

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0104

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

(a), line 5: For consistency, you can remove "Rule" before "12 NCAC 09B .0205".

*(b), line 9: Should this instead say, "... shall provide the examining physician, physician's **assistant**, or nurse practitioner with: ..."?*

(b)(1): I would recommend moving the reference to 12 NCAC 09I .0105 up to the first instance in the Rule where you mention the Medical History Form, on page 1, line 6.

(b)(1): "[R]ead, completed, and signed" by whom? The examiner?

(b)(2): Remove the commas directly after "Questionnaire" and "Addendum".

(c), line 15: Insert "or" before "nurse practitioner".

(d)(1): I think this should say "the applicant beginning" rather than "the applicant's beginning".

(d)(1): "Commission approved" should be hyphenated.

History Note: Paragraph spacing needs to be the same as the format used for the rest of the rule text. Please update.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09B .0104 is amended as published in 40:06 NCR 518-561 as follows:

12 NCAC 09B .0104 MEDICAL EXAMINATION

(a) Each applicant for certification or enrollment in a ~~Commission-approved~~ Commission-approved basic law enforcement training course pursuant to Rule 12 NCAC 09B .0205, shall complete, sign, and date the Commission's Medical History Statement Form (F-1) and shall be examined by either a physician, physician assistant, or nurse practitioner who holds a current license in the United States to practice medicine, as issued by a state medical board, to help determine his or her fitness to carry out the physical requirements of the position of law enforcement officer.

(b) Prior to being examined, the applicant shall provide the examining physician, physician or nurse practitioner with:

(1) the Medical History Statement Form ~~(F-1)~~, (F-1), pursuant to 12 NCAC 09I .0105, which must be read, completed, and signed; and

(2) the ~~Instructions to Agency and Examiner for Completion of~~ Medical Examination Report ~~(F-2A)~~ Form (F-2), the Tuberculosis Questionnaire, Form (F-2A), and the Medical Examination Report Addendum, Form (F-2B), pursuant to 12 NCAC 09I .0105.

(c) The examining physician, physician's assistant, nurse practitioner, shall record the results of the examination on the Medical Examination Report Form (F-2) and shall sign and date the form. ~~The Medical Examination Report Form (F-2) shall contain the following information:~~

- ~~(1) Name, date of birth, employing agency, height, weight, and last 4 digits of the Social Security Number for the person being examined;~~
- ~~(2) Results of Vision Acuity;~~
- ~~(3) Results of Hearing Acuity;~~
- ~~(4) Results of Cardiovascular Examination;~~
- ~~(5) Abnormal Findings;~~
- ~~(6) Tuberculosis Risk Questionnaire;~~
- ~~(7) Tuberculosis Symptom Questionnaire; and~~
- ~~(8) Name, signature, and medical license number of examining medical professional.~~

(d) The Medical Examination Report Form ~~(F-2)~~ and (F-2), the Tuberculosis Questionnaire Form (F-2A), and the Medical History Statement Form (F-1) shall be valid for one year after the date the examination was conducted and shall be completed prior to:

- (1) the applicant's beginning the Commission approved basic law enforcement training course; and
- (2) the employing agency submission of application for certification to the Commission.

*History Note: Authority G.S. 17C-6; 17C-10;
Eff. January 1, 1981;
Amended Eff. April 1, 2018; October 1, 2017; November 1, 1993; February 1, 1991; March 1, 1990;
April 1, 1985;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019;
Amended Eff. February 1, 2026; November 1, 2024; October 1, 2022.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0212

DEADLINE FOR RECEIPT: **January 21, 2026**

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

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

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

(a), line 5: You use the word "trainee" here, but then use "student" in other places throughout the Rule. Pick one to use throughout the Rule for consistency, unless they have different meanings.

(a)(1): Capitalize "hours" for consistency.

*(a), line 20: Consider rewording this sentence to, "This course **shall have** a minimum ratio of one instructor per six students."*

(a), line 20: I believe the struck through "~~weeks~~." should not be here. It looks to be duplicated.

(b), page 2, line 3: Change "hold" to "holding".

*(c), lines 28-29: Consider rewording this sentence to, "This course **shall have** a minimum ratio of one instructor per six students."*

(d), line 32: I believe "eligible" should be changed to "allowed", for consistency.

(e), page 3, line 1: What are "additional" breaks? Where are the "original" breaks explained or defined? I don't see anything on this in the Rule.

(e), page 3, line 9: Change "the Section" to "this Section".

(e), page 3, line 9: Insert a comma before the website URL.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09B .0212 is amended with changes as published in 40:06 NCR 518-561 as follows:

**12 NCAC 09B .0212 CERTIFICATION AND RE-CERTIFICATION TRAINING FOR RADAR
OPERATORS**

(a) The radar operator training course for law enforcement officers shall be designed to provide the trainee with the skills and knowledge to perform the function of a law enforcement radar operator. This course shall be for a period not to exceed four consecutive ~~weeks,~~ weeks and shall consist of a minimum of 30 hours of instruction, including the following topic areas and minimum hours for each:

(1)	<u>Course Orientation</u>	<u>0.5 hours</u>
(2)	<u>Introduction to Radar Training</u>	<u>0.5 Hours</u>
(3)	<u>Speed Offenses and Speed Enforcement</u>	<u>2 Hours</u>
(4)	<u>Basic Principles of Radar Speed Measurement</u>	<u>5 Hours</u>
(5)	<u>Legal and Operational Considerations</u>	<u>4 Hours</u>
(6)	<u>Familiarization and Operation of Specific Radar Instruments</u>	<u>10 Hours</u>
(7)	<u>Courtroom Preparation</u>	<u>3 Hours</u>
(8)	<u>Motor-Skill Performance Testing</u>	<u>4 Hours</u>
(9)	<u>Course Review</u>	<u>1 Hour</u>

~~[The number of hours required to complete each of the topic areas (6) Familiarization and Operation of Specific Radar Instruments and (8) Motor Skill Performance Testing shall be based on the number of students and number of instructors to ensure]~~ This course requires a minimum ratio of one instructor per six students. ~~weeks. If the Governor declares a State of Emergency pursuant to G.S. 166A-19.3(19), the Director of the Criminal Justice Standards Division shall allow additional breaks in a specific course delivery when the Director determines that doing so is necessary based on consideration of the following factors:~~

- ~~(1) Whether instruction has begun in the course or whether course initiation may be postponed;~~
- ~~(2) The risk of harm to students that may be caused by continuation of the course;~~
- ~~(3) Whether those enrolled in the course have been or will likely be called to action to help address—the State of Emergency;~~
- ~~(4) The specific need for the waiver; and~~
- ~~(5) The degree of benefit to the public in allowing a break in instruction.~~

~~Notice of waivers granted pursuant to the Section shall be posted on the CJETS website <https://ncdoj.gov/law-enforcement-training/criminal-justice/>. The waivers granted pursuant to this Section shall only apply to courses that began during the effective period of the State of Emergency.~~

(b) Only ~~employed~~ those individuals currently certified as a law enforcement officer ~~employed~~ or appointed personnel of a law enforcement agency shall be enrolled in the radar operator training course. ~~Such a trainee shall not be certified as a radar operator until the basic law enforcement training course has been completed and probationary or general law enforcement certification has been granted.~~ Sheriffs, deputy sheriffs, and federal law enforcement personnel, including armed forces personnel, shall be allowed to participate in the radar operator

1 training courses ~~on a space available basis~~ at the discretion of the school director without having enrolled in or
2 having successfully completed the basic law enforcement training course and without being currently certified in a
3 probationary status or hold general law enforcement certification. ~~The radar operator training course required for~~
4 ~~radar operator certification shall include the topic areas and minimum number of hours as outlined in the Radar~~
5 ~~Operator Training Course. To qualify for radar operator certification, an applicant shall meet the minimum~~
6 ~~requirements as outlined in the Radar Operator Training Course and meet the requirements of 12 NCAC 09B .0408~~
7 ~~and .0409.~~

8 ~~(c) The "Radar Operator Training Course" as published by the North Carolina Justice Academy is to be applied as~~
9 ~~basic curriculum for the radar operator training course for radar operators as administered by the Commission.~~

10 ~~Copies of this publication may be inspected at the office of the agency:~~

11 Criminal Justice Standards Division
12 North Carolina Department of Justice
13 1700 Tryon Park Drive
14 Post Office Drawer 149
15 Raleigh, North Carolina 27602

16 ~~and may be obtained at cost from the Academy at the following address:~~

17 North Carolina Justice Academy
18 Post Office Box 99
19 Salemburg, North Carolina 28385

20 (c) The radar operator re-certification training course shall be designed to provide the law enforcement officer with
21 the skills and knowledge to continue to proficiently perform the functions of a radar operator. This course shall be
22 presented within a period not to exceed one week and shall consist of a minimum of six hours of instruction,
23 including the following topic areas and minimum hours for each:

24	<u>(1) Course Orientation</u>	<u>0.5 Hours</u>
25	<u>(2) Legal and Operational Considerations</u>	<u>1.5 Hours</u>
26	<u>(3) Motor-Skill Performance Testing</u>	<u>4 Hours</u>

27 [The number of hours required to complete the Motor Skill Performance Testing topic area shall be based on the
28 number of students and number of instructors to ensure] This course requires a minimum ratio of one instructor per
29 six students.

30 (d) Trainees enrolled in a radar operator re-certification training course shall, at the time of enrollment, hold active
31 radar operator certification or have previously held active radar operator certification within 12 months prior to the
32 scheduled end date of the course. Federal law enforcement personnel shall be eligible to participate in radar operator
33 re-certification training courses at the discretion of the school director without previously having held radar operator
34 certification, but such personnel must have completed one introductory level speed measurement instrument course
35 that included instruction on operation of radar instruments. Courses that meet this requirement include those
36 described in Paragraph (a) of this Rule and those described in 12 NCAC 09B .0242(a).

37 (e) If the Governor declares a State of Emergency pursuant to G.S. 166A- 19.3(19), the Director of the Criminal

1 Justice Standards Division shall allow additional breaks in a specific course delivery when the Director determines
2 that doing so is necessary based on consideration of the following factors:

- 3 (1) Whether instruction has begun in the course or whether course initiation may be postponed;
- 4 (2) The risk of harm to students that may be caused by the continuation of the course;
- 5 (3) Whether those enrolled in the course have been or will likely be called to action to help address
6 the State of Emergency;
- 7 (4) The specific need for the waiver; and
- 8 (5) The degree of benefit to the public in allowing a break in instruction.

9 Notice of waivers granted pursuant to the Section shall be posted on the CJETS website [https://ncdoj.gov/law-](https://ncdoj.gov/law-enforcement-training/criminal-justice/)
10 enforcement-training/criminal-justice/. The waivers granted pursuant to this Section shall only apply to courses that
11 began or were in progress during the effective period of the State of Emergency.

12
13 *History Note: Authority G.S. 17C-6;*
14 *Eff. November 1, 1981;*
15 *Readopted w/change Eff. July 1, 1982;*
16 *Temporary Amendment Eff. February 24, 1984 for a period of 120 days to expire on June 22,*
17 *1984;*
18 *Amended Eff. April 1, 1999; November 1, 1998; August 1, 1995; February 1, 1991; July 1, 1989;*
19 *August 1, 1984;*
20 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
21 *2019;*
22 *Amended Eff. February 1, 2026; April 1, 2022.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0213

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

History Note, page 2, line 13: The period after "2022" should be replaced with a semi-colon.

History Note, page 2, line 14: Please change "Repeal" to "Repealed".

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09B .0213 is repealed as published in 40:06 NCR 518-561 as follows:

~~12 NCAC 09B .0213~~ ~~CERTIFICATION TRAINING FOR RADAR/TIME DISTANCE OPERATORS~~

~~(a) The radar/time distance operator training course for law enforcement officers shall be designed to provide the trainee with the skills and knowledge to perform the function of a radar/time distance operator. This course shall be for a period not to exceed four consecutive weeks. If the Governor declares a State of Emergency pursuant to G.S. 166A-19.3(19), the Director of the Criminal Justice Standards Division shall allow additional breaks in a specific course delivery when the Director determines that doing so is necessary based on consideration of the following factors:~~

- ~~(1) Whether instruction has begun in the course or whether course initiation may be postponed;~~
- ~~(2) The risk of harm to students that may be caused by continuation of the course;~~
- ~~(3) Whether those enrolled in the course have been or will likely be called to action to help address the State of Emergency;~~
- ~~(4) The specific need for the waiver; and~~
- ~~(5) The degree of benefit to the public in allowing a break in instruction.~~

~~Notice of waivers granted pursuant to the Section shall be posted on the CJETS website <https://ncdoj.gov/law-enforcement-training/criminal-justice/>. The waivers granted pursuant to this Section shall only apply to courses that began during the effective period of the State of Emergency.~~

~~(b) Only employed or appointed personnel of a law enforcement agency may be enrolled in the radar and time distance speed measurement instrument operator training course. Such a trainee shall not be certified as a radar and time distance speed measurement instrument operator until the basic law enforcement training course has been completed and probationary or general law enforcement certification has been granted. Sheriffs, deputy sheriffs, and federal law enforcement personnel, including armed forces personnel, shall be allowed to participate in radar and time distance speed measurement instrument operator training courses on a space available basis at the discretion of the school director without having enrolled in or having completed the basic law enforcement training course and without being currently certified in a probationary status or holding general law enforcement certification. The radar/time distance operator training course required for radar/time distance operator certification shall include the topic areas and minimum number of hours as outlined in the Radar/Time Distance Operator Training Course. To qualify for radar/time distance operator certification, an applicant shall meet the minimum requirements as outlined in the Radar/Time Distance Operator Training Course and meet the requirements of 12 NCAC 09B .0408 and .0409.~~

~~(c) The "Radar/Time Distance Operator Training Course" as published by the North Carolina Justice Academy is to be applied as basic curriculum for the radar/time distance operator training course for radar/time distance instrument operators as administered by the Commission. Copies of this publication may be inspected at the office of the agency:~~

~~Criminal Justice Standards Division
North Carolina Department of Justice
1700 Tyron Park Drive
Post Office Drawer 149~~

1 ~~Raleigh, North Carolina 27602~~

2 ~~and may be obtained at cost from the Academy at the following address:~~

3 ~~North Carolina Justice Academy~~

4 ~~Post Office Box 99~~

5 ~~Salemburg, North Carolina 28385~~

6
7 *History Note: Authority G.S. 17C-6;*
8 *Eff. November 1, 1981;*
9 *Readopted w/change Eff. July 1, 1982;*
10 *Amended Eff. April 1, 1999; November 1, 1998; August 1, 1995; February 1, 1991; July 1, 1989;*
11 *August 1, 1984;*
12 *Under G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019;*
13 *Amended Eff. April 1, 2022.*
14 *Repeal Eff. February 1, 2026.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0214

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

The current version of the Code shows that this rule “Expired Eff. July 1, 2025 pursuant to G.S. 150B-21.3A.” As such, this rule is no longer in the Code.

If the Rule already expired, why is this repeal necessary? If it’s not necessary, please withdraw this rule from RRC consideration.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09B .0214 is repealed as published in 40:06 NCR 518-561 as follows:

~~12 NCAC 09B .0214 CERTIFICATION TRAINING FOR TIME DISTANCE OPERATORS~~

~~(a) The time distance operator training course for law enforcement officers shall be designed to provide the trainee with the skills and knowledge to perform the function of a time distance operator. This course shall not exceed four consecutive weeks. If the Governor declares a State of Emergency pursuant to G.S. 166A-19.3(19), the Director of the Criminal Justice Standards Division shall allow additional breaks in a specific course delivery when the Director determines that doing so is necessary based on consideration of the following factors:~~

- ~~(1) Whether instruction has begun in the course or whether course initiation may be postponed;~~
- ~~(2) The risk of harm to students that may be caused by continuation of the course;~~
- ~~(3) Whether those enrolled in the course have been or will likely be called to action to help address the State of Emergency;~~
- ~~(4) The specific need for the waiver; and~~
- ~~(5) The degree of benefit to the public in allowing a break in instruction.~~

~~Notice of waivers granted pursuant to the Section shall be posted on the CJETS website <https://ncdoj.gov/law-enforcement-training/criminal-justice/>. The waivers granted pursuant to this Section shall only apply to courses that began during the effective period of the State of Emergency.~~

~~(b) Only employed or appointed personnel of a law enforcement agency may be enrolled in the time distance speed measurement operator training course. Such a trainee shall not be certified as a time distance speed measurement operator until the basic law enforcement training course has been completed and probationary or general law enforcement certification has been granted. Sheriffs, deputy sheriffs, and federal law enforcement personnel, including armed forces personnel, shall be allowed to participate in time distance speed measurement operator training courses on a space available basis at the discretion of the school director without having enrolled in or having completed the basic law enforcement training course and without being currently certified in a probationary status or holding general law enforcement certification. The time distance operator training course required for time distance operator certification shall include the topic areas and minimum number of hours as outlined in the Time Distance Operator Training Course. To qualify for time distance operator certification, an applicant shall meet the minimum requirements as outlined in the Time Distance Operator Training Course and meet the requirements of 12 NCAC 09B .0408 and .0409.~~

~~(c) The "Time Distance Operator Training Course" as published by the North Carolina Justice Academy is to be applied as basic curriculum for the time distance operator training course for time distance operators as administered by the Commission. Copies of this publication may be inspected at the office of the agency:~~

~~Criminal Justice Standards Division
North Carolina Department of Justice
1700 Tryon Park Drive
Post Office Drawer 149
Raleigh, North Carolina 27602~~

1 ~~and may be obtained at cost from the Academy at the following address:~~

2 ~~North Carolina Justice Academy~~

3 ~~Post Office Box 99~~

4 ~~Salemburg, North Carolina 28385~~

5
6 *History Note: Authority G.S. 17C-6;*
7 *Eff. November 1, 1981;*
8 *Readopted w/change Eff. July 1, 1982;*
9 *Amended Eff. April 1, 1999; November 1, 1998; August 1, 1995; February 1, 1991; July 1, 1989;*
10 *August 1, 1984;*
11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
12 *2019;*
13 *Amended Eff. April 1, 2022.*
14 *Repealed Eff. February 1, 2026.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0215

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

(a), line 8: Change “instrument(s)” to “instruments”.

(b), line 9: You can use the abbreviated “SMI” here.

*(b)(1): For clarity, consider revising the end of this sentence to something like, “... as a result of successful completion of **a training course set forth in ...**”.*

(b)(1): Add “and” after the semi-colon.

(b)(2), line 14: Capitalize the F in “form”.

(c), line 16: Change “instrument(s)” to “instruments”.

(c), line 19: Add “of instruction” after “1.5 hours”.

(d): Can this not be combined with (b)? Both sections set forth requirements for applicants.

(d)(2): “Demonstrate” does not need to be capitalized.

(d)(2): The words “form” can be capitalized.

(d)(3): What is a “mode”? Isn’t this section about “additional instruments”, not “modes”?

(d)(3): This is not very clear. Consider revising the beginning of this sentence to read as, “for individuals seeking certification for ~~with~~ additional modes on additional instruments ~~than those currently certified with~~, ...”.

(e): 12 NCAC 09B .0310 was repealed in October 2025. Please update this reference.

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09B .0215 is amended with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09B .0215 SUPPLEMENTAL SMI TRAINING

(a) The supplemental speed measuring instrument (SMI) training course for law enforcement officers shall be designed to allow officers an opportunity to be certified on additional speed ~~measuring measurement~~ instruments not included on the officers' initial speed ~~measuring measurement~~ instrument certification. The course shall be designed to provide the trainee with the skills and knowledge to ~~proficiently~~ perform those tasks essential to function as an instructor or operator using the additional speed measuring instrument(s).

(b) Each applicant for supplemental speed measuring instrument training shall:

(1) possess a valid ~~radar radar, time distance,~~ or lidar speed measuring instrument instructor or operator certification as a result of successful completion of 12 NCAC 09B .0210, ~~.0211, .0212, .0213, .0214, .0237, .0238, or .0242; .0242, or .0244;~~

(2) present the endorsement of a ~~Commission recognized~~ Commission-certified school director or in-service training coordinator, or agency head or his or her designee by submitting form SMI-16, pursuant to 12 NCAC 09I .0106(a)(4). ~~[-0106(h)-]~~ ~~executive officer or his designee.~~

(c) The supplemental SMI training course required for certification on the additional instrument(s) shall ~~include the topic areas and number of hours as outlined in the Supplemental SMI Training Course. To qualify for certification on the additional instrument(s) an applicant shall meet the requirements as outlined in the Supplemental SMI Training Course and meet the requirements of 12 NCAC 09B .0409. consist of a minimum of 1.5 hours, including the following topic areas and minimum hours for each:~~

- | | | |
|-----|--|-----------------|
| (1) | <u>Course Orientation</u> | <u>0.5 hour</u> |
| (2) | <u>Familiarization & Operation of Specific SMI Instruments</u> | <u>0.5 hour</u> |
| (3) | <u>Motor Skills Testing (per instrument per student)</u> | <u>0.5 hour</u> |

(d) To qualify for certification on an additional instrument, an applicant shall:

- (1) present a copy of the individual's active SMI operator or instructor certification, which lists the instruments and modes that the officer is certified to operate;
- (2) Demonstrate proficiency in the motor-skill and performance subject areas with the instrument as evidenced by completion of the Commission's SMI-1 form, SMI-1A form, or SMI-13 form pursuant to 12 NCAC 09I .0106; and
- (3) for individuals seeking certification with additional modes than those currently certified with, complete 240 minutes of supervised field practice for each additional mode. For dual antenna instruments, 120 of the 240 minutes must be completed using each antenna.

~~(d)(e) Adding additional instruments and modes to an individual's SMI operator or instructor certification shall not extend the certification period as prescribed in 12 NCAC 09B .0310 and 09C .0308. Certification as instructor or operator of the additional speed measuring instruments shall expire on midnight of the date of expiration of the instructor or operator certification referred to in 12 NCAC 09B .0215(b) and .0310(a).~~

~~(e) The "Supplemental SMI Training Course" as published by the North Carolina Justice Academy shall be applied~~

1 as basic curriculum for the supplemental SMI training course for SMI instructors or operators as administered by the
2 Commission. Copies of this publication may be inspected at the office of the agency:

3 Criminal Justice Standards Division
4 North Carolina Department of Justice
5 114 West Edenton Street
6 Post Office Drawer 149
7 Raleigh, North Carolina 27602

8 and may be obtained at cost from the Academy at the following address:

9 North Carolina Justice Academy
10 Post Office Box 99
11 Salemburg, North Carolina 28385

12 (f) ~~Commission certified schools that are certified to offer the "Supplemental SMI Training Course" for Instructors~~
13 ~~are: The North Carolina Justice Academy.~~

14
15 *History Note: Authority G.S. 17C-6;*
16 *Eff. November 1, 1981;*
17 *Readopted Eff. July 1, 1982;*
18 *Amended Eff. November 1, 2007; May 1, 2004; August 1, 2002; April 1, 1999;*
19 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
20 *2019. 2019;*
21 *Amended Eff. February 1, 2026.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0220

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

History Note, line 37: The period after "2019" should be replaced with a semi-colon.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09B .0220 is repealed as published in 40:06 NCR 518-561 as follows:

~~12 NCAC 09B .0220~~ RE-CERTIFICATION COURSE FOR RADAR OPERATORS

~~(a) The radar operator re-certification training course shall be designed to provide the law enforcement officer with the skills and knowledge to continue to proficiently perform the function of a radar operator. This course shall be presented within a period not to exceed one week.~~

~~(b) Each applicant for a radar operator re-certification course shall meet the requirements of 12 NCAC 09C .0308(e) and (d).~~

~~(c) Federal law enforcement personnel shall be allowed to participate in radar operator re-certification courses at the discretion of the school director without meeting the requirements specified in 12 NCAC 09B .0220(b), but such personnel must have successfully completed one introductory level speed measurement instrument course that included instruction on operation of radar instruments. Courses that meet this requirement are described in 09B .0212, .0213, .0242, and .0244.~~

~~(d) The radar operator re-certification training course required for radar operator re-certification shall include the topic areas and number of hours as outlined in the Radar Operator Training Course. To qualify for radar operator re-certification, an applicant shall meet the requirements as outlined in the Radar Operator Training Course and meet the requirements of 12 NCAC 09B .0408 and .0409.~~

~~(e) The "Radar Operator Training Course" as published by the North Carolina Justice Academy shall be applied as basic curriculum for the radar operator re-certification training course for radar operators as administered by the Commission. Copies of this publication may be inspected at the office of the agency:~~

~~Criminal Justice Standards Division
North Carolina Department of Justice
114 West Edenton Street
Post Office Drawer 149
Raleigh, North Carolina 27602~~

~~and may be obtained at cost from the Academy at the following address:~~

~~North Carolina Justice Academy
Post Office Box 99
Salemberg, North Carolina 28385~~

*History Note: Authority G.S. 17C-6;
Eff. October 1, 1983;
Temporary Amendment Eff. February 24, 1984 for a period of 120 days to expire on June 22, 1984;
Amended Eff. November 1, 2007; April 1, 1999; November 1, 1993; August 1, 1984;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0221

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

History Note, page 2, line 1: The period after "2019" should be replaced with a semi-colon.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

1 12 NCAC 09B .0221 is repealed as published in 40:06 NCR 518-561 as follows:

2
3 ~~12 NCAC 09B .0221 RE-CERTIFICATION COURSE FOR RADAR/TIME-DISTANCE OPERATORS~~

4 ~~(a) The radar/time distance operator re-certification training course shall be designed to provide the law~~
5 ~~enforcement officer with the skills and knowledge to continue to proficiently perform the function of a~~
6 ~~radar/time distance operator. This course shall be presented within a period not to exceed one week.~~

7 ~~(b) Each applicant for a radar and time distance operator re-certification course shall meet the requirements of 12-~~
8 ~~NCAC 09C .0308(c) and (d).~~

9 ~~(c) Federal law enforcement personnel shall be allowed to participate in radar and time distance operator-~~
10 ~~re-certification courses at the discretion of the school director without meeting the requirements specified in 12-~~
11 ~~NCAC 09B .0221(b), but such personnel must have successfully completed one or more introductory level speed-~~
12 ~~measurement instrument courses that included instruction on operation of radar instruments and time distance-~~
13 ~~instruments. Courses that meet this requirement are described in 12 NCAC 09B .0212, .0213, .0214, .0242, and~~
14 ~~.0244.~~

15 ~~(d) The radar/time distance operator re-certification training course required for radar/time distance operator re-~~
16 ~~certification shall include the topic areas and number of hours as outlined in the Radar/Time Distance Operator~~
17 ~~Training Course. To qualify for radar/time distance operator re-certification, an applicant shall meet the-~~
18 ~~requirements as outlined in the Radar/Time Distance Operator Training Course and meet the requirements of 12-~~
19 ~~NCAC 09B .0408 and .0409.~~

20 ~~(e) The "Radar/Time Distance Operator Training Course" as published by the North Carolina Justice Academy~~
21 ~~shall be applied as basic curriculum for the radar/time distance operator re-certification training course for~~
22 ~~radar/time distance operators as administered by the Commission. Copies of this publication may be inspected at the~~
23 ~~office of the agency:~~

24 Criminal Justice Standards Division
25 North Carolina Department of Justice
26 114 West Edenton Street
27 Post Office Drawer 149
28 Raleigh, North Carolina 27602

29 and may be obtained at cost from the Academy at the following address:

30 North Carolina Justice Academy
31 Post Office Box 99
32 Salemburg, North Carolina 28385
33

34 *History Note: Authority G.S. 17C-6;*

35 *Eff. October 1, 1983;*

36 *Amended Eff. November 1, 2007; April 1, 1999; November 1, 1993; August 1, 1984;*

37 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

- 1 2019.
- 2 Repealed Eff. February 1, 2026.

