

Burgos, Alexander N

Subject: FW: [External] RE: PPSB RFC for March 26
Attachments: 14B NCAC 16 .0203 proposed for amendment with changes.docx; 14B NCAC 16 .0205 proposed for amendment with changes.docx; 14B NCAC 16 .0703 proposed for amendment with changes.docx; 14B NCAC 16 .0706 proposed for amendment with changes.docx; 14B NCAC 16 .0806 proposed for amendment with changes.docx; 14B NCAC 16 .0902 proposed for amendment with changes.docx; 14B NCAC 16 .0904 proposed for amendment with changes.docx; 14B NCAC 16 .0910 proposed for amendment with changes.docx; 14B NCAC 16 .0911 proposed for amendment with changes.docx; 14B NCAC 16 .1306 proposed for amendment with changes.docx; 14B NCAC 16 .1406 proposed for amendment with changes.docx

From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Tuesday, April 7, 2026 5:48 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: PPSB RFC for March 26

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Seth:

Attached are the corrected rules deleting the amendment regarding expunctions as per the Commission's action.

In preparing these I discovered that .0807 (referenced in the letter) did not contain any language regarding expunctions and should not have been lumped in with the others. It needs to go in the basket with the rules that were approved without objection.

I presume these need to be filed, right?

Jeff

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1 14B NCAC 16 .0203 is proposed for amendment, with changes, as published in 40:08 NCR 713-722 as follows:

2
3 **14B NCAC 16 .0203 RENEWAL OR RE-ISSUE OF LICENSES AND TRAINEE PERMITS**

4 (a) Each applicant for renewal of a license or trainee permit shall submit an online renewal application on the website
5 provided by the Board. The application shall contain:

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

7 (2) gender, race, and military service;

8 (3) current employer;

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

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

11 (b) This online application shall be submitted not less than 30 days prior to expiration of the applicant's current license
12 or trainee permit and shall be accompanied by:

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

16 (2) ~~upload online~~ a statement of the result of a statewide criminal history records search by the
17 reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the
18 applicant has resided within the preceding 24 ~~months; months and disclosure of any expunged~~
19 ~~convictions;~~

20 (3) the applicant's renewal fee, along with the convenience fee charged by the Board's on-line
21 application vendor and credit card transaction fee;

22 (4) for license applicants, proof of liability insurance as set out in G.S. 74C-10(e); and

23 (5) proof of having completed continuing education as require by Rule .1202 of this Chapter.

24 ~~(b)~~ (c) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under
25 G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.

26 ~~(c)~~ (d) If a licensee has maintained a license at least two years and then allows the license to expire, the license may
27 be re-issued if application is made within two years of the expiration date and the following documentation is
28 submitted to the Board:

29 (1) an online Application For Reinstatement of an Expired License;

30 (2) one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to
31 the Board's office;

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

35 (4) ~~upload online~~ a statement of the result of a statewide criminal history records search by the
36 reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the

1 applicant has resided within the preceding 60 ~~months~~; months and disclosure of any expunged
2 convictions;

- 3 (5) the applicant's non-refundable application fee, along with the convenience fee charged by the
4 Board's on-line application vendor and credit card transaction fee;
- 5 (6) proof of liability insurance as set out in G.S. 74C-10(e);
- 6 (7) payment to the State Bureau of Investigations to cover the cost of criminal record checks performed
7 by the State Bureau of Investigations, with payment to be paid online through the Board's online
8 application process; and
- 9 (8) proof of having completed continuing education as required by Rule .1202 of this Chapter.

10 ~~(d)~~ (e) A member of the armed forces whose license is in good standing and to whom G.S. 105-249.2 grants an
11 extension of time to file a tax return shall receive that same extension of time to pay the license renewal fee and
12 complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension
13 approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be furnished to the
14 Board.

15
16 *History Note: Authority G.S. 74C-5; 74C-8; 74C-8.1; 74C-9; 15A-151(a)(10); 93B-8.1(d);*

17 *Eff. June 1, 1984;*

18 *Amended Eff. October 1, 2013; May 1, 2012; October 1, 2010; November 1, 2007; January 4, 1994;*

19 *July 1, 1987; December 1, 1985;*

20 *Transferred and Recodified from 12 NCAC 07D .0203 Eff. July 1, 2015;*

21 *Amended Eff. November 1, 2017;*

22 *Readopted Eff. March 1, 2020;*

23 *Amended Eff. April 1, 2026; September 1, 2024; July 1, 2022; July 1, 2021.*

1 14B NCAC 16 .0205 is proposed for amendment, with changes, as published in 40:08 NCR 713-722 as follows:

2
3 **14B NCAC 16 .0205 COMPANY BUSINESS LICENSE**

4 (a) Any firm, association, or corporation required to be licensed pursuant to G.S. 74C-2(a) shall upload on the Board's
5 website an application for a company business license on a form provided by the Board. Only a sole proprietorship
6 that is owned and operated by an individual licensee shall be exempt from this Rule. This application for license shall
7 require the firm, association, or corporation name; the address of its principal office within the State; any past
8 conviction for criminal offenses of any company director, or officer; information concerning the past revocation,
9 suspension, or denial of a business or professional license to any director or officer; a list of all directors and officers
10 of the firm, association, or corporation; a list of all persons, firms, associations, corporations or other entities owning
11 10 percent or more of the outstanding shares of any class of stock; and the name and address of the qualifying agent.

12 (b) In addition to the items required in Paragraph (a) of this Rule, an out-of-state corporation shall file with its
13 application for a license, a copy of its certificate of authority to transact business in this State issued by the North
14 Carolina Secretary of State in accordance with G.S. 55-15-01. The corporation shall also file a consent to service of
15 process and pleadings that shall be authenticated by its corporate seal and accompanied by a duly certified copy of the
16 resolution of the board of directors authorizing the proper officer or officers to execute the consent.

17 (c) After filing a completed application with the Board, the Board shall conduct a background investigation to
18 determine if the qualifying agent is in a management position. A management position means a position which
19 manages established divisions or subdivisions of the firm, association or corporation and directs the work of one or
20 more supervisors, has the authority to hire, reward, discipline or discharge employees, and may also provide
21 suggestions for changes in policy to senior executives with policy-making authority. The Board shall also determine
22 if the directors or officers have the requisite good moral character as defined in G.S. 74C-8(d)(2). For purposes of this
23 Rule, "conviction" means and includes the entry of a plea of guilty or no ~~contest~~ contest, a prayer for judgment
24 continued or adjudication withheld, or a verdict rendered in open court by a judge or jury, jury, and may include
25 expunged charges and convictions.

