or substantive requirements of which are prescribed by rule or statute.

e. Statements of agency policy made in the context of another proceeding, including:

1. Declaratory rulings under G.S. 150B-4.

2. Orders establishing or fixing rates or tariffs.

f. Requirements, communicated to the public by the use of signs or symbols, concerning the use of public roads, bridges, ferries, buildings, or facilities.

g. Statements that set forth criteria or guidelines to be used by the staff of an agency in performing audits, investigations, or inspections; in settling financial disputes or negotiating financial arrangements; or in the defense, prosecution, or settlement of cases.

h. Scientific, architectural, or engineering standards, forms, or procedures, including design criteria and construction standards used to construct or maintain highways, bridges, or ferries.

i. Job classification standards, job qualifications, and salaries established for positions under the jurisdiction of the State Human Resources Commission.

j. Establishment of the interest rate that applies to tax assessments under G.S. 105-241.21.

k. The State Medical Facilities Plan, if the Plan has been prepared with public notice and hearing as provided in G.S. 131E-176(25), reviewed by the Commission for compliance with G.S. 131E-176(25), and approved by the Governor.

l. Standards adopted by the State Chief Information Officer and applied to information technology as defined in G.S. 143B-1320.

m. Determinations by the Department of Environmental Quality of high hazards pursuant to G.S. 130A-330.

(8b) Repealed by Session Laws 2011-398, s. 61.2, effective July 25, 2011.

(8c) Substantial evidence. - Relevant evidence a reasonable mind might accept as adequate to support a conclusion.

14B NCAC 16 .0701 is proposed for amendment as published in 39:15 NCR 1034-1040 as follows:

14B NCAC 16 .0701 APPLICATION FOR UNARMED SECURITY GUARD REGISTRATION

(a) Each employer or his or her designee shall submit an online application for the registration of each ~~employee~~ unarmed security guard to the Board. This online submission shall be accompanied by:

(1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;

(2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;

(3) a statement of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;

(4) the applicant's non-refundable registration fee, along with the convenience fee charged by the Board's on-line application vendor and a separate credit card transaction fee;

(5) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;

(6) ~~one original~~ a signed SBI release of information ~~form~~ form; ~~that shall be uploaded online with the original mailed to the Board's administrative office;~~

(7) a statement signed by a certified trainer that the applicant has completed the training requirements of Rule .0707 of this ~~Section;~~ Section, unless a valid statement [~~if~~ is] on file in the Board's office; and

(8) a completed affidavit form and public notice statement form.

~~(b) The employer of each applicant for registration shall give the applicant a copy of the online application and a copy of the completed affidavit form to serve as a record of application and shall retain a copy of the application, including affidavit, in the guard's personnel file in the employer's office.~~

(b) The applicant's ~~copy~~ copies of the ~~application and~~ application, affidavit, training certification, and the [~~completed affidavit form~~] [~~a copy of the appropriate~~] statement required by Subparagraph (a)(7) of this [~~Rule, unless a valid statement is on file in the Board's office,~~] Rule shall together serve as a temporary registration ~~card that~~ card. These copies shall be carried by the applicant ~~when he or she is working within the scope of his or her [probationary or permanent] employment~~ while performing job duties and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board. However, if the statement required by Subparagraph (a)(7) is already on file with the Board, the applicant does not need to carry or present the statement.

(c) A copy of the statement required by Subparagraph (a)(7) of this Rule shall be retained by the licensee in the individual applicant's personnel file in the employer's office.

History Note: *Authority G.S. 74C-5; 74C-8.1; 74C-11;*
Eff. June 1, 1984;
Amended Eff. May 1, 2012; July 1, 2011; August 1, 1998; December 1, 1995; June 1, 1994; February 1, 1990; May 1, 1988;
Transferred and Recodified from 12 NCAC 07D .0701 Eff. July 1, 2015;
Amended Eff. November 1, 2017;
Readopted Eff. March 1, 2020;
Amended Eff. July 1, 2025; September 1, 2024; January 1, 2024; July 1, 2021.

14B NCAC 16 .0801 is proposed for amendment as published in 39:15 NCR 1034-1040 as follows:

14B NCAC 16 .0801 APPLICATION/ARMED SECURITY GUARD FIREARM REGISTRATION PERMIT

(a) Each ~~armed security guard~~ employer or his or her designee shall submit an online application for the registration of each armed security guard applicant to the Board. This online submission shall be accompanied by:

(1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;

(2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;

(3) ~~upload online~~ a statement of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;

(4) the applicant's non-refundable registration fee, along with the convenience fee charged by the Board's on-line application vendor and credit card transaction fee;

(5) a statement signed by a certified trainer that the applicant has successfully completed the training requirements of Rule .0807 of this Section;

~~(6) a certification by the applicant that he or she is at least 21 years of age;~~

(6) a statement signed by a certified trainer that the applicant has completed the training requirements of Rule .0707 of this Chapter, unless a valid statement is on file in the [~~Boards~~ Board's] office;

(7) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board; ~~and~~

(8) a signed SBI release of information form; and

~~(8)~~ (9) a completed affidavit form and public notice statement form.

~~(b) The employer of each applicant for registration shall give the applicant a copy of the online application, the completed affidavit form, and proof of completion of a Board approved firearms course and shall retain a copy of the application, including affidavit and proof of course completion, in the guard's personnel file in the employer's office.~~

~~(c)~~ (b) The applicant's copy of the ~~application, affidavit,~~ application and proof of completion of a Board approved firearms course shall serve as a temporary registration card that shall be carried by the applicant when he or she is working within the scope of his or her employment and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board.

~~(d)~~ (c) Applications submitted without proof of completion of a ~~Board-approved~~ Board-approved firearms training course shall not serve as temporary registration cards.

~~(c)~~ (d) The provisions of Paragraphs (a), (b), and (c) of this Rule also apply to any employee whose employment is terminated within 30 days of employment.

History Note: *Authority G.S. 74C-5; 74C-9; 74C-13;*
Eff. June 1, 1984;
Amended Eff. May 1, 2012; April 1, 2008; August 1, 1998; December 1, 1995; February 1, 1990; May 1, 1988; July 1, 1987;
Transferred and Recodified from 12 NCAC 07D .0801 Eff. July 1, 2015;
Amended Eff. November 1, 2017;
Readopted Eff. March 1, 2020;
Amended Eff. July 1, 2025; September 1, 2024; July 1, 2021.

14B NCAC 16 .1301 is proposed for amendment as published in 39:15 NCR 1034-1040 as follows:

14B NCAC 16 .1301 APPLICATION FOR UNARMED ARMORED CAR SERVICE GUARD REGISTRATION

(a) Each ~~armored car~~ employer or his designee shall complete an online application form for the registration of each unarmed armored car service guard applicant to the Board. This online form shall be accompanied by:

(1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;

(2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;

(3) ~~upload online~~ a statement of the result of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;

(4) the applicant's non-refundable registration fee, along with the convenience fee charged by the Board's on-line application vendor and credit card transaction fee;

(5) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;

(6) a statement signed by a certified trainer that the applicant has ~~successfully~~ completed the training requirements of Rule .1307 of this ~~Section, if applicable; and~~ Section unless a valid statement is on file in the Board's office;

(7) a signed SBI release of information form; and

~~(7)~~ (8) a completed affidavit form and public notice statement form.

~~(b) The employer of each applicant for registration shall give the applicant a copy of the online application and completed affidavit and shall retain a copy of the application, including the affidavit, in the guard's personnel file in the employer's office.~~

~~(c)~~ (b) The applicant's ~~copy~~ copies of the ~~application and~~ application, affidavit, training certification, and the [~~completed affidavit form~~] [~~a copy of the appropriate~~] statement required by Subparagraph (a)(6) of this [~~Rule, unless a valid statement is on file in the Board's office,~~] Rule shall together serve as a temporary registration ~~card that~~ card. These copies shall be carried by the applicant ~~when he or she is working is within the scope of his or her [probationary or permanent] employment~~ while performing job duties and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board. However, if the statement required by Subparagraph (a)(6) is already on file with the Board, the applicant does not need to carry or present the statement.

~~(d)~~ (c) A copy of the statement specified in Subparagraph (a)(6) of this Rule shall be retained by the licensee in the individual applicant's personnel file in the employer's office.

History Note: *Authority G.S. 74C-3; 74C-5; 74C-8.1(a);*
Eff. January 1, 2013;
Transferred and Recodified from 12 NCAC 07D .1401 Eff. July 1, 2015;
Amended Eff. November 1, 2017;
Readopted Eff. March 1, 2020;
Amended Eff. July 1, 2025; September 1, 2024; July 1, 2021.

