

# ***NORTH CAROLINA REGISTER***

**VOLUME 38 • ISSUE 16 • Pages 1036 – 1053**

**February 15, 2024**

<b>I. EXECUTIVE ORDERS</b>	
Executive Order No. 300 .....	1036 – 1040
<b>II. IN ADDITION</b>	
License and Theft Bureau – Public Notice of License Application Submission.....	1041
Labor, Department of – Public Notice.....	1042
<b>III. PROPOSED RULES</b>	
Occupational Licensing Boards and Commissions	
Foresters, Board of Registration for .....	1043
<b>IV. RULES REVIEW COMMISSION</b> .....	1044 – 1053

**PUBLISHED BY**

*The Office of Administrative Hearings  
Rules Division  
1711 New Hope Church Road  
Raleigh, NC 27609  
Telephone 984-236-1850  
Fax 984-236-1947*

*Donald R. van der Vaart, Director  
Ashley B. Snyder, Codifier of Rules  
Dana McGhee, Publications Coordinator  
Cathy Matthews-Thayer, Editorial Assistant*

## **Contact List for Rulemaking Questions or Concerns**

For questions or concerns regarding the Administrative Procedure Act or any of its components, consult with the agencies below. The bolded headings are typical issues which the given agency can address but are not inclusive.

### **Rule Notices, Filings, Register, Deadlines, Copies of Proposed Rules, etc.**

Office of Administrative Hearings

Rules Division

1711 New Hope Church Road

984-236-1850

Raleigh, North Carolina 27609

984-236-1947 FAX

contact: Ashley B. Snyder, Codifier of Rules

ashley.snyder@oah.nc.gov

984-236-1941

Dana McGhee, Publications Coordinator

dana.mcghee@oah.nc.gov

984-236-1937

Cathy Matthews-Thayer, Editorial Assistant

cathy.thayer@oah.nc.gov

984-236-1901

### **Rule Review and Legal Issues**

Rules Review Commission

1711 New Hope Church Road

984-236-1850

Raleigh, North Carolina 27609

984-236-1947 FAX

contact: Brian Liebman, Commission Counsel

brian.liebman@oah.nc.gov

984-236-1948

William W. Peaslee, Commission Counsel

bill.peaslee@oah.nc.gov

984-236-1939

Seth M. Ascher, Commission Counsel

seth.ascher@oah.nc.gov

984-236-1934

Travis Wiggs, Commission Counsel

travis.wiggs@oah.nc.gov

984-236-1929

Alexander Burgos, Paralegal

alexander.burgos@oah.nc.gov

984-236-1940

### **Fiscal Notes & Economic Analysis**

Office of State Budget and Management

116 West Jones Street

Raleigh, North Carolina 27603-8005

Contact: Julie Ventaloro, Economic Analyst

osbmruleanalysis@osbm.nc.gov

984-236-0694

NC Association of County Commissioners

919-715-2893

215 North Dawson Street

Raleigh, North Carolina 27603

contact: Amy Bason

amy.bason@ncacc.org

NC League of Municipalities

919-715-2925

424 Fayetteville Street, Suite 1900

Raleigh, North Carolina 27601

contact: Monica Jackson

mjackson@nclm.org

### **Legislative Process Concerning Rulemaking**

545 Legislative Office Building

300 North Salisbury Street

919-733-2578

Raleigh, North Carolina 27611

919-715-5460 FAX

Jason Moran-Bates, Staff Attorney

Chris Saunders, Staff Attorney

Aaron McGlothlin, Staff Attorney

**NORTH CAROLINA REGISTER**  
Publication Schedule for January 2024 – December 2024

FILING DEADLINES			NOTICE OF TEXT		PERMANENT RULE			TEMPORARY RULES
Volume & issue number	Issue date	Last day for filing	Earliest date for public hearing	End of required comment Period	Deadline to submit to RRC for review at next meeting	RRC Meeting Date	Earliest Eff. Date of Permanent Rule	270 <sup>th</sup> day from publication in the Register
38:13	01/02/24	12/06/23	01/17/24	03/04/24	03/20/24	04/30/2024	05/01/24	09/28/24
38:14	01/16/24	12/19/23	01/31/24	03/18/24	03/20/24	04/30/2024	05/01/24	10/12/24
38:15	02/01/24	01/10/24	02/16/24	04/01/24	04/20/24	05/29/2024	06/01/24	10/28/24