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0222

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

History Note, line 36: The period after "2019" should be replaced with a semi-colon.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09B .0222 is repealed as published in 40:06 NCR 518-561 as follows:

~~12 NCAC 09B .0222 RE-CERTIFICATION COURSE FOR TIME-DISTANCE OPERATORS~~

~~(a) The time-distance operator re-certification training course shall be designed to provide the trainee with the skills and knowledge to continue to proficiently perform the function of a time-distance operator. This course shall be presented within a period not to exceed one week.~~

~~(b) Each applicant for a time-distance operator re-certification course shall meet the requirements of 12 NCAC 09C .0308(c) and (d).~~

~~(c) Federal law enforcement personnel shall be allowed to participate in time-distance operator re-certification courses at the discretion of the school director without meeting the requirements specified in 12 NCAC 09B .0222(b), but such personnel must have successfully completed one introductory level speed measurement instrument course that included instruction on operation of time-distance instruments. Courses that meet this requirement are described in 12 NCAC 09B .0213, .0214, .0242, and .0244.~~

~~(d) The time-distance operator re-certification training course required for time-distance operator re-certification shall include the topic areas and number of hours as outlined in the Time-Distance Operator Training Course. To qualify for time-distance operator re-certification, an applicant shall meet the requirements as outlined in the Time-Distance Operator Training Course and meet the requirements of 12 NCAC 09B .0408 and .0409.~~

~~(e) The "Time-Distance Operator Training Course" as published by the North Carolina Justice Academy shall be applied as basic curriculum for the time-distance operator re-certification training course for time-distance operators as administered by the Commission. Copies of this publication may be inspected at the office of the agency:~~

~~Criminal Justice Standards Division
North Carolina Department of Justice
114 West Edenton Street
Post Office Drawer 149
Raleigh, North Carolina 27602~~

~~and may be obtained at cost from the Academy at the following address:~~

~~North Carolina Justice Academy
Post Office Box 99
Salemberg, North Carolina 28385~~

*History Note: Authority G.S. 17C-6;
Eff. October 1, 1983;
Amended Eff. November 1, 2007; April 1, 1999; November 1, 1993; July 1, 1989; August 1, 1984;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019.
Repealed Eff. February 1, 2026.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0238

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

(a), line 5: You use the word "trainee" here, but then use "student" in other places throughout the Rule. Pick one to use throughout the Rule for consistency, unless they have different meanings.

*(a), line 19: Consider rewording this sentence to, "This course **shall have** a minimum ratio of one instructor per six students."*

(a), line 19: I believe the struck through "~~weeks~~" should not be here. It looks to be duplicated.

(b)(1): Consider adding a reference here to 12 NCAC 09B .0205, which contains the details of the BLET course.

*(c), lines 25-26: Consider rewording this sentence to, "This course **shall have** a minimum ratio of one instructor per six students."*

(d), line 34: I believe "eligible" should be changed to "allowed", for consistency.

(e), page 3, line 3: What are "additional" breaks? Where are the "original" breaks explained or defined? I don't see anything on this in the Rule. Does this just mean that the course can last longer than the time limits set forth in (a) and (c)?

(e), page 3, line 11: Change "the Section" to "this Section".

(e), page 3, line 11: Insert a comma before the website URL.

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09B .0238 is amended with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09B .0238 CERTIFICATION AND RE-CERTIFICATION TRAINING FOR LIDAR OPERATORS

(a) The Lidar Operator Training Course for law enforcement officers shall be designed to provide the trainee with the skills and knowledge to perform the function of a law enforcement lidar operator. This course shall be for a period not to exceed four consecutive ~~weeks.~~ weeks, and shall consist of a minimum of 30 hours of instruction and shall include the following topic areas and minimum hours for each:

(1)	<u>Course Orientation</u>	<u>0.5 Hours</u>
(2)	<u>Introduction to Lidar Training</u>	<u>0.5 Hours</u>
(3)	<u>Basic Principles of Lidar Speed Measurement</u>	<u>1 Hour</u>
(4)	<u>Legal and Operational Considerations</u>	<u>1 Hour</u>
(5)	<u>Familiarization and Operation of Specific Lidar Instruments</u>	<u>2 Hours</u>
(6)	<u>Courtroom Preparation</u>	<u>1 Hour</u>
(7)	<u>Motor-Skill Performance Testing</u>	<u>3 Hours</u>
(8)	<u>Course Review</u>	<u>1 Hour</u>

~~The number of hours required to complete each of the topic areas (5) Familiarization and Operation of Specific Lidar Instruments and (7) Motor Skill Performance Testing shall be based on the number of students and number of instructors to ensure~~ This course requires a minimum ratio of one instructor per six students. ~~weeks. If the Governor declares a State of Emergency pursuant to G.S. 166A-19.3(19), the Director of the Criminal Justice Standards Division shall allow additional breaks in a specific course delivery when the Director determines that doing so is necessary based on consideration of the following factors:~~

- ~~(1) Whether instruction has begun in the course or whether course initiation may be postponed;~~
- ~~(2) The risk of harm to students that may be caused by continuation of the course;~~
- ~~(3) Whether those enrolled in the course have been or will likely be called to action to help address the State of Emergency;~~
- ~~(4) The specific need for the waiver; and~~
- ~~(5) The degree of benefit to the public in allowing a break in instruction.~~

~~Notice of waivers granted pursuant to the Section shall be posted on the CJETS website <https://ncdoj.gov/law-enforcement-training/criminal-justice/>. The waivers granted pursuant to this Section shall only apply to courses that began during the effective period of the State of Emergency.~~

(b) To be eligible for enrollment in the Lidar Operator Training Course, applicants shall meet the following requirements at the time of enrollment:

- (1) have completed a Commission-approved Basic Law Enforcement Training (BLET) Course;
- (2) hold active law enforcement certification; and
- (3) hold active radar operator certification or be enrolled in a radar operator training course or a radar operator re-certification training course as outlined in 12 NCAC 09B .0212; or

(4) hold active radar instructor certification or be enrolled in a radar instructor training course or a radar instructor re-certification training course as outlined in 12 NCAC 09B .0210.

Sheriffs, deputy sheriffs, and federal law enforcement personnel, including armed forces personnel, who do not meet these requirements shall be allowed to participate in a lidar operator training course at the discretion of the school director.

~~(b) Only employed or appointed personnel of a law enforcement agency shall be enrolled in the Lidar Operator Training Course. Such a trainee shall not be certified as a lidar operator until the Basic Law Enforcement Training Course has been completed and probationary or general law enforcement certification has been granted. Sheriffs, deputy sheriffs and federal law enforcement personnel, including armed forces personnel, shall be allowed to participate in the lidar operator training courses on a space available basis at the discretion of the school director without having enrolled in or having completed the Basic Law Enforcement Training Course and without being currently certified in a probationary status or holding general law enforcement certification. The Lidar Operator Training Course required for lidar operator certification shall include the topic areas and number of hours as outlined in the Lidar Operator Training Course. To qualify for lidar operator certification, an applicant shall meet the requirements as outlined in the Lidar Operator Training Course and meet the requirements of 12 NCAC 09B .0408 and .0409.~~

(c) The Lidar Operator Re-Certification Training Course shall be designed to provide the law enforcement officer with the skills and knowledge to continue to perform the functions of a lidar operator. This course shall be presented within a period not to exceed one week and shall consist of a minimum of four hours of instruction, including the following topic areas and minimum hours for each:

- | | | |
|-----|---|------------------|
| (1) | <u>Course Orientation</u> | <u>0.5 Hours</u> |
| (2) | <u>Legal and Operational Considerations</u> | <u>1 Hour</u> |
| (3) | <u>Motor-Skill Performance Testing</u> | <u>2.5 Hours</u> |

[The number of hours required to complete the Motor Skill Performance Testing topic area shall be based on the number of students and the number of instructors to ensure] This course requires a minimum ratio of one instructor per six students.

(d) To be eligible for enrollment in the Lidar Operator Re-Certification Training Course, applicants shall meet the following requirements at the time of enrollment:

- (1) hold active law enforcement certification;
- (2) hold active lidar operator certification or have previously held active lidar operator certification within the 12 months prior to the scheduled end date of the course; and
- (3) hold active radar operator certification or be enrolled in a radar operator training course or a radar operator re-certification training course as outlined in 12 NCAC 09B .0212.

Federal law enforcement personnel who do not meet these requirements shall be eligible to participate in a lidar operator re-certification course at the discretion of the school director, but such personnel must have completed one introductory-level speed measurement instrument course that included instruction on the operation of lidar instruments. Courses that meet this requirement include those described in Paragraph (a) of this Rule and those

described in 12 NCAC 09B .0242(a).

(e) If the Governor declares a State of Emergency pursuant to G.S. 166A- 19.3(19), the Director of the Criminal Justice Standards Division shall allow additional breaks in a specific course delivery when the Director determines that doing so is necessary based on consideration of the following factors:

- (1) Whether instruction has begun in the course or whether course initiation may be postponed;
- (2) The risk of harm to students that may be caused by continuation of the course;
- (3) Whether those enrolled in the course have been or will likely be called to action to help address the State of Emergency;
- (4) The specific need for the waiver; and
- (5) The degree of benefit to the public in allowing a break in instruction.

Notice of waivers granted pursuant to the Section shall be posted on the CJETS website <https://ncdoj.gov/law-enforcement-training/criminal-justice/>. The waivers granted pursuant to this Section shall only apply to courses that began or were in progress during the effective period of the State of Emergency.

~~(e) The "Lidar Operator Training Course" as published by the North Carolina Justice Academy shall be applied as basic curriculum for the Lidar Operator Training Course for lidar operators as administered by the Commission. Copies of this publication may be inspected at the office of the agency:~~

~~Criminal Justice Standards Division
North Carolina Department of Justice
1700 Tyron Park Drive
Post Office Drawer 149
Raleigh, North Carolina 27602
and may be obtained at cost from the Academy at the following address: North Carolina Justice Academy
Post Office Box 99
Salemberg, North Carolina 28385~~

*History Note: Authority G.S. 17C-6;
Eff. May 1, 2004;
Amended Eff. November 1, 2007;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019;
Amended Eff. February 1, 2026; April 1, 2022.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0240

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

History Note, line 35: The period after "2019" should be replaced with a semi-colon.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09B .0240 is repealed as published in 40:06 NCR 518-561 as follows:

~~12 NCAC 09B .0240 RE-CERTIFICATION TRAINING COURSE FOR LIDAR OPERATORS~~

~~(a) The Lidar Operator Re-Certification Training Course shall be designed to provide the law enforcement officer with the skills and knowledge to continue to proficiently perform the function of a lidar operator. This course shall be presented within a period not to exceed one week.~~

~~(b) Each applicant for a Lidar Operator Re-Certification Training Course shall meet the requirements of 12 NCAC 09C .0308(c) and (d).~~

~~(c) Federal law enforcement personnel shall be allowed to participate in Lidar Operator Re-Certification Training Courses at the discretion of the school director without meeting the requirements specified in 12 NCAC 09B .0238(b), but such personnel must have successfully completed one introductory level speed measurement instrument course that included instruction on operation of lidar instruments. Courses that meet this requirement are described in 09B.0238, .0242, and .0244.~~

~~(d) The Lidar Operator Re-Certification Training Course required for lidar operator re-certification shall include the topic areas and number of hours as outlined in the Lidar Operator Training Course. To qualify for lidar operator re-certification, an applicant shall meet the requirements as outlined in the Lidar Operator Training Course and meet the requirements of 12 NCAC 09B .0408 and .0409.~~

~~(e) The "Lidar Operator Training Course" as published by the North Carolina Justice Academy shall be applied as basic curriculum for the Lidar Operator Re-Certification Training Course for lidar operators as administered by the Commission. Copies of this publication may be inspected at the office of the agency:~~

~~Criminal Justice Standards Division
North Carolina Department of Justice
114 West Edenton Street
Post Office Drawer 149
Raleigh, North Carolina 27602~~

~~and may be obtained at cost from the Academy at the following address:~~

~~North Carolina Justice Academy
Post Office Box 99
Salemberg, North Carolina 28385~~

*History Note: Authority G.S. 17C-6;
Eff. May 1, 2004;
Amended Eff. November 1, 2007;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019.
Repealed Eff. February 1, 2026.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0242

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

General Comment: You use the term “radar/lidar” throughout this Rule. Avoid using slashes unless “radar/lidar” is a defined term or term of art. See OAH’s style guide for more info. Could this be hyphenated or changed to “and”?

(a), line 5: You use the word “trainee” here, but then use “student” in other places throughout the Rule. Pick one to use throughout the Rule for consistency, unless they have different meanings.

(a)(1): Capitalize “hours” for consistency.

*(a), line 20: Consider rewording this sentence to, “This course **shall have** a minimum ratio of one instructor per six students.”*

(a), line 20: I believe the struck through “~~weeks~~” should not be here. It looks to be duplicated.

(b), page 2, lines 2-3: Consider adding a reference here to 12 NCAC 09B .0205, which contains the details of the BLET course.

(c): Why is “Radar/Lidar Operator Re-Certification Training Course” capitalized but “radar/lidar operator training course” is not?

*(c), lines 28-29: Consider rewording this sentence to, “This course **shall have** a minimum ratio of one instructor per six students.”*

(d), line 36: I believe “eligible” should be changed to “allowed”, for consistency.

(d), line 37: Why is the course name not capitalized here? Be consistent.

(d), page 3, line 1: Change “course” to “courses”.

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

(e), page 3, line 5: What are “additional” breaks? Where are the “original” breaks explained or defined? I don’t see anything on this in the Rule. Does this just mean that the course can last longer than the time limits set forth in (a) and (c)?

(e), page 3, line 13: Change “the Section” to “this Section”.

(e), page 3, line 13: Insert a comma before the website URL.

*(e), page 3, lines 14-15: In other rules, you use the following language: “The waivers granted pursuant to this Section shall only apply to courses **that began or were in progress during the effective period** of the State of Emergency.” Why is the language used in this Rule different? Is this intentional?*

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09B .0242 is amended with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09B .0242 CERTIFICATION AND RE-CERTIFICATION TRAINING FOR RADAR/LIDAR OPERATORS

(a) The radar/lidar operator training course for law enforcement officers shall be designed to provide the trainee with the skills and knowledge to perform the function of a radar and lidar operator. This course shall be for a period not to exceed four consecutive ~~weeks~~ weeks, and shall consist of a minimum of 36 hours of instruction and shall include the following topic areas and minimum hours for each:

(1)	<u>Course Orientation</u>	<u>0.5 hours</u>
(2)	<u>Introduction to Radar/Lidar Training</u>	<u>0.5 Hours</u>
(3)	<u>Speed Offenses and Speed Enforcement</u>	<u>2 Hours</u>
(4)	<u>Basic Principles of Radar/Lidar Speed Measurement</u>	<u>6 Hours</u>
(5)	<u>Legal and Operational Considerations</u>	<u>5 Hours</u>
(6)	<u>Familiarization and Operation of Specific Radar and Lidar Instruments</u>	<u>12 Hours</u>
(7)	<u>Courtroom Preparation</u>	<u>4 Hours</u>
(8)	<u>Motor-Skill Performance Testing</u>	<u>5 Hours</u>
(9)	<u>Course Review</u>	<u>1 Hour</u>

~~The number of hours required to complete each of the topic areas (6) Familiarization and Operation of Specific Radar and Lidar Instruments and (8) Motor Skill Performance Testing shall be based on the number of students and number of instructors to ensure~~ This course requires a minimum ratio of one instructor per six students. ~~weeks. If the Governor declares a State of Emergency pursuant to G.S. 166A-19.3(19), the Director of the Criminal Justice Standards Division shall allow additional breaks in a specific course delivery when the Director determines that doing so is necessary based on consideration of the following factors:~~

- (1) ~~Whether instruction has begun in the course or whether course initiation may be postponed;~~
- (2) ~~The risk of harm to students that may be caused by continuation of the course;~~
- (3) ~~Whether those enrolled in the course have been or will likely be called to action to help address—the State of Emergency;~~
- (4) ~~The specific need for the waiver; and~~
- (5) ~~The degree of benefit to the public in allowing a break in instruction.~~

~~Notice of waivers granted pursuant to the Section shall be posted on the CJETS website <https://ncdoj.gov/law-enforcement-training/criminal-justice/>. The waivers granted pursuant to this Section shall only apply to courses that began during the effective period of the State of Emergency.~~

(b) Only ~~employed~~ those individuals currently certified as a law enforcement officer or appointed personnel of a law enforcement agency may be enrolled in the radar/lidar speed measurement instrument operator training course. Such a trainee shall not be certified as a radar and lidar speed measurement instrument operator until the basic law enforcement training course has been completed and probationary or general law enforcement certification has been ~~granted~~. Sheriffs, deputy sheriffs, and federal law enforcement personnel, including armed forces personnel, shall be

1 allowed to participate in a radar/lidar speed measurement instrument operator training course ~~courses on a space-~~
2 ~~available basis~~ at the discretion of the school director without having enrolled in or having completed the basic law
3 enforcement training course and without being currently certified in a probationary status or holding general law
4 enforcement certification. ~~The radar/lidar operator training course required for radar and lidar operator certification~~
5 ~~shall include the topic areas and number of hours as outlined in the Radar/Lidar Operator Training Course. To~~
6 ~~qualify for radar and lidar operator certification, an applicant shall meet the requirements as outlined in the~~
7 ~~Radar/Lidar Operator Training Course and meet the requirements of 12 NCAC 09B .0408 and .0409.~~

8 (c) ~~The "Radar/Lidar Operator Training Course" as published by the North Carolina Justice Academy shall be~~
9 ~~applied as basic curriculum for the radar/lidar operator training course for radar and lidar instrument operators as~~
10 ~~administered by the Commission. Copies of this publication may be inspected at the office of the agency:~~

11 Criminal Justice Standards Division
12 North Carolina Department of Justice
13 1700 Tryon Park Drive
14 Post Office Drawer 149
15 Raleigh, North Carolina 27602

16 and may be obtained at cost from the Academy at the following address:

17 North Carolina Justice Academy
18 Post Office Box 99
19 Salemburg, North Carolina 28385

20 (c) The Radar/Lidar Operator Re-Certification Training Course shall be designed to provide the law enforcement
21 officer with the skills and knowledge to continue to proficiently perform the function of a radar and lidar operator.
22 This course shall be presented within a period not to exceed one week and shall consist of a minimum of eight hours
23 of instruction, including the following topic areas and minimum hours for each:

24	(1) <u>Course Orientation</u>	<u>0.5 Hours</u>
25	(2) <u>Legal and Operational Considerations</u>	<u>2.5 Hours</u>
26	(3) <u>Motor-Skill Performance Testing</u>	<u>5 Hours</u>

27 [The number of hours required to complete the Motor Skill Performance Testing topic area shall be based on the
28 number of students and number of instructors to ensure] This course requires a minimum ratio of one instructor per
29 six students.

30 (d) To be eligible for enrollment in the Radar/Lidar Operator Re-Certification Training Course, applicants shall
31 meet the following requirements at the time of enrollment:

- 32 (1) hold active radar operator certification or have previously held active radar operator certification
33 within 12 months prior to the scheduled end date of the course; and
34 (2) hold active lidar operator certification or have previously held active lidar operator certification
35 within the 12 months prior to the scheduled end date of the course.

36 Federal law enforcement personnel who do not meet these requirements shall be eligible to participate in a
37 radar/lidar operator re-certification course at the discretion of the school director, but such personnel must have

1 completed one or more introductory level speed measurement instrument course that included instruction on
2 operation of radar instruments and lidar instruments. Courses that meet this requirement include those described in
3 Paragraph (a) of this Rule, 12 NCAC 09B .0212(a), and 12 NCAC 09B .0238(a).

4 (e) If the Governor declares a State of Emergency pursuant to G.S. 166A- 19.3(19), the Director of the Criminal
5 Justice Standards Division shall allow additional breaks in a specific course delivery when the Director determines
6 that doing so is necessary based on consideration of the following factors:

- 7 (1) Whether instruction has begun in the course or whether course initiation may be postponed;
- 8 (2) The risk of harm to students that may be caused by continuation of the course;
- 9 (3) Whether those enrolled in the course have been or will likely be called to action to help address
10 the State of Emergency;
- 11 (4) The specific need for the waiver; and
- 12 (5) The degree of benefit to the public in allowing a break in instruction.

13 Notice of waivers granted pursuant to the Section shall be posted on the CJETS website [https://ncdoj.gov/law-](https://ncdoj.gov/law-enforcement-training/criminal-justice/)
14 enforcement-training/criminal-justice/. The waivers granted pursuant to this Section shall only apply to courses that
15 began during the effective period of the State of Emergency.