14B NCAC 16 .1401 is proposed for amendment as published in 39:45 NCR 1034-1040 as follows:

14B NCAC 16 .1401 APPLICATION/ARMED ARMORED CAR SERVICE GUARD FIREARM REGISTRATION PERMIT

(a) Each ~~armored car~~ employer or his or her designee shall submit an online application form for the registration of each armed armored car service guard applicant to the Board. This online form shall be accompanied by:

(1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigation or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;

(2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with application submission;

(3) ~~upload online~~ a statement of the result of a statewide criminal history records search from the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;

(4) the applicant's non-refundable registration fee, along with the convenience fee charged by the Board's on-line application vendor and credit card transaction fee;

(5) a statement signed by a certified trainer that the applicant has successfully completed the training requirements of Rule .1407 of this Section;

~~(6) a certification by the applicant that he or she is at least 18 years of age;~~

(6) a statement signed by a certified trainer that the applicant has completed the training

(7) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;

(8) a signed SBI release of information form; and

~~(8)~~ (9) a completed affidavit form and public notice statement form.

~~(b) The employer of each applicant for registration shall give the applicant a copy of the online application and completed affidavit form and shall retain a copy of the application, including affidavit, in the guard's personnel file in the employer's office.~~

~~(c)~~ (b) The applicant's ~~copy~~ copies of the [application, affidavit,] [~~application and a copy of the statement required by Subparagraph (a)(5)~~] training certification, and the statements required by Subparagraphs (a)(5) and (a)(6) of this Rule, [training certification ~~and a copy of the statement required by Subparagraph(a)(6), unless a valid statement is on file in the Board's office,~~] shall together serve as a temporary registration ~~card that~~ card. These copies shall be carried by the applicant ~~when he or she is working within the scope of his or her employment~~ while performing job duties and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board. However, if the statement required by Subparagraph (a)(6) is already on file with the Board, the applicant does not need to carry or present the statement.

~~(d)~~ (c) ~~Online applications~~ Applications submitted without proof of completion of a ~~Board approved~~ Board-approved firearms training course shall not serve as temporary registration cards. ~~unless the armored car employer has obtained prior approval from the Director. The Director shall grant prior approval if the armored car employer provides proof that the applicant has received prior Board approved firearms training.~~

~~(e)~~ (d) The provisions of Paragraphs (a), (b), and (c) of this Rule also apply to any employee whose employment is terminated within 30 days of employment.

History Note: *Authority G.S. 74C-3; 74C-5; 74C-8.1(a); 74C-13;*
Eff. January 1, 2013;
Transferred and Recodified from 12 NCAC 07D .1501 Eff. July 1, 2015;
Amended Eff. November 1, 2017;
Readopted Eff. March 1, 2020;
Amended Eff. July 1, 2025; September 1, 2024.

Burgos, Alexander N

Subject: FW: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Friday, August 8, 2025 5:35 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Rules, Oah <oah.rules@oah.nc.gov>
Subject: RE: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

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Thanks for advising.

I will, of course, be at the meeting anyhow with the other rules (Travis has) pending.

Jeffrey P. Gray
Of Counsel
Bailey & Dixon, LLP
434 Fayetteville Street, Suite 2500
P.O. Box 1351
Raleigh, NC 27601 (27602)
Telephone: 919-828-0731
Facsimile: 919-828-6592
E-mail: jgray@bdixon.com

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Friday, August 8, 2025 4:25 PM
To: Gray, Jeffrey <JGray@bdixon.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Rules, Oah <oah.rules@oah.nc.gov>
Subject: Re: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

Jeff,

I have reviewed these four rules, and I anticipate recommending that the Commission approve these updated rules.

To be clear, it is my opinion that G.S. 66-58.12 gives authorization for the fees (which was discussed but not voted on by the Commission) and that the added language addresses the form issue raised by former counsel Bill Peaslee.

I'll let you know if anything changes before the meeting.

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

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Burgos, Alexander N

Subject: FW: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401
Attachments: 07.2025 Extension letter PPSB.docx

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Tuesday, August 5, 2025 5:34 PM
To: Gray, Jeffrey <JGray@bdixon.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

Jeff,

Thanks for getting these to me. I review them and let you know if I have any questions by early next week.

Also, attached is a letter memorializing the action the Commission took at the July meeting granting your requested extension.

Seth Ascher
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984) 236-1934

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STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

August 5, 2025

Jeffrey Gray, Rulemaking Coordinator
N.C. Private Protective Services Board (PPSB)
Sent via email only to: JGray@bdixon.com

Re: Extension of the period of review for 14B NCAC 16 .0701, .0801, .1301, .1401

Dear Mr. Gray:

This letter will serve as the written notice of extension pursuant to G.S. 150B-21.13.

At its meeting on July 30,2025, the Rules Review Commission (RRC) further extended the period of review for the above captioned rules originally on the RRC's June agenda. The RRC extended the period of review on your motion.

Pursuant to G.S. 150B-21.13, when the Commission extends the period of review, it is required to approve or object to rules or call a public hearing on the same within 70 days. As a result, the Commission will take a final action on these rules at its August 2025 meeting.

If you have any questions regarding the Commission's actions, please let me know.

Sincerely,

/s/ Seth Ascher
Seth Ascher
Commission Counsel

Melissa Owens Lassiter, Director
Chief Administrative Law Judge

John C. Evans
Senior Administrative Law Judge

Burgos, Alexander N

Subject: FW: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401
Attachments: 14B NCAC 16 .0701 - proposed for amendment - 080525.docx; 14B NCAC 16 .0801 - proposed for amendment - 080525.docx; 14B NCAC 16 .1301 - proposed for amendment - 080525.docx; 14B NCAC 16 .1401 - proposed for amendment - 080525.docx

From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Tuesday, August 5, 2025 1:56 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: [External] Revised 14B NCAC 16 .0701, .0801, .1301 & .1401

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Seth:

Attached are the four rules in question, revised consistent with the Child Care Commission rule as discussed.

Thanks again for the extension.

Jeff

Jeffrey P. Gray
Of Counsel
Bailey & Dixon, LLP
434 Fayetteville Street, Suite 2500
P.O. Box 1351
Raleigh, NC 27601 (27602)
Telephone: 919-828-0731
Facsimile: 919-828-6592
E-mail: jgray@bdixon.com

14B NCAC 16 .0701 is proposed for amendment, with changes, as published in 39:15 NCR 1034-1040 as follows:

14B NCAC 16 .0701 APPLICATION FOR UNARMED SECURITY GUARD REGISTRATION

(a) Each employer or his or her designee shall submit an online application for the registration of each ~~employee~~ unarmed security guard to the Board. [The substance of the form shall cover requirements established by statute and the rules of this Chapter.] This online submission shall be accompanied by:

(1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;

(2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;

(3) a statement of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;

(4) the applicant's non-refundable registration fee, along with the convenience fee charged by the Board's on-line application vendor and a separate credit card transaction fee;

(5) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;

(6) ~~one original~~ a signed SBI release of information ~~form~~ form; ~~that shall be uploaded online with the original mailed to the Board's administrative office;~~

(7) a statement signed by a certified trainer that the applicant has completed the training requirements of Rule .0707 of this ~~Section;~~ Section, unless a valid statement [~~if~~ is] on file in the Board's office; and

(8) a completed affidavit form and public notice statement form.

~~(b) The employer of each applicant for registration shall give the applicant a copy of the online application and a copy of the completed affidavit form to serve as a record of application and shall retain a copy of the application, including affidavit, in the guard's personnel file in the employer's office.~~

(b) The applicant's ~~copy~~ copies of the ~~application and~~ application, affidavit, training certification, and the [~~completed affidavit form~~] [~~a copy of the appropriate~~] statement required by Subparagraph (a)(7) of this [~~Rule, unless a valid statement is on file in the Board's office,~~] Rule shall together serve as a temporary registration ~~card that~~ card. These copies shall be carried by the applicant ~~when he or she is working within the scope of his or her [probationary or permanent] employment~~ while performing job duties and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board. However, if the statement required by Subparagraph (a)(7) is already on file with the Board, the applicant does not need to carry or present the statement.

(c) A copy of the statement required by Subparagraph (a)(7) of this Rule shall be retained by the licensee in the individual applicant's personnel file in the employer's office.

History Note: *Authority G.S. 74C-5; 74C-8.1; 74C-11;*
Eff. June 1, 1984;
Amended Eff. May 1, 2012; July 1, 2011; August 1, 1998; December 1, 1995; June 1, 1994; February 1, 1990; May 1, 1988;
Transferred and Recodified from 12 NCAC 07D .0701 Eff. July 1, 2015;
Amended Eff. November 1, 2017;
Readopted Eff. March 1, 2020;
Amended Eff. July 1, 2025; September 1, 2024; January 1, 2024; July 1, 2021.