38:16	02/15/24	01/25/24	03/01/24	04/15/24	04/20/24	05/29/2024	06/01/24	11/11/24
38:17	03/01/24	02/09/24	03/16/24	04/30/24	05/20/24	06/26/2024	07/01/24	11/26/24
38:18	03/15/24	02/23/24	03/30/24	05/14/24	05/20/24	06/26/2024	07/01/24	12/10/24
38:19	04/01/24	03/08/24	04/16/24	05/31/24	06/20/24	07/31/2024	08/01/24	12/27/24
38:20	04/15/24	03/22/24	04/30/24	06/14/24	06/20/24	07/31/2024	08/01/24	01/10/25
38:21	05/01/24	04/10/24	05/16/24	07/01/24	07/20/24	08/28/2024	09/01/24	01/26/25
38:22	05/15/24	04/24/24	05/30/24	07/15/24	07/20/24	08/28/2024	09/01/24	02/09/25
38:23	06/03/24	05/10/24	06/18/24	08/02/24	08/20/24	09/25/2024	10/01/24	02/28/25
38:24	06/17/24	05/24/24	07/02/24	08/16/24	08/20/24	09/25/2024	10/01/24	03/14/25
39:01	07/01/24	06/10/24	07/16/24	08/30/24	09/20/24	10/30/2024	11/01/24	03/28/25
39:02	07/15/24	06/21/24	07/30/24	09/13/24	09/20/24	10/30/2024	11/01/24	04/11/25
39:03	08/01/24	07/11/24	08/16/24	09/30/24	10/20/24	11/26/2024	12/01/24	04/28/25
39:04	08/15/24	07/25/24	08/30/24	10/14/24	10/20/24	11/26/2024	12/01/24	05/12/25
39:05	09/03/24	08/12/24	09/18/24	11/04/24	11/20/24	12/19/2024	01/01/25	05/31/25
39:06	09/16/24	08/23/24	10/01/24	11/15/24	11/20/24	12/19/2024	01/01/25	06/13/25
39:07	10/01/24	09/10/24	10/16/24	12/02/24	12/20/24	*01/29/2025	02/01/25	06/28/25
39:08	10/15/24	09/24/24	10/30/24	12/16/24	12/20/24	*01/29/2025	02/01/25	07/12/25
39:09	11/01/24	10/11/24	11/16/24	12/31/24	01/20/25	*02/26/2025	03/01/25	07/29/25
39:10	11/15/24	10/24/24	11/30/24	01/14/25	01/20/25	*02/26/2025	03/01/25	08/12/25
39:11	12/02/24	11/06/24	12/17/24	01/31/25	02/20/25	*03/26/2025	04/01/25	08/29/25
39:12	12/16/24	11/21/24	12/31/24	02/14/25	02/20/25	*03/26/2025	04/01/25	09/12/25

\*Dates not approved by the RRC

This document is prepared by the Office of Administrative Hearings as a public service and is not to be deemed binding or controlling.

## **EXPLANATION OF THE PUBLICATION SCHEDULE**

This Publication Schedule is prepared by the Office of Administrative Hearings as a public service and the computation of time periods are not to be deemed binding or controlling. Time is computed according to 26 NCAC 2C .0302 and the Rules of Civil Procedure, Rule 6.

### **GENERAL**

The North Carolina Register shall be published twice a month and contains the following information submitted for publication by a state agency:

- (1) temporary rules;
- (2) text of proposed rules;
- (3) text of permanent rules approved by the Rules Review Commission;
- (4) emergency rules
- (5) Executive Orders of the Governor;
- (6) final decision letters from the U.S. Attorney General concerning changes in laws affecting voting in a jurisdiction subject of Section 5 of the Voting Rights Act of 1965, as required by G.S. 120-30.9H; and
- (7) other information the Codifier of Rules determines to be helpful to the public.

**COMPUTING TIME:** In computing time in the schedule, the day of publication of the North Carolina Register is not included. The last day of the period so computed is included, unless it is a Saturday, Sunday, or State holiday, in which event the period runs until the preceding day which is not a Saturday, Sunday, or State holiday.

### **FILING DEADLINES**

**ISSUE DATE:** The Register is published on the first and fifteen of each month if the first or fifteenth of the month is not a Saturday, Sunday, or State holiday for employees mandated by the State Personnel Commission. If the first or fifteenth of any month is a Saturday, Sunday, or a holiday for State employees, the North Carolina Register issue for that day will be published on the day of that month after the first or fifteenth that is not a Saturday, Sunday, or holiday for State employees.