16
17 *History Note: Authority G.S. 17C-6;*
18 *Eff. November 1, 2007;*
19 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
20 *2019;*
21 *Amended Eff. February 1, 2026; April 1, 2022.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0243

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

History Note, line 35: The period after "2019" should be replaced with a semi-colon.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09B .0243 is repealed as published in 40:06 NCR 518-561 as follows:

~~12 NCAC 09B .0243 RE-CERTIFICATION TRAINING COURSE FOR RADAR/LIDAR OPERATORS~~

~~(a) The Radar/Lidar Operator Re-Certification Training Course shall be designed to provide the law enforcement officer with the skills and knowledge to continue to proficiently perform the function of a radar and lidar operator.~~

~~This course shall be presented within a period not to exceed one week.~~

~~(b) Each applicant for a Radar/Lidar Operator Re-Certification Training Course shall meet the requirements of 12 NCAC 09C .0308(c) and (d).~~

~~(c) Federal law enforcement personnel shall be allowed to participate in Radar/Lidar Operator Re-Certification Training Courses at the discretion of the school director without meeting the requirements specified in 12 NCAC 09B .0242(b), but such personnel must have successfully completed one or more introductory level speed measurement instrument courses that included instruction on operation of radar instruments and lidar instruments. Courses that meet this requirement are described in 12 NCAC 09B .0212, .0213, .0237, .0242, and .0244.~~

~~(d) The Radar/Lidar Operator Re-Certification Training Course required for radar and lidar operator re-certification shall include the topic areas and number of hours as outlined in the Radar/Lidar Operator Training Course. To qualify for radar and lidar operator re-certification, an applicant shall meet the requirements as outlined in the Radar/Lidar Operator Training Course and meet the requirements of 12 NCAC 09B .0408 and .0409.~~

~~(e) The "Radar/Lidar Operator Training Course" as published by the North Carolina Justice Academy shall be applied as basic curriculum for the Radar/Lidar Operator Re-Certification Training Course for radar and lidar operators as administered by the Commission. Copies of this publication may be inspected at the office of the agency:~~

Criminal Justice Standards Division
North Carolina Department of Justice
114 West Edenton Street
Post Office Drawer 149
Raleigh, North Carolina 27602

and may be obtained at cost from the Academy at the following address:

North Carolina Justice Academy
Post Office Box 99
Salemberg, North Carolina 28385

*History Note: Authority G.S. 17C-6;
Eff. November 1, 2007;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019.
Repealed Eff. February 1, 2026.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0244

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

History Note, line 15: The period after "2022" should be replaced with a semi-colon.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09B .0244 is repealed as published in 40:06 NCR 518-561 as follows:

**~~12 NCAC 09B .0244 CERTIFICATION TRAINING FOR RADAR/TIME DISTANCE/LIDAR-
OPERATORS~~**

~~(a) The radar/time distance/lidar operator training course for law enforcement officers shall be designed to provide the trainee with the skills and knowledge to perform the function of a radar, time distance, and lidar operator. This course shall be for a period not to exceed four consecutive weeks. If the Governor declares a State of Emergency pursuant to G.S. 166A-19.3(19), the Director of the Criminal Justice Standards Division shall allow additional breaks in a specific course delivery when the Director determines that doing so is necessary based on consideration of the following factors:~~

- ~~(1) Whether instruction has begun in the course or whether course initiation may be postponed;~~
- ~~(2) The risk of harm to students that may be caused by continuation of the course;~~
- ~~(3) Whether those enrolled in the course have been or will likely be called to action to help address the State of Emergency;~~
- ~~(4) The specific need for the waiver; and~~
- ~~(5) The degree of benefit to the public in allowing a break in instruction.~~

~~Notice of waivers granted pursuant to the Section shall be posted on the CJETS website <https://ncdoj.gov/law-enforcement-training/criminal-justice/>. The waivers granted pursuant to this Section shall only apply to courses that began during the effective period of the State of Emergency.~~

~~(b) Only employed or appointed personnel of a law enforcement agency may be enrolled in the radar/time distance/lidar speed measurement instrument operator training course. Such a trainee shall not be certified as a radar, time distance, and lidar speed measurement instrument operator until the basic law enforcement training course has been completed and probationary or general law enforcement certification has been granted. Sheriffs, deputy sheriffs, and federal law enforcement personnel, including armed forces personnel, shall be allowed to participate in radar, time distance, and lidar speed measurement instrument operator training courses on a space available basis at the discretion of the school director without having enrolled in or having completed the basic law enforcement training course and without being currently certified in a probationary status or holding general law enforcement certification. The radar/time distance/lidar operator training course required for radar, time distance, and lidar operator certification shall include the topic areas and number of hours as outlined in The Radar/Time Distance/Lidar Operator Training Course. To qualify for radar, time distance, and lidar operator certification, an applicant shall meet the requirements as outlined in The Radar/Time Distance/Lidar Operator Training Course and meet the requirements of 12 NCAC 09B .0408 and .0409.~~

~~(c) The "Radar/Time Distance/Lidar Operator Training Course" as published by the North Carolina Justice Academy shall be applied as basic curriculum for the radar/time distance/lidar operator training course for radar, time distance, and lidar instrument operators as administered by the Commission. Copies of this publication may be inspected at the office of the agency;~~

1 Criminal Justice Standards Division
2 North Carolina Department of Justice
3 1700 Tryon Park Drive
4 Post Office Drawer 149
5 Raleigh, North Carolina 27602

6 and may be obtained at cost from the Academy at the following address:

7 North Carolina Justice Academy
8 Post Office Box 99
9 Salemburg, North Carolina 28385

10
11 *History Note: Authority G.S. 17C-6;*
12 *Eff. November 1, 2007;*
13 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
14 *2019;*
15 *Amended Eff. April 1, 2022.*
16 *Repealed Eff. February 1, 2026.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0245

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

History Note, page 2, line 1: The period after "2019" should be replaced with a semi-colon.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

1 12 NCAC 09B .0245 is repealed as published in 40:06 NCR 518-561 as follows:

2
3 ~~12 NCAC 09B .0245 RE-CERTIFICATION TRAINING COURSE FOR RADAR/TIME-~~
4 ~~DISTANCE/LIDAR OPERATORS~~

5 (a) ~~The Radar/Time Distance/Lidar Operator Re-Certification Training Course shall be designed to provide the law~~
6 ~~enforcement officer with the skills and knowledge to continue to proficiently perform the function of a radar, time-~~
7 ~~distance, and lidar operator. This course shall be presented within a period not to exceed one week.~~

8 (b) ~~Each applicant for a Radar/Time Distance/Lidar Operator Re-Certification Training Course shall meet the~~
9 ~~requirements of 12 NCAC 09C .0308(c) and (d).~~

10 (c) ~~Federal law enforcement personnel shall be allowed to participate in Radar/Time Distance/Lidar Operator Re-~~
11 ~~Certification Training Courses at the discretion of the school director without meeting the requirements specified in~~
12 ~~12 NCAC 09B .0243(b), but such personnel must have successfully completed one or more introductory level speed~~
13 ~~measurement instrument courses that included instruction on operation of radar instruments, time distance instruments~~
14 ~~and lidar instruments. Courses that meet this requirement are described in 09B .0212, .0213, .0214,~~
15 ~~.0238, .0242, and .0244.~~

16 (d) ~~The Radar/Time Distance/Lidar Operator Re-Certification Training Course required for radar, time distance,~~
17 ~~and lidar operator re-certification shall include the topic areas and number of hours as outlined in the Radar/Time~~
18 ~~Distance/Lidar Operator Training Course. To qualify for radar, time distance, and lidar operator re-certification, an~~
19 ~~applicant shall meet the requirements as outlined in the Radar/Time Distance/Lidar Operator Training Course and~~
20 ~~meet the requirements of 12 NCAC 09B .0408 and .0409.~~

21 (e) ~~The "Radar/Time Distance/Lidar Operator Training Course" as published by the North Carolina Justice~~
22 ~~Academy shall be applied as basic curriculum for the Radar/Time Distance/Lidar Operator Re-Certification Training~~
23 ~~Course for radar, time distance, and lidar operators as administered by the Commission. Copies of this publication~~
24 ~~may be inspected at the office of the agency:~~

25 ~~Criminal Justice Standards Division~~
26 ~~North Carolina Department of Justice~~
27 ~~114 West Edenton Street~~
28 ~~Post Office Drawer 149~~
29 ~~Raleigh, North Carolina 27602~~

30 ~~and may be obtained at cost from the Academy at the following address:~~

31 ~~North Carolina Justice Academy~~
32 ~~Post Office Box 99~~
33 ~~Salemburg, North Carolina 28385~~

34
35 *History Note: Authority G.S. 17C-6;*

36 *Eff. November 1, 2007;*

37 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*

- 1 2019.
- 2 Repealed Eff. February 1, 2026.

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0301

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

(a), line 7: Remove the extra space before "lecturer".

(b), line 10: Add a comma after ".0304".

(b), line 13: Add the word "Form" before "F-12".

(c), line 32: Are these "updated instructor training courses" set forth elsewhere in your rules? Are they specific courses? If so, you may want to add a reference here for clarity.

(d), line 34: How do these Commission actions "correct" the violation? Wouldn't the instructor have to take action to "correct" his or her violation? You may want to re-word this.

*(e)(1): Is this supposed to say, "... for **instructor** qualification"?*

(e)(3): Are these cross-references correct? These two rules don't contain any details regarding "lesson plans".

(e)(4), line 9: The quotation marks here are probably not necessary.

(e)(4), line 9: Hyphenate "Commission approved".

(e)(4): Is this list exhaustive?

(e)(4)(B): Can you be more specific with regard to "12 NCAC 09A .0204"? Is this a reference to (a) or (b)? That rule contains a lot of different language regarding crimes.

(e)(5), line 24: "Immediate" is not a clear time standard.

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

(e)(7): “Good moral character” can be an unclear and ambiguous standard. As you may recall, at the September 2025 RRC Meeting, the Commission looked at similar language contained in 12 NCAC 09G .0209. Specifically, for that Rule, the Commission requested that the case citations be removed from (b)(11) but add any character traits the majority opinions used in those cases to define “good moral character”. These same changes will need to be made to 12 NCAC 09B .0301. Otherwise, I anticipate that the Commission will object to this Rule based on your current definition of “good moral character.”

(e)(10): Isn’t this already covered by the “unprofessional personal conduct” standard set forth in (e)(4)? Make sure that this is not redundant.

(f), lines 22-23: Why is CJETS Commission fully spelled out here? Wouldn’t “Commission” be sufficient? You use “Commission” throughout the rest of this Rule.

(f), line 24: “out of state” should be hyphenated and should be followed with a comma.

(f), line 25: Add a comma after “certifying”.

(f), line 26: “within five days” from when? Specify the action that triggers the five days.

(h), line 31: “General Instructors” are not outlined in this Rule. Is this supposed to reference .0302 instead?

(h), line 33: Is “officer” supposed to be in between “justice” and “certification”?

History Note: The paragraph/spacing formatting for the History Note should be consistent with the rest of the rule. Please update.

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

12 NCAC 09B .0301 is amended with changes as published in 40:06 NCR 518-561 as follows:

SECTION .0300 - MINIMUM STANDARDS FOR CRIMINAL JUSTICE INSTRUCTORS

12 NCAC 09B .0301 CERTIFICATION OF INSTRUCTORS

(a) A person participating in a ~~Commission-certified~~ Commission-approved criminal justice training course or program as an instructor, teacher, professor, lecturer, or other participant making presentations to the class shall first be certified by the Commission as an instructor.

(b) The Commission shall certify instructors under the following categories: General Instructor Certification, Specialized Instructor Certification, or Professional Lecturer Certification as outlined in Rules .0302, .0304 and .0306 of this Section. Instructor certification shall be granted on the basis of documented qualifications of experience, education, and training in accordance with the requirements of this Section and as stated on the applicant's Application for Instructor or Professional Lecturer Certification, ~~F-12, F-12,~~ pursuant to 12 NCAC 09I

~~[.0101-]~~ .0101(a)(1). The Application for Instructor or Professional Lecturer ~~F-12~~ shall contain:

- ~~(1) name of applicant/instructor;~~
- ~~(2) address, phone, email address, date of birth, age, last four of Social Security Number, and Aadis number;~~
- ~~(3) current agency/firm, status (Retired, Civilian, Sworn), agency address, and business phone number;~~
- ~~(4) type of instructor certification applying for;~~
- ~~(5) supporting documents for specific certification sought;~~
- ~~(6) highest education level, school attended, school location, and graduation date;~~
- ~~(7) criminal justice experience;~~
- ~~(8) signature of applicant/instructor;~~
- ~~(9) school, course title, hours taught, course date(s) and whether course was a requirement of Mandatory In-Service Training; and~~
- ~~(10) signature of certifying School Director or In-Service Training Coordinator, school or agency, phone number, and email address.~~

(c) In addition to all other requirements of this Section, each instructor certified by the Commission to teach in a ~~Commission-certified~~ Commission-approved course shall remain competent in his or her specialized areas. Such competence shall include remaining current in the instructor's area of expertise, which shall be demonstrated by attending and completing all updated instructor training courses required by the Commission.

(d) If a person certified as an instructor by the Commission has knowingly and willfully violated any provision or requirement of the rules in this Subchapter, the Commission shall take action to correct the violation and to ensure that the violation does not recur. The following action shall be taken by the Commission:

- (1) issue an oral warning and request for compliance; or
- (2) issue a written warning and request for compliance; or
- (3) issue an official written reprimand; or

- 1 (4) suspend the individual's certification for no more than three years; or
- 2 (5) revoke the individual's certification.
- 3 (e) The Commission shall deny, suspend, or revoke an instructor's certification when the Commission finds that the
- 4 person:
- 5 (1) has failed to meet and maintain any of the requirements for qualification;
- 6 (2) has failed to remain competent in the person's areas of expertise;
- 7 (3) has failed to deliver training in a manner consistent with the instructor lesson plans outlined in the
- 8 Rules .0209 and .0205 of this Subchapter;
- 9 (4) has demonstrated "unprofessional personal" conduct in the delivery of Commission approved or
- 10 mandated training. For the purposes of this Subparagraph, unprofessional personal conduct is
- 11 identified as:
- 12 (A) job-related conduct that constitutes a violation of state or federal law;
- 13 (B) a conviction or commission of a criminal offense, as set out in 12 NCAC 09A .0204;
- 14 (C) the willful violation of rules of this Chapter;
- 15 (D) conduct that is detrimental to instruction in the Commission's mandated courses. Conduct
- 16 is "detrimental to instruction" if the conduct is demeaning or disruptive to the learning
- 17 environment;
- 18 (E) the physical or verbal abuse of a client or student who the instructor is teaching or
- 19 supervising; or
- 20 (F) falsification of an instructor application or other employment documentation;
- 21 (5) is an instructor, School Director, or Qualified Assistant and is involved in the instruction of (for
- 22 instructors) or oversight of (for School Directors and Qualified Assistants) a student with whom
- 23 the instructor, School Director, or Qualified Assistant has a close personal relationship such as,
- 24 familial, financial, dating, or sexual, even if consensual; and fails to take immediate and
- 25 appropriate corrective action. Appropriate corrective action requires the instructor, School
- 26 Director, or Qualified Assistant to notify his or her managing personnel in writing of the
- 27 relationship and requires the instructor, School Director, or Qualified Assistant to stop instructing
- 28 or overseeing the student with whom the relationship exists. The written notice to managing
- 29 personnel shall be submitted to the Criminal Justice Standards Division within 10 days upon
- 30 receipt and shall include:
- 31 (A) school/agency name;
- 32 (B) name of course;
- 33 (C) name of instructor, School Director, or Qualified Assistant;
- 34 (D) name of student;
- 35 (E) name of managing personnel;
- 36 (F) nature of the relationship; and

- (G) explanation of action taken to ensure the named instructor, School Director, or Qualified Assistant is not in violation of this Rule;
- (6) has knowingly and willfully obtained or attempted to obtain instructor certification by deceit, fraud, or misrepresentation;
- (7) has failed to meet or maintain good moral character as defined in: In re Willis, 288 N.C. 1, 215 S.E.2d 771, appeal dismissed, 423 U.S. 976 (1975); State v. Harris, 216 N.C. 746, 6 S.E.2d 854 (1940); In re Legg, 325 N.C. 658, 386 S.E. 2d 174 (1989); In re Applicants for License, 143 N.C. 1, 55 S.E. 635 (1906); In re Dillingham, 188 N.C. 162, 124 S.E. 130 (1924); State v. Benbow, 309 N.C. 538, 308 S.E.2d 647 (1983); and later court decisions that cite these cases as authority, and as required to discharge the duties of a criminal justice instructor;
- (8) has failed to deliver training in a manner consistent with the Qualified Retired Law Enforcement Officers Firearms Qualification Certification Program as found in 12 NCAC 09H .0102;
- (9) has knowingly and willfully aided or attempted to aid any person in obtaining qualification or certification under the Qualified Retired Law Enforcement Officers Firearms Qualification Certification Program by deceit, fraud, or misrepresentation;
- (10) has committed or been convicted of an offense that could result in the denial, suspension, or revocation of an officer's law enforcement certification, pursuant to 12 NCAC ~~09G .0504~~; 09A .0204; or
- (11) has knowingly made a material ~~misrepresentation~~ misrepresentation, including knowingly providing false or omitting information. of any information required for certification or accreditation.
- (f) When a person certified as a criminal justice officer by the North Carolina Criminal Justice Education and Training Standards Commission (Commission), or the North Carolina Company/Campus Police Program, has been denied certification or had his or her certification suspended or revoked by a North Carolina, out of state or federal approving, certifying or licensing agency, the certified criminal justice officer shall report the suspension or revocation to the Criminal Justice Standards Division within five days.
- (g) Any instructor whose criminal justice officer certification or power to make arrests is suspended or revoked by the federal government, State of North Carolina or any subdivisions thereof, or by any other State or any subdivisions thereof, shall report the suspension or revocation to the Commission within five days of the officer's receipt of notice of the revocation or suspension.
- (h) Criminal justice officers certified as a General Instructor as outlined in this Rule shall have their general instructor certification automatically suspended or revoked for the same time period as his or her respective Commission criminal justice certification. The suspension or revocation of the general instructor certification shall also include suspension or revocation to any Commission recognized specialized or additional instructor certification, as outlined in Rule .0304 of this Section.
- (i) Any applicant for instructor certification whose criminal justice officer certification or power to make arrests has been denied, suspended, or revoked at any time by the federal government, State of North Carolina or any

1 subdivisions thereof, or by any other State or any subdivisions thereof, shall report the suspension or revocation to
2 the Commission at the time the application is submitted. This requirement is not withstanding any subsequent
3 reinstatement of the certification or power to make arrests.

4
5 *History Note:* *Authority G.S. 17C-6;*
6 *Eff. January 1, 1981;*
7 *Amended Eff. December 1, 2018; October 1, 2017; October 1, 2009; August 1, 2004; April 1,*
8 *1999; July 1, 1991; January 1, 1985;*
9 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
10 *2019;*
11 *Amended Eff. February 1, 2026; March 1, 2024; October 1, 2020; August 1, 2019.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0305

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

(a): Wouldn't it make more sense if these two sentences were broken out into separate paragraphs? The first sentence relates to how long a certificate lasts. And the second sentence relates to when an application needs to be submitted. This doesn't flow very well.

*(b): This requirement is also wordy. Consider breaking this into two separate sentences after, "... in each of the topics for which Specialized Instructor Certification was granted, ...". Also, on lines 10-11, shouldn't this say, "... that instruction **shall be** provided in a ..."? This would be better phrasing for a requirement.*

(c), line 14: Insert "certification" before "renewal".

(c)(2)(A-F): Please explain to me how these Parts relate to (c)(2)? I don't think it makes sense to break out this list in this manner. (c)(2) talks about completing instructor updates. Any Parts under (c)(2) should relate back to that provision. However, Part (c)(2)(A) then talks about proving hours of relevant instruction, which is actually related to (c)(1). You should consider reorganizing this. Couldn't (c)(2)(A) just be (c)(3)?

(c)(2)(B), line 10: Should "Commission-accredited" be changed to "Commission-approved"?

(c)(2)(D-E): Why do these two Parts end with a period? Please change this.

*(c)(2)(E), line 35: Shouldn't this say, "Evaluations **shall** be administered by a certified Specialized Driving Instructor."*

(f), line 21: What are "blocks of instruction that require instruction by a Specialized Instructor"?

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

(g)(4): Shouldn't this include limiting language such as, "if applicable"? Isn't it possible that the re-issuance relates to a different topic other than the ones mentioned here?

(i), line 4: If these persons don't qualify for re-issuance, then how does the second sentence apply to them? Shouldn't the second sentence be deleted or state that they have to go back through the full application process?

(j), line 6: Add "Form" after "F-16".

History Note: The paragraph/spacing formatting for the History Note should be consistent with the rest of the rule. Please update.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09B .0305 is amended with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09B .0305 TERMS AND CONDITIONS OF SPECIALIZED INSTRUCTOR CERTIFICATION

(a) An applicant meeting the requirements for Specialized Instructor Certification as set forth in Rule .0304 of this Section shall be issued a certification to expire three years from the date of issuance. The applicant shall apply for certification as a Specialized Instructor within 60 days after the date the applicant achieved a passing score on the state comprehensive exam for the respective Specialized Instructor training course.

(b) The instructor is required to instruct, within three years after Specialized Instructor Certification is issued, a minimum of 12 hours in each of the topics for which Specialized Instructor Certification was granted, and that instruction was provided in a ~~Commission-accredited~~ Commission-approved basic training, Specialized Instructor Training, Commission-recognized in-service training course, or training course delivered pursuant to 12 NCAC 10B .0601, .1302, or .2005.

(c) An application for renewal shall contain, in addition to the requirements listed in Rule .0304 of this Section, documentary evidence that the applicant has remained active in the instructional process during the previous three-year period. Such documentary evidence shall include the following:

(1) proof that the applicant has, within the three-year period preceding application for renewal, instructed at least 12 hours in each of the topics for which Specialized Instructor Certification was granted, and that instruction was provided in a ~~Commission-accredited~~ Commission-approved basic training, Specialized Instructor Training, Commission-recognized in-service training course, or training course delivered pursuant to 12 NCAC 10B .0601, .1302, or .2005. Acceptable documentary evidence shall include official Commission records submitted by School Directors or In-Service Training Coordinators and written attestation ~~certification~~ from a School Director or In-Service Training Coordinator;

(2) proof that the applicant has, within the three-year period preceding application for renewal, attended and completed all instructor updates that have been issued by the Commission. Acceptable documentary evidence shall include official Commission records submitted by School Directors or In-Service Training Coordinators, or copies of certificates of completion issued by the institution which provided the instructor updates; and

(A) a favorable written recommendation from a School Director or In-Service Training Coordinator completed on an Application for Instructor and Professional Lecturer Certification Form (~~Form F-12~~) (Form [F-12], F-12), pursuant to 12 NCAC 09I [~~.0102~~, .0101(a)(1)], stating the instructor taught at least 12 hours in each of the topics for which Specialized Instructor Certification was granted. The teaching shall have been provided in a ~~Commission-accredited~~ Commission-approved basic training, Specialized Instructor Training course, pursuant to Rule 12 NCAC 09C .0401, Commission-recognized in-service training course, or training course delivered pursuant to 12 NCAC 09F .0101, 12 NCAC

09H, 12 NCAC 10B .0601, .1302, or .2005; ~~2005. The Application for Instructor and Professional Lecturer Certification (Form F-12) shall include the following: the applicant's name, address, phone, and email address; the type of certification applying for; the applicant's education level; the applicant's signature; the Commission accredited school or agency where the training was delivered; and the signature of the recommending school director or in service training coordinator;~~

(B) a favorable written evaluation by a School Director, Qualified Assistant, In-Service Training Coordinator, or another Specialized Instructor certified in the same specialized subject, based on an on-site classroom evaluation of a presentation by the instructor in a Commission-accredited basic training, Specialized Instructor Training, Commission-recognized in-service training course, or in-service training course delivered pursuant to 12 NCAC 10B .0601, .1302, or .2005 during the three-year period of Specialized Instructor Certification. Such evaluation shall be presented ~~certified~~ on a Criminal Justice Instructor Evaluation Form F-16, pursuant to Rule .0202 of this ~~Subchapter~~; Subchapter, and 12 NCAC 09I .0102; .0101(a)(2):

(C) proof that the individual applying for renewal as a Specialized Firearms Instructor has achieved a minimum score of 92 on the day and night Basic Law Enforcement Training firearms qualification courses, administered by a certified Specialized Firearms Instructor, within the three-year period preceding the application for renewal;

(D) proof that the individual applying for renewal as a Specialized Physical Fitness Instructor has passed the Basic Law Enforcement Training Police Officer Physical Abilities Test, administered by a certified Specialized Physical Fitness Instructor, within the three-year period preceding the application for renewal.

(E) proof that the individual applying for renewal as a Specialized Driver Instructor has achieved the following minimum scores ~~in accordance with the procedural and evaluative requirements listed in the "Course Description Packet (CDP) for Driver Instructor Certification Renewal"~~ as published by the North Carolina Justice Academy within the three-year period preceding the application for renewal. The individual applying for renewal must achieve a minimum score of 85 on two out of three attempts for the "Off-Set Lane Maneuver" and "Serpentine" courses during the daytime, a minimum score of 85 on two out of three attempts for the "Precision" course during both day and night evaluation, a score of "Pass" on two out of three attempts for each command for the "Evasive Action/Maneuver" course during the daytime, and a score of Pass on two out of three attempts in each direction for the "Fixed Radius Curve" course during the daytime. Evaluations will be administered by a certified Specialized Driving Instructor.

(F) proof that the individual applying for renewal as a Specialized ~~Subject Control Arrest Techniques Instructor or~~ Compliance and Control Techniques Instructor (CCT) has

1 satisfactorily completed the technique evaluations skills of the Basic Law Enforcement
2 Training ~~SCAT or CCT courses, course,~~ administered by a certified Specialized ~~SCAT or~~
3 CCT Instructor, within the three-year period preceding the application for renewal.

- 4 (3) Acceptable documentary evidence for proof of completion requirements as specified in Part
5 (c)(2)(A)-(F) of this rule shall include the practical skill assessment submitted by School Directors
6 or In-Service Training Coordinators and written attestation ~~certification~~ from a School Director or
7 In-Service Training Coordinator;

8 (d) Certification as a Specialized Instructor in the Standard Field Sobriety Testing, First Responder, Physical Fitness,
9 Explosive and Hazardous Materials, and Juvenile Justice Medical Emergencies topic areas as outlined in Rule
10 .0304(e), (h), (k), and (l) of this Section shall remain in effect for 36 months from the date of issuance. During the 36
11 month term all non-Commission certificates required in Rule .0304(e), (h), (k), and (l) of this Section for Specialized
12 Instructor certification in the Standard Field Sobriety Testing, First Responder, Physical Fitness, Explosive and
13 Hazardous Materials, and Juvenile Justice Medical Emergencies topical areas shall be maintained.