26 (d) Upon satisfactory completion of the background investigation, a company business license shall be issued. This
27 license shall be conspicuously displayed at the principal place of business within North Carolina.

28 (e) The company business license shall be issued only to the business entity and shall not be construed to extend to
29 the licensing of its officers and employees.

30 (f) The issuance of the company business license is issued to the firm, association, or corporation in addition to the
31 license issued to the qualifying agent. The qualifying agent for the firm, association, or corporation which has been
32 issued the company business license shall be responsible for assuring compliance with G.S. 74C.

33 (g) Dissolution or administrative suspension of corporate status shall result in suspension of the company business
34 license by operation of law and may result in disciplinary action for unlicensed if it is determined that the suspension
35 was due to intentional disregard of the law or inaction.

36
37 *History Note: Authority G.S. 74C-2(a); 74C-5;*

1 *Eff. April 1, 1993;*
2 *Amended Eff. February 1, 1995;*
3 *Transferred and Recodified from 12 NCAC 07D .0205 Eff. July 1, 2015;*
4 *Readopted Eff. March 1, 2020;*
5 *Amended Eff. April 1, 2026; November 1, 2023.*

1 14B NCAC 16 .0703 is proposed for amendment, with changes, as published in 40:08 NCR 713-722 as follows:

2
3 **14B NCAC 16 .0703 MINIMUM STANDARDS FOR UNARMED SECURITY GUARD**
4 **REGISTRATION**

5 An applicant for registration shall:

- 6 (1) be at least 18 years of age;
- 7 (2) be a citizen of the United States or a resident alien;
- 8 (3) be of good moral character and temperate habits. Any of the following within the last five years
9 shall be prima facie evidence that the applicant does not have good moral character or temperate
10 habits: conviction by any local, state, federal, or military court of any crime involving the illegal
11 use, carrying, or possession of a firearm; conviction of any crime involving the illegal use,
12 possession, sale, manufacture, distribution, or transportation of a controlled substance, drug,
13 narcotic, or alcoholic beverage, conviction of a crime involving felonious assault or an act of
14 violence; conviction of a crime involving unlawful breaking and/or entering, burglary, or larceny,
15 or a history of addiction to alcohol or a narcotic drug. For the purposes of this Rule, "conviction"
16 means and includes the entry of a plea of ~~guilty, plea of no contest, guilty or no contest, a prayer for~~
17 ~~judgment continued or adjudication withheld,~~ or a verdict rendered in open court by a judge or **jury.**
18 **jury, and may include expunged charges and convictions.]**
- 19 (4) not have been judicially declared incompetent or not have been involuntarily committed to an
20 institution for treatment of mental illness. When an individual has been treated and found to have
21 been restored, the Board will consider this evidence and determine whether the applicant meets the
22 requirements of this Rule; and
- 23 (5) not have had a revocation of a registration.

24
25 *History Note: Authority G.S. 74C-5; 74C-12(a)(19);*
26 *Eff. June 1, 1984;*
27 *Amended Eff. August 1, 1988; December 1, 1985;*
28 *Transferred and Recodified from 12 NCAC 07D .0703 Eff. July 1, 2015;*
29 *Readopted Eff. August 1, 2020;*
30 *Amended Eff. April 1, 2026; July 1, 2021.*

1 14B NCAC 16 .0706 is proposed for amendment, with changes, as published in 40:08 NCR 713-722 as follows:

2
3 **14B NCAC 16 .0706 RENEWAL OF UNARMED SECURITY GUARD REGISTRATION**

4 (a) Each applicant for renewal of a registration identification card or his or her employer shall complete an online
5 form on the website provided by the Board. The application shall contain:

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

7 (2) gender and race;

8 (3) current employer;

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

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

11 (b) This online form shall be submitted ~~not fewer~~ less than 90 days prior to the expiration of the applicant's current
12 registration and shall be accompanied by:

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

16 (2) ~~upload online~~ a statement of the results of a statewide criminal history records search by the
17 reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the
18 applicant has resided within the preceding 12 months; months and disclosure of any expunged
19 convictions;

20 (3) the applicant's renewal fee, along with the convenience fee charged by the Board's on-line
21 application vendor and credit card transaction fee; and

22 (4) ~~upload~~ a completed affidavit form and public notice statement form.

23 ~~(b)~~ (c) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under
24 G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.

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

28 ~~(d)~~ (e) Members of the armed forces whose registration is in good standing and to whom G.S. 105-249.2 grants an
29 extension of time to file a tax return shall receive that same extension of time to pay the registration renewal fee and
30 to complete any continuing education requirements prescribed by the Board. A copy of the military order or the
31 extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be
32 furnished to the Board.

33
34 *History Note: Authority G.S. 74C-5; 74C-11; 15A-151(a)(10); 93B-8.1(d);*

35 *Eff. June 1, 1984;*

36 *Amended Eff. May 1, 2012; October 1, 2010; December 1, 1995; February 1, 1990; July 1, 1987;*

37 *December 1, 1985;*

1 *Transferred and Recodified from 12 NCAC 07D .0706 Eff. July 1, 2015;*
2 *Amended Eff. November 1, 2017;*
3 *Readopted Eff. March 1, 2020;*
4 *Amended Eff. April 1, 2026; September 1, 2024; July 1, 2022.*

1 14B NCAC 16 .0806 is proposed for amendment, with changes, as published in 40:08 NCR 713-722 as follows:

2
3 **14B NCAC 16 .0806 RENEWAL OF ARMED SECURITY GUARD FIREARM REGISTRATION**
4 **PERMIT**

5 (a) Each applicant for renewal of an armed security guard firearm registration permit identification card or his or her
6 employer shall complete an online form on the website provided by the Board. The application shall contain:

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

8 (2) gender and race;

9 (3) current employer;

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

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

12 (b) This online form shall be submitted not more than 90 days prior to expiration of the applicant's current armed
13 registration and shall be accompanied by:

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

17 (2) upload online a statement of the results of a statewide criminal history search obtained by the
18 reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the
19 applicant has resided within the preceding 12 ~~months;~~ months and disclosure of any expunged
20 convictions;

21 (3) the applicant's renewal fee, along with the convenience fee charged by the Board's on-line
22 application vendor and credit card transaction fee;

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

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

28 (6) a completed affidavit form and public notice statement form.

29 ~~(b)~~ (c) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under
30 G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.

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

34 ~~(d)~~ (e) Members of the armed forces whose registration is in good standing and to whom G.S. 105-249.2 grants an
35 extension of time to file a tax return shall receive that same extension of time to pay the registration renewal fee and
36 to complete any continuing education requirements prescribed by the Board. A copy of the military order or the

1 extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be
2 furnished to the Board.