14B NCAC 16 .0801 is proposed for amendment, with changes, as published in 39:15 NCR 1034-1040 as follows:

14B NCAC 16 .0801 APPLICATION/ARMED SECURITY GUARD FIREARM REGISTRATION PERMIT

(a) Each ~~armed security guard~~ employer or his or her designee shall submit an online application for the registration of each armed security guard applicant to the Board. [The substance of the form shall cover requirements established by statute and the rules of this Chapter.] This online submission shall be accompanied by:

(1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;

(2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;

(3) ~~upload online~~ a statement of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;

(4) the applicant's non-refundable registration fee, along with the convenience fee charged by the Board's on-line application vendor and credit card transaction fee;

(5) a statement signed by a certified trainer that the applicant has successfully completed the training requirements of Rule .0807 of this Section;

~~(6) a certification by the applicant that he or she is at least 21 years of age;~~

(6) a statement signed by a certified trainer that the applicant has completed the training requirements of Rule .0707 of this Chapter, unless a valid statement is on file in the [~~Boards~~ Board's] office;

(7) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board; ~~and~~

(8) a signed SBI release of information form; and

~~(8)~~ (9) a completed affidavit form and public notice statement form.

~~(b) The employer of each applicant for registration shall give the applicant a copy of the online application, the completed affidavit form, and proof of completion of a Board approved firearms course and shall retain a copy of the application, including affidavit and proof of course completion, in the guard's personnel file in the employer's office.~~

~~(c)~~ (b) The applicant's copy of the ~~application, affidavit,~~ application and proof of completion of a Board approved firearms course shall serve as a temporary registration card that shall be carried by the applicant when he or she is working within the scope of his or her employment and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board.

~~(d)~~ (c) Applications submitted without proof of completion of a ~~Board-approved~~ Board-approved firearms training course shall not serve as temporary registration cards.

~~(c)~~ (d) The provisions of Paragraphs (a), (b), and (c) of this Rule also apply to any employee whose employment is terminated within 30 days of employment.

History Note: *Authority G.S. 74C-5; 74C-9; 74C-13;*
Eff. June 1, 1984;
Amended Eff. May 1, 2012; April 1, 2008; August 1, 1998; December 1, 1995; February 1, 1990; May 1, 1988; July 1, 1987;
Transferred and Recodified from 12 NCAC 07D .0801 Eff. July 1, 2015;
Amended Eff. November 1, 2017;
Readopted Eff. March 1, 2020;
Amended Eff. July 1, 2025; September 1, 2024; July 1, 2021.

14B NCAC 16 .1301 is proposed for amendment, with changes, as published in 39:15 NCR 1034-1040 as follows:

14B NCAC 16 .1301 APPLICATION FOR UNARMED ARMORED CAR SERVICE GUARD REGISTRATION

(a) Each ~~armored car~~ employer or his designee shall complete an online application form for the registration of each unarmed armored car service guard applicant to the Board. [The substance of the form shall cover requirements established by statute and the rules of this Chapter.] This online form shall be accompanied by:

(1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;

(2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;

(3) ~~upload online~~ a statement of the result of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;

(4) the applicant's non-refundable registration fee, along with the convenience fee charged by the Board's on-line application vendor and credit card transaction fee;

(5) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;

(6) a statement signed by a certified trainer that the applicant has ~~successfully~~ completed the training requirements of Rule .1307 of this ~~Section, if applicable; and~~ Section unless a valid statement is on file in the Board's office;

(7) a signed SBI release of information form; and

~~(7)~~ (8) a completed affidavit form and public notice statement form.

~~(b) The employer of each applicant for registration shall give the applicant a copy of the online application and completed affidavit and shall retain a copy of the application, including the affidavit, in the guard's personnel file in the employer's office.~~

~~(c)~~ (b) The applicant's ~~copy~~ copies of the ~~application and~~ application, affidavit, training certification, and the [~~completed affidavit form~~] [~~a copy of the appropriate~~] statement required by Subparagraph (a)(6) of this [~~Rule, unless a valid statement is on file in the Board's office,~~] Rule shall together serve as a temporary registration ~~card that~~ card. These copies shall be carried by the applicant ~~when he or she is working is within the scope of his or her [probationary or permanent] employment~~ while performing job duties and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board. However, if the statement required by Subparagraph (a)(6) is already on file with the Board, the applicant does not need to carry or present the statement.

~~(d)~~ (c) A copy of the statement specified in Subparagraph (a)(6) of this Rule shall be retained by the licensee in the individual applicant's personnel file in the employer's office.

History Note: *Authority G.S. 74C-3; 74C-5; 74C-8.1(a);*
Eff. January 1, 2013;
Transferred and Recodified from 12 NCAC 07D .1401 Eff. July 1, 2015;
Amended Eff. November 1, 2017;
Readopted Eff. March 1, 2020;
Amended Eff. July 1, 2025; September 1, 2024; July 1, 2021.

14B NCAC 16 .1401 is proposed for amendment, with changes, as published in 39:45 NCR 1034-1040 as follows:

14B NCAC 16 .1401 APPLICATION/ARMED ARMORED CAR SERVICE GUARD FIREARM REGISTRATION PERMIT

(a) Each ~~armored car~~ employer or his or her designee shall submit an online application form for the registration of each armed armored car service guard applicant to the Board. [The substance of the form shall cover requirements established by statute and the rules of this Chapter.] This online form shall be accompanied by:

(1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigation or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;

(2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with application submission;

(3) ~~upload online~~ a statement of the result of a statewide criminal history records search from the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;

(4) the applicant's non-refundable registration fee, along with the convenience fee charged by the Board's on-line application vendor and credit card transaction fee;

(5) a statement signed by a certified trainer that the applicant has successfully completed the training requirements of Rule .1407 of this Section;

~~(6) a certification by the applicant that he or she is at least 18 years of age;~~

(6) a statement signed by a certified trainer that the applicant has completed the training

(7) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;

(8) a signed SBI release of information form; and

~~(8)~~ (9) a completed affidavit form and public notice statement form.

~~(b) The employer of each applicant for registration shall give the applicant a copy of the online application and completed affidavit form and shall retain a copy of the application, including affidavit, in the guard's personnel file in the employer's office.~~

~~(c)~~ (b) The applicant's ~~copy~~ copies of the [application, affidavit,] [~~application and a copy of the statement required by Subparagraph (a)(5)~~] training certification, and the statements required by Subparagraphs (a)(5) and (a)(6) of this Rule, [training certification ~~and a copy of the statement required by Subparagraph(a)(6), unless a valid statement is on file in the Board's office,~~] shall together serve as a temporary registration ~~card that~~ card. These copies shall be carried by the applicant ~~when he or she is working within the scope of his or her employment~~ while performing job duties and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board.

However, if the statement required by Subparagraph (a)(6) is already on file with the Board, the applicant does not need to carry or present the statement.

~~(d)~~ (c) ~~Online applications~~ Applications submitted without proof of completion of a ~~Board approved~~ Board-approved firearms training course shall not serve as temporary registration cards. ~~unless the armored car employer has obtained prior approval from the Director. The Director shall grant prior approval if the armored car employer provides proof that the applicant has received prior Board approved firearms training.~~

~~(e)~~ (d) The provisions of Paragraphs (a), (b), and (c) of this Rule also apply to any employee whose employment is terminated within 30 days of employment.

History Note: *Authority G.S. 74C-3; 74C-5; 74C-8.1(a); 74C-13;*
Eff. January 1, 2013;
Transferred and Recodified from 12 NCAC 07D .1501 Eff. July 1, 2015;
Amended Eff. November 1, 2017;
Readopted Eff. March 1, 2020;
Amended Eff. July 1, 2025; September 1, 2024.

Burgos, Alexander N

Subject: FW: [External] FW: Message from "RNP002673FB20DB"

From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Thursday, July 17, 2025 6:15 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] FW: Message from "RNP002673FB20DB"

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Seth:

This project is on my "to do" list for this week (but I have been in three days' worth of board meetings.) Thanks for prompting me.

And yes, I hereby request that the period of review be extended to the Commission's August meeting.

I will send you the four rules (i.e. 14B NCAC 16 .0701, .0801, .1301 & .1401), revised consistent with the Child Care Commission rule referenced below, well before the August 15th deadline.

And just a heads up, I will also have rule amendments and adoptions, filed today, which will be on the same meeting agenda as the above.

Jeff

Jeffrey P. Gray
Of Counsel
Bailey & Dixon, LLP
434 Fayetteville Street, Suite 2500
P.O. Box 1351
Raleigh, NC 27601 (27602)
Telephone: 919-828-0731
Facsimile: 919-828-6592
E-mail: jgray@bdixon.com

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Thursday, July 17, 2025 3:46 PM
To: Gray, Jeffrey <JGray@bdixon.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: [External] FW: Message from "RNP002673FB20DB"

Jeff,

I wanted to circle back to this issue, now that I am officially the attorney handling these rules for the RRC.