14 (e) Individuals who hold Specialized Instructor certification may, for just cause, be granted an extension of the three-
15 year period to teach the 12 hour minimum requirement, pursuant to paragraph (b) of this Rule. The Director may grant
16 such extensions on a one-time basis only not to exceed 12 months. For purposes of this Rule, just cause means accident,
17 illness, emergency, course cancellation, or other exceptional circumstances which precluded the instructor from
18 fulfilling the teaching requirement.

19 (f) Upon expiration of their Specialized Instructor certification, instructors have 90 days to submit renewal
20 documentation to the Division for review and approval. During this 90-day period, instructors are not permitted to
21 teach any Commission-approved courses or blocks of instruction that require instruction by a Specialized Instructor.
22 The Director may, for just cause, grant an extension of the 90-day period in which an instructor's renewal application
23 must be submitted, however, such extension shall not exceed 12 months and shall not extend the instructor's
24 certification period beyond its specified expiration period.

25 ~~(e)(g)~~ Those individuals who have previously held Specialized Instructor Certification and have not exceeded a three
26 year time period from when his or her Specialized Instructor Certification expired are eligible to apply ~~reapply~~ for re-
27 issuance of the previously held Specialized Instructor Certification. An application for re-issuance shall contain
28 documentation that the applicant:

- 29 (1) holds a current General Instructor certification;
30 (2) has completed the pre-qualification skills assessment for that specialty;
31 (3) has passed the state examination for that specialty with a minimum score of 75; and
32 (4) has maintained non-Commission certificates required in Rule .0304(e), (h), (k), and (l) of this
33 Section for Specialized Instructor certification in the Standard Field Sobriety Testing, First
34 Responder, Physical Fitness, Explosive and Hazardous Materials, and Juvenile Justice Medical
35 Emergencies topical areas.

36 ~~(f)(h)~~ Applicants for re-issuance of the Specialized Instructor Certification shall have one opportunity to pass the
37 prequalification skills assessment and the state examination for that specialty. Should an applicant not achieve a

1 passing score on either the prequalification skills assessment or the state examination for that specialty, the applicant
2 shall complete the specific Specialized Instructor Course in its entirety.

3 ~~(g)~~(i) Applicants whose Specialized Instructor Certification is suspended or revoked shall not qualify for re-issuance.
4 The applicant shall complete the specific Specialized Instructor Course in its entirety.

5 ~~(h)~~(j) After re-issuance of certification, the instructor shall complete eight hours of evaluated instruction in the
6 specialty where re-issuance of certification is sought, as documented on an F-16 located on the agency's website:
7 [https://ncdoj.gov/law-enforcement training/criminal-justice/forms-and-publications/](https://ncdoj.gov/law-enforcement%20training/criminal-justice/forms-and-publications/). The eight hours of instruction
8 shall be taught within 60 days of the Specialized Instructor Certification being reissued and evaluated by a Specialized
9 Instructor certified in that specialty. Failure to complete the required eight hours of evaluated instruction will result in
10 the reissued Specialized Instructor Certification being revoked.

11
12 *History Note:* Authority G.S. 17C-6;
13 Eff. January 1, 1981;
14 Amended Eff. January 1, 2017; February 1, 2016; August 1, 2015; May 1, 2014; June 1, 2012;
15 November 1, 2007; January 1, 2006; December 1, 2004; August 1, 2004; August 1, 2000; July 1,
16 1991; July 1, 1989; December 1, 1987; February 1, 1987;
17 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,
18 2019;
19 Amended Eff. February 1, 2026; January 1, 2025; May 1, 2023; January 1, 2022; January 1, 2020;
20 August 1, 2019.
21

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0312

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

History Note: The paragraph/spacing formatting should match the rest of the rule text. Please correct.

History Note, line 18: The period after "2019" should be replaced with a semi-colon.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

1 12 NCAC 09B .0312 is repealed as published in 40:06 NCR 518-561 as follows:

2
3 ~~12 NCAC 09B .0312~~ **INSTRUCTOR CERTIFICATION RENEWAL**

4
5 ~~(a) Individuals who hold Specialized Instructor certification may, for just cause, be granted an extension of the three-~~
6 ~~year period to teach the 12 hour minimum requirement, pursuant to Rule .0305(d) of this Subchapter. The Director~~
7 ~~may grant such extensions on a one time basis only not to exceed 12 months. For purposes of this Rule, just cause~~
8 ~~means accident, illness, emergency, course cancellation, or other exceptional circumstances which precluded the~~
9 ~~instructor from fulfilling the teaching requirement.~~

10 ~~(b) The Director may, for just cause, grant an extension of the 90 day period in which an instructor's renewal~~
11 ~~application must be submitted as specified in 12 NCAC 09B .0305(d). Such extension, however, shall not exceed 12~~
12 ~~months and shall not extend the instructor's certification period beyond its specified expiration period.~~

13
14 *History Note:* *Authority G.S. 17C-6;*
15 *Eff. March 1, 1990;*
16 *Amended Eff. January 1, 2017; August 1, 2006; January 1, 2006; August 1, 2000; January 1, 1995;*
17 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
18 *2019.*
19 *Repeal Eff. February 1, 2026.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0408

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

(b): As previously mentioned, avoid using slashes in rule text when possible. Please see OAH's Style Guide for more information.

(b)(4): You use "student" here and "trainee" in other places in the Rule. Is this intentional? If not, pick one and use it consistently.

(b), lines 21-23: Consider adding "by the trainee" to the end of this sentence.

(c), lines 26-29: Consider adding "by the trainee" to the end of this sentence.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

1 12 NCAC 09B .0408 is amended as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09B .0408 COMPREHENSIVE WRITTEN STATE EXAMINATION – BASIC SMI**
4 **OPERATOR CERTIFICATION**

5 (a) Within 60 days of the conclusion of the classroom instruction portion of a school's offering of any speed
6 ~~measuring measurement~~-instrument (SMI) operator course or re-certification course, the Commission shall
7 administer a comprehensive ~~state written~~ examination to each trainee who has completed all of the required course
8 work. The examination shall be an objective test covering the topic areas contained in the certified course curriculum,
9 pursuant to 12 NCAC 09B .0212, .0238, and .0242.

10 (b) A trainee of a radar, lidar, or radar/lidar operator training shall achieve a passing score on the comprehensive
11 state examination upon answering a minimum of 70 percent of the questions correctly. A trainee who fails to
12 achieve a passing score on a RADAR, LIDAR, or RADAR/LIDAR operator training comprehensive state
13 examination shall be eligible to request re-examination with the following conditions:

- 14 (1) The trainee must have achieved a minimum score of 60 percent on the initial examination;
15 (2) The trainee's request for re-examination shall be made in writing on the Commission's
16 Examination Request Form (F-23) pursuant to 12 NCAC 09B .0406(c), and shall be received by
17 the Standards Division within 15 days of the initial examination;
18 (3) The trainee shall have, within 30 days of the date of initial examination, only one opportunity for
19 re-examination; and
20 (4) The student must have completed each motor-skill and performance area of the course curriculum.

21 A trainee who fails to achieve the minimum passing score of 70 percent on the re-examination, or who fails to
22 achieve a minimum score of 60 percent on the initial examination, shall not be eligible for SMI operator certification
23 until a subsequent SMI operator training course offering and examination are completed.

24 (c) A trainee of a RADAR operator re-certification, LIDAR operator re-certification, or RADAR/LIDAR operator
25 re-certification training course, pursuant to paragraph (a) of this rule, shall achieve a passing score on the
26 comprehensive state examination upon answering a minimum of 75 percent of the questions correctly. At the time a
27 trainee fails to achieve the minimum passing score, the trainee's SMI operator certifications shall be immediately
28 revoked, and the trainee shall not be eligible for re-certification until a subsequent SMI operator training course
29 offering and further examination is completed.

30 ~~(b) The examination shall be an objective test covering the topic areas contained in the certified course curriculum.~~

31 ~~(c) The Commission's representative shall submit to the school director within five business days of the~~
32 ~~administration of the examination a report of the results of the test for each candidate for certification.~~

33 ~~(d) A trainee shall pass the operator training course as required in 12 NCAC 09B .0212, .0213, .0214, .0238, .0242,~~
34 ~~or .0244 by achieving 70 percent correct answers.~~

35 ~~(e) An operator seeking recertification shall pass the operator training recertification course as specified in 12~~
36 ~~NCAC 09B .0220, .0221, .0222 .0240, .0243, or .0245 by achieving 75 percent correct answers.~~

37 ~~(f) A trainee who has participated in a scheduled delivery of a certified training course and has demonstrated 100-~~

1 percent competence in each motor skill or performance area of the course curriculum, but has failed to achieve a
2 passing score, as specified in Paragraph (d) of this Rule, on the Commission's comprehensive written examination,
3 may request the Director of the Standards Division to authorize a re-examination of the trainee under the following
4 requirements:

- 5 (1) The trainee's request for re-examination shall be made in writing on the Commission's Re-
6 Examination Request form, located on the agency's website:
7 <http://www.ncdoj.gov/getdoc/b38b7eee-e311-4ee3-8f9e-bd8fd58f6281/SMI-6-Reexam-6-11.aspx>.
8 The Re-Examination Request form shall be received by the Standards Division within 30 days of
9 the examination;
- 10 (2) The trainee's request for re-examination shall include the favorable recommendation of the school
11 director who administered the course;
- 12 (3) A trainee shall have, within 60 days of the original examination, only one opportunity for
13 re-examination and shall achieve a passing score on the subsequent examination; and
- 14 (4) The trainee shall be notified by the Standards Division staff of a place, time, and date for
15 re-examination.

16 (g) If the trainee fails to achieve the minimum score as specified in Paragraph (d) of this Rule on the
17 re-examination, the trainee may not be recommended for certification and shall enroll and complete a subsequent
18 course offering before further examination may be permitted.

19
20 *History Note: Authority G.S. 17C-6;*
21 *Eff. November 1, 1981;*
22 *Readopted Eff. July 1, 1982;*
23 *Amended Eff. January 1, 2015; November 1, 2007; May 1, 2004; April 1, 1999; December 1,*
24 *1987; October 1, 1983; April 1, 1983;*
25 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
26 *2019. 2019;*
27 *Amended Eff. February 1, 2026.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0409

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

(a)(3), lines 14 and 15: Capitalize the word "form".

(a)(4), line 23: Capitalize the word "form".

(a)(4), line 26: I think the comma following "includes" should be moved to follow "rule" instead.

(a)(5): This subparagraph does not make sense given the language in (a). (a) states: "a trainee shall complete all of the following:". However, (a)(5) only sets forth an exemption. Consider making this a new paragraph or a subpart to (a)(4). The current organization is unclear.

(a)(5): What does "some or all" mean? How is it determined whether to exempt "some" or "all" required hours? And who makes this call? There is no standard here.

(a)(5), line 30: "Subparagraph (b)(5) of this Rule" does not exist. Please correct this reference.

(a)(5), line 31: Capitalize the word "form".

(b), line 4: You removed "100 percent" proficiency from the requirement in (a)(3). Shouldn't this also be changed here?

(c)(1): Isn't this already covered under the language in (a)(4)? This seems like it may be redundant.

(c)(3), line 23: The word "currently" is probably not necessary.

(c)(4): You can use the SMI acronym here.

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

(d)(2), line 13: Capitalize the word “form”.

(d)(2), line 13: Is this the correct form? Form F-10B is used and submitted by School Directors. How would an operator-trainee have access to this?

(d)(4), line 16: Add the word “those” in between “than” and “currently”. Also, change “certification” to “re-certification”.

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

1 12 NCAC 09B .0409 is amended as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09B .0409 SATISFACTION OF TRAINING -- SMI OPERATORS**

4 (a) To satisfy the training requirements for operator certification, a trainee shall complete all of the following:

- 5 (1) achieve a minimum score of 70 percent correct answers on the comprehensive state examination as
6 outlined in 12 NCAC 09B .0408; ~~comprehensive written examination, provided for in 12 NCAC~~
7 09B .0408(d);
- 8 (2) ~~demonstrate successful completion~~ complete a Commission-approved of a certified offering of
9 courses course as prescribed under 12 NCAC 09B .0212(a), .0238(a), or .0242(a) as evidenced by
10 a completed Post Delivery Form (F-10B) pursuant to 12 NCAC 09I .0102; .0212, .0213, .0214,
11 .0215, .0238, .0242, or .0244 as shown by the certification of the school director;
- 12 (3) ~~demonstrate 100 percent~~ proficiency in the motor-skill and performance subject areas ~~as~~
13 ~~demonstrated~~ to a certified Speed Measurement Instrument (SMI) instructor ~~and further as~~
14 ~~evidenced on through~~ documentation on the Commission's SMI-1 form for radar instruments and
15 SMI-13 form for lidar instruments, pursuant to 12 NCAC 09I .0106; SMI forms and by the
16 subscribing instructor's certification of trainee competence;
- 17 (4) ~~present evidence showing prior North Carolina certification in a Commission-certified operator~~
18 ~~training course as prescribed in 12 NCAC 09B .0212 .0213, .0214, .0238, .0242, .0244 or present~~
19 ~~evidence showing prior certification that meets or exceeds North Carolina certification, or present~~
20 ~~evidence showing completion of 12 hours of supervised field practice within 90 days after~~
21 ~~completing a Commission-certified RADAR or RADAR/LIDAR operator training course as~~
22 ~~prescribed in 12 NCAC 09B .0212 and .0242. Evidence of completion shall consist of a completed~~
23 SMI-15 form pursuant to 12 NCAC 09I .0106. Individuals applying for SMI operator certification
24 may request an extension of up to 12 months for the 90-day requirement to complete the 12 hours
25 of supervised field practice. The Director shall grant the extension request upon a showing of just
26 cause which, for the purposes of this rule includes, accident, illness, emergency, course
27 cancellation, or other exceptional circumstance that prevents the applicant from completing the
28 required supervised field practice time; .0213, .0242, .0244; and
- 29 (5) Individuals shall be exempt from some or all of the 12 hours of supervised field practice upon presenting
30 evidence of having completed the required supervised field practice, pursuant to Subparagraph (b)(5) of
31 this Rule, at a prior date. Evidence shall include a completed SMI-14 form, pursuant to 12 NCAC 09I
32 .0106, and a copy of the individual's prior SMI operator or instructor certification which lists the
33 instruments and modes which the officer is certified to operate.
- 34 (5) ~~Individuals applying for SMI operator certification may request an extension of the 90 day~~
35 ~~requirement to complete the 12 hours of supervised field practice required pursuant to~~
36 ~~Subparagraph (a)(4) of this Rule. The requested extension shall not exceed 12 months. The~~
37 ~~Director shall grant the extension request upon a showing of just cause. For purposes of this Rule,~~

1 ~~"just cause" means an accident, illness, emergency, course cancellation, or other exceptional~~
2 ~~circumstance that prevents the applicant from completing the required supervised field practice~~
3 ~~time.~~

4 (b) Any trainee failing to achieve 100 percent proficiency in the motor-skill area may request ~~written permission~~
5 ~~from the Director of the Standards Division for re-examination. The trainee's request for re-examination shall be~~
6 ~~made in writing and must be received by the Standards Division within 30~~ re-examination within 15 days of the
7 original examination. The trainee's request for re-examination shall consist of a completed F-23 Exam Admission
8 Form, pursuant to 12 NCAC 09I .0102, include the favorable recommendation of the school director who
9 ~~administered the course.~~ A trainee shall have, within ~~30~~ 90 days of the original examination, only one opportunity
10 for motor-skill re-examination and must ~~satisfactorily~~ complete each identified area of deficiency on the original
11 motor-skill examination. ~~The trainee shall be notified by the Standards Division staff of a place, time and date for~~
12 ~~re-examination.~~ If the trainee fails to achieve the prescribed score on the examination, the trainee's active SMI
13 operator certifications shall be immediately revoked, and the trainee shall not be eligible ~~recommended~~ for
14 certification or re-certification until a subsequent SMI operator training course offering is completed, as prescribed
15 under 12 NCAC 09B .0212(a), .0238(a), or .0242(a) and further examination is completed, and shall enroll and
16 ~~complete a subsequent course offering in its entirety before further examination may be permitted.~~

17 (c) The 12 hours of supervised field practice shall be completed as follows:

- 18 (1) Within 90 days after completing a RADAR training course as prescribed under 12 NCAC 09B
19 .0212, .0215, and .0242;
- 20 (2) The trainee must conduct the 12 hours of field practice using the radar instrument with the most
21 modes, pursuant to 12 NCAC 09C .0308(h), that the trainee is seeking certification to operate;
- 22 (3) The trainee shall operate the police vehicle and the radar instrument while being supervised by a
23 currently certified radar instructor or operator who is certified to operate the radar instrument used
24 by the trainee during the field practice;
- 25 (4) Speed measuring instruments shall not be used to enforce speed violations by the trainee or by the
26 supervising radar operator or instructor during the 12 hours of field practice;
- 27 (5) The 12 hours of field practice shall be completed according to the following time requirements:
- 28 (A) for trainees seeking certification with a dual antenna unit and with stationary, moving-
29 opposite direction, and moving-same direction modes: 120 minutes in each mode while
30 using the front antenna and 120 minutes in each mode while using the rear antenna;
- 31 (B) for trainees seeking certification with a dual antenna unit and with stationary and
32 moving-opposite modes only: 180 minutes in each mode while using the front antenna
33 and 180 minutes in each mode while using the rear antenna;
- 34 (C) for trainees seeking certification with a dual antenna unit and with stationary mode only:
35 360 minutes in stationary mode while using the front antenna and 360 minutes in
36 stationary mode while using the rear antenna;
- 37 (D) for trainees seeking certification with a single antenna unit and with stationary, moving-

opposite direction, and moving-same direction modes: 240 minutes in each mode while using the front antenna;

(E) for trainees seeking certification with a single antenna unit and with stationary and moving-opposite modes only: 360 minutes in each mode while using the front antenna; or

(F) for trainees seeking certification with a single antenna unit and with stationary mode only: 720 minutes in stationary mode while using the front antenna.

~~(e)~~(d) To satisfy the training requirements for operator re-certification, an operator seeking re-certification shall:

(1) Achieve a score of 75 percent correct answers on the comprehensive ~~written state~~ examination provided for in 12 NCAC 09B .0408(c); ~~.0408(e)~~;

(2) Complete a Commission-approved course, Demonstrate successful completion of a certified offering of courses prescribed under 12 NCAC 09B .0210(d), .0212(c), .0237(d), .0238(c), or .0242(c) .0218, .0219, .0220, .0221, .0222, .0239, .0240, .0243, or .0245 as shown by presentation of a form F-10B, pursuant to 12 NCAC 09I .0102; ~~the certification of the school director; and~~

(3) Satisfy all motor-skill requirements as required in Subparagraph (a)(3) of this ~~Rule; and Rule.~~

(4) For individuals seeking certification to operate instruments with additional modes than currently or previously certified to operate, complete 240 minutes of supervised field practice for each additional mode. For dual antenna instruments, 120 of the 240 minutes must be completed using each antenna.

~~(d) At the time a trainee seeking operator re-certification fails to achieve the prescribed requirements on the comprehensive written examination as specified in 12 NCAC 09B .0409(c)(1), certification of the officer automatically and immediately terminates and that officer shall not be re-certified until successful completion of a subsequent course offering as prescribed under either 12 NCAC 09B .0212, .0213, .0214, .0238, .0242, or .0244 before further examination is permitted.~~

~~(e) At the time a trainee seeking operator re-certification fails to achieve the prescribed motor skill requirements as specified in 12 NCAC 09B .0409(c)(3), certification of the officer automatically and immediately terminates and that officer shall not be re-certified until successful completion of the required motor skill testing. Provided, however, such an officer may request re-examination as prescribed in Paragraph (b) of this Rule.~~

History Note: Authority G.S. 17C-6;

Eff. November 1, 1981;

Readopted w/change Eff. July 1, 1982;

Amended Eff. November 1, 2007; May 1, 2004; April 1, 1999; December 1, 1987; August 1, 1984;

October 1, 1983; April 1, 1983;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019;

Emergency Amendment Eff. May 5, 2020; Emergency Amendment Expired Eff. July 31, 2020;

1 *Amended Eff. February 1, 2026; January 1, 2021.*
2

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09B .0501

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

(a), line 7: What does “continuously” mean in this context? Can you be more specific as to the timeframe? “Continuously” is generally viewed as being unclear.

(b)(1): Consider adding reference here to the Rule that sets forth certification standards for General Instructors.

(b)(1): Can’t you just use “Commission” here, rather than “North Carolina Criminal Justice Education and Training Standards Commission”?

(b)(2): This should end with a semi-colon rather than a period.

(b)(3), line 14: Remove “must have”.

History Note: The paragraph /space formatting needs to match the rest of the rule text. Please update.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

1 12 NCAC 09B .0501 is amended as published in 40:06 NCR 518-561 as follows:

2
3 **SECTION .0500 - MINIMUM STANDARDS FOR CRIMINAL JUSTICE SCHOOL DIRECTORS**
4

5 **12 NCAC 09B .0501 CERTIFICATION OF SCHOOL DIRECTORS**

6 (a) Any person designated to act as, or who performs the duties of, a School Director in the delivery or presentation
7 of a ~~Commission-certified~~ Commission-approved criminal justice training course shall be and continuously remain
8 certified by the Commission as a school director.

9 (b) To qualify for initial certification as a School Director, an applicant shall:

- 10 (1) hold current General Instructor certification as issued by the North Carolina Criminal Justice
11 Education and Training Standards Commission;
- 12 (2) furnish documentary evidence to the Standards Division of high school, college, or university
13 graduation as outlined in 12 NCAC 09B .0106.
- 14 (3) attend or must have attended the most current offering of the School Director's orientation as
15 developed and presented by the Commission staff, otherwise an individual orientation with a staff
16 member shall be required; and
- 17 (4) submit a Form F-10 School Director/Qualified Assistant ~~Application~~ Application, pursuant to 12
18 NCAC 09I .0104, to the Commission for the issuance of such certification. This application shall be
19 executed by the executive officer of the institution or agency currently ~~certified~~, accredited, or which
20 may be seeking ~~certification~~, accreditation by the Commission to make presentation of ~~certified~~
21 Commission-approved training programs and for whom the applicant will be the designated School
22 Director. ~~The F-10 School Director/Qualified Assistant Application shall contain:~~
- 23 (A) ~~the name of the appointing institution or agency;~~
- 24 (B) ~~the name, date of birth, social security number (last 4 numbers), phone number, email,~~
25 ~~instructor certification number, location, and the date the applicant completed orientation~~
26 ~~training;~~
- 27 (C) ~~the applicant's educational background, specifically, the dates of attendance, the institution~~
28 ~~attended, and the degree or diploma attained from each institution;~~
- 29 (D) ~~the applicant's criminal justice experience, specifically, the agency for which the applicant~~
30 ~~worked, the applicant's duties in each position, and the dates of employment. The applicant~~
31 ~~shall have acquired four years of practical experience as a criminal justice officer or as an~~
32 ~~administrator or specialist in a field directly related to the criminal justice system. At least~~
33 ~~one year of the required four years experience must have been while actively participating~~
34 ~~in criminal justice training as a Commission-certified instructor;~~
- 35 (E) ~~the signature of the applicant certifying the accuracy of the contents of the application, and~~
- 36 (F) ~~the signature of the appointing institution's executive officer signifying recommendation~~
37 ~~of an applicant to be a School Director; or~~

1 ~~(G) the signature of the School Director signifying recommendation of an applicant to be a~~
2 ~~Qualified Assistant.~~

3 (c) In addition to the requirements identified in Paragraph (b) of this Rule, to qualify for certification as a School
4 Director in the presentation of the Criminal Justice Instructor Training Course, an applicant shall document completion
5 of the Instructor Training Orientation presented by the North Carolina Justice Academy on delivery of instructor
6 training course and student evaluations.

7
8 *History Note: Authority G.S. 17C-6;*
9 *Eff. January 1, 1985;*
10 *Amended Eff. February 1, 2016; November 1, 2015; July 1, 2004;*
11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
12 *2019;*
13 *Amended Eff. February 1, 2026; December 1, 2023.*
14

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09C .0212

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

History Note: The paragraph/spacing formatting should match the rest of the rule text. Please correct.

History Note, line 15: The period after "2025" should be replaced with a semi-colon.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

1 12 NCAC 09C .0212 is repealed as published in 40:06 NCR 518-561 as follows:

2
3 ~~12 NCAC 09C .0212~~ **POST DELIVERY REPORT OF TRAINING COURSE PRESENTATION**

4 ~~The Post Delivery Report of Training Course Presentation (Form F 10B) is a form on which the School Director~~
5 ~~notifies the Commission of the completion of the Commission accredited Basic Law Enforcement Training Course,~~
6 ~~together with the achievement and performance level attained by each enrolled trainee. The information requested~~
7 ~~includes a listing of each instructor used in delivering the training with topics presented, and the trainees' scores on~~
8 ~~each written, oral or motor skill examination administered by the school.~~

9
10 *History Note: Authority G.S. 17C-6;*
11 *Eff. January 1, 1981;*
12 *Amended Eff. August 1, 2000;*
13 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
14 *2019;*
15 *Amended Eff. January 1, 2025.*
16 *Repealed Eff. February 1, 2026.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09C .0308

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

(a), line 5: I believe the word "officer" is missing after "law enforcement".