**LAST DAY FOR FILING:** The last day for filing for any issue is 15 days before the issue date excluding Saturdays, Sundays, and holidays for State employees.

### **NOTICE OF TEXT**

**EARLIEST DATE FOR PUBLIC HEARING:** The hearing date shall be at least 15 days but not later than 60 days after the date a notice of the hearing is published.

**END OF REQUIRED COMMENT PERIOD**  
An agency shall accept comments on the text of a proposed rule for at least 60 days after the text is published.

**DEADLINE TO SUBMIT TO THE RULES REVIEW COMMISSION:** The Commission shall review a rule submitted to it on or before the twentieth of a month by the last day of the next month.



# State of North Carolina

**ROY COOPER**  
GOVERNOR

January 8, 2024

**EXECUTIVE ORDER NO. 300**

**DECLARATION OF A STATEWIDE STATE OF EMERGENCY AND  
TEMPORARY WAIVER AND SUSPENSION OF MOTOR VEHICLE REGULATIONS**

**WHEREAS**, an anticipated severe weather event ("Severe Weather Event") is expected to cause significant impacts to the State of North Carolina; and

**WHEREAS**, the Severe Weather Event could have a significant impact on public and private property and could seriously disrupt essential utility services and systems; and

**WHEREAS**, the anticipated impact from the Severe Weather Event constitutes a state of emergency as defined in N.C. Gen. Stat. §§ 166A-19.3(6) and 166A-19.3(20); and

**WHEREAS**, certain measures are necessary to ensure the protection and safety of North Carolina residents and to coordinate the emergency response among state and local entities and officials; and

**WHEREAS**, N.C. Gen. Stat. § 166A-19.1(3) provides that it is the responsibility of the undersigned, state agencies, and local governments to "provide for the rapid and orderly rehabilitation of persons and restoration of property"; and

**WHEREAS**, N.C. Gen. Stat. § 166A-19.1(4) provides that it is the responsibility of the undersigned, state agencies, and local governments to "provide for cooperation and coordination of activities relating to emergency mitigation preparedness, response, and recovery among agencies and officials of this state and with similar agencies and officials of other states and with other private and quasi-official organizations"; and

**WHEREAS**, N.C. Gen. Stat. §§ 166A-19.10 and 166A-19.20 authorize the undersigned to declare a state of emergency and exercise the powers and duties set forth therein to direct and aid in the response to, recovery from, and mitigation against emergencies; and

**WHEREAS**, the Severe Weather Event will create a statewide emergency area, as that term is defined in the Emergency Management Act to mean an "emergency applicable to two-thirds or more of the counties in North Carolina"; and

**WHEREAS**, N.C. Gen. Stat. § 166A-19.10(3) authorizes the undersigned to delegate any gubernatorial authority vested in him under the Emergency Management Act, and to provide for the subdelegation of that authority; and

**WHEREAS**, under N.C. Gen. Stat. § 166A-19.30(b)(3) the undersigned, with the concurrence of the Council of State, may regulate and control the flow of vehicular traffic and the operation of transportation services; and

**WHEREAS**, under N.C. Gen. Stat. § 166A-19.30(b)(4), the undersigned, with the

concurrence of the Council of State, may waive a provision of any regulation or ordinance of a state agency which restricts the immediate relief of human suffering; and

**WHEREAS**, the anticipated impacts from the severe weather may result in extensive damage, including widespread power outages throughout the state that will require the vehicles bearing equipment and supplies for utility restoration and debris removal to be moved through North Carolina on the interstate and intrastate highways; and

**WHEREAS**, the uninterrupted supply of electricity, fuel oil, diesel oil, gasoline, kerosene, propane, liquid petroleum gas, food, water, and medical supplies to residential and commercial establishments is essential before, during, and after the Severe Weather Event, and any interruption in the delivery of those commodities threatens the public welfare; and

**WHEREAS**, the prompt restoration of utility services is essential to the safety and well-being of the State's residents; and

**WHEREAS**, the undersigned has found that residents may suffer losses and further widespread damage within the meaning of N.C. Gen. Stat. § 166A-19.3 and 166A-19.21(b); and