It is my understanding that you would like to request an extension of the period of your rule for your rules pending as a follow-up matter at the July meeting. This would extend the consideration of the rules to the August 28th meeting, and would require the updated rules to be submitted by August 15th, as described in 26 NCAC 05 .0115.

Confirming that you are requesting the extension by responding to this email will suffice to "submit a request" under the rule. Based on what we've discussed, I anticipate recommending that the extension request be granted, but please be aware that the statute will not allow the rule to be extended past the August 28th. So you should expect that at the meeting on August 28th the RRC will either approve or object to the rule.

Let me know if you have any questions.

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

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Burgos, Alexander N

From: Peaslee, William W
Sent: Friday, June 27, 2025 3:43 PM
To: Gray, Jeffrey
Cc: Burgos, Alexander N
Subject: Extension letter PPSB 14B NCAC 16 .0701, .0801, .1301, .1401
Attachments: 06.2025 Extension letter PPSB.docx

Good afternoon,

Attached is the extension letter for the above captioned rules.

As always if you have any questions please feel free to contact me.

William W. Peaslee
Rules Review Commission Counsel / Legislative Liaison
Office of Administrative Hearings
1711 New Hope Church Road
Raleigh NC, 27609
(984) 236-1939
Bill.Peaslee@oah.nc.gov

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

Burgos, Alexander N

Subject: FW: [External] RE: 14 NCAC 16 .0701, .0801, .1301, and .1401

From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Wednesday, June 25, 2025 4:14 PM
To: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Cc: Peaslee, William W <bill.peaslee@oah.nc.gov>
Subject: [External] RE: 14 NCAC 16 .0701, .0801, .1301, and .1401

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Alex:

Will you please make whatever notation is necessary such that the Chair knows I wish to make an oral argument to the Commission tomorrow regarding both Objections to these four rules.

Thanks!

Jeff

Jeffrey P. Gray
Of Counsel
Bailey & Dixon, LLP
434 Fayetteville Street, Suite 2500
P.O. Box 1351
Raleigh, NC 27601 (27602)
Telephone: 919-828-0731
Facsimile: 919-828-6592
E-mail: jgray@bdixon.com

Burgos, Alexander N

Subject: FW: 14 NCAC 16 .0701, .0801, .1301, and .1401
Attachments: 06.2025 Staff Opinion PPSB 14B NCAC 16 Fees.doc

From: Peaslee, William W <bill.peaslee@oah.nc.gov>
Sent: Monday, June 23, 2025 4:07 PM
To: Gray, Jeffrey <jgray@bdixon.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: 14 NCAC 16 .0701, .0801, .1301, and .1401

Good afternoon,

Attached please find a courtesy copy of a recommendation for objection on the above captioned rules.

Thank you.

William W. Peaslee
Rules Review Commission Counsel / Legislative Liaison
Office of Administrative Hearings
1711 New Hope Church Road
Raleigh NC, 27609
(984) 236-1939
Bill.Peaslee@oah.nc.gov

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Burgos, Alexander N

Subject: FW: 14 NCAC 16 .0701, .0801, .1301, and .1401
Attachments: 06.2025 Staff Opinion PPSB 14B NCAC 16 .0701.doc

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From: Peaslee, William W <bill.peaslee@oah.nc.gov>
Sent: Friday, June 20, 2025 3:35 PM
To: Gray, Jeffrey <jgray@bdixon.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: 14 NCAC 16 .0701, .0801, .1301, and .1401

Jeff,

Attached please find a courtesy copy of the recommendation for objection on the above captioned rules. This opinion addresses one issue applicable to all four rules.

I have not completed my analysis of the other issues; however I suspect additional recommendations for objection will be forthcoming.

Have a good weekend.

Bill

William W. Peaslee
Rules Review Commission Counsel / Legislative Liaison
Office of Administrative Hearings
1711 New Hope Church Road
Raleigh NC, 27609
(984) 236-1939
Bill.Peaslee@oah.nc.gov

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Burgos, Alexander N

Subject: FW: [External] RE: 14B NCAC 16 rule Request for Changes
Attachments: 14B NCAC 16 .0707 - proposed for amendment - 061825.docx; 14B NCAC 16 .1203 - proposed for amendment 061825.docx; 14B NCAC 16 .1307 - proposed for amendment - 061825.docx; 14B NCAC 16 .1502 - proposed for amendment - 061825.docx

From: Peaslee, William W <bill.peaslee@oah.nc.gov>
Sent: Friday, June 20, 2025 10:21 AM
To: Rules, Oah <oah.rules@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Gray, Jeffrey <jgray@bdixon.com>
Subject: FW: [External] RE: 14B NCAC 16 rule Request for Changes

Good morning,

It is my intention to recommend approval of the attached rules as revised.

As always if you have any questions please feel free to contact me.

William W. Peaslee
Rules Review Commission Counsel / Legislative Liaison
Office of Administrative Hearings
1711 New Hope Church Road
Raleigh NC, 27609
(984) 236-1939
Bill.Peaslee@oah.nc.gov

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

Burgos, Alexander N

Subject: FW: [External] RE: 14B NCAC 16 .1501
Attachments: 14B NCAC 16 .1501 - proposed for amendment - 061925.docx

From: Peaslee, William W <bill.peaslee@oah.nc.gov>
Sent: Friday, June 20, 2025 10:14 AM
To: Rules, Oah <oah.rules@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Gray, Jeffrey <jgray@bdixon.com>
Subject: FW: [External] RE: 14B NCAC 16 .1501

Good morning,

It is my intention to recommend approval of the attached rule as revised at the June RRC meeting.

As always, if you have any questions please feel free to contact me.

William W. Peaslee
Rules Review Commission Counsel / Legislative Liaison
Office of Administrative Hearings
1711 New Hope Church Road
Raleigh NC, 27609
(984) 236-1939
Bill.Peaslee@oah.nc.gov

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Burgos, Alexander N

Subject: FW: [External] RE: 14B NCAC 16 .1501
Attachments: 14B NCAC 16 .1501 - proposed for amendment - 061925.docx

From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Thursday, June 19, 2025 4:49 PM
To: Peaslee, William W <bill.peaslee@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: 14B NCAC 16 .1501

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I have revised the rule as you have asked. *See*, attached.

You do realize, I hope, that this unnecessary change, which has been in this and six other rules for 13 years -- and reviewed by RRC staff multiple times – will necessitate me going back and changing six other rules. If I don't, you have officially made this rule statutorily "unclear" as compared to the others.

Jeffrey P. Gray
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E-mail: jgray@bdixon.com

14B NCAC 16 .1501 is proposed for amendment as published in 39:15 NCR 1034-1040 as follows:

14B NCAC 16 .1501 EXPERIENCE REQUIREMENTS FOR CLOSE PERSONAL PROTECTION LICENSE

(a) In addition to the requirements of G.S. 74C-8 and Section .0200 of this Chapter, applicants for a close personal protection license shall:

(1) establish three years of verifiable experience while conducting close personal protection services as set forth in G.S. 74C-3(a)(3a) with a private person, firm, association, or corporation within the last 10 years;

(2) establish three years of verifiable experience while conducting close personal protection services as set forth in G.S. 74C-3(a)(3a) with any federal, state, county or municipal law enforcement agency, or other governmental agency within the last 10 years;

(3) establish a military occupational specialty and two years of verifiable experience within the past five years in the U.S. Armed Forces while conducting close personal protection services as set forth in G.S. 74C-3(a)(3a) while serving in an official capacity; or

(4) have completed a course in close personal protection approved by the Board given by a school specializing in close personal protection (or "executive protection") that consists of a minimum of 40 hours of actual classroom and practical instruction within the last two years as required by Rule .1502 of this ~~Chapter.~~ Chapter; and

(5) possess a valid basic first aid certificate ~~from the American Red Cross~~ and ~~a valid~~ CPR and AED certification from the American Red Cross, American Heart Association, American Safety and Health Institute, or National Safety Council.

(b) In addition to the requirements of Section .0200 of this Chapter, an applicant for a close personal protection license that is the spouse of an active duty member of the U.S. Armed Forces shall establish to the Board's satisfaction:

(1) the [~~spouse~~ applicant] holds a current license, certification, or registration from another jurisdiction and the other jurisdiction's requirements are substantially equivalent to or exceed the Board's requirements; and

(2) the [~~spouse~~ applicant] has two years verifiable experience within the past five years while conducting close personal protection as set forth in in G.S. 74C-3(a)(3a) while serving in an official capacity with any entity described in Paragraph (a) of this Rule.

History Note: *Authority G.S. 74C-5(2); 93B-15.1;*
Temporary Adoption Eff. April 28, 2023;
Eff. November 1, 2023;
Amended Eff. July 1, 2025; September 1, 2024.