3 ~~(e)~~ (f) A registered armed security guard may utilize a dedicated light system or gun-mounted light for requalification.
4 ~~(f)~~ (g) During a national or State declared state of emergency that restricts or prohibits a registered armed security
5 guard from requalifying, the Board shall, upon written request to the Director by the licensee, extend the deadline for
6 requalification up to 90 days beyond the effective period of the state of emergency. Any registration renewed pursuant
7 to this Paragraph shall be issued conditionally and shall automatically expire on the 90th day if requalification
8 requirements have not been met.

9
10 *History Note: Authority G.S. 74C-5; 74C-8.1; 74C-9; 74C-13; 15A-151(a)(10); 93B-8.1(d);*
11 *Eff. June 1, 1984;*
12 *Amended Eff. May 1, 2012; October 1, 2010; December 1, 1995; February 1, 1990; December 1,*
13 *1985;*
14 *Transferred and Recodified from 12 NCAC 07D .0806 Eff. July 1, 2015;*
15 *Amended Eff. January 1, 2018; November 1, 2017;*
16 *Readopted Eff. November 1, 2019;*
17 *Amended Eff. March 1, 2020;*
18 *Emergency Amendment Eff. May 6, 2020;*
19 *Temporary Amendment Eff. July 24, 2020;*
20 *Temporary Amendment Expired Eff. May 14, 2021;*
21 *Amended Eff. April 1, 2026; September 1, 2024; October 1, 2022; July 1, 2022; January 1, 2022.*

1 14B NCAC 16 .0902 is proposed for amendment, with changes, as published in 40:08 NCR 713-722 as follows:

2
3 **14B NCAC 16 .0902 APPLICATION FOR FIREARMS TRAINER CERTIFICATE**

4 (a) Each applicant for a firearms trainer certificate shall submit an online application to the ~~Board~~. Board containing
5 the applicant's:

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

7 (2) gender and race;

8 (3) residence history;

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

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

11 (b) The application shall be accompanied by:

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

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

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

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

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

26 (6) evidence of the liability insurance required by G.S. 74C-10(e) if the applicant is not an employee of
27 a licensee;

28 (7) a certificate of successful completion of the training required by Rule .0901(a)(3) and (4) of this
29 Section or acceptable certificate of other current certification as set forth in Rule .0901(c) and (d) of
30 this Section; and

31 (8) the actual cost charged to the Private Protective Services Board by the North Carolina Justice
32 Academy or other entity to cover the cost of the firearms training course given by the N.C. Justice
33 Academy or other entity and collected as part of the online application process by the Private
34 Protective Services Board.

35
36 *History Note:* Authority G.S. 74C-5; 74C-8(d); 74C-8.1(a); 74C-13; 15A-151(a)(10); 93B-8.1(d);
37 Eff. June 1, 1984;

1 *Amended Eff. August 1, 1998; December 1, 1995; July 1, 1987; December 1, 1985;*
2 *Temporary Amendment Eff. July 17, 2001;*
3 *Amended Eff. January 1, 2013; May 1, 2012; August 1, 2002;*
4 *Transferred and Recodified from 12 NCAC 07D .0902 Eff. July 1, 2015;*
5 *Amended Eff. November 1, 2017;*
6 *Readopted Eff. March 1, 2020;*
7 *Amended Eff. April 1, 2026; September 1, 2024; January 1, 2024; July 1, 2021.*

1 14B NCAC 16 .0904 is proposed for amendment, with changes, as published in 40:08 NCR 713-722 as follows:

2
3 **14B NCAC 16 .0904 RENEWAL OF A FIREARMS TRAINER CERTIFICATE**

4 (a) Each applicant for renewal of a firearms trainer certificate shall complete an online renewal form on the website
5 provided by the Board. The application shall contain:

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

7 (2) gender and race;

8 (3) current employer;

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

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

11 ~~(b)~~ This ~~form~~ online application shall be submitted online not less than 30 days prior to the expiration of the applicant's
12 current certificate and shall be accompanied by:

13 (1) ~~uploaded online~~ a certificate of successful completion of a firearms trainer refresher course approved
14 by the Board and the Secretary of Public Safety consisting of a minimum of eight hours of classroom
15 and practical range training in safety and maintenance of the applicable firearm (i.e. handgun,
16 shotgun, or rifle), range operations, control and safety procedures, and methods of firing. This
17 training shall be completed within 180 days of the submission of the renewal application;

18 (2) a statement of the results of a criminal history records search by the reporting service designated
19 by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the
20 preceding 24 ~~months; and months and disclosure of any expunged convictions; and~~

21 (3) the applicant's renewal fee, along with the convenience fee charged by the Board's on-line
22 application vendor and a separate credit card transaction fee.

23 ~~(b)~~ (c) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under
24 G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.

25 ~~(e)~~ (d) Members of the armed forces whose certification is in good standing and to whom G.S. 105-249.2 grants an
26 extension of time to file a tax return shall receive that same extension of time to pay the certification renewal fee and
27 to complete any continuing education requirements prescribed by the Board. The applicant shall furnish the Board a
28 copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina
29 Department of Revenue.

30 ~~(d)~~ (e) Any firearms trainer who fails to qualify with the minimum score during the refresher course shall not continue
31 to instruct during the period between the failure to qualify and the expiration of his or her permit.

32 ~~(e)~~ (f) The holder of a firearms trainer certificate may utilize a dedicated light system or gun mounted light for personal
33 requalification.

34 ~~(f)~~ (g) During a national or State declared state of emergency that restricts or prohibits a certified firearms trainer from
35 requalifying, the Board shall, upon written request to the Director by the licensee, extend the deadline for
36 requalification up to 90 days beyond the effective period of the state of emergency. Any certificate renewed pursuant

1 to this Paragraph shall be issued conditionally and shall automatically expire on the 90th day if requalification
2 requirements have not been met.