(a), lines 7-8: You can use the abbreviation SMI here. Also, check the rest of the rule as well for this. You inconsistently switch between speed measuring instrument and SMI.

(b)(2): This should end with a period rather than a semi-colon.

(c)(4): You should create a new subparagraph, (c)(4), to follow (c)(3). This can be done by starting the new subparagraph on line 29 with "meet one of the following requirements:".

(c)(3)(B), lines 33-34: Which "training standards as established by the North Carolina Sheriffs' Education and Training Standards Commission"? Can you be more specific?

(g), line 28: "radar" should be capitalized.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09C .0308 is amended as published in 40:06 NCR 518-561 as follows:

**12 NCAC 09C .0308 SPEED ~~MEASURING MEASUREMENT~~ INSTRUMENT (SMI) OPERATORS
CERTIFICATION PROGRAM**

(a) ~~Every person employed~~ Only those individuals currently certified as a law enforcement or appointed by the state or any political subdivision thereof as a law enforcement officer personnel of a law enforcement agency who uses a Speed Measuring Instrument for enforcement purposes shall hold certification from the Commission authorizing the officer to operate the speed measuring instrument. Certification in one or more categories reflects operational proficiency in the designated type(s) of approved equipment for which the trainee has been examined and tested.

(b) Standards Division staff shall issue SMI certification in ~~one of~~ the following categories:

(1) RADAR operator speed ~~measurement~~ measuring instrument (SMI) certification or re-certification requiring ~~successful~~ completion of the training program as required in 12 NCAC 09B .0210, .0212, ~~.0213~~, .0218, .0242; ~~.0220, .0221, .0242, .0243, .0244, or .0245~~;

~~(2) time distance speed measurement instrument operator certification or re-certification requiring successful completion of the training program as required in 12 NCAC 09B .0211, .0213, .0214, .0219, .0221, .0222, .0244, or .0245;~~

~~(3)~~ (2) LIDAR speed measurement instrument operator certification or re-certification requiring successful completion of the training program as required in 12 NCAC 09B .0237, .0238, .0239, or .0242; ~~.0240, .0242, .0243, .0244, or .0245.~~

(c) ~~Certification in one or more categories reflects operational proficiency in the designated type(s) of approved equipment for which the trainee has been examined and tested. Such certification is for a three year period from the date of issue and re-certifications is for a three year period from the date of issue, unless sooner terminated by the Commission.~~ The applicant shall meet the following requirements for SMI operator certification or re-certification within 90 days of the course completion; ~~completion and upon the presentation of documentary evidence showing that the applicant:~~

(1) have completed course requirements as outlined in 12 NCAC 09B .0212, .0238, or .0242;

(2) have passed the comprehensive state exam as prescribed in 12 NCAC 09B .0408;

(3) have completed the 12 hours of field practice training as outlined in 12 NCAC 09B .0409; and meet one of the following requirements:

(A) hold active certification as a law enforcement officer; or

(B) be employed as a sheriff, deputy sheriff, or other sworn appointee with arrest authority governed by the provisions of G.S. 17E and be in compliance with the employment and training standards as established by the North Carolina Sheriffs' Education and Training Standards Commission;

~~(4) has successfully completed the training program as required in 12 NCAC 09B .0210, .0211, .0212, .0213, .0214, .0218, .0219, .0220, .0221, .0222, .0237, .0238, .0239, .0240, .0242, .0243, .0244, or .0245; and~~

- 1 (2) ~~has successfully completed a Commission-certified basic law enforcement training course as~~
2 ~~required in 12 NCAC 09B .0400 and is currently certified in a probationary status or holds general~~
3 ~~law enforcement certification; or~~
- 4 (3) ~~if the applicant is a sheriff, deputy sheriff, or other sworn appointee with arrest authority governed~~
5 ~~by the provisions of G.S. 17E has met and is in compliance with the employment and training~~
6 ~~standards as established and made effective for such position by the North Carolina Sheriffs'~~
7 ~~Education and Training Standards Commission.~~
- 8 (d) Certified SMI operators shall be notified by email via the North Carolina Justice Training and Certification
9 portal by the Commission not less than 90 days prior to the expiration of certification. All applicants for re-
10 certification shall ~~successfully~~ complete a Commission-approved re-certification course within 12 months from the
11 expiration of the previous certification. ~~If re-certification is not obtained within the 12-month period, successful~~
12 ~~completion of the appropriate operator training programs as required by 12 NCAC 09B .0409(a) shall be required to~~
13 ~~obtain operator certification.~~ This prescribed 12 month period shall not extend the operator certification period
14 beyond its specified expiration date. When a re-certification course is successfully completed prior to the expiration
15 of the previous certification, the new certification shall be issued by the Criminal Justice Standards Division
16 effective upon the receipt and review by Division staff of the required documentation outlined in 12 NCAC 09B
17 .0409, of the Post-Delivery Report of Training Course Presentation. Operator re-certification shall be issued only to
18 officers with active law enforcement certification.
- 19 ~~(e) Operator re-certification shall be issued only to officers with current law enforcement certification.~~
- 20 ~~(e) If re-certification is not obtained within the prescribed 12-month period, the officer is no longer eligible for re-~~
21 ~~certification and must meet the requirements of initial operator certification, including completion of a RADAR,~~
22 ~~LIDAR, or RADAR/LIDAR operator training course as outlined in 12 NCAC 09B .0212(a), 12 NCAC 09B .0238(a),~~
23 ~~and 12 NCAC 09B .0242(a).~~
- 24 ~~(f) RADAR operator certification is valid for a three-year period from the date of issue. Re-certification is also valid~~
25 ~~for a three-year period from the date of issue, unless sooner terminated by the Commission.~~
- 26 ~~(g) LIDAR operator certification and re-certification shall only be issued when the applicant holds active RADAR~~
27 ~~operator certification. The expiration date of LIDAR operator certification and re-certification shall match the~~
28 ~~expiration date of the applicant's radar operator certification.~~
- 29 ~~(h) An individual's SMI operator certification shall apply only to the instruments and modes of operation with~~
30 ~~which the individual has proven proficiency in the motor-skill and performance subject areas, pursuant to 12 NCAC~~
31 ~~09B .0409(a)(3), during an SMI operator course pursuant to 12 NCAC 09B .0212, .0215, .0238, and .0242. Modes~~
32 ~~of operation include: stationary, moving-same direction, and moving-opposite direction.~~
- 33 ~~(f) All certifications issued pursuant to this Rule and the standards in effect between November 1, 1981 and July 1,~~
34 ~~1982 shall continue with full force and effect; however, said certifications are subject to the provisions of 12 NCAC~~
35 ~~09C .0308(d) and (e).~~

36
37 History Note: Authority G.S. 17C-6;

1 *Eff. November 1, 1981;*
2 *Readopted w/change Eff. July 1, 1982;*
3 *Temporary Amendment Eff. February 24, 1984, for a period of 120 days to expire on June 22,*
4 *1984;*
5 *Amended Eff. November 1, 2007; February 1, 2006; May 1, 2004; April 1, 1999; November 1,*
6 *1993; March 1, 1992; February 1, 1991; December 1, 1987;*
7 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
8 *2019;*
9 *Emergency Amendment Eff. May 5, 2020; Emergency Amendment Expired Eff. July 31, ~~2020~~.*
10 *2020;*
11 *Amended Eff. February 1, 2026.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09C .0311

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

(a): Why is "Chief Court Counselors" capitalized? Is this a special program or title?

(a): Rather than using a slash, could you say, "North Carolina Department of Public Safety's Division of Juvenile Justice"? If so, please correct throughout this rule.

*(a), line 6: "prior to separation" does not appear to be necessary here. Could you complete service with the Division of Juvenile Justice **after** separation but before reinstatement?*

(b): All three comments above also apply to the rule text in (b).

(b), line 16 and (c), line 22: The highlighted "appropriate" also needs to be underlined.

History Note: The paragraph/spacing format should match the rest of the rule text above. Please correct.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

1 12 NCAC 09C .0311 is amended with changes as published in 40:06 NCR 518-561 as follows:

2
3 **12 NCAC 09C .0311 RECERTIFICATION FOLLOWING SEPARATION**

4 (a) Previously certified juvenile court counselors, Chief Court Counselors, and juvenile justice officers ~~with~~ who
5 have completed a minimum of one year of service with the North Carolina Department of Public Safety/Division of
6 Juvenile Justice prior to separation and ~~who~~ have been separated from the North Carolina Department of Public
7 ~~Safety~~ Safety/Division of Juvenile Justice for less than three years may have their certification reinstated to a
8 probationary status following a reverification of employment standards as outlined in 12 NCAC 09B .0116 and
9 ~~.0117, but~~ .0117. These individuals shall be ~~are~~ exempt from the completion of job-appropriate the appropriate
10 basic training course as described in 12 NCAC 09B .0235 and ~~.0236.~~ .0236, provided the basic training was
11 completed prior to separation.

12 (b) Previously certified juvenile court counselors, Chief Court Counselors, and juvenile justice officers ~~with~~ who
13 served less than one year with the North Carolina Department of Public Safety/Division of Juvenile Justice prior to
14 separation and of service who have been separated ~~from the North Carolina Department of Public Safety~~ for less
15 than two years may have their certification reinstated following a reverification of employment standards as outlined
16 in 12 NCAC 09B .0116 and ~~.0117.~~ .0117. These individuals ~~and~~ shall complete the job appropriate basic training
17 course as described in 12 NCAC 09B .0235 and ~~.0236.~~ .0236 unless the basic training course was successfully
18 completed prior to [separation; separation] and the training occurred within 12 months of reinstatement.

19 (c) Previously certified juvenile court counselors, Chief Court Counselors, and juvenile justice officers who have
20 been separated from the North Carolina Department of Public ~~Safety~~ Safety/Division of Juvenile Justice for more
21 than three years, regardless of the length of prior service, upon their return shall complete the verification of
22 employment standards as outlined in 12 NCAC 09B .0116 and .0117 and shall complete the job appropriate basic
23 training course described in 12 NCAC 09B .0235 and .0236.

24
25 *History Note:* Authority G.S. 17C-2; 17C-6; 17C-10;
26 Eff. May 1, 2023; 2023;
27 Amended Eff. February 1, 2026.
28

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09C .0601

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Rule Title and General Comment: Why is "speed-measuring instrument" hyphenated here? In other places in 09B and 09C, the term is never hyphenated.

(a), line 10: The word "automatically" is not necessary.

*(a): Please include information regarding the **cost** to obtain copies of said materials (per requirement in 150B-21.6).*

(b), line 13: "[E]valuated" for what? Can you be more specific? What are the evaluation findings used for?

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

1 12 NCAC 09C .0601 is amended as published in 40:06 NCR 518-561 as follows:

2
3 **SECTION .0600 - EQUIPMENT AND PROCEDURES**
4

5 **12 NCAC 09C .0601 APPROVED SPEED-MEASURING INSTRUMENTS**

6 (a) Prior to approval as a speed-measuring instrument, the manufacturer of said instrument shall certify in writing to
7 the Criminal Justice Standards Division that said instrument meets or exceeds the applicable standards set out in the
8 "Model Performance Specifications for Police Traffic Radar Devices" as published by the National Highway Traffic
9 Safety Administration, United States Department of Transportation (as in effect July 1, 1982) which is hereby
10 incorporated by reference, and shall automatically include any later amendments and editions of the incorporated
11 material as provided by G.S. 150B-21.6. Copies of this publication may be obtained from the Department of Justice
12 website: <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/>.

13 (b) All speed-measuring instruments shall be evaluated by representatives from the North Carolina Criminal Justice
14 Education and Training Standards Commission and the North Carolina Department of Public Safety. A summary of
15 the findings shall be submitted in writing to the Criminal Justice Standards Division's Speed Measurement
16 Instrument Program Administrator.

17 ~~The following procedures shall be adhered to for approval of speed measuring instruments:~~

- 18 (1) ~~Prior to the inclusion as an approved speed measuring instrument, the manufacturer of said~~
19 ~~instrument shall certify in writing to the Criminal Justice Standards Division that said instrument~~
20 ~~meets or exceeds the applicable standards set out in the "Model Performance Specifications for~~
21 ~~Police Traffic Radar Devices" as published by the National Highway Traffic Safety~~
22 ~~Administration, United States Department of Transportation (as in effect July 1, 1982) which is~~
23 ~~hereby incorporated by reference, and shall automatically include any later amendments and~~
24 ~~editions of the incorporated material as provided by G.S. 150B-21.6. Copies of this publication~~
25 ~~may be inspected at the office of the agency:~~

26 ~~Criminal Justice Standards Division~~
27 ~~North Carolina Department of Justice~~
28 ~~114 West Edenton Street~~
29 ~~Old Education Building~~
30 ~~Post Office Drawer 149~~
31 ~~Raleigh, North Carolina 27602~~

32 ~~and may be obtained at no cost from the National Highway Traffic Safety Administration at the following~~
33 ~~address:~~

34 ~~National Highway Traffic Safety Administration~~
35 ~~400 Seventh Street,~~
36 ~~SW Washington, DC 20590~~

37 ~~The manufacturer shall provide evidence that the instrument meets or exceeds the applicable~~

~~standards published by the National Highway Traffic Safety Administration, United States Department of Transportation.~~

- (2) ~~All speed measuring instruments shall be evaluated by representatives from the North Carolina Criminal Justice Education and Training Standards Commission and the North Carolina Department of Crime Control and Public Safety. A summary of the findings shall be submitted in writing to the Criminal Justice Standards Division's Speed Measurement Instrument Program Administrator.~~
- (3) ~~A current list of all approved speed measuring instruments shall be included in Appendix "A" of the Supplement for Speed Measurement Instrument Training Courses published by the North Carolina Justice Academy.~~
- (4) ~~The "Speed Measurement Instrument Operator Training Course Manuals" as published by the North Carolina Justice Academy shall be applied as the basic curriculum for the speed measuring instrument operator training courses for speed measuring instrument operators as administered by the North Carolina Criminal Justice Education and Training Standards Commission. Copies of these publications may be inspected at the office of the agency:~~

~~Criminal Justice Standards Division
North Carolina Department of Justice
114 West Edenton Street
Old Education Building
Post Office Drawer 149
Raleigh, North Carolina 27602~~

~~and may be obtained at cost from the Academy at the following address:~~

~~North Carolina Justice Academy
Post Office Box 99
Salemberg, North Carolina 28385~~

History Note: Authority G.S. 17C-6;
Eff. November 1, 1981;
Readopted w/change Eff. July 1, 1982;
Amended Eff. November 1, 2007; May 1, 2004; November 1, 1998; August 1, 1998; August 1, 1995; January 1, 1995; November 1, 1993; February 1, 1991;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019. 2019.
Amended Eff. February 1, 2026.

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09C .0607

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

(a), first sentence: "Purpose" statements are generally viewed as unnecessary for rules. They have no binding effect on regulated parties. Is there a reason why this needs to be included in the rule? Please explain.

(b), line 9: "12 month period" should be hyphenated.

(c): How is the annual "test for accuracy" in (b) different from the daily "test for accuracy" mentioned in (c)? Consider using separate terminology in order to avoid confusion.

(c), line 14: Remove the comma after "manufacturer".

(d): I am concerned that the language used here is vague and ambiguous. Do all manufacturers publish official "recommendations"? Is there only one set of "recommendations" per device? Are "recommendations" regularly updated? Will regulated persons know what exactly this means? Alternatively, is there some sort of industry-wide standard on this that could be incorporated into the rule?

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09C .0607 is amended as published in 40:06 NCR 518-561 as follows:

12 NCAC 09C .0607 SPEED-MEASURING INSTRUMENT ACCURACY TEST TESTS AND
OPERATIONAL PROCEDURES

(a) The purpose of this Rule is to establish the minimum requirements for accuracy testing methods and operational procedures for and test methods for determining the accuracy of speed-measuring instruments used by law enforcement agencies to measure the speed of vehicles for enforcement of speed laws and regulations. All requirements and tests shall conform with G.S. 8-50.2 and G.S. 17C-6.

(b) Each speed measuring instrument shall be tested for accuracy within a 12 month period prior to each use of the instrument for speed enforcement purposes. The results of the tests shall be recorded on Form SMI-9 for RADAR instruments and Form SMI-12 for LIDAR instruments, pursuant to 12 NCAC 09I .0106.

(c) On a daily basis, speed measuring instruments must be calibrated and tested for accuracy by the certified SMI operator prior to using the instrument for speed enforcement purposes. The tests shall be conducted according to the recommendations of the instrument's manufacturer, and include tuning fork tests for each of the instrument's modes of operation.

(d) The daily operating procedures by SMI operators of each speed measuring instrument shall be in accordance with the instrument's manufacturer recommendations and conform with G.S. 8-50.2.

~~(1) Accuracy test standard:~~

~~(a) Annual tests of all speed measuring instruments shall be in conformance with G.S. 8-50.2(e). The results of these tests shall be recorded on forms provided by the Commission.~~

~~(b) Daily tests of all speed measuring instruments shall be in conformance with G.S. 8-50.2(b)(4) and G.S. 17C-6(13).~~

~~(2) Accuracy requirements and test methods:~~

~~(a) Annual:~~

~~The annual tests for accuracy requirements for each specific Radar, Time Distance, and Lidar speed measuring instrument, as outlined in Appendix "B" of the Supplement for Speed Measurement Instrument Training Courses published by the North Carolina Justice Academy, are hereby incorporated by reference, and shall automatically include any later amendments and editions of the incorporated material as provided by G.S. 150B-21.6. Copies of this publication may be inspected at the office of the agency:~~

~~Criminal Justice Standards Division
North Carolina Department of Justice
114 West Edenton Street
Old Education Building
Post Office Drawer 149
Raleigh, North Carolina 27602~~

1 ~~and may be obtained at a cost of seven dollars and twelve cents (\$7.12) from the Academy at the following address:~~

2 ~~North Carolina Justice Academy~~

3 ~~Post Office Box 99~~

4 ~~Salemburg, North Carolina 28385~~

5 (b) Daily:

6 ~~The daily tests for accuracy requirements for each specific Radar, Time Distance, and~~
7 ~~Lidar speed measuring instrument, as outlined in Appendix "C" of the Supplement for~~
8 ~~Speed Measurement Instrument Training Courses published by the North Carolina Justice~~
9 ~~Academy, are hereby incorporated by reference, and shall automatically include any later~~
10 ~~amendments and editions of the incorporated material as provided by G.S. 150B-21.6.~~

11 ~~Copies of this publication may be inspected at the office of the agency:~~

12 ~~Criminal Justice Standards Division~~

13 ~~North Carolina Department of Justice~~

14 ~~114 West Edenton Street~~

15 ~~Old Education Building~~

16 ~~Post Office Drawer 149~~

17 ~~Raleigh, North Carolina 27602~~

18 ~~and may be obtained at a cost of seven dollars and twelve cents (\$7.12) from the Academy at the following address:~~

19 ~~North Carolina Justice Academy~~

20 ~~Post Office Box 99~~

21 ~~Salemburg, North Carolina 28385~~

22
23 *History Note: Authority G.S. 8-50.2; 17C-6;*

24 *Eff. August 1, 1998;*

25 *Amended Eff. May 1, 2004;*

26 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
27 *2019; 2019;*

28 *Amended Eff. February 1, 2026.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09C .0608

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

History Note, line 26: The period after "2019" should be replaced with a semi-colon.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

1 12 NCAC 09C .0608 is repealed as published in 40:06 NCR 518-561 as follows:

2
3 ~~12 NCAC 09C .0608~~ **SPEED MEASURING INSTRUMENT OPERATING PROCEDURES**

4 The purpose of this Rule is to establish the requirements for operating speed measuring instruments used by law
5 enforcement officers to measure the speed of vehicles for enforcement of speed laws and regulations. All operating
6 procedures shall conform with G.S. 8-50.2. The operating procedures for each specific Radar, Time Distance, and
7 Lidar speed measuring instrument, as outlined in Appendix "C" of the Supplement for Speed Measurement
8 Instrument Training Courses published by the North Carolina Justice Academy, are hereby incorporated by
9 reference, and shall automatically include any later amendments and editions of the incorporated material as
10 provided by G.S. 150B-21.6. Copies of this publication may be inspected at the office of the agency:

11 Criminal Justice Standards Division
12 North Carolina Department of Justice
13 114 West Edenton Street
14 Old Education Building
15 Post Office Drawer 149
16 Raleigh, North Carolina 27602

17 and may be obtained at cost from the Academy at the following address:

18 North Carolina Justice Academy
19 Post Office Box 99
20 Salemburg, North Carolina 28385

21
22 *History Note:* Authority G.S. 8-50.2; 17C-6;
23 Eff. August 1, 1998;
24 Amended Eff. November 1, 2007; May 1, 2004;
25 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,
26 2019.
27 Repealed Eff. February 1, 2026.

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09D .0101

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

(a): Why is this paragraph needed? Purpose statements in rules are generally viewed as unnecessary as they do not have any binding effect on regulated parties. Consider removing this paragraph.

*(b), line 16: Should “are eligible” be changed to “**shall be** eligible”?*

(c)(1), line 22: What is a “sworn employee”? I haven’t seen this language used anywhere else in your rules.

(d), line 30: Remove the word “is” before “under investigation”.

(d), line 33: Add a comma after “.0206”.

*(e), lines 34 and 36: Change “is” to “**shall be**”.*

(f), line 18: Do not use “and/or” in rules as it is unclear and ambiguous. Please pick one or the other to use.

(g), line 20: Same comment as above.

(h), lines 21-22: The quotation marks around the form name are not necessary.

(h), line 22: In 12 NCAC 09I .0107, this form is labeled as Form 6 (LE), not Form F-6 (LE). Please correct either this rule or 12 NCAC 09I .0107.

(h), line 22: Update the citation here to read as the full rule, “12 NCAC 09I .0107.”

(j)(2): Are “certificates of completion” a uniform thing for agencies? Are they referenced in another rule?

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

(k), line 30: Change “can” to “may”.

(k), line 30: The quotation marks around the form name are not necessary.

History Note: The paragraph/spacing format needs to match the rest of the rule text above. Please correct.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09D .0101 is amended as published in 40:06 NCR 518-561 as follows:

SUBCHAPTER 09D – PROFESSIONAL CERTIFICATE PROGRAMS

SECTION .0100 - LAW ENFORCEMENT OFFICERS' PROFESSIONAL CERTIFICATE PROGRAM

12 NCAC 09D .0101 PURPOSE LAW ENFORCEMENT PROFESSIONAL CERTIFICATE PROGRAM

(a) In order to recognize the level of competence of law enforcement officers serving the ~~governmental~~ criminal justice agencies within the state North Carolina, pursuant to G.S. 17C-2(2), to foster increased interest in college education and professional law enforcement training programs, and to ~~attract~~ retain highly qualified individuals into a law enforcement career, the North Carolina Criminal Justice Education and Training Standards Commission establishes the Law Enforcement Officers' Professional Certificate Program. This program is a method by which dedicated officers may receive statewide and nationwide recognition for education, professional training, and ~~on the job experience.~~ years of law enforcement service.

(b) Applicants who meet the qualifications set forth in this Rule are eligible to receive a Law Enforcement Officer's Professional Certificate. Based on the applicant's qualifications, this Professional Certificate is defined as either an Intermediate or Advanced Certificate. Advanced Certificates shall be approved by Commission vote at regularly scheduled meetings prior to being awarded.

(c) To be eligible for either Intermediate or Advanced Certificates, applicants shall meet the following qualifications:

(1) The applicant shall be a full-time, sworn employee of a law enforcement agency within the State and hold general law enforcement certification pursuant to 12 NCAC 09C .0304; or

(2) The applicant shall be a full-time employee of a law enforcement agency within the State, who has previously held general law enforcement officer certification pursuant to 12 NCAC 09C .0304 but is presently, by virtue of direct promotion or transfer from the sworn law enforcement position, serving in a non-sworn position not subject to certification.

(3) Applicants shall be in good standing with their employing agency at the date of application.

(d) An officer subject to suspension or revocation proceedings, probation subsequent to suspension or revocation proceedings, or is under investigation for possible decertification action by the Commission pursuant to 12 NCAC 09A .0206, the Company and Campus Police Program pursuant to either 12 NCAC 02I .0214 or 12 NCAC 09J .0211, or the North Carolina Sheriffs' Education and Training Standards Commission pursuant to 12 NCAC 10B .0206 shall not be eligible for professional certificates for the pendency of the proceeding or the period of probation.