Burgos, Alexander N

Subject: FW: [External] RE: 14B NCAC 16 .1501

From: Peaslee, William W <bill.peaslee@oah.nc.gov>
Sent: Thursday, June 19, 2025 4:26 PM
To: Gray, Jeffrey <JGray@bdixon.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: 14B NCAC 16 .1501

This is clear.

In addition to the requirements set forth in Section .0200 of this Chapter, an applicant for a close personal protection license who is the spouse of an active duty member of the U.S. Armed Forces must demonstrate to the Board's satisfaction that:
(1) The applicant holds a current license, certification, or registration from another jurisdiction, and the requirements of that jurisdiction are substantially equivalent to or exceed those of the Board; and
(2) The applicant has at least two years of verifiable experience, within the past five years, performing close personal protection as defined in G.S. 74C-3(a)(3a), while serving in an official capacity with an entity described in Paragraph (a) of this Rule

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From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Thursday, June 19, 2025 4:22 PM
To: Peaslee, William W <bill.peaslee@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: [External] RE: 14B NCAC 16 .1501

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Bill:

.1501(b) clearly states, “an applicant…that is a spouse of.” I don’t know how it could be any clearer. Are you suggesting that each time the word “spouse” is used in (b)(1) and (b)(2) it should say “spouse of an active duty member of the U.S. Armed Forces…”?

“Spouse,” with no qualifier, is how it is used in the enabling statute, G.S. 93B-15.1(b) & (c).

Jeff

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From: Peaslee, William W <bill.peaslee@oah.nc.gov>
Sent: Thursday, June 19, 2025 3:59 PM
To: Gray, Jeffrey <JGray@bdixon.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: 14B NCAC 16 .1501

Jeff,

As written, Paragraph (b) of the above captioned rule is ambiguous. It is unclear who “the spouse” is in (b)(1) and (2). I believe you mean that the applicant must hold (b)(1) and (2) but the language implies that the active-duty member must have (b)(1) and (2).

More globally, prior approval of language does not give agencies a free pass on the language forevermore. I have heard this argument many times and so far the RRC has not found it compelling.

Bill

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Burgos, Alexander N

Subject: FW: [External] RE: 14B NCAC 16 rule Request for Changes

From: Peaslee, William W <bill.peaslee@oah.nc.gov>
Sent: Thursday, June 19, 2025 3:28 PM
To: Gray, Jeffrey <JGray@bdixon.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: 14B NCAC 16 rule Request for Changes

I have received this email.

William W. Peaslee
Rules Review Commission Counsel / Legislative Liaison
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Raleigh NC, 27609
(984) 236-1939
Bill.Peaslee@oah.nc.gov

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Thursday, June 19, 2025 3:26 PM
To: Peaslee, William W <bill.peaslee@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: [External] RE: 14B NCAC 16 rule Request for Changes

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Bill:

I saw Brian's e-mail about y'all having e-mail issues at the main e-mail address. Will you please confirm receipt of the below.

Thanks!

Jeff

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E-mail: jgray@bdixon.com

Burgos, Alexander N

Subject: FW: [External] RE: 14B NCAC 16 rule Request for Changes
Attachments: 14B NCAC 16 .0701 - proposed for amendment - 061825.docx; 14B NCAC 16 .0707 - proposed for amendment - 061825.docx; 14B NCAC 16 .0801 - proposed for amendment - 061825.docx; 14B NCAC 16 .1203 - proposed for amendment 061825.docx; 14B NCAC 16 .1301 - proposed for amendment - 061825.docx; 14B NCAC 16 .1307 - proposed for amendment - 061825.docx; 14B NCAC 16 .1401 - proposed for amendment - 061825.docx; 14B NCAC 16 .1501 - proposed for amendment - 061825.docx; 14B NCAC 16 .1502 - proposed for amendment - 061825.docx

From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Wednesday, June 18, 2025 1:25 PM
To: Peaslee, William W <bill.peaslee@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: [External] RE: 14B NCAC 16 rule Request for Changes

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Bill:

These took a little longer than expected. My apologies I did not get them to you sooner.

I am answering each of your questions below, by rule number, and where a change has been made, I have so noted. The corresponding revised rule is attached.

14B NCAC 16 .0701

Page 1, Line 4: The entirety of Chapter 74C allows the Board to regulate employers. However, this rule is not "regulating" each employer. It is merely instructions on how to register a guard. G.S. 74C-8(c)(1) requires each business ("employer") to have a Qualifying Agent, and this QA or a designee of the QA are the only persons who can access the portal to make application on behalf of the potential employee. As to stating "employer of an unarmed security guard," that is the title of this section; this entire section only applies to applications for unarmed security guards. Also, the need for a separate rule with the substantive requirements was resolved years ago in that the only entity that can access the application portal is a licensed business (and not the general public) and all the requirements are self-explanatory therein.

Page 1, Line 13: G.S. 74C-8.1(a) (last paragraph) and the State bidding process. The regulated public knows because there is only one and it is integrated into the Board's on-line licensing system. The name of the company is not put in the rule because that would necessitate a rule change every time the contract changes.

Page 1, Lines 15-16: G.S. 74C-9(e)(6) authorizes the registration fee. The other fees are charged by the vendor that controls the on-line application platform and is retained by it. (It is a "fee for service" contract.)

Page 1, Line 23: Correction made. And a "valid" form is one that was actually issued by the entity and has not been falsified. (Which, unfortunately, does happen.)

Page 1, Lines 28-32: The intent is that the Subparagraph (a)(7) statement does not need to be carried by the applicant if it is on file with the Board. Albeit, admittedly, it could be written better. Since the language in this rule is virtually identical to that in .1401, I used your suggested language for .1401 to rewrite it. (And it was a challenge!)

Page 1, Lines 33-34: The licensee and employer are one in the same. This rule is merely stating where it must be retained. And common sense says it must be retained as long as the person is an employee.

14B NCAC 16 .0707

Page 1, Line 19: Yes, the process is found in 14B NCAC 16 .0909.

Page 1, Lines 21-22: Admittedly, it is not written as clearly as it could be, so using your questions as a guideline I have rewritten it.

14B NCAC 16 .0801

Page 1, Line 5: As with .0701, above, the entire Chapter is the authority to regulate the employer. And like .0701, this section (.0801) is for armed guards, as its title indicates. Same for the substantive requirements.

Page 1, Line 13 & 14: Same as the answer to Line 13 in .0701, above.

Page 1, Line 22: Correction made. As with .0701, above, a "valid" form is one that was actually issued by the entity and has not been falsified.

Page 1, Lines 33-34: Same as above.

Page 1, Line 35: Change made.

Page 1, Line 35: The criteria are spelled out in G.S. 74C-13(h).

Page 2, Line 1: No, the requirements of this section apply to the "employer." *See,* first two words in (a).

14B NCAC 16 .1202

Page 1, Line 10: Suggested change made.

Page 1, Line 29: In this instance, a "contact hour" is defined not by the Board, but by the accredited, certified, or approved institution. It varies. But whatever is approved by the Department of Public Instruction (in most instances its 50 minutes) is accepted by the Board. The Board cannot define or determine this. It does not have the authority.

14B NCAC 16 .1301

(This rule is identical to .0701 and .0801, above. The answers to all questions are the same, including using your suggested language for .1401 to rewrite it.)

14B NCAC 16 .1307

Page 1, Line 22: No, an "unarmed trainer" is a person who trains unarmed guards. It is used to distinguish the person from an "**armed** guard trainer," a person who trains armed guards. The requirements for an unarmed guard trainer are found in 14B NCAC 16 .0909.

Page 1, Lines 23-24: Admittedly, it is not written as clearly as it could be, so using your questions as a guideline I have rewritten it.

14B NCAC 16 .1401

(This rule is identical to .0701, .0801, & .1301, above. The answers to all questions are the same and I used your suggested language to rewrite (c).)

14B NCAC 16 .1501

Page 1, Line 16: The process for approval is the same as for any and all approved courses, including continuing education. To be approved the proposed course must follow the process set forth in 14B NCAC 16 .1203.

Page 1, Line 19: Suggested change made.

Page 1, Line 20: A "valid" form is one that was actually issued by the entity and has not been falsified.

Page 1, Line 24: This identical language exists in 14B NCAC .0301(b), .0302(b), .0401(b), .0601(b) & .1601(b). It was initially approved in this rule (.1501) by the RRC in 2023, and also (re-)approved when the rule was amended effective September 1, 2024. To change it would necessitate going back and amending these other five rules to insure clarity and a lack of ambiguity.

Page 1, Lines 23-30: Again, as with the above, this language exists in five other rules for this Board alone and was in fact the "suggested language" approved by the Staff Attorneys for the RRC in 2012 when the legislature mandated that all occupational and professional licensing boards adopt such a rule.

14B NCAC 16 .01502

Page 1, Line 7: Same as .1501, above.

Page 1, Line 7: Suggested change made.

