

Burgos, Alexander N

Subject: FW: [External] RE: Security Systems Licensing Board RFC March 26
Attachments: 14B NCAC 17 .0201 proposed for amendment with changes.docx; 14B NCAC 17 .0301 proposed for amendment with changes.docx

From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Tuesday, April 7, 2026 5:50 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: Security Systems Licensing Board RFC March 26

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

Seth:

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

I presume these need to be filed, right?

Jeff

Jeffrey P. Gray

Of Counsel
Bailey & Dixon, LLP
434 Fayetteville Street, Suite 2500
P.O. Box 1351
Raleigh, NC 27601 (27602)
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Facsimile: 919-828-6592
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1 14B NCAC 17 .0201 is proposed for amendment, with changes, as published in 40:08 NCR 722-726 as follows:

2
3 **14B NCAC 17 .0201 APPLICATION FOR LICENSE**

4 (a) Each applicant for a license shall submit an online application on the website provided by the Board. **[The**
5 **application shall contain:**

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

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

8 **(3) current employer;**

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

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

11 **[(b)]** When this online application is submitted, it shall be accompanied by:

12 (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State
13 Bureau of Investigation or one set of classifiable fingerprints on an F.B.I. fingerprint card provided
14 by the Board and mailed separately to the Board's office;

15 (2) one head and shoulders digital photograph of the applicant in JPG format of sufficient quality for
16 identification, taken within six months prior to the online submission;

17 (3) statements of the results of a statewide criminal history records search by the reporting service
18 designated by the Board pursuant to G.S. 74D-2.1(a) for any state where the applicant has resided
19 within the preceding 60 **[months; months and disclosure of any expunged convictions;]**

20 (4) a minimum of three letters attesting to the good character and reputation of the applicant using the
21 online character letter submission process; and

22 (5) the applicant's application fee, along with the convenience fee charged by the Board's on-line
23 application vendor and the credit card transaction fee charged by the applicant's credit card provider
24 and collected online.

25 **(b) [(c)]** Each applicant shall upload evidence of high school graduation either by diploma, G.E.D. certificate, or other
26 equivalent documentation.

27 **(e) [(d)]** Each applicant for a license shall meet personally with either a Board investigator, the Screening Committee,
28 the Director, or a Board representative designated by the Director prior to being issued a license. The applicant shall
29 discuss the provisions of G.S. 74D and the administrative rules in this Chapter during the personal meeting. The
30 applicant shall sign a form provided by the Board stating that the applicant has reviewed the information with the
31 Board's representative and that the applicant understands G.S. 74D and the administrative rules in this Chapter. During
32 a national or State declared state of emergency that restricts or prohibits travel, the personal meeting requirement may
33 be waived if requested by the applicant in favor of alternative means of communication.

34 **(d) [(c)]** Each applicant for a branch office license shall submit an online application on the website provided by the
35 Board containing the physical address and telephone number of the branch office, the Qualifying Agent responsible
36 for the branch office, the proposed branch manager, the parameters or scope of duties of the branch office, and the
37 anticipated number of employees. This online application shall be accompanied by the branch office application fee.

1 (e) [(f)] All photographs, record checks, proof of insurance, explanations of criminal charges, explanations of credit
2 history, or requested documents shall be submitted online through the Board's website by any applicant for a permit,
3 license, registration, or certificate within 60 days of the Board's receipt of the application form or a request from Board
4 staff, whichever is later. Any failure to submit required or requested documents to complete the application process
5 within this 60-day period shall void the application and require re-application.

6
7 *History Note: Authority G.S. 74D-2; 74D-2.1; 74D-3; 74D-5; 74D-7; 74D-8; 15A-151(a)(10); 93B-8.1(d);*
8 *Temporary Rule Eff. January 9, 1984, for a period of 120 days to expire on May 7, 1984;*
9 *Eff. May 1, 1984;*
10 *Amended Eff. December 1, 2012; February 1, 2012; January 1, 2007; September 1, 2006; March*
11 *1, 1993; July 1, 1987; January 1, 1986;*
12 *Transferred and Recodified from 12 NCAC 11 .0201 Eff. July 1, 2015;*
13 *Amended Eff. December 1, 2017;*
14 *Readopted Eff. June 1, 2018;*
15 *Amended Eff. September 1, 2019;*
16 *Emergency Amendment Eff. June 9, 2020;*
17 *Amended Eff. August 1, 2020;*
18 *Temporary Amendment Eff. August 28, 2020;*
19 *Temporary Amendment Expired Eff. June 12, 2021;*
20 *Amended Eff. April 1, 2026; September 1, 2024; August 1, 2022; November 1, 2021.*