(e) Eligibility for either Intermediate or Advanced Certificates is based upon a formula which combines formal education, law enforcement training, and service as a law enforcement employee pursuant to Subparagraph (e)(4) of this rule. Eligibility is computed in the following manner:

(1) The applicant's highest educational degree will be given a point value. Graduate degrees will be

- 1 worth 15 points, Bachelor's degrees will be worth 12 points, and Associate's degrees will be
2 worth 7 points;
- 3 (2) Each semester hour of college or university credit earned in pursuit of an educational degree not
4 yet completed by the applicant shall equal one-tenth of a point, and each quarter hour of college or
5 university credit earned shall equal one-fifteenth of a point. The total points earned in this manner
6 shall not equal or exceed the number of points that would be given for the degree upon
7 completion;
- 8 (3) Twenty classroom or practical skills assessment hours of Commission-approved law enforcement
9 training shall equal one point. No points shall be awarded for completing Commission-approved
10 courses that are required to obtain or maintain law enforcement certification, including basic law
11 enforcement training and in-service training courses. Additionally, no points will be awarded for
12 the maintenance of specialized law enforcement training;
- 13 (4) Each full year of service as a full-time employee of a North Carolina criminal justice agency, or
14 equivalent service as determined by the Commission, shall fulfill a requisite year of creditable
15 service. For the purposes of this Rule, "equivalent service" includes full-time, sworn employment
16 within the State, out-of-state, or with a federal law enforcement agency or the military police.
- 17 (f) Applicants for the Intermediate Law Enforcement Certificate shall have acquired a minimum of four years of
18 full-time law enforcement service and a minimum of 30 total education and/or training points.
- 19 (g) Applicants for the Advanced Law Enforcement Certificate shall have acquired a minimum of nine years of full-
20 time law enforcement service and a minimum of 60 total education and/or training points.
- 21 (h) All applicants for either Intermediate or Advanced Certificates shall submit a completed "Application for Award
22 of Professional Certificate" Form F-6 (LE), pursuant to 09I .0107, to the employing agency in-service training
23 coordinator or agency head of the applicant's employing agency.
- 24 (i) Documentary evidence of college or university graduation shall be submitted with the application pursuant to 12
25 NCAC 09B .0106.
- 26 (j) Documentation of training shall be provided to the Division by:
- 27 (1) Training records signed by the employing agency in-service training coordinator or agency head;
28 or
- 29 (2) Providing certificates of completion indicating the number of training contact hours.
- 30 (k) Replacement certificates can be requested by a completed "Request for Replacement of Professional Certificate"
31 Form F-7. An applicant shall have been previously awarded either an Intermediate or Advanced Certificate to be
32 able to receive a replacement.

33

34 History Note: Authority G.S. 17C-6;
35 Eff. January 1, 1981;
36 Amended Eff. August 1, 2002;
37 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,
38 2019. 2019;
39 Amended Eff. February 1, 2026.

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09D .0102

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

History Note, page 2, line 2: The period after "2019" should be replaced with a semi-colon.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09D .0102 is repealed as published in 40:06 NCR 518-561 as follows:

~~12 NCAC 09D .0102~~ **GENERAL PROVISIONS**

~~(a) In order to be eligible for one or more of the professional awards, an officer shall first meet the following preliminary qualifications:~~

~~(1) The officer shall presently hold general law enforcement officer certification. A person serving under a probationary certification is not eligible for consideration. An officer subject to suspension or revocation proceedings or under investigation for possible decertification action by the Commission, the Company and Campus Police Program, or the North Carolina Sheriffs' Education and Training Standards Commission shall not be eligible for professional awards for the pendency of the proceeding;~~

~~(2) The officer shall be familiar with and subscribe to the Law Enforcement Code of Ethics;~~

~~(3) The officer shall be a full time, sworn, paid member of a law enforcement agency within the state;~~

~~(4) Applicants shall be given credit for the satisfactory completion of all in service law enforcement training which is not mandated by the Commission pursuant to 12 NCAC 09E .0105;~~

~~(5) Applicants shall not be given credit for the satisfactory completion of Commission mandated Basic Law Enforcement Training courses; and~~

~~(6) Full time, paid employees of a law enforcement agency within the State who have successfully completed a Commission accredited law enforcement officer basic training program and have previously held general law enforcement officer certification as specified in Subparagraph (1) of this Paragraph, but are presently, by virtue of promotion or transfer, serving in non sworn positions not subject to certification are eligible to participate in the professional certificate program. Eligibility for this exception requires continuous employment with the law enforcement agency from the date of promotion or transfer from a sworn, certified position to the date of application for a professional certificate.~~

~~(b) Awards are based upon a formula which combines formal education, law enforcement training, and actual experience as a law enforcement officer. Points are computed in the following manner:~~

~~(1) Each semester hour of college credit shall equal one point and each quarter hour shall equal two thirds of a point;~~

~~(2) Twenty classroom hours of Commission approved law enforcement training shall equal one point; and~~

~~(3) Only experience as a full time, sworn, paid member of a law enforcement agency or equivalent experience shall be acceptable for consideration.~~

*History Note: Authority G.S. 17C-6;
Eff. January 1, 1981;
Amended Eff. June 1, 2012; August 1, 2002; August 1, 1995; May 1, 1986; April 1, 1984; January 1, 1983;*

1
2
3
4

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019.
Repealed Eff. February 1, 2026.

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09D .0104

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

History Note, line 29: The period after "2019" should be replaced with a semi-colon.

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

Christopher S. Miller
Commission Counsel
Date submitted to agency: January 8, 2026

12 NCAC 09D .0104 is repealed as published in 40:06 NCR 518-561 as follows:

~~12 NCAC 09D .0104 INTERMEDIATE LAW ENFORCEMENT CERTIFICATE~~

~~(a) In addition to the qualifications set forth in Rule .0102(a) of this Subchapter, an applicant for the Intermediate Law Enforcement Certificate shall have acquired the following combination of educational points or degrees, law enforcement training points and years of full time law enforcement experience as set out in Rule .0102(b) of this Section.~~

Educational Degrees	AA/AS	AB/BS
Years of Law Enforcement Experience	8 — 6 — 4 — 4 — 2	
Minimum Law Enforcement Training Points	16 — 8	
Minimum Total Education and Training Points	32 — 40 — 48 — 16 — 8	

~~(b) Educational points claimed must be issued by institutions recognized by the United States Department of Education and the Council for Higher Education Accreditation.~~

*History Note: Authority G.S. 17C-6;
Eff. January 1, 1981;
Amended Eff. August 1, 2002; August 1, 1995; May 1, 1986; January 1, 1983;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019.
Repealed Eff. February 1, 2026.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09D .0105

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

History Note, line 29: The period after "2019" should be replaced with a semi-colon.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09D .0105 is repealed as published in 40:06 NCR 518-561 as follows:

~~12 NCAC 09D .0105 ADVANCED LAW ENFORCEMENT CERTIFICATE~~

~~(a) In addition to the qualifications set forth in Rule .0102(a) of this Subchapter, an applicant for the Advanced Law Enforcement Certificate shall possess or be eligible to possess the Intermediate Law Enforcement Certificate and shall have acquired the following combination of educational points or degrees, law enforcement training points and years of full time law enforcement experience as set out in Rule .0102(b) of this Section.~~

Educational Degrees	AA/AS	AB/BS	GRAD./PRO.
---------------------	-------	-------	------------

Years of Law				
--------------	--	--	--	--

Enforcement Experience	12	9	9	6	4
------------------------	----	---	---	---	---

Minimum Law				
-------------	--	--	--	--

Enforcement Training				
----------------------	--	--	--	--

Points	-	-	36	24	16
--------	---	---	----	----	----

Minimum Total				
---------------	--	--	--	--

Education and Training				
------------------------	--	--	--	--

Points	48	60	36	24	16
--------	----	----	----	----	----

~~(b) Educational points claimed must be issued by institutions recognized by the United States Department of Education and the Council for Higher Education Accreditation.~~

*History Note: Authority G.S. 17C-6;
Eff. January 1, 1981;
Amended Eff. August 1, 2002; August 1, 1995; May 1, 1986;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019.
Repealed Eff. February 1, 2026.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09D .0106

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

History Note, line 18: The period after "2019" should be replaced with a semi-colon.

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

Christopher S. Miller
Commission Counsel
Date submitted to agency: January 8, 2026

1 12 NCAC 09D .0106 is repealed as published in 40:06 NCR 518-561 as follows:

2
3 ~~12 NCAC 09D .0106~~ METHOD OF APPLICATION

4 ~~(a) All applicants for an award of the intermediate and advanced certificates shall complete an "Application for Award~~
5 ~~of Law Enforcement Certificate."~~

6 ~~(b) Documentation of education and training shall be provided by certified copies of transcripts, diplomas, Report of~~
7 ~~Training Course Completion, agency training records, or other verifying documents attached to the application.~~

8 ~~(c) The applicant shall submit the Application for Award of Law Enforcement Certificate to the department head who~~
9 ~~shall attach a recommendation and forward the application to the Commission. Certificates will be issued to the~~
10 ~~department head for award to the applicant.~~

11 ~~(d) Certificates and awards remain the property of the Commission and the Commission shall have the power to~~
12 ~~cancel or recall any certificate or award.~~

13
14 *History Note: Authority G.S. 17C-6;*
15 *Eff. January 1, 1981;*
16 *Amended Eff. August 1, 2002; August 1, 1995; May 1, 1986;*
17 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
18 *2019.*
19 *Repealed Eff. February 1, 2026.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09D .0201

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

(a): Why is this paragraph needed? Purpose statements in rules are generally viewed as unnecessary as they do not have any binding effect on regulated parties and do not meet the definitions set forth in G.S. 150B-2(8a). Consider removing this paragraph.

*(b), line 15: Should “are eligible” be changed to “**shall be** eligible”?*

(c)(3): For consistency, change the start of the requirement to, “The applicant shall ...”.

(d), line 29: Remove the word “is” before “under investigation”.

(d), line 32: Add a comma after “.0206”.

*(e), lines 33 and 35: Change “is” to “**shall be**”.*

(e), line 34: Change “subsection 4 of this subparagraph” to “Part (4) of this Subparagraph”.

(e)(4), line 11: Add a comma after “Commission”.

(f), line 15: Do not use “and/or” in rules as it is unclear and ambiguous. Please pick one or the other to use.

(g), line 17: Same comment as above.

(h), lines 18-19: The quotation marks around the form name are not necessary.

(h), line 19: In 12 NCAC 09I .0107, this form is labeled as Form 6 (DJJ), not Form F-6 (DJJ). Please correct either this rule or 12 NCAC 09I .0107.

(h), line 19: Update the citation here to read as the full rule, “12 NCAC 09I .0107.”

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

*(h), line 19: Something is missing at the end of this. Should this say, “ ..., **and submit it** to the Division of ...”?*

(j)(2): Are “certificates of completion” a uniform thing for agencies? Are they referenced in another rule?

(k), line 25: Change “can” to “may”.

(k), line 25: The quotation marks around the form name are not necessary.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09D .0201 is amended as published in 40:06 NCR 518-561 as follows:

**SECTION .0200 - ~~CRIMINAL JUSTICE OFFICERS'~~ JUVENILE JUSTICE PROFESSIONAL
CERTIFICATE PROGRAM**

12 NCAC 09D .0201 ~~PURPOSE~~ JUVENILE JUSTICE PROFESSIONAL CERTIFICATE PROGRAM

(a) In order to recognize the level of competence of ~~criminal justice officers~~ Juvenile Justice officers, court counselors, and chief court counselors serving the governmental agencies within the State employed by the North Carolina Department of Public Safety, Division of Juvenile Justice, pursuant to G.S. 17C-2 (2), to foster increased interest in college education and professional criminal justice training programs, and to ~~attract~~ retain highly qualified individuals into a criminal justice career, the North Carolina Criminal Justice Education and Training Standards Commission establishes the Juvenile Justice Professional Certificate Program, ~~criminal justice officer's professional certificate program~~. This program is a method by which dedicated officers may receive statewide and nationwide recognition for education, professional training, and ~~on the job experience~~ years of Juvenile Justice service.

(b) Applicants who meet the qualifications set forth in this Rule are eligible to receive a Juvenile Justice Professional Certificate. Based on the applicant's qualifications, this Professional Certificate is defined as either an Intermediate or Advanced Certificate. Advanced Certificates shall be approved by Commission vote at regularly scheduled meetings prior to being awarded.

(c) To be eligible for either Intermediate or Advanced Certificates, applicants shall meet the following qualifications:

- (1) The applicant shall be a full-time employee of the Division of Juvenile Justice and shall hold general Juvenile Justice Officer certification pursuant to 12 NCAC 09D .0117 or 09D .0116; or
- (2) The applicant shall have previously held the certification listed in Subparagraph (c)(1) of this rule and, by virtue of direct promotion or transfer from a certified position, currently serve in a permanent, full-time position not subject to certification for the Division of Juvenile Justice; and
- (3) Applicants shall be in good standing with the Division of Juvenile Justice at the date of application.

(d) An applicant subject to suspension or revocation proceedings, probation subsequent to suspension or revocation proceedings, or is under investigation for possible decertification action by the Commission pursuant to 12 NCAC 09A .0206, the Company and Campus Police Program pursuant to either 12 NCAC 02I .0214 or 12 NCAC 09J .0211, or the North Carolina Sheriffs' Education and Training Standards Commission pursuant to 12 NCAC 10B .0206 shall not be eligible for professional certificates for the pendency of the proceeding or the period of probation.

(e) Eligibility for Intermediate or Advanced Certificates is based upon a formula which combines formal education, Juvenile Justice training, and service as a Juvenile Justice employee pursuant to subsection 4 of this rule. Eligibility is computed in the following manner:

- (1) The applicant's highest educational degree will be given a point value. Graduate degrees will be worth 15 points, Bachelor's degrees will be worth 12 points, and Associate's degrees will be

- 1 worth 7 points;
- 2 (2) Each semester hour of college or university credit earned in pursuit of an educational degree not
3 yet completed by the applicant shall equal one-tenth of a point, and each quarter hour of college or
4 university credit earned shall equal one-fifteenth of a point. The total points earned in this manner
5 shall not equal or exceed the number of points that would be given for the degree upon
6 completion;
- 7 (3) Twenty classroom or practical skills assessment hours of Commission-approved Juvenile Justice
8 training shall equal one point. No points will be awarded for the maintenance of specialized
9 Juvenile Justice training;
- 10 (4) Each full year of service as a full-time employee of the Division of Juvenile Justice, or equivalent
11 service as determined by the Commission shall fulfill a requisite year of creditable service. For the
12 purposes of this Rule, "equivalent service" includes service in a permanent, full-time, paid
13 position in a federal or out-of-state Juvenile Justice institution.
- 14 (f) Applicants for the Intermediate Juvenile Justice Certificate shall have acquired a minimum of four years of full-
15 time Juvenile Justice service and a minimum of 30 total education and/or training points.
- 16 (g) Applicants for the Advanced Juvenile Justice Certificate shall have acquired a minimum of nine years of full-
17 time criminal justice service and a minimum of 80 total education and/or training points.
- 18 (h) All applicants for either Intermediate or Advanced Certificates shall complete an "Application for Award of
19 Professional Certificate" Form F-6 (DJJ), pursuant to 09I .0107, to the Division of Juvenile Justice agency head.
- 20 (i) Documentary evidence of college or university graduation shall be submitted with the application pursuant to 12
21 NCAC 09B .0106.
- 22 (j) Documentation of training shall be provided to the Division by:
- 23 (1) Training records signed by the Division of Juvenile Justice agency head; or
24 (2) Providing certificates of completion indicating the number of training contact hours.
- 25 (k) Replacement certificates can be requested by a completed "Request for Replacement of Professional Certificate"
26 Form F-7, pursuant to 12 NCAC 09I .0107. An applicant shall have been previously awarded either an Intermediate
27 or Advanced Certificate to be able to receive a replacement.

28

29 *History Note: Authority G.S. 17C-6;*
30 *Eff. August 15, 1981;*
31 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
32 *~~2019~~, 2019;*
33 *Amended Eff. February 1, 2026.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09D .0202

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

History Note, line 30: The period after "2019" should be replaced with a semi-colon.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

1 12 NCAC 09D .0202 is repealed as published in 40:06 NCR 518-561 as follows:

2
3 ~~12 NCAC 09D .0202~~ GENERAL PROVISIONS

4 ~~(a) The officer shall presently hold general criminal justice officer certification. A person serving under a probationary~~
5 ~~certification is not eligible for consideration. An officer subject to suspension or revocation proceedings or under~~
6 ~~investigation for possible decertification action by the Commission, the Company and Campus Police Program, or the~~
7 ~~North Carolina Sheriffs' Education and Training Standards Commission shall not be eligible for professional awards~~
8 ~~for the pendency of the proceeding.~~

9 ~~(b) The officer shall hold general certification with the Commission in the category of state youth services officer.~~

10 ~~(c) The officer shall be a permanent, paid member of a criminal justice agency within the State.~~

11 ~~(d) Permanent, paid employees of the Department of Public Safety, Division of Juvenile Justice, who have~~
12 ~~successfully completed a Commission accredited criminal justice officer basic training program and have previously~~
13 ~~held general certification as specified in 12 NCAC 09B .0116 and 12 NCAC 09B .0117, but are presently, by virtue~~
14 ~~of promotion or transfer, serving in positions not subject to certification are eligible to participate in the professional~~
15 ~~certificate program. Eligibility for this exception requires continuous employment with the Department of Public~~
16 ~~Safety, Division of Juvenile Justice from the date of promotion or transfer from a certified position to the date of~~
17 ~~application for a professional certificate.~~

18 ~~(e) Each semester hour of college credit shall equal one point and each quarter hour shall equal two thirds of a point;~~

19 ~~(f) Twenty classroom hours of Commission approved criminal justice training shall equal one point;~~

20 ~~(g) Only experience as a permanent, paid member of a criminal justice agency or the equivalent experience as~~
21 ~~determined by the Commission shall be acceptable of consideration.~~

22 ~~(e) Separate sub programs will be administered as follows: The Youth Services Certificate is appropriate for~~
23 ~~permanent, paid state youth services officers employed by the Department of Public Safety, Division of Juvenile~~
24 ~~Justice.~~

25
26 *History Note: Authority G.S. 17C-6;*

27 *Eff. August 15, 1981;*

28 *Amended Eff. June 1, 2012; August 1, 2002; December 1, 1987; May 1, 1986; July 1, 1982;*

29 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
30 *2019.*

31 *Repealed Eff. February 1, 2026.*
32

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09D .0204

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

History Note, line 29: The period after "2019" should be replaced with a semi-colon.

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

Christopher S. Miller
Commission Counsel
Date submitted to agency: January 8, 2026

12 NCAC 09D .0204 is repealed as published in 40:06 NCR 518-561 as follows:

12 NCAC 09D .0204 INTERMEDIATE CRIMINAL JUSTICE CERTIFICATE

~~(a) In addition to the qualifications set forth in Rule .0202(a) of this Subchapter, an applicant for the Intermediate Criminal Justice Certificate shall possess or be eligible to possess the Basic Criminal Justice Certificate and shall have acquired the following combination of educational points or degrees, criminal justice training points and years of criminal justice experience:~~

Educational Degrees	AA/AS				AB/BS
Years of Criminal Justice Experience	8	6	4	4	2
Minimum Criminal Justice Training Points	-	-	-	15	10
Minimum Total Education and Training Points	30	60	90	15	10

~~(b) Educational points claimed must be issued by institutions recognized by the United States Department of Education and the Council of Higher Education Accreditation.~~

*History Note: Authority G.S. 17C-6;
Eff. August 15, 1981;
Amended Eff. August 1, 2002;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019.
Repealed Eff. February 1, 2026.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09D .0205

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

History Note, line 29: The period after "2019" should be replaced with a semi-colon.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09D .0205 is repealed as published in 40:06 NCR 518-561 as follows:

~~12 NCAC 09D .0205 ADVANCED CRIMINAL JUSTICE CERTIFICATE~~

~~(a) In addition to the qualifications set forth in Rule .0202(a) of this Subchapter, an applicant for the Advanced Criminal Justice Certificate shall possess or be eligible to possess the Intermediate Criminal Justice Certificate and shall have acquired the following combinations of educational points or degrees, criminal justice training points and years of criminal justice experience:~~

Educational Degrees	AA/AS	AB/BS	GRAD./PRO.
---------------------	-------	-------	------------

Years of Criminal					
-------------------	--	--	--	--	--

Justice Experience	12	9	9	6	4
--------------------	----	---	---	---	---

Minimum Criminal					
------------------	--	--	--	--	--

Justice Training					
------------------	--	--	--	--	--

Points	-	-	25	15	10
--------	---	---	----	----	----

Minimum Total					
---------------	--	--	--	--	--

Education and Training					
------------------------	--	--	--	--	--

Points	60	90	25	15	10
--------	----	----	----	----	----

~~(b) Educational points claimed must be issued by institutions recognized by the United States Department of Education and the Council of Higher Education Accreditation.~~

*History Note: Authority G.S. 17C-6;
Eff. August 15, 1981;
Amended Eff. August 1, 2002;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019.
Repealed Eff. February 1, 2026.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09D .0206

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

History Note, line 18: The period after "2019" should be replaced with a semi-colon.

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

Christopher S. Miller
Commission Counsel
Date submitted to agency: January 8, 2026

12 NCAC 09D .0206 is repealed as published in 40:06 NCR 518-561 as follows:

~~12 NCAC 09D .0206~~ **METHOD OF APPLICATION**

~~(a) All applicants for an award of the basic, intermediate or advanced certificates in each sub program shall complete an "Application for Award of Criminal Justice Certificate."~~

~~(b) Documentation of education and training shall be provided by certified copies of transcripts, diplomas, Report of Training Course Completion, agency training records, or other verifying documents attached to the application.~~

~~(c) The applicant shall submit the "Application for Award of Criminal Justice Certificate" to his department head who shall attach his recommendation and forward the application to the Commission. Certificates will be issued to the Department head for award to the applicant.~~

~~(d) Certificates and awards remain the property of the Commission and the Commission shall have the power to cancel or recall any certificate or award.~~

*History Note: Authority G.S. 17C-6;
Eff. August 15, 1981;
Amended Eff. May 1, 1986;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019.
Repealed Eff. February 1, 2026.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09G .0205

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

(a), line 4: Avoid using slashes in rule text unless absolutely necessary. Could this be “probation or parole office” rather than “probation/parole officer”? Same applies to line 8.

(b)(2), line 15: Add an oxford comma after “(F-2A)”.

History Note: The paragraph /spacing formatting should match the rest of the rule text above. Please correct.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09G .0205 is amended with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09G .0205 MEDICAL EXAMINATION

(a) Each applicant for certification or enrollment in a basic correctional officer or probation/parole officer training course shall complete, sign, and date the Commission's Medical History Statement Form (F-1) and shall be examined by either a physician, physician assistant, or nurse practitioner who holds a current license in the United States to practice medicine, as issued by a state medical board, to help determine his or her fitness to carry out the physical requirements of the position of correctional officer or probation/parole officer as listed in the current job description provided by the North Carolina Department of Adult Correction.

(b) Prior to being examined, the applicant shall provide the examining physician, physician's assistant, or nurse practitioner with:

- (1) the Medical History Statement Form ~~(F-1)~~ (F-1), pursuant to 12 NCAC 09I .0105, which must be read, completed, and signed by the applicant; and
- (2) the ~~Instructions to Agency and Examiner for Completion of Medical Examination Report (F-2A)~~ Form (F-2), the Tuberculosis Questionnaire Form (F-2A) and ~~attached to the Medical Examination Report Addendum Form (F-2).~~ (F-2B), pursuant to 12 NCAC 09I .0105. The ~~Instructions to Agency and Examiner for Completion of Medical Examination Report (F-2A)~~ (F-2) Form shall notify the examining physician, physician's assistant, or nurse practitioner that the "~~Medical Screening Guidelines for the Certification of Criminal Justice Officers in North Carolina~~" "Minimum Medical Qualifications for Law Enforcement Officers, Corrections Officers, Juvenile Justice Officers, Court Counselors, Chief Court Counselors, Detention Officers and Telecommunicators" as published by the North Carolina ~~Department of Justice~~ Criminal Justice Educations and Training Standards Commission is available at no cost at <https://ncdoj.gov/law-enforcement-training/criminal-justice/>.

(c) The examining physician, physician's assistant, or nurse practitioner shall record the results of the examination on the Medical Examination Report Form (F-2) and shall sign and date the form.

(d) The Medical Examination Report Form ~~(F-2)~~ (F-2), the Tuberculosis Questionnaire Form (F-2A), and the Medical History Statement Form (F-1) shall be valid for one year after the date of the examination was conducted and shall be completed prior to:

- (1) the applicant's beginning the basic correctional officer or basic probation/parole officer training course, and
- (2) an agency's submission of application for certification to the Commission.

History Note: Authority G.S. 17C-6; 17C-10;
Temporary Adoption Eff. January 1, 2001;
Eff. August 1, 2002;
Amended Eff. January 1, 2015; April 1, 2009; August 1, 2004;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019;
Temporary Amendment Eff. February 15, 2022;

1
2
3

Amended Eff. February 1, 2026; November 1, 2024; May 1, 2023; October 1, 2022; August 23, 2022.

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09G .0311

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

(a), line 8: If this training course/exam is set forth in another rule, it may be worth adding a reference here to that rule for clarity.

*(b), line 9: Consider changing this to, "The instructor **shall** instruct ..."*

*(b), lines 10-11: Should this say, "... and that instruction **shall be** provided in a Commission-approved basic training ..."?*

(c), line 13: Add "certification" before "renewal".