3
4 *History Note: Authority G.S. 74C-5; 74C-8.1(a); 74C-9; 74C-13; 93B-15; 15A-151(a)(10); 93B-8.1(d);*
5 *Eff. June 1, 1984;*
6 *Amended Eff. January 1, 2013; October 1, 2010; June 1, 2009; December 1, 1995; December 1,*
7 *1985;*
8 *Transferred and Recodified from 12 NCAC 07D .0904 Eff. July 1, 2015;*
9 *Amended Eff. November 1, 2017; February 1, 2016; October 1, 2015;*
10 *Readopted Eff. November 1, 2019;*
11 *Amended Eff. March 1, 2020;*
12 *Emergency Amendment Eff. May 6, 2020;*
13 *Temporary Amendment Eff. July 24, 2020;*
14 *Temporary Amendment Expired Eff. May 14, 2021;*
15 *Amended Eff. April 1, 2026; September 1, 2024; January 1, 2024; October 1, 2022; July 1, 2022;*
16 *January 1, 2022.*

1 14B NCAC 16 .0910 is proposed for amendment, with changes, as published in 40:08 NCR 713-722 as follows:

2
3 **14B NCAC 16 .0910 APPLICATION FOR AN UNARMED TRAINER**

4 (a) Each applicant for an unarmed trainer certificate shall submit an online application to the ~~Board.~~ Board containing
5 the applicant's:

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

7 (2) gender and race;

8 (3) residence history;

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

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

11 (b) The ~~application~~ online submission shall be accompanied by:

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

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

18 (3) a statement of the results of a statewide criminal history records search by the reporting service
19 designated by the Board pursuant to G. S. 74C-8.1(a) for each state where the applicant has
20 resided within the preceding 60 ~~[months; months and disclosure of any expunged convictions;]~~0

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

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

26 (6) a certificate of successful completion of the training required by Rule .0909(a)(3) or current
27 certificate of other acceptable certification as set forth in Rule .0909(b) of this Section.

28 (7) the actual cost charged to the Private Protective Services Board by Wake Technical Community
29 College, or other entity, to cover the cost of the unarmed guard trainer course and collected as part
30 of the online application process by the Private Protective Services Board.

31
32 *History Note: Authority G.S. 74C-8; 74C-9; 74C-11; 74C-13; 15A-151(a)(10); 93B-8.1(d);*

33 *Eff. October 1, 2004;*

34 *Amended Eff. January 1, 2013;*

35 *Transferred and Recodified from 12 NCAC 07D .0910 Eff. July 1, 2015;*

36 *Readopted Eff. March 1, 2020;*

37 *Amended Eff. April 1, 2026; September 1, 2024; January 1, 2024.*

1 14B NCAC 16 .0911 is proposed for amendment, with changes, as published in 40:08 NCR 713-722 as follows:

2
3 **14B NCAC 16 .0911 RENEWAL OF AN UNARMED TRAINER CERTIFICATE**

4 (a) Each applicant for renewal of an unarmed trainer certificate shall complete an online renewal form on the website
5 provided by the Board. The application shall contain:

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

7 (2) gender and race;

8 (3) current employer;

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

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

11 (6) firearm type.

12 (b) This online form shall be submitted ~~online~~ not less than 30 days prior to the expiration of the applicant's current
13 certificate. In addition, the applicant shall include the following:

14 (1) the renewal fee set forth in Rule .0903(a)(3) of this Section and collected online as part of the
15 application process;

16 (2) a certificate of completion of a minimum of 16 hours of Board developed armed or unarmed
17 instruction performed during the current unarmed trainer certification period;

18 (3) a statement verifying the classes taught during the current unarmed trainer certification period on a
19 form provided by the Board as part of the online application process; and

20 (4) ~~uploaded online~~ a statement of the results of a criminal history records search by the reporting
21 service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has
22 resided within the preceding 24 [~~months; months and disclosure of any expunged convictions;~~]

23 ~~(b) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under
24 G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.~~

25 (c) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under
26 G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.

27 (d) Members of the armed forces whose certification is in good standing and to whom G.S. 105-249.2 grants an
28 extension of time to file a tax return are granted that same extension of time to pay the certification renewal fee and
29 to complete any continuing education requirements prescribed by the Board. A copy of the military order or the
30 extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue must be
31 furnished to the Board.

32 (e) During a national or State declared state of emergency that restricts or prohibits an unarmed trainer from
33 performing the instruction required by Subparagraph (b)(2) of this Rule, the Board shall, upon written request to the
34 Director by the licensee, extend the deadline for renewal up to 90 days beyond the effective period of the state of
35 emergency. Any certificate renewed pursuant to this Paragraph shall be issued conditionally and shall automatically
36 expire on the 90th day if instruction requirements have not been met.

1 *History Note: Authority G.S. 74C-8; 74C-9; 74C-11; 74C-13; 15A-151(a)(10); 93B-8.1(d);*
2 *Eff. August 1, 2004;*
3 *Amended Eff. January 1, 2013; October 1, 2010; January 1, 2008;*
4 *Transferred and Recodified from 12 NCAC 07D .0911 Eff. July 1, 2015;*
5 *Readopted Eff. March 1, 2020;*
6 *Amended Eff. July 1, 2022;*
7 *Amended Eff. April 1, 2026; October 1, 2022.*

1 14B NCAC 16 .1306 is proposed for amendment, with changes, as published in 40:08 NCR 713-722 as follows:

2
3 **14B NCAC 16 .1306 RENEWAL OR REISSUE OF UNARMED ARMORED CAR SERVICE GUARD**
4 **REGISTRATION**

5 (a) Each applicant for renewal of an unarmed armored car service guard registration identification card or his or her
6 employer shall complete an online form provided by the Board. The application shall contain:

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

8 (2) gender, race, and military service;

9 (3) current employer;

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

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

12 (b) This online form shall be submitted not ~~fewer~~ less than 90 days prior to the expiration of the applicant's current
13 registration and shall be accompanied by:

14 (1) ~~upload online~~ a statement of the results of a statewide criminal history records search obtained
15 from the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state
16 where the applicant has resided within the preceding 12 [~~months;~~ months and disclosure of any
17 expunged convictions;]

18 (2) the applicant's renewal fee, along with the convenience fee charged by the Board's on-line
19 application vendor and credit card transaction fee.

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

23 (4) a completed affidavit form and public notice statement form.

24 ~~(b)~~ (c) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under
25 G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.

26 ~~(c)~~ (d) The employer of each applicant for a registration renewal or reissue shall give the applicant a copy of the
27 online application, including the completed affidavit form, that shall serve as a record of application for renewal or
28 reissue and shall retain a copy of the online application and affidavit in the guard's personnel file in the employer's
29 office.

30 ~~(d)~~ (e) Members of the armed forces whose registration is in good standing and to whom G.S. 105-249.2 grants an
31 extension of time to file a tax return shall receive that same extension of time to pay the registration renewal fee and
32 to complete any continuing education requirements prescribed by the Board. A copy of the military order or the
33 extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be
34 furnished to the Board.