Page 1, Line 19: A "valid" form is a form that was actually issued by the entity has not been falsified.

Jeff

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14B NCAC 16 .0701 is proposed for amendment as published in 39:15 NCR 1034-1040 as follows:

14B NCAC 16 .0701 APPLICATION FOR UNARMED SECURITY GUARD REGISTRATION

(a) Each employer or his or her designee shall submit an online application for the registration of each ~~employee~~ unarmed security guard to the Board. This online submission shall be accompanied by:

(1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;

(2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;

(3) a statement of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;

(4) the applicant's non-refundable registration fee, along with the convenience fee charged by the Board's on-line application vendor and a separate credit card transaction fee;

(5) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;

(6) ~~one original~~ a signed SBI release of information ~~form~~ form; ~~that shall be uploaded online with the original mailed to the Board's administrative office;~~

(7) a statement signed by a certified trainer that the applicant has completed the training requirements of Rule .0707 of this ~~Section;~~ Section, unless a valid statement [~~if~~ is] on file in the Board's office; and

(8) a completed affidavit form and public notice statement form.

~~(b) The employer of each applicant for registration shall give the applicant a copy of the online application and a copy of the completed affidavit form to serve as a record of application and shall retain a copy of the application, including affidavit, in the guard's personnel file in the employer's office.~~

(b) The applicant's ~~copy~~ copies of the ~~application and~~ application, affidavit, training certification, and the [~~completed affidavit form~~] [~~a copy of the appropriate~~] statement required by Subparagraph (a)(7) of this [~~Rule, unless a valid statement is on file in the Board's office,~~] Rule shall together serve as a temporary registration ~~card that~~ card. These copies shall be carried by the applicant ~~when he or she is working within the scope of his or her [probationary or permanent] employment~~ while performing job duties and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board. However, if the statement required by Subparagraph (a)(7) is already on file with the Board, the applicant does not need to carry or present the statement.

(c) A copy of the statement required by Subparagraph (a)(7) of this Rule shall be retained by the licensee in the individual applicant's personnel file in the employer's office.

History Note: *Authority G.S. 74C-5; 74C-8.1; 74C-11;*
Eff. June 1, 1984;
Amended Eff. May 1, 2012; July 1, 2011; August 1, 1998; December 1, 1995; June 1, 1994; February 1, 1990; May 1, 1988;
Transferred and Recodified from 12 NCAC 07D .0701 Eff. July 1, 2015;
Amended Eff. November 1, 2017;
Readopted Eff. March 1, 2020;
Amended Eff. July 1, 2025; September 1, 2024; January 1, 2024; July 1, 2021.

14B NCAC 16 .0707 is proposed for amendment as published in 39:15 NCR 1034-1040 as follows:

14B NCAC 16 .0707 TRAINING REQUIREMENTS FOR UNARMED SECURITY GUARDS

(a) ~~Applicants for an unarmed security guard registration shall complete the~~ The basic unarmed security guard training course ~~within 30 days from the date of permanent hire. The course~~ shall consist of a minimum of 16 hours of classroom instruction including:

(1) The Security Officer in North Carolina -- (minimum of one hour);

(2) Legal Issues for Security Officers -- (minimum of three hours);

(3) Emergency Response -- (minimum of three hours);

(4) Communications -- (minimum of two hours);

(5) Patrol Procedures -- (minimum of three hours);

(6) Note Taking and Report Writing -- (minimum of three hours); and

(7) Professional Conduct -- (minimum of one hour).

(b) A minimum of four hours of instruction consisting of the topics in Subparagraph (a)(1) and Subparagraph (a)(2) of this Rule shall be completed ~~within 20 calendar days of~~ before any security guard, including probationary, ~~being~~ is placed on a duty station. ~~These four hours shall include the instruction on The Security Officer in North Carolina and Legal Issues for Security Officers.~~ The 16 hour basic unarmed security guard course shall be completed within 30 days from the date of permanent, non-probationary employment.

(c) Training shall be conducted by a Board certified unarmed security guard trainer. A Board created lesson plan covering the training requirements in Paragraph (a) of this Rule shall be ~~made available by the Board to~~ used by each ~~trainer.~~ trainer and a copy made available to each student during instruction. The ~~Board~~ trainer may ~~approve~~ use other forms of media and training materials ~~that deliver~~ to supplement the training requirements of Paragraph (a) of this Rule.

(d) The 16 hours of training may be delivered in-person, in-person remotely, synchronously on-line, or in a hybrid format under the following conditions:

(1) "In-Person" means an instructor physically present in-person in a classroom setting with students physically present in-person in a classroom setting. This is considered traditional in-person training. "In-Person remotely" means an instructor delivering a course to students in an in-person seated classroom while also transmitting to another or multiple other classrooms where students are in-person and observing via video and sound technology. Students must have the ability to have constant audio and visual communication with the instructor as the instructor is presenting. "Synchronously on-line" means instruction utilizing an on-line audio/video platform where the instructor is teaching the course live to students that are attending live and the instructor and students have constant visual and audio communication with each other available. "Hybrid format" means instruction utilizing both in-person classroom teaching as well as synchronously on-line. The instruction is delivered by an instructor that is in-person in a classroom with in-person seated students while the instruction is also being delivered simultaneously in an on-line live format where

on-line students have had the ability to have constant audio and video communication with the in-person students and instructor.

(2) Each student is provided a copy of the unarmed security guard training manual to use for the duration of the 16 hour training course.

(3) The technology used allows the trainer to see the students and the students to see the trainer in real time during the training.

(4) All students are able to see and read the screen or monitor, and they must be able to hear and understand the audio presentation. All monitors used in a classroom setting must be at least 32 inches.

(5) The technology used is of sufficient quality so that the training audio and video is delivered smoothly and without interruption.

(6) The total number of students receiving the in-person or in-person remotely training at one time does not exceed 35 students. There is no size limitation for synchronous on-line training.

(7) Any additional training beyond the Board mandated training in the unarmed security guard training manual is taught either before or after the 16 hour unarmed security officer training.

History Note: *Authority G.S. 74C-5; 74C-11; 74C-13(m);*
Eff. January 1, 1990;
Amended Eff. June 1, 2009; November 1, 2006; June 1, 2004;
Transferred and Recodified from 12 NCAC 07D .0707 Eff. July 1, 2015;
Readopted Eff. August 1, 2020;
Amended Eff. July 1, 2025; June 1, 2024; July 1, 2021.

14B NCAC 16 .0801 is proposed for amendment as published in 39:15 NCR 1034-1040 as follows:

14B NCAC 16 .0801 APPLICATION/ARMED SECURITY GUARD FIREARM REGISTRATION PERMIT

(a) Each ~~armed security guard~~ employer or his or her designee shall submit an online application for the registration of each armed security guard applicant to the Board. This online submission shall be accompanied by:

(1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;

(2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;

(3) ~~upload online~~ a statement of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;

(4) the applicant's non-refundable registration fee, along with the convenience fee charged by the Board's on-line application vendor and credit card transaction fee;

(5) a statement signed by a certified trainer that the applicant has successfully completed the training requirements of Rule .0807 of this Section;

~~(6) a certification by the applicant that he or she is at least 21 years of age;~~

(6) a statement signed by a certified trainer that the applicant has completed the training requirements of Rule .0707 of this Chapter, unless a valid statement is on file in the [~~Boards~~ Board's] office;

(7) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board; ~~and~~

(8) a signed SBI release of information form; and

~~(8)~~ (9) a completed affidavit form and public notice statement form.

~~(b) The employer of each applicant for registration shall give the applicant a copy of the online application, the completed affidavit form, and proof of completion of a Board approved firearms course and shall retain a copy of the application, including affidavit and proof of course completion, in the guard's personnel file in the employer's office.~~

~~(c)~~ (b) The applicant's copy of the ~~application, affidavit,~~ application and proof of completion of a Board approved firearms course shall serve as a temporary registration card that shall be carried by the applicant when he or she is working within the scope of his or her employment and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board.

~~(d)~~ (c) Applications submitted without proof of completion of a ~~Board-approved~~ Board-approved firearms training course shall not serve as temporary registration cards.

~~(c)~~ (d) The provisions of Paragraphs (a), (b), and (c) of this Rule also apply to any employee whose employment is terminated within 30 days of employment.

History Note: *Authority G.S. 74C-5; 74C-9; 74C-13;*
Eff. June 1, 1984;
Amended Eff. May 1, 2012; April 1, 2008; August 1, 1998; December 1, 1995; February 1, 1990; May 1, 1988; July 1, 1987;
Transferred and Recodified from 12 NCAC 07D .0801 Eff. July 1, 2015;
Amended Eff. November 1, 2017;
Readopted Eff. March 1, 2020;
Amended Eff. July 1, 2025; September 1, 2024; July 1, 2021.