**WHEREAS**, 49 C.F.R. § 390.23 allows the Governor of a State to suspend the rules and regulations under 49 C.F.R. Part 390 if the Governor determines that an emergency condition exists; and

**WHEREAS**, nothing contained in this declaration shall be construed as an exemption from the controlled substances and alcohol use and testing requirements (49 C.F.R. Part 382), the commercial driver's license requirements (49 C.F.R. Part 383), the financial responsibility (insurance) requirements (49 C.F.R. Part 387), operating authority (49 C.F.R. Part 365), applicable size and weight requirements, ill or fatigued operator (49 C.F.R. § 392.3) or any other portion of the regulations not specifically identified; and

**WHEREAS**, pursuant to N.C. Gen. Stat. § 166A-19.70(g), upon the recommendation of the North Carolina Commissioner of Agriculture and the existence of an imminent threat of severe economic loss of livestock, poultry or crops ready to be harvested, the Governor shall direct the North Carolina Department of Public Safety ("DPS") to temporarily suspend weighing vehicles used to transport livestock, poultry or crops ready to be harvested; and

**WHEREAS**, this suspension does not permit the gross weight of any vehicle or combination to exceed the safe load carrying capacity established by the North Carolina Department of Transportation ("DOT") on any bridge pursuant to N.C. Gen. Stat. § 136-72, or to permit the operation of a vehicle when a law enforcement officer has probable cause to believe the vehicle is creating an imminent hazard to public safety; and

**WHEREAS**, pursuant to N.C. Gen. Stat. § 166A-19.70, the Governor may declare that the health, safety, or economic well-being of persons or property requires that the maximum hours of service for drivers prescribed by N.C. Gen. Stat. § 20-381 should be waived for (1) persons transporting essential fuels, food, water, non-alcoholic beverages, medical supplies, feed for livestock and poultry, (2) persons transporting livestock, poultry, and crops ready to be harvested and (3) vehicles used in the restoration of utility and transportation services; and

**WHEREAS**, the undersigned has sought and obtained Concurrence from the Council of State, as that term is defined in N.C. Gen. Stat. § 19.3(2d) on the provisions of this Executive Order requiring concurrence; and

**WHEREAS**, the undersigned has documented the contact and response of each Council of State member and has released the concurrence, non-concurrence, or non-response of each member by position on the website in which this Executive Order is published; and

**NOW, THEREFORE**, pursuant to the authority vested in me as Governor by the Constitution and the laws of the State of North Carolina, **IT IS ORDERED:**

**Section 1.**

I hereby declare that a statewide state of emergency, as defined in N.C. Gen. Stat. §§ 166A-19.3(6) exists in the State of North Carolina due to the anticipated impacts from the Severe Weather Event.

For purposes of this Executive Order, the emergency area is the entire State of North Carolina ("the Emergency Area").

**Section 2.**

I order all state and local government entities and agencies to cooperate in the implementation of the provisions of this declaration and the provisions of the North Carolina Emergency Operations Plan ("the Plan").

I delegate to Eddie M. Buffaloe, Jr., the Secretary of DPS, or his designee, all power and authority granted to and required of me by Article 1A of Chapter 166A of the North Carolina General Statutes for the purpose of implementing the Plan and deploying the State Emergency Response Team to take the appropriate actions necessary to promote and secure the safety and protection of the populace in North Carolina.

Secretary Buffaloe, as Chief Coordinating Officer for the State of North Carolina, shall exercise the powers prescribed in N.C. Gen. Stat. § 143B-602.

**Section 3.**

I further direct Secretary Buffaloe, or his designee, to seek assistance from any and all agencies of the United States Government as may be needed to meet the emergency and to seek reimbursement for costs incurred by the state in responding to this emergency.

**Section 4.**

DPS, in conjunction with the DOT, shall waive the maximum hours of service for drivers prescribed by DPS pursuant to N.C. Gen. Stat. § 20-381 for (1) persons transporting essential fuels, food, water, non-alcoholic beverages, medical supplies, feed for livestock and poultry, (2) persons transporting livestock, poultry, and crops ready to be harvested and (3) vehicles used in the restoration of utility and transportation services. In addition, DPS shall, pursuant to N.C. Gen. Stat. § 166A-19.70(g), temporarily suspend weighing pursuant to N.C. Gen. Stat. § 20-118.1 vehicles used to transport livestock, poultry, livestock or poultry feed, or crops ready to be harvested.