35
36 *History Note:* Authority G.S. 74C-3; 74C-5; 78C-8.1(a); 15A-151(a)(10); 93B-8.1(d);
37 Eff. January 1, 2013;

1 *Transferred and Recodified from 12 NCAC 07D .1406 Eff. July 1, 2015;*
2 *Amended Eff. November 1, 2017;*
3 *Readopted Eff. March 1, 2020;*
4 *Amended Eff. April 1, 2026; September 1, 2024; July 1, 2022.*

1 14B NCAC 16 .1406 is proposed for amendment, with changes, as published in 40:08 NCR 713-722 as follows:

2
3 **14B NCAC 16 .1406 RENEWAL OF ARMED ARMORED CAR SERVICE GUARD FIREARM**
4 **REGISTRATION PERMIT**

5 (a) Each applicant for renewal of an armed armored car service guard firearm registration permit identification card
6 his or her employer or designee shall complete an online form provided by the Board. The application shall contain:

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

8 (2) gender, race, and military service;

9 (3) current employer;

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

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

12 (b) This online form shall be accompanied by:

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

16 (2) ~~upload online~~ a statement of the result of a statewide criminal history records search by the reporting
17 service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has
18 resided within the preceding 12 ~~[months; months and disclosure of any expunged convictions;]~~

19 (3) the applicant's renewal fee, along with the convenience fee charged by the Board's on-line
20 application vendor and credit card transaction fee;

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

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

26 (6) a completed affidavit form and public notice statement form.

27 ~~(b)~~ (c) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under
28 G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.

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

33 ~~(d)~~ (e) Members of the armed forces whose registration is in good standing and to whom G.S. 105-249.2 grants an
34 extension of time to file a tax return shall receive that same extension of time to pay the registration renewal fee and
35 to complete any continuing education requirements prescribed by the Board. A copy of the military order or the
36 extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be
37 furnished to the Board.

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3
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7

*History Note: Authority G.S. 74C-3; 74C-5; 74C-8.1(a); 74C-13; 15A-151(a)(10); 93B-8.1(d);
Eff. January 1, 2013;
Transferred and Recodified from 12 NCAC 07D .1506 Eff. July 1, 2015;
Amended Eff. November 1, 2017;
Readopted Eff. March 1, 2020;
Amended Eff. April 1, 2026; September 1, 2024; July 1, 2022.*

Burgos, Alexander N

Subject: FW: [External] RE: PPSB RFC for March 26

From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Tuesday, March 24, 2026 11:26 AM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: PPSB RFC for March 26

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.

Thank you for the heads up.

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: Tuesday, March 24, 2026 10:50 AM
To: Gray, Jeffrey <JGray@bdixon.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: [External] RE: PPSB RFC for March 26

Jeff,

I wanted to give you a heads up that I will be issuing a staff opinion this afternoon that impacts both PPSB and Security Systems.

In short, there is concern about the statutory authority to require applicants to self-disclose expunged convictions when the change to session law is only explicit about the Boards having authority to request that information from AOC. I anticipate that at least one Commissioner will want to discuss this, so I am drafting a staff opinion to identify the issue for them.

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, March 23, 2026 5:38 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: PPSB RFC for March 26

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:

Without going into a lot of detail (because it is not a hard and fast rule), yes, as a general rule an expunged conviction is no longer a conviction. However, these provisions were added because of the doubling of the “commission” offenses that the Board can now deny, suspend or revoke for. Take a look at amended G.S. 74C-12(a)(9) in Sec. 2.(e) of S.L. 2025-51.

As with the Criminal Justice Education & Training Standards Commission and the Sheriff Education and Training Standards Commission the PPSB (& SSLB) can now consider an expunged offense as a committed offense.

The authority to access expunged convictions did not, *per se*, expand the Board’s authority; the addition of four more categories of commission offenses did, however.

Jeff

Jeffrey P. Gray
Of Counsel
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Telephone: 919-828-0731
Facsimile: 919-828-6592
E-mail: jgray@bdixon.com

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Monday, March 23, 2026 4:56 PM
To: Gray, Jeffrey <JGray@bdixon.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: [External] RE: PPSB RFC for March 26

Jeff,

I am not planning on issuing a staff opinion related to good moral character. However, in discussing it with a Commissioner, a question came up which you may be able to shed some light on.

In Sl. 2025-51, it appears that the only reference to expunction modifies G.S. 15A-151 to provide PPSB with records of expunged convictions, which does not in and of itself seem to expand PPSB's authority. Is the situation that PPSB's existing authority would have allowed them to consider expunged convictions, but the practical record keeping prevented it? Or was there a change to PPSB's authority elsewhere that I am missing?

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] RE: PPSB RFC for March 26

From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Monday, March 23, 2026 5:39 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: PPSB RFC for March 26

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Seth:

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The authority to access expunged convictions did not, *per se*, expand the Board’s authority; the addition of four more categories of commission offenses did, however.

Jeff

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From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Monday, March 23, 2026 4:56 PM
To: Gray, Jeffrey <JGray@bdixon.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: [External] RE: PPSB RFC for March 26

Jeff,

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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] RE: PPSB RFC for March 26

From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Friday, March 13, 2026 4:40 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: PPSB RFC for March 26

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Seth:

Thanks.

And I'd love to see your memo on GMC if you are allowed to circulate it prior to the meeting.

Jeff

Jeffrey P. Gray

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

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Friday, March 13, 2026 4:33 PM
To: Gray, Jeffrey <JGray@bdixon.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: [External] RE: PPSB RFC for March 26

Jeff,

Thank you for your response. For future reference, you don't need brackets around text added post publication, just language that was remove post publication. Detailed formatting examples are available here: <https://www.oah.nc.gov/rule-format-examples#RuleFormatExamplesforPublicationintheNCAdministrativeCode-6063>

The additional changes you made are fine, and the confusion on the ammo issue can be chalked up to my own level of familiarity with firearms.

The "good moral character" definition issue has come up for discussion in previous Commission meetings post-Devalle. I may put together a staff opinion on the issue summarizing the circumstances here, including the different language and statutory authorization you have. Otherwise, I anticipate recommending approval of the final revised rules.

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

Subject: FW: [External] RE: PPSB RFC for March 26
Attachments: 14B NCAC 16 .0807 proposed for amendment with changes 031226.docx; 14B NCAC 16 .0808 proposed for amendment with changes.031226.docx; 14B NCAC 16 .0911 proposed for amendment with changes.031226.docx; 14B NCAC 16 .1306 proposed for amendment with changes.031226.docx

From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Thursday, March 12, 2026 1:47 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: [External] RE: PPSB RFC for March 26

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:

I am responding to your Request for changes:

14B NCAC 16 .0703

Also, I am very familiar with *Devalle*. The Board's "good moral character" standard is defined by statute in G.S. 74D-2(d)(2) and G.S. 74D-(6)(3) by equating the conduct to conviction of a broad category of state and federal crimes. This Board, the Security Systems Licensing Board, and one other board are the only three boards in NC with this detailed definition. I am confident it meets the new standard established by *Devalle*.