1 14B NCAC 17 .0301 is proposed for amendment, with changes, as published in 40:08 NCR 722-726 as follows:

2
3 **14B NCAC 17 .0301 APPLICATION FOR REGISTRATION**

4 (a) Each licensee or qualifying agent shall submit an online application for the registration of his or her employee on
5 the website provided by the Board. The application shall contain:

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

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

8 (3) current employer;

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

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

11 [(b)] When this online application is submitted, it shall be accompanied by:

12 (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State
13 Bureau of Investigation or one set of classifiable fingerprints on a standard F.B.I. fingerprint card
14 mailed separately to the Board's office;

15 (2) one original signed S.B.I. release of information form uploaded online and the original mailed
16 separately to the Board's office;

17 (3) one head and shoulders digital photograph of the applicant of sufficient quality for identification,
18 taken within six months prior to online submission, and uploaded with the application submission;

19 (4) statements of the results of a statewide criminal history records search by the reporting service
20 designated by the Board pursuant to G.S. 74D-2.1(a) for any state where the applicant has resided
21 within the preceding 60 months; months and disclosure of any expunged convictions;

22 (5) the registration fee required by Rule .0302 of this Section, along with the convenience fee charged
23 by the Board's on-line application vendor and the credit card transaction fee charged by the
24 applicant's credit card provider and collected online; and

25 (6) a completed affidavit form attesting to the truth of the information provided and public notice
26 statement form.

27 (b) [(c)] The employer of an applicant who is currently registered with another alarm business shall complete an online
28 application form provided by the Board. This form shall be accompanied by the applicant's multiple registration fee
29 along with the convenience fee charged by the Board's on-line application vendor and the credit card transaction fee
30 charged by the applicant's credit card provider and collected online. This online application shall be accompanied by
31 a completed affidavit form and public notice statement form.

32 (e) [(d)] The employer of each applicant for registration shall print and retain a copy of the applicant's online
33 application in the individual applicant's personnel file in the employer's office.

34
35 *History Note: Authority G.S. 74D-2.1; 74D-5; 74D-8; 15A-151(a)(10); 93B-8.1(a);*

36 *Temporary Rule Eff. January 9, 1984 for a Period of 120 Days to Expire on May 7, 1984;*

37 *Eff. May 1, 1984;*

1 *Amended Eff. December 1, 2012; January 1, 2007; July 1, 1993; March 1, 1993; September 1, 1990;*
2 *November 1, 1988;*
3 *Transferred and Recodified from 12 NCAC 11 .0301 Eff. July 1, 2015;*
4 *Amended Eff. December 1, 2017;*
5 *Readopted Eff. June 1, 2018;*
6 *Amended Eff. April 1, 2026; September 1, 2024; August 1, 2022; August 1, 2020; September 1,*
7 *2019.*

Burgos, Alexander N

Subject: FW: [External] RE: Security Systems Licensing Board RFC March 26

From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Friday, March 13, 2026 4:41 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: Security Systems Licensing Board RFC March 26

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Seth:

Thanks.

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

Jeff

Jeffrey P. Gray

Of Counsel
Bailey & Dixon, LLP
434 Fayetteville Street, Suite 2500
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From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Friday, March 13, 2026 4:24 PM
To: Gray, Jeffrey <JGray@bdixon.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: [External] RE: Security Systems Licensing Board RFC March 26

Jeff,

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

The "good moral character" definition issue has come up for discussion in previous Commission meetings post-Devalle. I may put together a staff opinion on the issue summarizing the circumstances here, including the

different language and statutory authorization you have. Otherwise, I anticipate recommending approval of the final revised rules.

Let me know if you have any questions.

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

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

Burgos, Alexander N

Subject: FW: [External] RE: Security Systems Licensing Board RFC March 26
Attachments: 14B NCAC 17 .0201 proposed for amendment with changes 031226.docx; 14B NCAC 17 .0210 proposed for amendment with changes 031226.docx; 14B NCAC 17 .0301 proposed for amendment with changes 031226.docx

From: Gray, Jeffrey <JGray@bdixon.com>
Sent: Thursday, March 12, 2026 12:25 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: [External] RE: Security Systems Licensing Board RFC March 26

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Seth:

I am responding to your Request for Changes:

14B NCAC 17 .0201

Requested change made.

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

14B NCAC 17 .0202

The Board is not incorporating the course standards, or any material, by reference for either course. It is merely stating that course completion suffices for the training requirement. This language was approved by the RRC in January 2024.

14B NCAC 17 .0209

(Same as .0201, above.)