**Section 5.**

With Concurrence of the Council of State, and subject to Section 8 below, DPS, in conjunction with DOT, shall waive enforcement of certain size and weight restrictions and penalties arising under N.C. Gen. Stat. §§ 20-116, 20-118, and 20-119, certain registration requirements and penalties arising under N.C. Gen. Stat. §§ 20-86.1 and 20-382, and certain registration and filing requirements and penalties arising under N.C. Gen. Stat. §§ 105-449.45, 105-449.47, and 105-449.49 for vehicles supporting emergency relief efforts in the Emergency Area.

**Section 6.**

Notwithstanding the waivers set forth above, size and weight restrictions and penalties have not been waived under the following conditions:

- a. When the vehicle weight exceeds the maximum gross weight criteria established by the manufacturer ("GVWR") or 90,000 pounds gross weight, whichever is less.
- b. When the vehicle weight exceeds a single-axle weight of 22,000 pounds, a tandem-axle weight of 42,000 pounds, or a gross weight of 90,000 pounds.
- c. When the vehicle consists of a five or more axle combination vehicle that exceeds a single-axle weight of 26,000 pounds, a tandem-axle weight of 42,000 pounds and a gross weight 90,000 pounds, with a length of at least forty-eight (48) feet between the center of axle one and the center

of the last axle of the vehicle and a minimum of eleven (11) feet between the center of axle one and the center of axle two of the vehicle.

- d. When the vehicle consists of a two-axle vehicle that exceeds a gross weight of 37,000 pounds and a single-axle weight of no more than 27,000 pounds, with a length of at least fourteen (14) feet between the center of axle one and the center of axle two of the vehicle.
- e. When a vehicle and vehicle combination exceed twelve (12) feet in width and the total overall vehicle combination's length exceeds seventy-five (75) feet from bumper to bumper.
- f. Vehicles and vehicle combinations subject to exemptions or permits by authority of this Executive Order shall not be exempt from the requirement of having (A) a yellow banner on the front and rear that is seven (7) feet long and eighteen (18) inches wide and bears the legend "Oversized Load" in ten (10) inch black letters, 1.5 inches wide and (B) red flags measuring eighteen (18) inches square on all sides at the widest point of the load. In addition, when operating between sunset and sunrise, a certified escort shall be required for loads exceeding eight (8) feet six (6) inches in width.
- g. Commercial vehicles operating outside the normal weight, height, and length restrictions under the authority of this State of Emergency shall be issued permits by DOT. Said vehicles shall be subject to any special conditions DOT and DPS may list on applicable permits. Nothing in this Executive Order shall be construed to allow any vehicle to exceed weight limits posted for bridges and like structures, nor shall anything in this Executive Order be construed to relieve compliance with restrictions other than those specified in this Executive Order or from any statute, rule, order, or other legal requirement not specifically waived herein.
- h. Oversize permits may be issued by the DOT, Oversize/Overweight Unit, during normal business hours, Monday through Friday by calling 1-888-221-8166 or contacting them through the online portal at <https://connect.ncdot.gov/business/trucking/Pages/overpermits.aspx>.

#### **Section 7.**

With Council of State Concurrence, vehicles referenced under Sections 5 and 6 of this Executive Order shall be exempt from the following registration requirements, except where otherwise noted below:

- a. The requirement to obtain a temporary trip permit in N.C. Gen. Stat. § 105-449.49.
- b. The requirement of filing a quarterly fuel tax return.
- c. The registration requirements under N.C. Gen. Stat. §§ 20-382.1 and 20-382 concerning interstate for-hire authority; however, vehicles shall maintain the required limits of insurance as required.
- d. Non-participants in North Carolina's International Registration Plan and International Fuel Tax Agreement will be permitted to enter North Carolina in accordance with the exemptions identified by this Executive Order.

#### **Section 8.**

The size and weight exemption for vehicles will be allowed on all DOT designated routes, except those routes designated as light traffic roads under N.C. Gen. Stat. § 20-118. Size and weight exemptions shall not be in effect on bridges posted pursuant to N.C. Gen. Stat. § 136-72.

#### **Section 9.**

The North Carolina State Highway Patrol shall enforce the provisions of this Executive Order in a manner that does not endanger North Carolina motorists.