14B NCAC 16 .0806

I cannot find anywhere in .0807 that references "live" ammo; only the reference to ballistic equivalent ammo in .0807(f). There is no need to state that the ammo must be "live" Ammo that is "dead" is just an empty casing. Without a projectile the shooter cannot punch a hole in the target that allows it to be graded to determine a passing score.

14B NCAC 16 .0807

No, .0806 and .0904 are renewal rules. .0807 is strictly a training requirements rule.

I did make a change that was not requested. In perusing the rule, I discovered there is a stray/unnecessary "however" on page 2, line 5. I struck it.

14B NCAC 16 .0808

Suggested change made.

14B NCAC 16 .0904

(Same as .0806, above.)

I noted that there was a period missing after “insurance’ in line 11 of .1306(a). I added it. Also, there is a stray/inconsistent “an” in the title of .0911. (It is inconsistent with all other similar titles.) I deleted it. I hope these are okay with you.

The four rules with changes have been filed. Copies attached.

Jeff

Jeffrey P. Gray

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E-mail: jgray@bdixon.com

1 14B NCAC 16 .0807 is proposed for amendment, with changes, as published in 40:08 NCR 713-722 as follows:

2
3 **14B NCAC 16 .0807 TRAINING REQUIREMENTS FOR ARMED LICENSEES AND SECURITY**
4 **GUARD REGISTRANTS**

5 (a) Applicants for an armed security guard firearm registration permit shall first complete the basic unarmed security
6 guard training course set forth in Rule .0707 of this Chapter.

7 (b) Private investigator, close personal protection, or any other licensees applying for an armed permit shall first
8 complete a training course consisting of the courses set forth in Rule .0707(a)(1) and (2) of this Chapter.

9 (c) Applicants for an armed security guard firearm registration permit shall complete a basic training course for armed
10 security guards which consists of at least 20 hours of classroom instruction including:

- 11 (1) legal limitations on the use of handguns and on the powers and authority of an armed security guard,
12 including familiarity with rules and regulations relating to armed security guards (minimum of four
13 hours);
14 (2) handgun safety, including range firing procedures (minimum of one hour);
15 (3) handgun operation and maintenance (minimum of three hours);
16 (4) handgun fundamentals (minimum of eight hours); and
17 (5) night firing (minimum of four hours).

18 Subparagraph (c)(2), "operation" under Subparagraph (c)(3), and Subparagraph (c)(4) of this Rule shall be completed
19 prior to the applicant's participation in range ~~firing~~; firing, and all 20 hours must be completed within 14 consecutive
20 days.

21 (d) Applicants for either an armed licensee permit or an armed security guard firearm registration permit shall attain
22 a score of at least 80 percent accuracy on a firearms range qualification course established by the Board and the
23 Secretary of Public Safety, a copy of which is on file in the Director's office, once in three consecutive attempts.
24 Should a student fail to attain a score of 80 percent accuracy, the student shall be given a second opportunity to qualify
25 once in three consecutive attempts on the course of fire the student did not pass. Failure to qualify after the second
26 series of attempts shall require the student to repeat the entire basic training course for armed security guards. All
27 attempts must take place within 20 days of the completion of the initial 20 hour course. For rifle qualification all shots
28 shall be located on the target.

29 (e) All training required by this Rule shall be administered by a certified trainer and the training required by Paragraph
30 (c) of this Rule and the initial training for authorization for a rifle or shotgun shall be completed no more than 90 days
31 prior to the date of application for the licensee permit or armed security guard firearm registration permit.

32 (f) All applicants for an armed security guard firearm registration permit shall obtain training under the provisions of
33 this Section using their duty weapon and their duty ammunition or ballistic equivalent ammunition, to include lead-
34 free ammunition that meets the same point of aim, point of impact, and felt recoil of the duty ammunition, for all
35 firearms.

36 (g) No more than six new or renewal licensee permit or armed security guard applicants per one instructor shall be
37 placed on the firing line at any one time during firearms range training.

1 (h) Applicants for re-certification of an armed licensee permit or an armed security guard firearm registration permit
2 shall complete the basic recertification training course for armed security guards that consists of at least four hours of
3 classroom instruction and is a review of the requirements set forth in Subparagraphs (c)(1) through (c)(5) of this Rule.
4 Subparagraph (c)(2), operation under Subparagraph (c)(3), and Subparagraphs (c)(4) and (5) of this Rule shall be
5 reviewed prior to range firing; ~~and however~~ maintenance under Subparagraph (c)(3) may be reviewed after range
6 firing. The recertification course is valid for 180 days after completion of the course. Applicants for recertification of
7 a licensee permit or an armed security guard firearm registration permit shall also complete the requirements of
8 Paragraph (d) of this Rule.

9 (i) An armed guard registered with one company may be registered with a second company. The registration shall be
10 considered "dual." The registration with the second company shall expire at the same time that the registration expires
11 with the first company. An updated application shall be required to be submitted by the applicant, along with the
12 digital photograph, updated criminal records checks, and a forty dollar (\$40.00) registration fee. If the guard's duty
13 firearm for all companies is the same make, model, and caliber, then no additional firearms training shall be required.
14 The licensee shall submit a letter stating the guard will be carrying the same make and model firearm. If the guard
15 will be carrying a firearm of a different make and model, the licensee shall submit a letter to the Board advising of the
16 make, model, and caliber of the firearm the guard will be carrying and the guard shall be required to qualify at the
17 firing range on both the day and night qualification course. The qualification score is valid for 180 days after
18 completion of the course.

19 (j) To be authorized to carry a standard 12 gauge shotgun in the performance of his or her duties as an armed security
20 guard, an applicant shall complete, in addition to the requirements of Paragraphs (a), (c), and (d) of this Rule, six hours
21 of classroom training that shall include the following:

- 22 (1) legal limitations on the use of shotgun (minimum of one hour);
- 23 (2) shotgun safety, including range firing procedures (minimum of one hour);
- 24 (3) shotgun operation and maintenance (minimum of one hour);
- 25 (4) shotgun fundamentals (minimum of two hours); and
- 26 (5) night firing (minimum of one hour).

27 Subparagraph (j)(2), "operation" under Subparagraph (j)(3), and Subparagraph (j)(4) of this Rule shall be completed
28 prior to the applicant's participation in range firing.