14B NCAC 17 .0210

I confirmed with the Board of Electrical Contractors that the current designation is "SP-FA/LV." Suggested change made.

14B NCAC 17 .0301

Requested change made. The reference in old (b), i.e. new "(c)," is to the application form in (a). It is not a second or separate form.

14B NCAC 17 .0305

Yes, the duties of an employee are spelled out in detail in G.S. 74D-8(a)(1), entitled “Registration of persons employed.”

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

Jeff

Jeffrey P. Gray

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1 14B NCAC 17 .0201 is proposed for amendment, with changes, as published in 40:08 NCR 722-726 as follows:

2
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5 **application shall contain:**

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

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

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

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13 Bureau of Investigation or one set of classifiable fingerprints on an F.B.I. fingerprint card provided
14 by the Board and mailed separately to the Board's office;

15 (2) one head and shoulders digital photograph of the applicant in JPG format of sufficient quality for
16 identification, taken within six months prior to the online submission;

17 (3) statements of the results of a statewide criminal history records search by the reporting service
18 designated by the Board pursuant to G.S. 74D-2.1(a) for any state where the applicant has resided
19 within the preceding 60 ~~months;~~ months and disclosure of any expunged convictions;

20 (4) a minimum of three letters attesting to the good character and reputation of the applicant using the
21 online character letter submission process; and

22 (5) the applicant's application fee, along with the convenience fee charged by the Board's on-line
23 application vendor and the credit card transaction fee charged by the applicant's credit card provider
24 and collected online.

25 **(b) [(c)]** Each applicant shall upload evidence of high school graduation either by diploma, G.E.D. certificate, or other
26 equivalent documentation.

27 **(e) [(d)]** Each applicant for a license shall meet personally with either a Board investigator, the Screening Committee,
28 the Director, or a Board representative designated by the Director prior to being issued a license. The applicant shall
29 discuss the provisions of G.S. 74D and the administrative rules in this Chapter during the personal meeting. The
30 applicant shall sign a form provided by the Board stating that the applicant has reviewed the information with the
31 Board's representative and that the applicant understands G.S. 74D and the administrative rules in this Chapter. During
32 a national or State declared state of emergency that restricts or prohibits travel, the personal meeting requirement may
33 be waived if requested by the applicant in favor of alternative means of communication.

34 **(d) [(c)]** Each applicant for a branch office license shall submit an online application on the website provided by the
35 Board containing the physical address and telephone number of the branch office, the Qualifying Agent responsible
36 for the branch office, the proposed branch manager, the parameters or scope of duties of the branch office, and the
37 anticipated number of employees. This online application shall be accompanied by the branch office application fee.

1 (e) [(f)] All photographs, record checks, proof of insurance, explanations of criminal charges, explanations of credit
2 history, or requested documents shall be submitted online through the Board's website by any applicant for a permit,
3 license, registration, or certificate within 60 days of the Board's receipt of the application form or a request from Board
4 staff, whichever is later. Any failure to submit required or requested documents to complete the application process
5 within this 60-day period shall void the application and require re-application.

6
7 *History Note: Authority G.S. 74D-2; 74D-2.1; 74D-3; 74D-5; 74D-7; 74D-8; 15A-151(a)(10); 93B-8.1(d);*
8 *Temporary Rule Eff. January 9, 1984, for a period of 120 days to expire on May 7, 1984;*
9 *Eff. May 1, 1984;*
10 *Amended Eff. December 1, 2012; February 1, 2012; January 1, 2007; September 1, 2006; March*
11 *1, 1993; July 1, 1987; January 1, 1986;*
12 *Transferred and Recodified from 12 NCAC 11 .0201 Eff. July 1, 2015;*
13 *Amended Eff. December 1, 2017;*
14 *Readopted Eff. June 1, 2018;*
15 *Amended Eff. September 1, 2019;*
16 *Emergency Amendment Eff. June 9, 2020;*
17 *Amended Eff. August 1, 2020;*
18 *Temporary Amendment Eff. August 28, 2020;*
19 *Temporary Amendment Expired Eff. June 12, 2021;*
20 *Amended Eff. April 1, 2026; September 1, 2024; August 1, 2022; November 1, 2021.*

1 14B NCAC 17 .0210 is proposed for amendment, with changes, as published in 40:08 NCR 722-726 as follows:

2
3 **14B NCAC 17 .0210 ELECTRICAL CONTRACTING LICENSE REQUIREMENTS**

4 (a) Each firm, association, corporation, department, division, or branch office required to be licensed pursuant to G.S.
5 74D-2(a) shall employ on a full-time basis a licensee or registered employee who holds a license for either a [SP-LV,
6 SP-FA/LV] limited, intermediate or unlimited examination as administered by the North Carolina Board of Examiners
7 of Electrical Contractors. Pursuant to Rule .0206 of this Section, each firm, association, corporation, department,
8 division, or branch office shall maintain in its records a copy of the licensee's or registered employee's Electrical
9 Contractors License.