(c)(2)(A) and (B): I don't think this organization makes sense. These two items do not flow from the requirement set forth in (C)(2). I would recommend making these their own subparagraphs ((C)(3) and (C)(4)).

(c)(2)(A), line 30: Add a comma after ".0101(a)(1)".

(c)(2)(B): This should end with a period rather than a semi-colon.

(d): You need to explain what "just cause" means for the purposes of this paragraph, similar to how you have done it for (e).

(f), lines 18-19: "three year time period" should be hyphenated.

(f)(1): You may want to reference the General Instructor certification rule for clarity.

(g), lines 26-27: There is no "passing score" mentioned in (f) for the pre-qualification skills assessment. Does the language used here still make sense?

(i), line 32: Add "Form" after "F-16".

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

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

Christopher S. Miller
Commission Counsel
Date submitted to agency: January 8, 2026

12 NCAC 09G .0311 is amended with changes as published in 40:06 NCR 518-561 as follows:

**12 NCAC 09G .0311 TERMS AND CONDITIONS OF SPECIALIZED INSTRUCTOR
CERTIFICATION**

(a) An applicant meeting the requirements for Specialized Instructor Certification as set forth in Rule .0310 of this Section shall be issued a certification to expire three years from the date of issuance. The applicant shall apply for certification as a Specialized Instructor within 60 days after the date the applicant achieved a passing score on the state comprehensive exam for the respective Specialized Instructor training course.

(b) The instructor is required to instruct, within three years after Specialized Instructor Certification is issued, a minimum of 12 hours in each of the topics for which Specialized Instructor Certification was granted, and that instruction was provided in a Commission-approved basic training, Specialized Instructor Training, Commission-recognized in-service training course, or training course delivered pursuant to 12 NCAC 10B .0601, .1302, or .2005.

(c) An application for renewal shall contain, in addition to the requirements listed in Rule .0310 of this Section, documentary evidence that the applicant has remained active in the instructional process during the previous three-year period. Such documentary evidence shall include the following:

(1) proof that the applicant has, within the three-year period preceding application for renewal, instructed at least 12 hours in each of the topics for which Specialized Instructor Certification was granted, and that instruction was provided in a Commission-approved basic training, Specialized Instructor Training, Commission-recognized in-service training course, or training course delivered pursuant to 12 NCAC 10B .0601, .1302, or .2005. Acceptable documentary evidence shall include official Commission records submitted by School Directors or In-Service Training Coordinators and written attestation from a School Director or In-Service Training Coordinator;

(2) proof that the applicant has, within the three-year period preceding application for renewal, attended and completed all instructor updates that have been issued by the Commission. Acceptable documentary evidence shall include official Commission records submitted by School Directors or In-Service Training Coordinators, or copies of certificates of completion issued by the institution which provided the instructor updates; and

(A) a favorable written recommendation from a School Director or In-Service Training Coordinator completed on an Application for Instructor and Professional Lecturer Certification Form (Form F-12), pursuant to 12 NCAC 09I [-0102] .0101(a)(1) stating the instructor taught at least 12 hours in each of the topics for which Specialized Instructor Certification was granted. The teaching shall have been provided in a Commission-approved basic training, or Commission-recognized in-service training course, or training course delivered pursuant to 12 NCAC 09G .0411 or 09G .0412;

(B) a favorable written evaluation by a School Director, Qualified Assistant, In-Service Training Coordinator, or another Specialized Instructor certified in the same specialized subject, based on an on-site classroom evaluation of a presentation by the instructor in a

Commission-approved basic training, Specialized Instructor Training, Commission-recognized in-service training course, or training course delivered, pursuant to 12 NCAC 09G .0411 or 09G .0412, during the three-year period of Specialized Instructor Certification. Such evaluation shall be presented on a Criminal Justice Instructor Evaluation Form F-16, pursuant to Rule .0202 of this Subchapter and 12 NCAC 09I
~~-.0102;~~ .0101(a)(2);

(d) Upon expiration of their Specialized Instructor certification, instructors have 90 days to submit renewal documentation to the Division for review and approval. During this 90-day period, instructors are not permitted to teach any Commission-approved courses or blocks of instruction that require instruction by a Specialized Instructor. The Director may, for just cause, grant an extension of the 90-day period in which an instructor's renewal application must be submitted, however, such extension shall not exceed 12 months and shall not extend the instructor's certification period beyond its specified expiration period.

(e) Individuals who hold Specialized Instructor certification may, for just cause, be granted an extension of the three-year period to teach the 12 hour minimum requirement, pursuant to paragraph (b) of this Rule. The Director may grant such extensions on a one-time basis only not to exceed 12 months. For purposes of this Rule, just cause means accident, illness, emergency, course cancellation, or other exceptional circumstances that precluded the instructor from fulfilling the teaching requirement.

(f) Those individuals who have previously held Specialized Instructor Certification and have not exceeded a three year time period from when his or her Specialized Instructor Certification expired are eligible to apply for re-issuance of the previously held Specialized Instructor Certification. An application for re-issuance shall contain documentation that the applicant:

- (1) holds a current General Instructor certification;
- (2) has completed the pre-qualification skills assessment for that specialty; and
- (3) has passed the state examination for that specialty with a minimum score of 75.

(g) Applicants for re-issuance of the Specialized Instructor Certification shall have one opportunity to pass the prequalification skills assessment and the state examination for that specialty. Should an applicant not achieve a passing score on either the prequalification skills assessment or the state examination for that specialty, the applicant shall complete the specific Specialized Instructor Course in its entirety.

(h) Applicants whose Specialized Instructor Certification is suspended or revoked shall not qualify for re-issuance. The applicant shall complete the specific Specialized Instructor Course in its entirety.

(i) After re-issuance of certification, the instructor shall complete eight hours of evaluated instruction in the specialty where re-issuance of certification is sought, as documented on an F-16 located on the agency's website: <https://ncdoj.gov/law-enforcement-training/criminal-justice/forms-and-publications/>. The eight hours of instruction shall be taught within 60 days of the Specialized Instructor Certification being reissued and evaluated by a Specialized Instructor certified in that specialty. Failure to complete the required eight hours of evaluated instruction will result in the reissued Specialized Instructor Certification being revoked.

~~(a) An applicant meeting the requirements for Specialized Instructor Certification shall be issued a certification to expire three years from the date of issuance. The applicant shall apply for certification as a specialized instructor within 60 days from the date of completion of a specialized instructor course.~~

~~(b) Where certifications for both General Probationary Instructor and Specialized Instructor are issued on the same date, the instructor shall be required to instruct within three years after certification, a minimum of 12 hours in each of the topics for which Specialized Instructor Certification was granted in a Commission accredited basic training, Specialized Instructor Training, Commission recognized in-service training course, or training course delivered pursuant to 12 NCAC 10B .0601, .1302, or .2005. The instructor may satisfy the teaching requirement for the General Probationary Instructor certification by teaching any specialized topic for which certification has been issued.~~

~~(c) When Specialized Instructor Certification is issued during an existing period of General Probationary Instructor Certification the specialized instructor may satisfy the teaching requirement for the General Probationary Certification by teaching the specialized subject for which certification has been issued.~~

~~(d) The term of certification as a specialized instructor shall not exceed three years. An application for renewal shall contain, in addition to the requirements listed in Rule .0310 of this Section, documentary evidence that the applicant has remained active in the instructional process during the previous three year period. Such documentary evidence shall include the following:~~

~~(1) proof that the applicant has, within the three year period preceding application for renewal, instructed at least 12 hours in each of the topics for which Specialized Instructor Certification was granted, and that instruction was provided in a Commission accredited basic training, Specialized Instructor Training, or Commission recognized in-service training course. Acceptable documentary evidence shall include official Commission records submitted by School Directors or In Service Training Coordinators, and written certification from a School Director or In Service Training Coordinator;~~

~~(2) proof that the applicant has, within the three year period preceding application for renewal, attended and completed all instructor updates that have been issued by the Commission. Acceptable documentary evidence shall include official Commission records submitted by School Directors or In Service Training Coordinators, or copies of certificates of completion issued by the institution which provided the instructor updates; and~~

~~(A) a favorable written recommendation from a School Director or In Service Training Coordinator completed on a Commission Renewal of Instructor and Professional Lecturer Certification Form stating the instructor taught at least 12 hours in each of the topics for which Specialized Instructor Certification was granted. The teaching shall have been provided in a Commission accredited basic training, Specialized Instructor Training course, pursuant to Rule .0310 of this Section, or Commission recognized in-service training course;~~

~~(B) a favorable written evaluation by a School Director, Qualified Assistant, In Service Training Coordinator, or another instructor certified in the same specialized subject, based~~

1 on an on-site classroom evaluation of a presentation by the instructor in a Commission-
2 accredited basic training, Specialized Instructor Training, or Commission recognized in-
3 service training course, during the three-year period of Specialized Instructor Certification.
4 Such evaluation shall be certified on a Criminal Justice Instructor Evaluation Form F-16,
5 located on the agency's website: <http://www.ncdoj.gov/getdoc/c2eba6aa-12bc-4303-bf4b-5fa0431ef5a1/F-16-6-11.aspx>.
6

7 (C) has met the requirement set forth in Rule .0309(c) of this Section.

8 ~~(e) The use of guest participants in a delivery of a Commission mandated training course pursuant to this Section~~
9 ~~shall be permissible. However, such guest participants are subject to the on-site supervision of a Commission-certified~~
10 ~~instructor and shall be authorized by the School Director. A guest participant shall be used only to complement the~~
11 ~~primary-certified instructor of the block of instruction and shall not replace the primary instructor.~~
12

13 *History Note: Authority G.S. 17C-6;*
14 *Temporary Adoption Eff. January 1, 2001;*
15 *Eff. August 1, 2002;*
16 *Amended Eff. January 1, 2017; May 1, 2014; June 1, 2012; January 1, 2006;*
17 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
18 *2019;*
19 *Amended Eff. February 1, 2026; January 1, 2020.*
20

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09G .0601

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

(a): Why is this paragraph needed? Purpose statements in rules are generally viewed as unnecessary as they do not have any binding effect on regulated parties and do not meet the definitions set forth in G.S. 150B-2(8a). Consider removing this paragraph.

(a), lines 7-8: G.S. 17C-2 (2) is the definition of a “criminal justice agency”. Is this the correct citation? I’m not sure that it fits here.

*(b), line 13: Should “are eligible” be changed to “**shall be** eligible”?*

(c)(2), line 23: Capitalize “rule”.

(c)(3): For consistency, change the start of the requirement to, “The applicant shall ...”.

(d), line 27: Remove the word “is” before “under investigation”.

(d), line 29: Add a comma after “.0206”.

*(e), lines 31 and 32: Change “is” to “**shall be**”.*

(e), line 32: Change “subsection 4 of this subparagraph” to “Part (4) of this Subparagraph”.

(e)(4), line 7: Add a comma after “Commission”.

(f), line 12: Do not use “and/or” in rules as it is unclear and ambiguous. Please pick one or the other to use.

(g), line 14: Same comment as above.

(h), lines 15-16: The quotation marks around the form name are not necessary.

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

(h), line 16: In 12 NCAC 09I .0107, this form is labeled as Form 6 (DJJ), not Form F-6 (DJJ). Please correct either this rule or 12 NCAC 09I .0107.

(h), line 16: Update the citation here to read as the full rule, "12 NCAC 09I .0107."

*(h), line 16: Something is missing at the end of this. Should this say, "..., **and submit it** to the DAC training coordinator ..."?*

(j)(2): Are "certificates of completion" a uniform thing for agencies? Are they referenced in another rule?

(k), line 22: Change "can" to "may".

(k), line 22: The quotation marks around the form name are not necessary.

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

12 NCAC 09G .0601 is amended as published in 40:06 NCR 518-561 as follows:

SECTION .0600 - PROFESSIONAL CERTIFICATE PROGRAM

12 NCAC 09G .0601 ~~PURPOSE~~ STATE CORRECTIONS PROFESSIONAL CERTIFICATE PROGRAM

(a) In order to recognize the level of competence of corrections officers serving within the State, pursuant to G.S. 17C-2 (2), to foster increased interest in college education and professional corrections training programs, and to retain highly qualified individuals into a corrections career, the North Carolina Criminal Justice Education and Training Standards Commission establishes the State Corrections Officer's Professional Certificate Program. This program is a method by which dedicated officers may receive statewide and nationwide recognition for education, professional training, and ~~on-the-job experience~~ years of corrections service.

(b) Applicants who meet the qualifications set forth in this Rule are eligible to receive a State Corrections Officer's Professional Certificate. Based on the applicant's qualifications, this Professional Certificate is defined as either an Intermediate or Advanced Certificate. Advanced Certificates shall be approved by Commission vote at regularly scheduled meetings prior to being awarded.

(c) To be eligible for either Intermediate or Advanced Certificates, applicants shall meet the following qualifications:

- (1) The applicant shall be a full-time employee of the North Carolina Department of Adult Correction (DAC), and shall hold general correctional officer certification, pursuant to 12 NCAC 09G .0208, or probation/parole officer certification, pursuant to 12 NCAC 09G .0209; or
- (2) The applicant shall have previously held one of the certifications listed in Subparagraph (c)(1) of this rule and, by virtue of direct promotion or transfer from a certified position, currently serve in a permanent, full-time position not subject to certification.
- (3) Applicants shall be in good standing with DAC at the date of application.

(d) An officer subject to suspension or revocation proceedings, probation subsequent to suspension or revocation proceedings, or is under investigation for possible decertification action by the Commission pursuant to 12 NCAC 09A .0206, the Company and Campus Police Program pursuant to either 12 NCAC 02I .0214 or 12 NCAC 09J .0211, or the North Carolina Sheriffs' Education and Training Standards Commission pursuant to 12 NCAC 10B .0206 shall not be eligible for professional certificates for the pendency of the proceeding or the period of probation.

(e) Eligibility for Intermediate or Advanced Certificates is based upon a formula which combines formal education, correctional training, and service as a corrections pursuant to subsection 4 of this subparagraph. Eligibility is computed in the following manner:

- (1) The applicant's highest educational degree will be given a point value. Graduate degrees will be worth 15 points, Bachelor's degrees will be worth 12 points, and Associate's degrees will be worth 7 points;
- (2) Each semester hour of college or university credit earned in pursuit of an educational degree not yet completed by the applicant shall equal one-tenth of a point, and each quarter hour of college or

1 university credit earned shall equal one-fifteenth of a point. The total points earned in this manner
2 shall not equal or exceed the number of points that would be given for the degree upon completion;
3 (3) Twenty classroom or practical skills assessment hours of Commission-approved criminal justice
4 training shall equal one point. No points will be awarded for the maintenance of specialized criminal
5 justice training;
6 (4) Each full year of service as a full-time employee of the North Carolina Department of Adult
7 Correction, or equivalent service as determined by the Commission shall fulfill a requisite year of
8 creditable service. For the purposes of this Rule, "equivalent service" includes service in a
9 permanent, full-time, paid position in a federal or out-of-state correctional or criminal justice
10 institution.
11 (f) Applicants for the Intermediate State Corrections Officer Certificate shall have acquired a minimum of four
12 years of full-time criminal justice service and a minimum of 30 total education and/or training points.
13 (g) Applicants for the Advanced State Corrections Officer Certificate shall have acquired a minimum of nine years
14 of full-time criminal justice service and a minimum of 80 total education and/or training points.
15 (h) All applicants for either Intermediate or Advanced Certificates shall complete an "Application for Award of
16 Professional Certificate" Form F-6 (DAC), pursuant to 09I .0107, to the DAC training coordinator or agency head.
17 (i) Documentary evidence of college or university graduation shall be submitted with the application pursuant to 12
18 NCAC 09B .0106.
19 (j) Documentation of training shall be provided to the Division by:
20 (1) Training records signed by the employing agency in-service training coordinator or agency head; or
21 (2) Providing certificates of completion indicating the number of training contact hours.
22 (k) Replacement certificates can be requested by a completed "Request for Replacement of Professional Certificate"
23 Form F-7. An applicant shall have been previously awarded either an Intermediate or Advanced Certificate to be able
24 to receive a replacement.

25
26 History Note: Authority G.S. 17C-6;
27 Eff. August 15, 1981;
28 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,
29 ~~2019.~~ 2019;
30 Amended Eff. February 1, 2026.

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09G .0602

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

History Note, page 2, line 5: The period after "2019" should be replaced with a semi-colon.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09G .0602 is repealed as published in 40:06 NCR 518-561 as follows:

12 NCAC 09G .0602 GENERAL PROVISIONS

(a) ~~In order to be eligible for one or more of the professional awards, an officer shall first meet the following preliminary qualifications:~~

(1) ~~The officer shall hold a general correctional officer certification. A person serving under a probationary certification is not eligible for consideration. An officer subject to suspension or revocation proceedings or under investigation for possible decertification action by the Commission, the North Carolina Company Police Program, the North Carolina Campus Police Program, or the North Carolina Sheriffs' Education and Training Standards Commission shall not be eligible for professional awards for the pendency of the proceeding.~~

(2) ~~The officer shall hold general certification with the Commission in one of the following categories:~~

(A) ~~correctional officer; or~~

(B) ~~probation/parole officer.~~

(3) ~~The officer shall be a permanent, full time, paid employee of the Department of Public Safety, Division of Adult Correction and Juvenile Justice.~~

(4) ~~Permanent, paid employees of the Department of Public Safety, Division of Adult Correction and Juvenile Justice who have completed a Commission certified corrections officer basic training program and have previously held general certification as specified in 12 NCAC 09G .0602(a)(1) and 12 NCAC 09G .0602(a)(2), but are presently, by virtue of promotion or transfer, serving in positions not subject to certification are eligible to participate in the professional certificate program. Eligibility for this exception requires employment with the Department of Public Safety, Division of Adult Correction and Juvenile Justice from the date of promotion or transfer from a certified position to the date of application for a professional certificate.~~

(b) ~~Awards are based upon a formula that combines formal education, corrections training, and actual experience as a corrections officer. Points are computed in the following manner:~~

(1) ~~each semester hour of college credit shall equal one point and each quarter hour shall equal two thirds of a point;~~

(2) ~~20 classroom hours of Commission approved corrections training shall equal one point; and~~

(3) ~~only experience as a permanent, paid employee of the Department of Public Safety, Division of Adult Correction and Juvenile Justice or the equivalent experience as determined by the Commission shall be acceptable of consideration.~~

~~Point requirements for each award are described in 12 NCAC 09G .0604 and .0605.~~

(c) ~~Certificates shall be awarded in an officer's area of expertise only. The State Corrections Certificate is appropriate for permanent, paid corrections employees employed by the Department of Public Safety, Division of Adult Correction and Juvenile Justice.~~

History Note: Authority G.S. 17C-6;

1 *Temporary Adoption Eff. January 1, 2001;*
2 *Eff. August 1, 2002;*
3 *Amended Eff. January 1, 2015; June 1, 2012; August 1, 2004;*
4 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
5 *2019.*
6 *Repealed Eff. February 1, 2026.*
7

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09G .0604

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

History Note, line 27: The period after "2019" should be replaced with a semi-colon.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09G .0604 is repealed as published in 40:06 NCR 518-561 as follows:

~~12 NCAC 09G .0604~~ **INTERMEDIATE STATE CORRECTIONS CERTIFICATE**

~~(a) In addition to the qualifications set forth in 12 NCAC 09G .0602(a) of this Section, an applicant for the Intermediate State Corrections Certificate shall possess or be eligible to possess the Basic State Corrections Certificate and shall have acquired the following combination of educational points or degrees, corrections training points and years of corrections experience:~~

Educational Degrees	AA/AS				AB/BS	
Years of Corrections						
Experience	8	6	4	4	2	
Minimum Corrections						
Training						
Points	15				10	
Minimum Total						
Education and Training						
Points	30	60	90	15	10	

~~(b) Educational points claimed shall have been earned at a technical institute, technical college, community college, junior college, college, or university accredited as such by the Department of Education of the state in which the institution is located, the appropriate regional accrediting body, or the state university of the state in which the institution is located.~~

*History Note: Authority G.S. 17C-6;
Temporary Adoption Eff. January 1, 2001;
Eff. August 1, 2002;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019.
Repealed Eff. February 1, 2026.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09G .0605

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

History Note, line 27: The period after "2019" should be replaced with a semi-colon.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09G .0605 is repealed as published in 40:06 NCR 518-561 as follows:

~~12 NCAC 09G .0605 ADVANCED STATE CORRECTIONS CERTIFICATE~~

(a) ~~In addition to the qualifications set forth in 12 NCAC 09G .0602(a) of this Section, an applicant for the Advanced State Corrections Certificate shall possess or be eligible to possess the Intermediate State Corrections Certificate and shall have acquired the following combinations of educational points or degrees, corrections training points and years of corrections experience:~~

Educational Degrees	AA/AS			AB/BS		GRAD./PRO.	
Years of Corrections							
Experience	12	9	9	6	4		
Minimum Corrections							
Training							
Points	25			15		10	
Minimum Total							
Education and Training							
Points	60	90	25	15	10		

(b) ~~Educational points claimed shall have been earned at a technical institute, technical college, community college, junior college, college, or university accredited as such by the Department of Education of the state in which the institution is located, the regional national accrediting body, or the state university of the state in which the institution is located.~~

*History Note: Authority G.S. 17C-6;
Temporary Adoption Eff. January 1, 2001;
Eff. August 1, 2002;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25, 2019.
Repealed Eff. February 1, 2026.*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09G .0606

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: This is not the proper format for a rule repeal. Rule text should not be included here. Please see the following example on OAH's website for reference: <https://www.oah.nc.gov/documents/nc-general-statute-7a/permanent-repeal-publication-ncac/download?attachment>. Please update.

History Note: The paragraph/spacing formatting should match the rest of the rule text above. Please correct.

History Note, line 18: The period after "2019" should be replaced with a semi-colon.

History Note, line 19: This should read as, "Repealed Eff. February 1, 2026."

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

1 **12 NCAC 09G .0606 is repealed as published in 40:06 NCR 518-561 as follows:**

2
3 **~~12 NCAC 09G .0606~~ METHOD OF APPLICATION**

4 ~~(a) All applicants for an award of the basic, intermediate, or advanced certificates in the professional certificate~~
5 ~~program shall complete an "Application for Award of State Corrections Certificate."~~

6 ~~(b) Documentation of education and training shall be provided by certified copies of transcripts, diplomas, Report~~
7 ~~of Training Course Completion, agency training records, or other verifying documents attached to the application.~~

8 ~~(c) The applicant shall submit the "Application for Award of State Corrections Certificate" to his department head~~
9 ~~who shall attach his recommendation and forward the application to the Commission. Certificates will be issued to~~
10 ~~the Department head for award to the applicant.~~

11 ~~(d) Certificates and awards remain the property of the Commission, and the Commission shall have the power to~~
12 ~~cancel or recall any certificate or award.~~

13
14 *History Note: Authority G.S. 17C-6;*
15 *Temporary Adoption Eff. January 1, 2001;*
16 *Eff. August 1, 2002;*
17 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 25,*
18 *2019.*
19 *Repeal Eff. February 1, 2026.*
20

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09I .0101

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: The rule format is incorrect. This is a permanent adoption with changes from publication. Please see the following example from OAH's website: <https://www.oah.nc.gov/documents/rules/permanent-adoption-changes-publication/download?attachment>. Please update accordingly.

Subchapter Title: Remove the semi-colon following "EDUCATION".

Line 8: Move the period following "09I" to directly in front of "0101".

*(a): To make this sentence a requirement, I would recommend revising to say: "The following Commission-approved forms **shall** be used by individuals applying ...".*

(a), line 9: Recommend removing "the" before "initial".

(a), line 10: You should add a reference here to the Rules for instructor and professional lecturer certification, for clarity.

(a)(1): For consistency with your other Rules, add commas after "Form F-12" and before "shall".

(a)(1)(A): As stated previously, avoid using slashes in rule text unless absolutely necessary. Consider replacing with "or".

(a)(1)(B): Add "number" after "phone".

(a)(1)(C): Same comment as above regarding slashes.

(a)(1)(H): Same comment as above regarding slashes.

(a)(1)(I): What kind of "school"? Be specific, if possible.

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

(a)(1)(I): Change “date(s)” to “dates”.

(a)(1)(J): Add “name” after “school or agency”.

(a)(2): For consistency with your other Rules, add commas after “Form F-16” and before “shall”.

History Note, line 35: Add a period after “2026”.