29 (k) An armed security guard applicant may take the additional shotgun training at a time after the initial training in
30 this Rule. If the shotgun training is completed at a later time, the shotgun certification shall run concurrent with the
31 armed registration permit. In addition to the requirements set forth in Paragraph (j) of this Rule, applicants shall attain
32 a score of at least 80 percent accuracy on a shotgun range qualification course established by the Board and the
33 Secretary of Public Safety, a copy of which is on file in the Director's office.

34 (l) Applicants for shotgun recertification shall complete one hour of classroom training covering the topics set forth
35 in Paragraph (j) of this Rule and shall also complete the requirements of Paragraph (d) of this Rule.

1 (m) To be authorized to carry a rifle in the performance of his or her duties as an armed security guard, an applicant
2 shall complete, in addition to the requirements of Paragraphs (a), (c), and (d) of this Rule, 16 hours of classroom
3 training which shall include the following:

- 4 (1) legal limitations on the use of rifles (minimum of one hour);
- 5 (2) rifle safety, including range firing procedures (minimum of one hour);
- 6 (3) rifle operation and maintenance (minimum of two hours);
- 7 (4) rifle fundamentals (minimum of ten hours); and
- 8 (5) night firing (minimum two hours).

9 Subparagraph (m)(2), "operation" under Subparagraph (m)(3), and Subparagraph (m)(4) of this Rule shall be
10 completed prior to the applicant's participation in range firing.

11 (n) The applicant shall pass a skills course that tests each basic rifle skill and the test of each skill shall be completed
12 within three attempts.

13 (o) An applicant may take the additional rifle training at a time after the initial training in Subsection (c) of this Rule.
14 If the rifle training is completed at a later time, the rifle certification shall run concurrent with the armed registration
15 permit. In addition to the requirements set forth in Paragraphs (m) and (n) of this Rule, applicants shall attain a score
16 of at least 80 percent accuracy on a rifle range qualification course established by the Board and the Secretary of
17 Public Safety, a copy of which is on file in the Director's office.

18 (p) Applicants for rifle recertification shall complete an additional one hour of classroom training covering the topics
19 set forth in Paragraph (m) of this Rule and shall also complete the requirements of Paragraph (d) of this Rule.

20 (q) Upon written request, an applicant for an armed licensee permit or an armed security guard firearm registration
21 permit who possesses a current firearms trainer certificate shall be given a licensee permit or registration permit that
22 will run concurrent with the trainer certificate upon completion of an annual qualification with the applicant's duty
23 firearms as set forth in Paragraph (d) of this Rule.

24 (r) An armed licensee or security guard is required to qualify annually both for day and night firing with his or her
25 duty handgun, shotgun, and rifle, if applicable. If the licensee or security guard fails to qualify on any course of fire,
26 the licensee or security guard shall not carry the firearm until such time as he or she meets the qualification
27 requirements. Upon failure to qualify, the firearm instructor shall notify the licensee or security guard verbally that he
28 or she is no longer authorized to carry the firearm and the firearm instructor shall notify the employer and the Private
29 Protective Services Board staff in writing on the next business day.

30 (s) A firearm training certificate of an armed security guard remains valid even if the guard leaves the employment
31 of one company for the employment of another. The range qualifications shall remain valid if the guard will be carrying
32 a firearm of the same make, model, and caliber and no additional firearms training shall be required. The licensee shall
33 submit a letter stating the guard will be carrying the same make and model firearm. If the guard will be carrying a
34 firearm of a different make and model, the licensee shall submit a letter to the Board advising of the make, model, and
35 caliber of the firearm the guard will be carrying and the guard shall be required to qualify at the firing range on both
36 the day and night qualification course. The qualification score is valid for 180 days after completion of the course.
37 However, nothing herein shall extend the period of time the qualification is valid.

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History Note: Authority G.S. 74C-5; 74C-9; 74C-13;
Eff. June 1, 1984;
Amended Eff. November 1, 1991; February 1, 1990; July 1, 1987;
Temporary Amendment Eff. January 14, 2002;
Amended Eff. October 1, 2013; October 1, 2010; June 1, 2009; February 1, 2006; August 1, 2002;
Transferred and Recodified from 12 NCAC 07D .0807 Eff. July 1, 2015;
Amended Eff. January 1, 2018; February 1, 2016; October 1, 2015;
Readopted Eff. November 1, 2019;
Amended Eff. January 1, 2023; February 1, 2022;
Temporary Amendment Eff. April 28, 2023;
Amended Eff. April 1, 2026; November 1, 2023.

1 14B NCAC 16 .0808 is proposed for amendment, with changes, as published in 40:08 NCR 713-722 as follows:

2
3 **14B NCAC 16 .0808 CONCEALED HANDGUN**

4 (a) The Board does not have the authority to issue a Concealed Handgun Carry Permit. However, a ~~licensee~~ licensee,
5 trainee, registrant, or firearms trainer who has complied with all provisions of G.S. 14, Article 54B and applicable
6 rules adopted by the N.C. Criminal Justice Education and Training Standards Commission pursuant thereto and has
7 been issued a current concealed handgun permit by a Sheriff may carry a concealed handgun after complying with the
8 concealed handgun provisions for training and qualifications set forth in Paragraph (b) of this Rule.

9 (b) A licensee, ~~trainee, registrant, or firearms trainer~~ trainee, or registrant shall comply with each of the following
10 requirements to carry a concealed handgun while engaged in a private protective services business:

- 11 (1) Hold a current Armed Licensee Registration or Armed Security Guard Registration Permit by
12 complying with all requirements for armed registration as prescribed in this Section.
- 13 (2) Complete standards [~~set forth by the N.C. Criminal Justice Education and Training Standards~~
14 Commission as required by G.S. 14-415.12] to include knowledge of North Carolina firearms laws
15 including the limitation on concealed handgun possession on specified property and within certain
16 buildings.

17 (c) Upon application to the Board, a licensee, ~~trainee, registrant, or firearms trainer~~ trainee, or registrant meeting the
18 requirements of this Section shall be issued a concealed handgun endorsement to the current Armed Licensee
19 Registration or Armed Security Guard Registration Permit ~~for the term of the Armed Security Guard Registration~~
20 ~~Permit~~ without additional permit fees, but any additional training costs necessary to comply with this Section shall be
21 borne directly by the applicant. The endorsement shall be renewed at the time of the Armed Licensee Registration or
22 Armed Security Guard Registration Permit renewal pursuant to this Rule on payment of the ~~armed security~~
23 ~~guard registration~~ renewal fee and proof of possession of a current Concealed Handgun Permit. A licensee, but not a
24 registrant, who is authorized pursuant to Section 926B or 926C of Title 18 of the United States Code to carry a
25 concealed handgun and is in compliance with the requirements of those Code sections is exempt from the Concealed
26 Handgun Carry Permit requirements of this Rule, but must still obtain the endorsement. There shall be no additional
27 fee for the concealed handgun endorsement renewal.