14B NCAC 16 .1203 is proposed for amendment as published in 39:15 NCR 1034-1040 as follows:

14B NCAC 16 .1203 ACCREDITATION STANDARDS

(a) CE courses may obtain the approval of the Board by submitting the following information to the Board for consideration:

(1) the nature and purpose of the course;

(2) the course objectives or goals;

(3) the outline of the course, including the number of training hours for each segment; and

(4) the name of the instructor.

(b) ~~To determine if a course will receive approval from the Board, the~~ The Board shall complete the following review:

(1) The matter shall be referred to the Training and Education Committee for the appointment of a sub-committee that shall review the course under consideration. The sub-committee shall consist of at least two industry members of the Training and Education Committee. Other members of the sub-committee may be appointed at the discretion of the Training and Education Committee Chairman.

(2) The sub-committee shall review the course to determine if the course is pertinent to the industry, and if the course meets its stated objectives or goals.

(3) When the sub-committee completes its review, it shall report to the Training and Education Committee. The Training and Education Committee shall review the course to determine if the course is pertinent to the industry, and if the course meets its stated objectives and goals. The Training and Education Committee shall then report the findings with a recommendation of acceptance or denial to the Private Protective Services Board.

(c) Upon receipt of the Training and Education Committee report, the Private Protective Services Board shall determine by majority vote if the course will be approved for continuing education credits. In making its determination, the Board shall review the course to determine if the course is pertinent to the industry, and if the course meets its stated objectives or goals.

(d) Each approved course shall remain an approved course for four years from the date of approval by the Board, unless the course content changes or the course instructor changes.

(e) Trainers and instructors shall receive continuing education credit of five hours for every actual teaching hour with an eight hour cap of continuing education credit every two years.

(f) Colleges, universities, trade schools, and other degree granting institutions shall be granted standing approval when the institutions are accredited, certified, or approved by the Department of Public Instruction or by a similar agency in another state and the course is related to law, criminal justice, security profession, finance, ethics, forensics, crime prevention, and investigation. Approval is one credit hour per contact hour ~~not to exceed eight~~ up to the maximum 12 credit hours.

History Note: *Authority G.S. 74C-5; 74C-22;*
Eff. February 1, 2010;

Amended Eff. October 1, 2011;
Transferred and Recodified from 12 NCAC 07D .1303 Eff. July 1, 2015;
Emergency Amendment Eff. May 6, 2020;
Readopted Eff. July 1, 2020;
Temporary Amendment Eff. July 24, 2020;
Temporary Amendment Expired Eff. May 14, 2021;
Amended Eff. July 1, 2025; February 1, 2022; January 1, 2022; July 1, 2021.

14B NCAC 16 .1301 is proposed for amendment as published in 39:15 NCR 1034-1040 as follows:

14B NCAC 16 .1301 APPLICATION FOR UNARMED ARMORED CAR SERVICE GUARD REGISTRATION

(a) Each ~~armored car~~ employer or his designee shall complete an online application form for the registration of each unarmed armored car service guard applicant to the Board. This online form shall be accompanied by:

(1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;

(2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;

(3) ~~upload online~~ a statement of the result of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;

(4) the applicant's non-refundable registration fee, along with the convenience fee charged by the Board's on-line application vendor and credit card transaction fee;

(5) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;

(6) a statement signed by a certified trainer that the applicant has ~~successfully~~ completed the training requirements of Rule .1307 of this ~~Section, if applicable; and~~ Section unless a valid statement is on file in the Board's office;

(7) a signed SBI release of information form; and

~~(7)~~ (8) a completed affidavit form and public notice statement form.

~~(b) The employer of each applicant for registration shall give the applicant a copy of the online application and completed affidavit and shall retain a copy of the application, including the affidavit, in the guard's personnel file in the employer's office.~~

~~(c)~~ (b) The applicant's ~~copy~~ copies of the ~~application and~~ application, affidavit, training certification, and the [~~completed affidavit form~~] [~~a copy of the appropriate~~] statement required by Subparagraph (a)(6) of this [~~Rule, unless a valid statement is on file in the Board's office,~~] Rule shall together serve as a temporary registration ~~card that~~ card. These copies shall be carried by the applicant ~~when he or she is working is within the scope of his or her [probationary or permanent] employment~~ while performing job duties and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board. However, if the statement required by Subparagraph (a)(6) is already on file with the Board, the applicant does not need to carry or present the statement.

~~(d)~~ (c) A copy of the statement specified in Subparagraph (a)(6) of this Rule shall be retained by the licensee in the individual applicant's personnel file in the employer's office.

History Note: *Authority G.S. 74C-3; 74C-5; 74C-8.1(a);*
Eff. January 1, 2013;
Transferred and Recodified from 12 NCAC 07D .1401 Eff. July 1, 2015;
Amended Eff. November 1, 2017;
Readopted Eff. March 1, 2020;
Amended Eff. July 1, 2025; September 1, 2024; July 1, 2021.

14B NCAC 16 .1307 is proposed for amendment as published in 39:15 NCR 1034-1040 as follows:

14B NCAC 16 .1307 TRAINING REQUIREMENTS FOR UNARMED ARMORED CAR SERVICE GUARDS

(a) ~~Applicants for an unarmed armored car service guard registration shall complete a~~ The basic ~~training course for~~ unarmed armored car service guard course ~~guards within 30 days from the date of permanent hire. The course~~ shall consist of a minimum of 16 hours of classroom instruction including:

(1) The Security Officer in North Carolina – (minimum of one hour);

(2) Legal Issues for Security Officers – (minimum of three hours);

(3) ~~Deportment~~ Professional Conduct – (minimum of one hour);

(4) Armored Security Operations – (minimum of five hours);

(5) Emergency Responses – (minimum of three hours); and

(6) Safe Driver Training – (minimum of three hours);

(b) A minimum of four hours of classroom instruction consisting of the topics in Subparagraph (a)(1) and Subparagraph (a)(2) of this Rule shall be completed ~~within 20 calendar days of any~~ before any unarmed armored car service guard, including probationary, ~~being~~ is placed on a duty station. ~~These four hours shall include The Security Officer in North Carolina and Legal Issues for Security Officers.~~ The 16 hour basic unarmed armored car service guard course shall be completed within 30 days from the date of permanent, non-probationary employment. Unarmed armored car service guard training is not transferable to qualify as unarmed security guard training.

~~(b) Licensees shall submit their names and resumes for proposed certified unarmed trainer registrations to the Director for Board approval.~~

(c) Training shall be conducted by a Board certified unarmed trainer. A Board ~~approved~~ created lesson plan covering the training requirements in Paragraph (a) of this Rule shall be ~~made available by the Board to~~ used by each ~~trainer.~~ trainer and a copy made available to each student during instruction. The trainer may use other forms of media and training materials ~~that deliver~~ to supplement the training requirements of Paragraph (a) of this Rule.

(d) ~~The 16 hours of training may be delivered remotely under the following conditions:~~ The 16 hours of training may be delivered in-person, in-person remotely, synchronously on-line, or in a hybrid format under the following conditions:

(1) ~~The training is presented by a Board certified unarmed trainer.~~ "In-person" means an instructor physically present in-person in a classroom setting with students physically present in-person in a classroom setting. This is considered traditional in-person training. "In-person remotely" means an instructor delivering a course to students in an in-person seated classroom while also transmitting to another or multiple other classrooms where students are in-person and observing via video and sound technology. Students must have the ability to have constant audio and visual communication with the instructor as the instructor is presenting. "Synchronously on-line" means instruction utilizing an on-line audio/video platform where the instructor is teaching the course live to students that are attending live and the instructor and students have constant visual and audio communication

with each other available. "Hybrid format" means instruction utilizing both in-person classroom teaching as well as synchronously on-line. The instruction is delivered by an instructor that is in-person in a classroom with in-person seated students while the instruction is also being delivered simultaneously in an on-line live format where on-line students have had the ability to have constant audio and video communication with the in-person students and instructor.

(2) Each student is given a copy of the Board approved unarmed armored car service guard training manual to use for the duration of the 16 hour training course.

(3) The technology used allows the trainer to see the students and the students to see the trainer in real time during the training.

(4) All students in each classroom are able to see and read the screen or monitor, and they must be able to hear and understand the audio presentation. All monitors used in ~~each~~ a classroom setting must be at least 32 inches ~~wide~~.

(5) The technology used is of sufficient quality so that the training audio and video is delivered smoothly and without interruption.

~~(6) Each student is taught to use the audio and video equipment in the classroom prior to the start of the 16 hour unarmed armored car service guard training course.~~

~~(7)~~ (6) The total number of students receiving ~~remote~~ the in-person or in-person remotely training at one time does not exceed 35 students. There is no size limitation for synchronous on-line training.

~~(8)~~ (7) Any additional training beyond the Board mandated training in the unarmed armored car service guard training manual is taught either before or after the 16 hour unarmed armored car service guard training.