**Section 10.**

Pursuant to 49 C.F.R. § 390.23, I hereby waive 49 C.F.R. § 395.3 for vehicles transporting loads that are for use in (1) providing direct assistance supporting emergency relief efforts including transporting essential fuels, food, water, non-alcoholic beverages, medical supplies, feed for livestock and poultry, (2) transporting livestock, poultry, and crops ready to be harvested, or (3) the restoration of utility and transportation services in response to the Severe Weather Event in North Carolina for fourteen (14) days.

Upon request by law enforcement officers, exempted vehicles must produce documentation sufficient to establish that their loads are for use in providing direct assistance supporting emergency relief efforts including transporting loads that are for use in (1) providing direct assistance supporting emergency relief efforts including transporting essential fuels, food, water, non-alcoholic beverages, medical supplies, feed for livestock and poultry, (2) transporting livestock, poultry, and crops ready to be harvested, or (3) the restoration of utility and transportation services in response to the Severe Weather Event.

Direct assistance terminates when a driver or commercial motor vehicle is used in intrastate/interstate commerce to transport cargo or provide services that are not in support of emergency relief efforts related to the Severe Weather Event in North Carolina, or when the motor carrier dispatches a driver or commercial motor vehicle to another location to begin operations in commerce. (49 C.F.R. § 390.23(b)).

Upon termination of direct assistance to emergency relief efforts related to transporting loads that are for use in (1) providing direct assistance supporting emergency relief efforts including transporting essential fuels, food, water, non-alcoholic beverages, medical supplies, feed for livestock and poultry, (2) transporting livestock, poultry, and crops ready to be harvested, or (3) the restoration of utility and transportation services in response to the Severe Weather Event in North Carolina, the motor carrier and driver are subject to the requirements of 49 C.F.R. § 395.3, except that a driver may return empty to the motor carrier's terminal or the driver's normal work reporting location without complying with 49 C.F.R. § 395.3. When a driver is moving from emergency relief efforts to normal operations a 10-hour break is required if the total time a driver operated, whether conducting emergency relief efforts or a combination of emergency relief efforts and normal operations, equals or exceeds fourteen (14) hours.

**Section 11.**

This Executive Order does not prohibit or restrict lawfully possessed firearms or ammunition or impose any limitation on the consumption, transportation, sale, or purchase of alcoholic beverages.

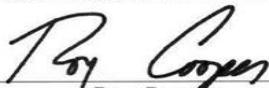
**Section 12.**

Pursuant to N.C. Gen. Stat. § 166A-19.23, this declaration triggers the prohibition against excessive pricing as provided in N.C. Gen. Stat. §§ 75-37 and 75-38 in the Emergency Area.

**Section 13.**

This Executive Order is effective immediately and shall remain in effect for thirty (30) days, unless earlier terminated, provided, however, that the provisions in Section 10 shall remain in effect for fourteen (14) days.

**IN WITNESS WHEREOF**, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this 8<sup>th</sup> day of January in the year of our Lord two thousand and twenty-four.



Roy Cooper  
Governor

**ATTEST:**



Elaine F. Marshall  
Secretary of State



North Carolina License and Theft Bureau

PUBLIC NOTICE

This serves as a notice pursuant to G.S. § 20-288 of a license application submission by a manufacturer, factory branch, factory representative, distributor, distributor branch, or distributor representative that has not been previously issued a license by the Division.

Applicant's Name: Champion Home Builders, Inc

Applicant's Address: 349 E. Railroad St. Pembroke, NC 28372

Application Date: 01/18/2024

Names and titles of any individual listed on the application as an owner, partner, member or officer of the applicant:

Mark J Yost: CEO & President

Laurie M. Hough: EVP, CFO & Treasurer

Robert M. Spence: SVP, GC & Secretary

Timothy Burkhardt: VP & Controller

**North Carolina Department of Labor  
Occupational Safety and Health Division**

**Public Notice**

This serves as notice to the public of an increase in the civil penalties issued by the Occupational Safety and Health Division of the North Carolina Department of Labor (“NCDOL”).

NCDOL administers the Occupational Safety and Health Act of North Carolina (“OSH Act”) and is a federally approved state plan program. State plan programs are required to adopt maximum penalty levels, which must be at least as effective as the federal Occupational Safety and Health Act program, for violations of the OSH Act.