10 (b) In the event the licensee holding the electrical contractor's license ceases to perform his duties, the business entity
11 shall notify the Board in writing within 10 working days. The business entity shall employ a substitute electrical
12 contractor licensee within 30 days after the original electrical licensee ceases to serve.

13 (c) If a company provides only ~~alarm~~ security systems monitoring services and submits a written request to the Board
14 certifying that they provide only monitoring services and do not sell, install, service, or respond to ~~burglar~~ security
15 alarms, the Board shall exempt the company from compliance with this rule. If the company later elects to sell, install,
16 service, or respond to ~~burglar~~ security alarms, then the company shall be required to fulfill the requirements of this
17 rule.

18
19 *History Note: Authority G.S. 74D-2(a); 74D-5;*
20 *Eff. January 1, 1995;*
21 *Temporary Adoption Eff. May 18, 1995;*
22 *Amended Eff. September 1, 2008; May 1, 1999; October 1, 1995;*
23 *Transferred and Recodified from 12 NCAC 11 .0210 Eff. July 1, 2015;*
24 *Readopted Eff. June 1, 2018.*
25 *Amended Eff. April 1, 2026.*

1 14B NCAC 17 .0301 is proposed for amendment, with changes, as published in 40:08 NCR 722-726 as follows:

2
3 **14B NCAC 17 .0301 APPLICATION FOR REGISTRATION**

4 (a) Each licensee or qualifying agent shall submit an online application for the registration of his or her employee on
5 the website provided by the Board. The application shall contain:

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

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

8 (3) current employer;

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

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12 (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State
13 Bureau of Investigation or one set of classifiable fingerprints on a standard F.B.I. fingerprint card
14 mailed separately to the Board's office;

15 (2) one original signed S.B.I. release of information form uploaded online and the original mailed
16 separately to the Board's office;

17 (3) one head and shoulders digital photograph of the applicant of sufficient quality for identification,
18 taken within six months prior to online submission, and uploaded with the application submission;

19 (4) statements of the results of a statewide criminal history records search by the reporting service
20 designated by the Board pursuant to G.S. 74D-2.1(a) for any state where the applicant has resided
21 within the preceding 60 ~~months;~~ months and disclosure of any expunged convictions;

22 (5) the registration fee required by Rule .0302 of this Section, along with the convenience fee charged
23 by the Board's on-line application vendor and the credit card transaction fee charged by the
24 applicant's credit card provider and collected online; and

25 (6) a completed affidavit form attesting to the truth of the information provided and public notice
26 statement form.

27 (b) [(c)] The employer of an applicant who is currently registered with another alarm business shall complete an online
28 application form provided by the Board. This form shall be accompanied by the applicant's multiple registration fee
29 along with the convenience fee charged by the Board's on-line application vendor and the credit card transaction fee
30 charged by the applicant's credit card provider and collected online. This online application shall be accompanied by
31 a completed affidavit form and public notice statement form.

32 (e) [(d)] The employer of each applicant for registration shall print and retain a copy of the applicant's online
33 application in the individual applicant's personnel file in the employer's office.

34
35 *History Note: Authority G.S. 74D-2.1; 74D-5; 74D-8; 15A-151(a)(10); 93B-8.1(a);*

36 *Temporary Rule Eff. January 9, 1984 for a Period of 120 Days to Expire on May 7, 1984;*

37 *Eff. May 1, 1984;*

1 *Amended Eff. December 1, 2012; January 1, 2007; July 1, 1993; March 1, 1993; September 1, 1990;*
2 *November 1, 1988;*
3 *Transferred and Recodified from 12 NCAC 11 .0301 Eff. July 1, 2015;*
4 *Amended Eff. December 1, 2017;*
5 *Readopted Eff. June 1, 2018;*
6 *Amended Eff. April 1, 2026; September 1, 2024; August 1, 2022; August 1, 2020; September 1,*
7 *2019.*

Burgos, Alexander N

From: Ascher, Seth M
Sent: Monday, March 2, 2026 3:34 PM
To: Gray, Jeffrey
Cc: Burgos, Alexander N
Subject: Security Systems Licensing Board RFC March 26
Attachments: Security Systems Licensing Board RFC March 26.docx

Jeff,

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

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

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

Seth Ascher

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

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