~~(9) The Director is notified five days prior to training of the location of each classroom, the name of the certified trainer, and the number of students who will be present.~~

~~(10) The sponsoring agency allows the Director or designee access via computer to the training during the time that it is taking place.~~

History Note: *Authority G.S. 74C-3; 74C-5;*
Eff. January 1, 2013;
Transferred and Recodified from 12 NCAC 07D .1407 Eff. July 1, 2015;
Readopted Eff. July 1, 2020.
Amended Eff. July 1, 2025.

14B NCAC 16 .1401 is proposed for amendment as published in 39:45 NCR 1034-1040 as follows:

14B NCAC 16 .1401 APPLICATION/ARMED ARMORED CAR SERVICE GUARD FIREARM REGISTRATION PERMIT

(a) Each ~~armored car~~ employer or his or her designee shall submit an online application form for the registration of each armed armored car service guard applicant to the Board. This online form shall be accompanied by:

(1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigation or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;

(2) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with application submission;

(3) ~~upload online~~ a statement of the result of a statewide criminal history records search from the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;

(4) the applicant's non-refundable registration fee, along with the convenience fee charged by the Board's on-line application vendor and credit card transaction fee;

(5) a statement signed by a certified trainer that the applicant has successfully completed the training requirements of Rule .1407 of this Section;

~~(6) a certification by the applicant that he or she is at least 18 years of age;~~

(6) a statement signed by a certified trainer that the applicant has completed the training

(7) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;

(8) a signed SBI release of information form; and

~~(8)~~ (9) a completed affidavit form and public notice statement form.

~~(b) The employer of each applicant for registration shall give the applicant a copy of the online application and completed affidavit form and shall retain a copy of the application, including affidavit, in the guard's personnel file in the employer's office.~~

~~(c)~~ (b) The applicant's ~~copy~~ copies of the [application, affidavit,] [~~application and a copy of the statement required by Subparagraph (a)(5)~~] training certification, and the statements required by Subparagraphs (a)(5) and (a)(6) of this Rule, [training certification ~~and a copy of the statement required by Subparagraph(a)(6), unless a valid statement is on file in the Board's office,~~] shall together serve as a temporary registration ~~card that~~ card. These copies shall be carried by the applicant ~~when he or she is working within the scope of his or her employment~~ while performing job duties and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board. However, if the statement required by Subparagraph (a)(6) is already on file with the Board, the applicant does not need to carry or present the statement.

~~(d)~~ (c) ~~Online applications~~ Applications submitted without proof of completion of a ~~Board approved~~ Board-approved firearms training course shall not serve as temporary registration cards. ~~unless the armored car employer has obtained prior approval from the Director. The Director shall grant prior approval if the armored car employer provides proof that the applicant has received prior Board approved firearms training.~~

~~(e)~~ (d) The provisions of Paragraphs (a), (b), and (c) of this Rule also apply to any employee whose employment is terminated within 30 days of employment.

History Note: *Authority G.S. 74C-3; 74C-5; 74C-8.1(a); 74C-13;*
Eff. January 1, 2013;
Transferred and Recodified from 12 NCAC 07D .1501 Eff. July 1, 2015;
Amended Eff. November 1, 2017;
Readopted Eff. March 1, 2020;
Amended Eff. July 1, 2025; September 1, 2024.

14B NCAC 16 .1501 is proposed for amendment as published in 39:15 NCR 1034-1040 as follows:

14B NCAC 16 .1501 EXPERIENCE REQUIREMENTS FOR CLOSE PERSONAL PROTECTION LICENSE

(a) In addition to the requirements of G.S. 74C-8 and Section .0200 of this Chapter, applicants for a close personal protection license shall:

(1) establish three years of verifiable experience while conducting close personal protection services as set forth in G.S. 74C-3(a)(3a) with a private person, firm, association, or corporation within the last 10 years;

(2) establish three years of verifiable experience while conducting close personal protection services as set forth in G.S. 74C-3(a)(3a) with any federal, state, county or municipal law enforcement agency, or other governmental agency within the last 10 years;

(3) establish a military occupational specialty and two years of verifiable experience within the past five years in the U.S. Armed Forces while conducting close personal protection services as set forth in G.S. 74C-3(a)(3a) while serving in an official capacity; or

(4) have completed a course in close personal protection approved by the Board given by a school specializing in close personal protection (or "executive protection") that consists of a minimum of 40 hours of actual classroom and practical instruction within the last two years as required by Rule .1502 of this ~~Chapter.~~ Chapter; and

(5) possess a valid basic first aid certificate ~~from the American Red Cross~~ and ~~a valid~~ CPR and AED certification from the American Red Cross, American Heart Association, American Safety and Health Institute, or National Safety Council.

(b) In addition to the requirements of Section .0200 of this Chapter, an applicant for a close personal protection license that is the spouse of an active duty member of the U.S. Armed Forces shall establish to the Board's satisfaction:

(1) the spouse holds a current license, certification, or registration from another jurisdiction and the other jurisdiction's requirements are substantially equivalent to or exceed the Board's requirements; and

(2) the spouse has two years verifiable experience within the past five years while conducting close personal protection as set forth in in G.S. 74C-3(a)(3a) while serving in an official capacity with any entity described in Paragraph (a) of this Rule.

History Note: *Authority G.S. 74C-5(2); 93B-15.1;*
Temporary Adoption Eff. April 28, 2023;
Eff. November 1, 2023;
Amended Eff. July 1, 2025; September 1, 2024.

14B NCAC 16 .1502 is proposed for amendment published in 39:15 NCR 1034-1040 as follows:

14B NCAC 16 .1502 TRAINING REQUIREMENTS FOR CLOSE PERSONAL PROTECTION LICENSE

(a) Applicants for a close personal protection license who do not have the experience set forth in Rule .1501(a)(1) through (3) or (b)(1) and (2) shall complete a basic close personal protection (or "executive protection") training course approved by the Board within the previous 24 ~~months.~~ months of application. The course shall consist of a minimum of 40 hours of classroom and practical instruction including as a minimum:

(1) Fundamentals of personal protection, including as a minimum mission planning, performing site surveys, route selection (primary, secondary, etc.), medical evacuation, walking formations (single, multiple, etc.), communications with protectees, and transitional movements (arrivals, departures, plan changes, hasty movements, etc.) – (minimum of 26 hours);

(2) Practical exercises – (minimum of 12 hours); and

(3) Legal Issues, including the rules applicable to each of the below blocks of instruction and this Section and North Carolina's laws on use of force, and the federal and State firearms law. The three hour unarmed guard block of instruction, set forth in 14B NCAC 16 .0707 if performing services unarmed, or the four hour armed guard block of instruction set forth in 14B NCAC 16 .0807(c)(1) if performing services armed taught by a certified instructor shall fulfill this requirement – (minimum of two hours).

(b) In addition to the minimum classroom and practical instruction required by Paragraph (a) of this Rule, the applicant must possess a basic valid first aid certificate ~~from the American Red Cross~~ and ~~a valid~~ CPR and AED certification from the American Red Cross, American Heart Association, American Safety and Health Institute, or National Safety Council.

(c) Subparagraph (a)(3) of this Rule may be conducted remotely as provided for by 14B NCAC 16 .0707(c).

History Note: *Authority G.S. 74C-5;*
Temporary Adoption Eff. April 28, 2023;
Eff. July 1, 2025; November 1, 2023.

Burgos, Alexander N

From: Peaslee, William W
Sent: Wednesday, June 4, 2025 5:11 PM
To: Gray, Jeffrey
Cc: Burgos, Alexander N
Subject: RE: [External] RE: 14B NCAC 16 rule Request for Changes

BTW in several of the questions I request if and where the process for approval is. To be clear, the process does not necessarily need to be identified or cited in the text of the rule. A response citing any rules will most likely suffice.

Bill

William W. Peaslee
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(984) 236-1939
Bill.Peaslee@oah.nc.gov

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From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Wednesday, June 4, 2025 4:50 PM
To: Peaslee, William W <bill.peaslee@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: [External] RE: 14B NCAC 16 rule Request for Changes

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Bill:

RECEIVED. And thank you!

I should be able to get these back to you well before the June 18th deadline.

Jeff

Jeffrey P. Gray
Of Counsel
Bailey & Dixon, LLP
434 Fayetteville Street, Suite 2500
P.O. Box 1351

Raleigh, NC 27601 (27602)
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From: Peaslee, William W <bill.peaslee@oah.nc.gov>
Sent: Wednesday, June 4, 2025 4:08 PM
To: Gray, Jeffrey <JGray@bdixon.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: 14B NCAC 16 rule Request for Changes

Good afternoon,

Attached please find the request for changes to the above captioned rules set for consideration by he RRC at its June 2025 meeting.

As always if you have any questions please feel free to contact me.

William W. Peaslee
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