

1 07 NCAC 13B .0901 is proposed for readoption with substantive changes as follows:

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3 **07 NCAC 13B .0901 FIREARMS: WEAPONS: EXPLOSIVES**

4 (a) ~~Except as provided in Paragraph (b) or G.S. 14-269, no~~No person except ~~authorized park employees, their~~  
5 ~~agents, or contractors, the following~~ shall carry or possess firearms, air guns, air soft guns, paint ball guns, bows and  
6 arrows, sling shots, or lethal missiles of any kind ~~within~~on any ~~park~~Division property:

7 (1) Authorized park employees, their agents or contractors;

8 (2) Law enforcement officials with jurisdictional authority, including park rangers;

9 (3) Family members residing with Division employees in a residence within a park;

10 (4) Individuals actively participating in Division-led archery programming, only in respect to the  
11 bows and arrows supplied to them by Division staff;

12 (5) Individuals with a valid concealed handgun permit issued by one of the United States that adheres  
13 to the requirements of G.S. 14-415.11; and

14 (6) Other persons as defined in G.S. 14-269(b) and G.S. 14-415.27.

15 Subsection (a)(1), (3), and (5) of this Rule shall not apply on property owned by the U.S. Army Corps of Engineers  
16 and leased by the Division including Falls Lake State Recreation Area, Jordan Lake State Recreation Area, and Kerr  
17 Lake State Recreation Area.

18 (b) ~~A person with a valid concealed handgun permit issued by one of the United States that adheres to the~~  
19 ~~requirements set forth in G.S. 14-415.11 may carry a concealed handgun on the grounds and waters of a state park.~~  
20 ~~Persons acting under this exception should take notice that certain Division managed properties are owned by the~~  
21 ~~U.S. Army Corps of Engineers and subject to separate regulations governing firearms. Accordingly, concealed~~  
22 ~~handguns are prohibited at Falls Lake, Jordan Lake and Kerr Lake State Recreation Areas.~~

23 (b) The possession or use of cap pistols is prohibited. The possession or use of dynamite or other powerful  
24 explosives as defined in G.S. 14-284.1 is prohibited.

25 (c) The possession or use of pyrotechnics is prohibited except for pyrotechnics exhibited, used, or discharged in  
26 connection with ~~an authorized public exhibition~~authorized in writing by the board of commissioners of  
27 the county in which the pyrotechnics are to be exhibited, used or discharged; supervised by experts in the field of  
28 pyrotechnics; and approved by the Director of the Division of Parks and Recreation, or ~~designee~~as part of a special  
29 use permit in accordance with Rule .0104 of this Subchapter. Persons wishing to possess or use pyrotechnics in  
30 connection with a public exhibition, such as a public celebration, shall file an application for a special use permit  
31 with the park superintendent. All applicants shall enter an indemnification agreement with the Department and  
32 obtain general liability and property damage insurance, with limits as determined by the Secretary or designee,  
33 which are reasonably necessary to cover possible liability for damage to property and bodily injury or damage to  
34 persons which may result from, or be caused by, the public exhibition of pyrotechnics or any act(s) or omission(s)  
35 on the part of the applicant(s) or the applicant's agents, servants, employees, or subcontractors presenting the public  
36 exhibition. ~~The Division Director or designee may deny an application as deemed necessary to protect the public~~  
37 ~~health, safety, and welfare, or to protect the natural resources of the park unit.~~

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*History Note: Authority G.S. 14-269; 14-410; 14-415; 14-415.11; 14-415.24; ~~113-8~~; 14-215.27; 143B-135.16;  
143B-135.43;  
Eff. February 1, 1976;  
Amended Eff. October 1, 1984; January 1, 1983;  
Temporary Amendment Eff. July 2, 1997;  
Temporary Amendment Expired September 29, 1998;  
Amended Eff. January 1, 2014; April 1, 1999;  
Transferred from 15A NCAC 12B .0901 Eff. April 1, ~~2017-2017~~;  
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