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29 *History Note: Authority G.S. 74C-5; 74C-13;*
30 *Eff. June 1, 1984;*
31 *Temporary Amendment Eff. December 1, 1995 for a period of 180 days or until the*
32 *permanent rule becomes effective, whichever is sooner;*
33 *Amended Eff. June 1, 1996;*
34 *Transferred and Recodified from 12 NCAC 07D .0808 Eff. July 1, 2015;*
35 *Readopted Eff. November 1, 2019;*
36 *Amended Eff. April 1, 2026; July 1, 2021.*

1 14B NCAC 16 .0911 is proposed for amendment, with changes, as published in 40:08 NCR 713-722 as follows:

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3 **14B NCAC 16 .0911 RENEWAL OF [AN] UNARMED TRAINER CERTIFICATE**

4 (a) Each applicant for renewal of an unarmed trainer certificate shall complete an online renewal form on the website
5 provided by the Board. The application shall contain:

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

7 (2) gender and race;

8 (3) current employer;

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

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

11 (6) firearm type.

12 (b) This online form shall be submitted ~~online~~ not less than 30 days prior to the expiration of the applicant's current
13 certificate. In addition, the applicant shall include the following:

14 (1) the renewal fee set forth in Rule .0903(a)(3) of this Section and collected online as part of the
15 application process;

16 (2) a certificate of completion of a minimum of 16 hours of Board developed armed or unarmed
17 instruction performed during the current unarmed trainer certification period;

18 (3) a statement verifying the classes taught during the current unarmed trainer certification period on a
19 form provided by the Board as part of the online application process; and

20 (4) ~~uploaded online~~ a statement of the results of a criminal history records search by the reporting
21 service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has
22 resided within the preceding ~~24 months;~~ months and disclosure of any expunged convictions;

23 ~~(b) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under
24 G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.~~

25 (c) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under
26 G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.

27 (d) Members of the armed forces whose certification is in good standing and to whom G.S. 105-249.2 grants an
28 extension of time to file a tax return are granted that same extension of time to pay the certification renewal fee and
29 to complete any continuing education requirements prescribed by the Board. A copy of the military order or the
30 extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue must be
31 furnished to the Board.

32 (e) During a national or State declared state of emergency that restricts or prohibits an unarmed trainer from
33 performing the instruction required by Subparagraph (b)(2) of this Rule, the Board shall, upon written request to the
34 Director by the licensee, extend the deadline for renewal up to 90 days beyond the effective period of the state of
35 emergency. Any certificate renewed pursuant to this Paragraph shall be issued conditionally and shall automatically
36 expire on the 90th day if instruction requirements have not been met.

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1 *History Note: Authority G.S. 74C-8; 74C-9; 74C-11; 74C-13; 15A-151(a)(10); 93B-8.1(d);*
2 *Eff. August 1, 2004;*
3 *Amended Eff. January 1, 2013; October 1, 2010; January 1, 2008;*
4 *Transferred and Recodified from 12 NCAC 07D .0911 Eff. July 1, 2015;*
5 *Readopted Eff. March 1, 2020;*
6 *Amended Eff. July 1, 2022;*
7 *Amended Eff. April 1, 2026; October 1, 2022.*

1 14B NCAC 16 .1306 is proposed for amendment, with changes, as published in 40:08 NCR 713-722 as follows:

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3 **14B NCAC 16 .1306 RENEWAL OR REISSUE OF UNARMED ARMORED CAR SERVICE GUARD**
4 **REGISTRATION**

5 (a) Each applicant for renewal of an unarmed armored car service guard registration identification card or his or her
6 employer shall complete an online form provided by the Board. The application shall contain:

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

8 (2) gender, race, and military service;

9 (3) current employer;

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

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

12 (b) This online form shall be submitted not ~~fewer~~ less than 90 days prior to the expiration of the applicant's current
13 registration and shall be accompanied by:

14 (1) ~~upload online~~ a statement of the results of a statewide criminal history records search obtained
15 from the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state
16 where the applicant has resided within the preceding 12 ~~months;~~ months and disclosure of any
17 expunged convictions;

18 (2) the applicant's renewal fee, along with the convenience fee charged by the Board's on-line
19 application vendor and credit card transaction fee.

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

23 (4) a completed affidavit form and public notice statement form.

24 ~~(b)~~ (c) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under
25 G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.

26 ~~(c)~~ (d) The employer of each applicant for a registration renewal or reissue shall give the applicant a copy of the
27 online application, including the completed affidavit form, that shall serve as a record of application for renewal or
28 reissue and shall retain a copy of the online application and affidavit in the guard's personnel file in the employer's
29 office.

30 ~~(d)~~ (e) Members of the armed forces whose registration is in good standing and to whom G.S. 105-249.2 grants an
31 extension of time to file a tax return shall receive that same extension of time to pay the registration renewal fee and
32 to complete any continuing education requirements prescribed by the Board. A copy of the military order or the
33 extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be
34 furnished to the Board.

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36 *History Note:* Authority G.S. 74C-3; 74C-5; 78C-8.1(a); 15A-151(a)(10); 93B-8.1(d);
37 Eff. January 1, 2013;

1 *Transferred and Recodified from 12 NCAC 07D .1406 Eff. July 1, 2015;*
2 *Amended Eff. November 1, 2017;*
3 *Readopted Eff. March 1, 2020;*
4 *Amended Eff. April 1, 2026; September 1, 2024; July 1, 2022.*

Burgos, Alexander N

From: Ascher, Seth M
Sent: Monday, March 2, 2026 4:06 PM
To: Gray, Jeffrey
Cc: Burgos, Alexander N
Subject: PPSB RFC for March 26
Attachments: PPSB RFC March 26.docx

Jeff,

I'm the attorney who reviewed the Rules submitted by the Private Protective Services Board for the March 2026 RRC meeting. The RRC will formally review these Rules at its meeting on Thursday, March 26, 2026, at 10:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an evite should be sent to you as we get close to the meeting. If there are any other representatives from your agency who want to attend virtually, let me know prior to the meeting, and we will get evites out to them as well.

Attached is my initial Request for Changes Pursuant to G.S. 150B-21.10. Please submit your responses, the revised Rules, and forms to me via email, no later than 5 p.m. on March 13, 2026.

Please let me know if you have any questions of concerns.

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.