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

12 NCAC 09I .0101 is adopted with changes as published in 40:06 NCR 518-561 as follows:

**SUBCHAPTER 09I – FORMS FOR CRIMINAL JUSTICE EMPLOYMENT: EDUCATION: AND
TRAINING**

SECTION .0100- FORMS FOR USE IN TRAINING PROGRAMS AND INSTRUCTOR CERTIFICATION

12 NCAC 09I. 0101 INSTRUCTOR AND PROFESSIONAL LECTURER CERTIFICATION FORMS

(a) The following are Commission-approved forms to be used by individuals applying for the initial or renewal of certification as an instructor or professional lecturer:

(1) Form F-12 Application for Instructor or Professional Lecturer Certification shall contain the following information:

(A) name of applicant/instructor;

(B) address, phone, email address, date of birth, age, last four of Social Security Number, and [Aeadis] academy ID number;

(C) current agency/firm, status (Retired, Civilian, Sworn), agency address, and business phone number;

(D) type of instructor certification applying for;

(E) supporting documents for specific certification sought;

(F) highest education level, school attended, school location, and graduation date;

(G) criminal justice experience;

(H) signature of applicant/instructor;

(I) school, course title, hours taught, course date(s), and whether the course was a requirement of Mandatory In-Service [Training]; Training; and

(J) signature of certifying School Director or In-Service Training Coordinator, school or agency, phone number, and email address.

(2) Form F-16 Criminal Justice Instructor Evaluation shall contain the following information:

(A) instructor's name, date of birth, and [Aeadis] academy ID number;

(B) evaluator's [name], name and [Aeadis] academy ID number;

(C) block of [Instruction], instruction, date, location, and total hours of instruction;

(D) scores for Instructional Ability and Strategies; and

(E) Presentation Evaluation [Criteria] Criteria.

*History Note: Authority G.S. 17C-6;
Eff. February 1, 2026*

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09I .0102

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: The rule format is incorrect. This is a permanent adoption with changes from publication. Please see the following example from OAH's website: <https://www.oah.nc.gov/documents/rules/permanent-adoption-changes-publication/download?attachment>. Please update accordingly.

*(a): To make this sentence a requirement, I would recommend revising to say: "The following Commission-approved forms **shall** be used by certified School Directors ...".*

(a)(1)(G): I believe "on" should be changed to "of".

(a)(1)(G): Why was "Acadis" removed from the requirements in 09I .0101 but it is still used here in 09I .0102?

(a)(3), line 24: Add a comma before "shall", for consistency.

(a)(4), line 30: Add a comma after "WF-6", for consistency.

(4)(C): What is "Departure information"? Could you be more specific?

History Note, page 2, line 2: Remove "Adoption" from the History Note.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09I .0102 is adopted with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09I.0102 **COURSE MANAGEMENT FORMS**

(a) The following are Commission-approved forms to be used by certified School Directors [~~instructors~~] during the administration of Commission-approved courses:

(1) Form F-10A, Pre-Delivery Report of Training Course Presentation, shall include the following:

- (A) Name of delivery site (academy);
- (B) Proposed Commission course being requested to administer;
- (C) Number of course hours;
- (D) Location of course delivery;
- (E) Commencement and completion dates;
- (F) Anticipated class size;
- (G) Names on all delivery site (academy) staff requiring Acadis access; and
- (H) Name and signature of certified School Director.

(2) Form F-10B and Web Form F-10B, Post Delivery Report of Training Course Presentation, shall include the following:

- (A) Name of delivery site (academy);
- (B) Commission course administered;
- (C) Number of course hours;
- (D) Location of course delivery;
- (E) Commencement and completion dates;
- (F) Final class size; and
- (G) Name and signature of certified School Director.

(3) Form F-23, Commission Exam Admission Form shall include the following:

- (A) Course pre-delivery number, exam [~~location~~] ~~location~~, and exam date;
- (B) First-Time Exam Admission information;
- (C) Re-Examination Admission information;
- (D) Name and signature of certified School Director; and
- (E) List of all trainees.

(4) Web Form WF-6 CJ Standards Specialized Training Departure Report, shall include the following:

- (A) Course name, course dates, and training location;
- (B) Departing student's name, date of birth, and academy ID [~~#~~] ~~number~~; and
- (C) Departure information.

- 1 History Note: Authority G.S. 17C-6:
- 2 Adoption Eff. February 1, 2026.

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09I .0103

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: The rule format is incorrect. This is a permanent adoption with changes from publication. Please see the following example from OAH's website: <https://www.oah.nc.gov/documents/rules/permanent-adoption-changes-publication/download?attachment>. Please update accordingly.

General Comment: You use the term "information" several times throughout this rule when describing required form information. This is vague and unspecific. Could you add more detail so that persons know what kinds of "information" are being collected? For example, does "military service information" include dates of service, branch, status, etc.?

*(a): To make this sentence a requirement, I would recommend revising to say: "The following Commission-approved forms **shall** be used by certified School Directors ...".*

(a)(1)(B): What is a "Pre-Delivery number"?

(a)(1)(D) and (F): Change "date(s)" to "dates".

(a)(3)(D) and (E): Should this say something along the lines of, "Evaluation of delivery of course material by instructor" and "Evaluation of organization and presentation of delivery of instruction"? As written, it seems as if something is missing from the description of these two items.

(a)(4): Add a comma after "BLET" for consistency.

(a)(5)(A): Remove the slash and replace with "or".

(a)(7)(D) and (a)(8)(C): Use "Email address" instead of "Email" for completeness.

(a)(9)(C) and (D): These should start with "Student's", for consistency and clarity.

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

(a)(10)(E): What is “course completion information”? Be specific, if possible.

(a)(11)(B) and (C): See comment above regarding the term “information”.

History Note, line 36: Remove “Adoption” from the History Note.

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

12 NCAC 09I .0103 is adopted with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09I.0103 BASIC LAW ENFORCEMENT TRAINING (BLET) COURSE FORMS

(a) The following are Commission-approved forms to be used by certified School Directors and instructors during the administration of a Commission-approved Basic Law Enforcement Training (BLET) course:

(1) Form F-13, Request for Deficiency Remediation, shall include the following:

(A) Name of certified School Director and delivery site (academy);

(B) Date of request, Pre-Delivery number, and state exam date;

(C) Student's name and academy ID number;

(D) Block of instruction and date(s) of deficiency;

(E) Instructor's name and academy ID number;

(F) Remediation location and date(s) of remediation;

(G) Details of remediation plan; and

(H) Signature of certified School Director.

(2) Form F-14, Request for Limited Enrollment, shall include the following:

(A) Name of certified School Director and delivery site (academy);

(B) Date of request, Pre-Delivery number, and original BLET start date;

(C) Student's name and academy ID number;

(D) Block(s) of instruction for make-up training; and

(E) Delivery site (academy) where make-up training will be conducted.

(3) Form F-17, Student Evaluation of Instructors, shall include the following:

(A) Name of delivery site (academy);

(B) Instructor's name;

(C) Block of instruction and date;

(D) Delivery of course material by instructor; and

(E) Organization and presentation of delivery of instruction;

(4) Form F-25, Criminal Record Conviction History for BLET shall include the following:

(A) Agency name and address;

(B) Applicant's full name and former names;

(C) Applicant's address; and

(D) Name and signature of Agency head.

(5) Form F-26, BLET Student Absence Report, shall include the following:

(A) School/academy name and class name;

(B) Student's name and [Aeadis] academy ID number;

(C) Course topic and date;

(D) Hours missed and made up;

(E) Reason for missed time;

- (F) Student's and certified School Director's signature and date; and
- (G) Name of instructor conducting the make-up training.
- (6) Form F-32, BLET Request for Early Enrollment, shall include the following:
- (A) Name and signature of certified School Director and delivery site (academy);
- (B) Student's name and date of birth; and
- (C) BLET [state] start date and date of state exam.
- (7) Web Form WF-1, BLET Student Injury Report, shall include the following:
- (A) Student's name, date of birth, and [Aeadis] academy ID number;
- (B) Date and details of [injury] injury;
- (C) Student's status (returned to training on same day or required hospital [care; care]; and
- (D) Email of School Director.
- (8) Web Form WF-2, BLET Departure Report, shall include the following:
- (A) Student's name and [Aeadis] academy ID number;
- (B) Date, reason, and details of departure; and
- (C) Email of School Director.
- (9) Web Form WF-3, BLET Student Enrollment Questionnaire, shall include the following:
- (A) Student's demographic information;
- (B) Student's education information;
- (C) Military service information; and
- (D) Primary language.
- (10) Web Form WF-4, BLET Student Course Completion Record, shall include the following:
- (A) Student's [name; name] and [Aeadis #; academy ID number];
- (B) Student's gender;
- (C) Student's employment status on last day of class;
- (D) Student's hiring status with a law enforcement agency; and
- (E) Course completion information.
- (11) Web Form WF-13B, BLET Deficiency, Report of Completed Training, shall include the following:
- (A) Student's name and [Aeadis #; academy ID number];
- (B) Deficiency information;
- (C) Deficiency make-up information;
- (D) Date the deficiency remediation was completed; and
- (E) School Director's name, signature, and email address.

History Note: Authority G.S. 17C-6;
Adoption Eff. February 1, 2026.

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09I .0104

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: The rule format is incorrect. This is a permanent adoption with changes from publication. Please see the following example from OAH's website: <https://www.oah.nc.gov/documents/rules/permanent-adoption-changes-publication/download?attachment>. Please update accordingly.

*(a): To make this sentence a requirement, I would recommend revising to say: "The following Commission-approved forms **shall** be used by Commission-accredited delivery sites ...".*

(a)(1)(B), line 8: "4" should be spelled out as "four".

(a)(1)(B), line 9: Change "email" to "email address".

(a)(1)(B), line 9: What "location"? Do you mean home address? Or location of training?

(a)(1)(D), line 17: Insert "of" between "years" and "experience".

(a)(1)(D), line 17: Add "completed" or a similar verb following "have been".

(a)(1)(D), line 18: "Commission certified" should probably be hyphenated.

(a)(2)(A): Remove the slash and replace with "or".

History Note, line 37: Remove "Adoption" from the History Note.

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09I .0104 is adopted with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09I .0104 COMMISSION-ACCREDITED DELIVERY SITE ADMINISTRATION FORMS

(a) The following are Commission-approved forms to be used by Commission-accredited delivery sites to administer Commission-approved courses:

(1) Form F-10, School Director/Qualified Assistant Application, shall include the following:

- (A) the name of the appointing institution or agency;
- (B) the applicant's name, date of birth, social security number (last 4 numbers), phone number, email, instructor certification number, location, and the date the applicant completed orientation training;
- (C) the applicant's educational background, specifically, the dates of attendance, the institution attended, and the degree or diploma attained from each institution;
- (D) the applicant's criminal justice experience, specifically, the agency for which the applicant worked, the applicant's duties in each position, and the dates of employment. The applicant shall have acquired four years of practical experience as a criminal justice officer or as an administrator or specialist in a field directly related to the criminal justice system. At least one year of the required four years experience must have been while actively participating in criminal justice training as a Commission certified instructor;
- (E) the signature of the applicant certifying the accuracy of the contents of the [application, application; and
- (F) the signature of the appointing institution's executive officer signifying recommendation of an applicant to be a School Director; or
- (G) the signature of the School Director signifying recommendation of an applicant to be a Qualified Assistant.

(2) Form F-10 (SA), Accreditation of Criminal Justice Schools, shall include the following:

- (A) the name of the requesting institution/agency;
- (B) the mailing address, phone number, and name of the institution head or executive officer;
- (C) the name, title or rank, [address] address, and phone number of the School [Director] Director;
- (D) the type of [Commission-approved] Commission-approved training course in which accreditation is being sought;
- (E) the type and location of all facilities to be used in administering the Commission-approved training course; and
- (F) the signature of the institution head or executive officer.

History Note: Authority G.S. 17C-6;
Adoption Eff. February 1, 2026.

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09I .0105

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: The rule format is incorrect. This is a permanent adoption with changes from publication. Please see the following example from OAH's website: <https://www.oah.nc.gov/documents/rules/permanent-adoption-changes-publication/download?attachment>. Please update accordingly.

*(a): To make this sentence a requirement, I would recommend revising to say: "The following Commission-approved forms **shall** be used by agencies and ...".*

(a)(1)(A): Insert "and" before "telephone number".

(a)(2)(A): "4" should be spelled out as "four".

(a)(2)(E): What "medical standards" are you referring to? Can you be more specific? The current language is not clear.

(a)(3)(A): Who is the "individual completing the form"? The applicant? The doctor?

(a)(4)(C): What "medical standards" are you referring to? Can you be more specific? The current language is not clear.

(a)(5)(B): Should "school director" be capitalized, like it is in other rules?

(a)(5)(D): This should end in a period rather than a semi-colon.

(a)(6), line 36: Add a comma after "WF-5" for consistency.

(a)(6)(C): What is "Injury information"? Can you be more specific as to what exactly is being requested?

History Note, page 2, line 6: Remove "Adoption" from the History Note.

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09I .0105 is adopted with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09I.0105 MEDICAL FORMS

(a) The following are Commission-approved forms to be used by agencies and Commission-accredited delivery sites during the application for criminal justice certification or Commission-approved training course enrollment:

(1) Form F-1, Medical History Statement, shall include the following:

(A) ~~Name,~~ Applicant's name, date of birth, address, telephone number;

(B) Current medications, allergies, and past medical history;

(C) Occupational history; and

(D) Name and signature of a physician, physician assistant, or nurse practitioner who holds a current license in the United States to practice medicine, as issued by a state medical board.

(2) Form F-2, Medical Examination Report, shall include the following:

(A) Name, date of birth, employing agency, height, weight, and last 4 digits of the Social Security Number for the person being examined;

(B) Results of Vision Acuity;

(C) Results of Hearing Acuity;

(D) Results of Cardiovascular Examination;

(E) Certification that the individual being examined does or does not meet medical standards;
and

(F) Name, signature, and medical license number of the examining medical professional.

(3) Form F-2A, Tuberculosis Questionnaire, shall include the following:

(A) Name, date of birth, and employing agency of individual completing the form;

(B) Tuberculosis Risk Questions and individual's response; and

(C) Tuberculosis Symptoms Questions and individual's response.

(4) Form F-2B, Medical Examination Report Addendum, shall include the following:

(A) Name, date of birth, and employing agency of individual being examined;

(B) Additional Exam Notes, if any;

(C) Certification that the individual being examined does or does not meet medical standards;
and

(D) Name, signature, and medical license number of examining medical professional.

(5) Form F-31, Request for Accommodation, shall include the following:

(A) Name, signature, and date of birth of requesting student;

(B) Accredited delivery site, and name of certified school director;

(C) Reason for Accommodation; and

(D) Proposed Accommodation;

(6) Web Form WF-5 CJ Standards Specialized Training Student Injury Report for SMI, Instructor Courses, shall include the following:

- 1 (A) Course name, course dates, and training location;
- 2 (B) Injured student's name, date of birth, and academy ID [#] number; and
- 3 (C) Injury information.
- 4
- 5 History Note: Authority G.S 17C-6;
- 6 Adoption Eff. February 1, 2026.

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09I .0106

DEADLINE FOR RECEIPT: **January 21, 2026**

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

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

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

Formatting: The rule format is incorrect. This is a permanent adoption with changes from publication. Please see the following example from OAH's website: <https://www.oah.nc.gov/documents/rules/permanent-adoption-changes-publication/download?attachment>. Please update accordingly.

*(a): To make this sentence a requirement, I would recommend revising to say: "The following Commission-approved forms **shall** be used by certified SMI instructors ...".*

(a), line 5: Should "speed measuring" be hyphenated here?

(a)(2)(B): Remove the comma after "on".

(a)(1) and (a)(2): How are these two forms different from each other? They require the exact same information. Is it necessary to require both?

*(b): To make this sentence a requirement, I would recommend revising to say: "The following Commission-approved forms **shall** be used by individuals applying ...".*

(b): Does "radar" need to be capitalized here?

*(b)(1): To make this a requirement, consider revising to read as, "Form SMI-14, Trainee's Statement of Prior Radar Training, **shall** be filled out by a trainee enrolled in a radar or radar/lidar operator training course, as prescribed by 12 NCAC 09B .0212(a) and .0242(a), who has previously been certified by the Commission as a radar operator. The trainee **shall** sign and date the form prior to submission. The form shall also include the following:"*

*(b)(2): To make this a requirement, consider revising to read as, "Form SMI-15, SMI Operator Supervised Field Instruction/Practice Log, **shall** be completed by a trainee completing Supervised Field Practice within the 90 days following the completion of a*

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

SMI operator [~~course~~] course, pursuant to 12 NCAC 09B .0409(a)(4) and (c). The form shall include the following:

*(c): To make this sentence a requirement, I would recommend revising to say: "The following Commission-approved forms **shall** be used during ...".*

(c)(1)(C) and (c)(2)(C): Which "Standards"? Can you be more specific?

History Note, page 2, line 12: Remove "Adoption" from the History Note.

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

12 NCAC 09I .0106 is adopted with changes as published in 40:06 NCR 518-561 as follows:

12 NCAC 09I.0106 SPEED-MEASURING INSTRUMENT (SMI) FORMS

(a) The following are Commission-approved forms to be used by certified SMI instructors during the administration of speed measuring instrument courses:

(1) Form SMI-1, Moving/Stationary RADAR Motor Skill Performance Test, shall include the following:

(A) Trainee's full name, employing law enforcement agency, date of birth, [Aeadis] academy ID number, email address, and phone number;

(B) RADAR instrument being tested on and name of the instrument's manufacturer;

(C) Modes being tested on;

(D) Verification by the evaluating instructor that the trainee completed each step of the instrument sign-off, evidenced by the instructor's initials;

(E) Timing and results of the trainee's motor skills testing; and

(F) Name, [Aeadis] academy ID number, and signature of each evaluating instructor verifying whether the trainee successfully completed the motor skill performance test.

(2) Form SMI-1A, Moving/Stationary RADAR Motor Skill Performance Test Sign-Off, shall include the following:

(A) Trainee's full name, employing law enforcement agency, date of birth, [Aeadis] academy ID number, email address, and phone number;

(B) RADAR instrument being tested on, and the name of the instrument's manufacturer;

(C) Modes being tested on;

(D) Verification by the evaluating instructor that the trainee completed each step of the instrument sign-off, evidenced by the instructor's initials; and

(E) Name, [Aeadis] academy ID number, and signature of each evaluating instructor verifying whether the trainee successfully completed the motor skill performance test.

(3) Form SMI-13, Lidar Motor Skill Performance Test, shall include the following:

(A) Trainee's full name, employing law enforcement agency, date of birth, [Aeadis] academy ID number, email address, and phone number;

(B) Lidar instrument being tested on and name of the instrument's manufacturer;

(C) Verification by the evaluating instructor that the trainee completed each step of the instrument sign-off, evidenced by the instructor's initials; and

(D) Name, [Aeadis] academy ID number, and signature of each evaluating instructor verifying whether the trainee successfully completed the motor skill performance test.

(4) Form SMI-16, Written Endorsement to Attend Supplemental SMI Training, shall include the following:

(A) Name, [Aeadis] academy ID number, date of birth, email address, and employing law

- 1 enforcement agency of each trainee enrolled in the course;
- 2 (B) List of speed measuring instruments each trainee is currently certified to operate;
- 3 (C) Dates and location of training;
- 4 (D) Name, [Aeadis] academy ID number, and signature of each instructor of the course; and
- 5 (E) Name, employing agency, title, email address, phone number, and signature of School
- 6 Director, agency head, agency head designee, or in-service training coordinator.
- 7 (b) The following are Commission-approved forms to be used by individuals applying for certification as a radar
- 8 operator:
- 9 (1) Form SMI-14, Trainee's Statement of Prior Radar Training, is a form to be filled out by a trainee
- 10 enrolled in a radar or radar/lidar operator training course, as prescribed by 12 NCAC 09B .0212(a)
- 11 and .0242(a) who has previously been certified by the Commission as a radar operator. The trainee
- 12 must sign and date the form prior to submission. The form shall also include the following:
- 13 (A) Trainee's full name, [Aeadis] academy ID number, date of birth, and employing law
- 14 enforcement agency;
- 15 (B) Name of the institution or agency at which the trainee received prior training;
- 16 (C) Location where the prior radar training took place; and
- 17 (D) End date and total hours of prior radar training.
- 18 (2) Form SMI-15, SMI Operator Supervised Field Instruction/Practice Log, is a form to be completed
- 19 by a trainee completing Supervised Field Practice within the 90 days following the completion of
- 20 a SMI operator [course.] course, pursuant to 12 NCAC 09B .0409(a)(4) and (c). The form shall
- 21 include the following:
- 22 (A) Trainee's full name, employing law enforcement agency, [Aeadis] academy ID number,
- 23 email address, and phone number;
- 24 (B) Dates and times of supervised field practice;
- 25 (C) Name, [Aeadis] academy ID number, and signature of each evaluator providing
- 26 supervision;
- 27 (D) Location and end date of the trainee's SMI operator course;
- 28 (E) Name and modes of instrument used during the supervised field practice;
- 29 (F) Total time of supervised field practice; and
- 30 (G) Trainee's signature and date of form completion.
- 31 (c) The following are Commission-approved forms to be used during annual accuracy tests of speed measuring
- 32 instruments:
- 33 (1) Form SMI-9, Record of Radar Instrument Calibration and Accuracy Tests, shall include the
- 34 following:
- 35 (A) Agency or organization name;
- 36 (B) Instrument model, manufacturer, serial number, modes, and features;
- 37 (C) Accuracy and Standards tests results for the counter box, antennas, and tuning forks; and

(D) Name, license or certification information, and signature of the testing technician verifying that the instrument passed the tests.

(2) Form SMI-12, Record of Lidar Instrument Calibration and Accuracy Tests, shall include the following:

(A) Agency or organization name;

(B) Instrument model, manufacturer, serial number, modes, and features;

(C) Accuracy and Standards tests results as indicated by Pass or Fail; and

(D) Name, license or certification information, and signature of the testing technician verifying that the instrument passed the tests.

History Note: Authority G.S. 8-50.2; 17C-6;
Adoption Eff. February 1, 2026.

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

AGENCY: N.C. Criminal Justice Education and Training Standards Commission

RULE CITATION: 12 NCAC 09I .0107

DEADLINE FOR RECEIPT: January 21, 2026

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

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

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

Formatting: The rule format is incorrect. This is a permanent adoption with changes from publication. Please see the following example from OAH's website: <https://www.oah.nc.gov/documents/rules/permanent-adoption-changes-publication/download?attachment>. Please update accordingly.

*(a): To make this sentence a requirement, I would recommend revising to say: "The following Commission-approved forms **shall** be used by individuals to apply ...".*

(a)(1)(A): Add "and" before "last four digits ...".

(a)(1)(B): Add "number" after "phone".

(a)(1)(C): Add "Applicant's" at the beginning of this item.

(a)(2)(A): Add "and" before "last four digits ...".

(a)(2)(B): Add "number" after "phone".

(a)(2)(C): Add "Applicant's" at the beginning of this item.

(a)(3)(A): Add "and" before "last four digits ...".

(a)(3)(B): Add "number" after "phone".

(a)(3)(C): Add "Applicant's" at the beginning of this item.

(a)(4)(B): Add "number" after "phone".

History Note, page 2, line 8: Remove "Adoption" from the History Note.

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

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

Christopher S. Miller
Commission Counsel

Date submitted to agency: January 8, 2026

12 NCAC 09I .0107 is adopted as published in 40:06 NCR 518-561 as follows:

12 NCAC 09I.0107 PROFESSIONAL CERTIFICATES FORMS

(a) The following are Commission-approved forms to be used by individuals to apply for a new or replacement Professional Certificate:

(1) Form 6 (LE), Application for Award of Law Enforcement Certificate, shall include the following:

- (A) Applicant's name, date of birth, last four digits of Social Security Number;
- (B) Applicant's address, phone, and email address;
- (C) Employing agency and agency address;
- (D) Type of award applying for;
- (E) Law enforcement experience (agencies and years of law enforcement experience);
- (F) Completed law enforcement training courses;
- (G) Level of college education;
- (H) Name and signature of applicant; and
- (I) Name and signature of agency head or In-Service Training Coordinator.

(2) Form 6 (DAC), Application for Award of Criminal Justice Certificate, shall include the following:

- (A) Applicant's name, date of birth, last four digits of Social Security Number;
- (B) Applicant's address, phone, and email address;
- (C) Employing agency and agency address;
- (D) Type of award applying for;
- (E) Criminal justice experience (agencies and years of criminal justice experience);
- (F) Completed criminal justice training courses;
- (G) Level of college education;
- (H) Name and signature of applicant; and
- (I) Name and signature of agency head or In-Service Training Coordinator.

(3) Form 6 (DJJ), Application for Award of Juvenile Justice Certificate, shall include the following:

- (A) Applicant's name, date of birth, last four digits of Social Security Number;
- (B) Applicant's address, phone, and email address;
- (C) Employing agency and agency address;
- (D) Type of award applying for;
- (E) Juvenile justice experience (agencies and years of juvenile justice experience);
- (F) Completed juvenile justice training courses;
- (G) Level of college education;
- (H) Name and signature of applicant; and
- (I) Name and signature of agency head or In-Service Training Coordinator.

(4) Form F-7, Request for Replacement of Professional Certificate, shall include the following:

- (A) Awardee's name, date of birth, and last four digits of Social Security Number;

- 1 (B) Awardee's address, phone, and email address;
2 (C) Type of replacement certificate;
3 (D) Printed name and signature of awardee; and
4 (E) Name and signature of agency head or In-Service Training Coordinator, if still employed
5 at an agency.
6
7 History Note: Authority G.S. 17C-6;
8 Adoption Eff. February 1, 2026.