On January 11, 2024, the United States Department of Labor (“USDOL”) published a notice in the Federal Register of changes to federal Occupational Safety and Health Administration (OSHA) civil penalty amounts based on cost-of-living adjustments for 2024, Federal Civil Penalties Inflation Adjustment Act Annual Adjustments for 2024. See: <https://www.govinfo.gov/content/pkg/FR-2024-01-11/pdf/2024-00253.pdf>

Penalties for violations of the OSH Act of North Carolina are established pursuant to N.C. Gen. Stat. 95-138 of Article 16. The statutory change to N.C. Gen. Stat. 95-138 may be found here: <https://www.ncleg.gov/Sessions/2021/Bills/House/PDF/H103v5.pdf>. The statute was amended effective October 1, 2022, to mirror the federal language regarding minimum and maximum civil penalties in accordance with the requirements set forth in the U.S. Consumer Price Index for All Urban Consumers published by the USDOL. The N.C. Commissioner of Labor is required to publish civil penalties in the North Carolina Register within 60 calendar days from the date a final rule is published in the Federal Register.

This serves as public notice pursuant to N.C. Gen. Stat. 95-138 and 13 NCAC 07A .0301 or any related or subsequent regulations setting penalty standards in compliance with Part 1903 of Title 29 of the Code of Federal Regulations of an increase in Occupational Safety and Health civil penalties pursuant to a change in the U.S. Consumer Price Index for All Urban Consumers that was published on January 11, 2024. As provided by the Inflation Adjustment Act, **the increased penalty levels apply to any penalties assessed by NCDOL pursuant to the OSH Act on or after July 1, 2024.**

Both Federal OSHA’s and the NCDOL Occupational Safety and Health Division’s maximum penalties for serious and other-than-serious violations will increase from \$15,625 per violation to \$16,131 per violation. The maximum penalty for willful or repeated violations will increase from \$156,259 per violation to \$161,323 per violation.

January 22, 2024  
NCDOL

**Note from the Codifier:** The notices published in this Section of the NC Register include the text of proposed rules. The agency must accept comments on the proposed rule(s) for at least 60 days from the publication date, or until the public hearing, or a later date if specified in the notice by the agency. If the agency adopts a rule that differs substantially from a prior published notice, the agency must publish the text of the proposed different rule and accept comment on the proposed different rule for 60 days. Statutory reference: G.S. 150B-21.2.

## TITLE 21 - OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS

### CHAPTER 20 – BOARD OF REGISTRATION FOR FORESTERS

*Notice is hereby given in accordance with G.S. 150B-21.2 that the Board of Registration for Foresters intends to amend the rule cited as 21 NCAC 20 .0106.*

**Link to agency website pursuant to G.S. 150B-19.1(c):**  
[www.ncbrf.org](http://www.ncbrf.org)

**Proposed Effective Date:** June 1, 2024

**Instructions on How to Demand a Public Hearing:** *(must be requested in writing within 15 days of notice): To demand a public hearing, interested parties should contact Jennifer Grantham by email to [info@ncbrf.org](mailto:info@ncbrf.org) or by phone to 919-847-5441.*

**Reason for Proposed Action:** *The State Board of Registration for Foresters is amending this rule to set fees at limits established in G.S. 89B-11.*

**Comments may be submitted to:** Jennifer Grantham, PO BOX 27393, Raleigh, NC 27611; phone (919) 847-5441; email [info@ncbrf.org](mailto:info@ncbrf.org)

**Comment period ends:** April 15, 2024

**Procedure for Subjecting a Proposed Rule to Legislative Review:** If an objection is not resolved prior to the adoption of the rule, a person may also submit a written objection to the Rules Review Commission. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review

Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive letters via U.S. Mail, private courier service, or hand delivery to 1711 New Hope Church Road, Raleigh, North Carolina, or via email to [oah.rules@oah.nc.gov](mailto:oah.rules@oah.nc.gov). If you have any further questions concerning the submission of objections to the Commission, please review 26 NCAC 05 .0110 or call a Commission staff attorney at 984-236-1850.

**Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.**

- ☐ State funds affected
- ☐ Local funds affected
- ☐ Substantial economic impact ( $\geq$  \$1,000,000)
- ☐ Approved by OSBM
- ☒ No fiscal note required

#### SECTION .0100 - PURPOSE

#### 21 NCAC 20 .0106 REGISTRATION FEES

Fees sent to the Board for any segment of the registration process shall be payable to the Secretary, Board of Registration for Foresters. The application fee for registration is fifty dollars (\$50.00), which shall be submitted by the applicant at the time of application. An approved applicant shall submit an additional fee of forty dollars (\$40.00) to receive a certificate of registration. Annual renewal fee is ~~forty dollars (\$40.00)~~ fifty dollars (\$50.00). The Board shall waive renewal fees for Registered Foresters for hardship circumstances, such as military deployment, extended illness, or other similar circumstances, upon written petition by the Registered Forester or Registered Forester's agent for this exemption.

*Authority G.S. 89B-6; 89B-10; 89B-11; 93B-15(b).*

---

## **RULES REVIEW COMMISSION**

---

*This Section contains information for the meeting of the Rules Review Commission February 22, 2024 and February 28, 2024 at 1711 New Hope Church Road, RRC Commission Room, Raleigh, NC. Anyone wishing to submit written comment on any rule before the Commission should submit those comments to the RRC staff, the agency, and the individual Commissioners. Specific instructions and addresses may be obtained from the Rules Review Commission at 984-236-1850. Anyone wishing to address the Commission should notify the RRC staff and the agency no later than 5:00 p.m. of the 2<sup>nd</sup> business day before the meeting. Please refer to RRC rules codified in 26 NCAC 05.*

### **RULES REVIEW COMMISSION MEMBERS**

#### **Appointed by Senate**

Jeanette Doran (Chair)  
Jay R. Hemphill  
Jeff Hyde  
Brandon Leebrick  
Bill Nelson

#### **Appointed by House**

Barbara A. Jackson (1<sup>st</sup> Vice-Chair)  
Randy Overton (2<sup>nd</sup> Vice-Chair)  
Wayne R. Boyles, III  
Jake Parker  
Paul Powell

#### **COMMISSION COUNSEL**

Brian Liebman	984-236-1948
William W. Peaslee	984-236-1939
Seth M. Ascher	984-236-1934
Travis Wiggs	984-236-1929

### **RULES REVIEW COMMISSION MEETING DATES**

February 22, 2024	March 27, 2024
February 28, 2024	April 30, 2024

---

#### **AGENDA**

#### **RULES REVIEW COMMISSION**

**Wednesday, February 22, 2024, 10:00 A.M.**  
**1711 New Hope Church Rd., Raleigh, NC 27609**

- I. Ethics reminder by the chair as set out in G.S. 138A-15(e)
- II. Follow-up matters
  - A. Criminal Justice Education and Training Standards Commission - 12 NCAC 09A .0205, .0206; 09B .0103, .0235, .0236, .0301; 09C .0306; 09E .0103; 09F .0103, .0104, .0105; 09G .0307 (Peaslee)
  - B. Board of Nursing - 21 NCAC 36 .0120, .0220, .0233, .0302, .0303, .0309, .0317, .0318, .0320, .0321, .0322, .0323 (Peaslee)
  - C. Building Code Council - 230314 Item B-13, 2024 NC Plumbing Code, 230314 Item B-1, 2024 NC Residential Code, Chapters 1-10, 25-33, 45, 46, and Appendices (Liebman)
- III. Commission Business
  - 1. Next meeting: February 28, 2024

---

#### **AGENDA**

#### **RULES REVIEW COMMISSION**

**Wednesday, February 28, 2024, 10:00 A.M.**  
**1711 New Hope Church Rd., Raleigh, NC 27609**

- I. Ethics reminder by the chair as set out in G.S. 138A-15(e)
- II. Approval of the minutes from the last meeting
- III. Follow-up matters
  - A. Criminal Justice Education and Training Standards Commission - 12 NCAC 09A .0205, .0206; 09B .0103, .0235, .0236, .0301; 09C .0306; 09E .0103; 09F .0103, .0104, .0105; 09G .0307 (Peaslee)
  - B. Alarm Systems Licensing Board - 14B NCAC 17 .0502 (Peaslee)

- C. Board of Nursing - 21 NCAC 36 .0120, .0220, .0233, .0302, .0303, .0309, .0317, .0318, .0320, .0321, .0322, .0323 (Peaslee)
  - D. Board of Examiners in Optometry - 21 NCAC 42D .0102 (Peaslee)
  - E. Building Code Council - 230314 Item B-13, 2024 NC Plumbing Code, 230314 Item B-1, 2024 NC Residential Code, Chapters 1-10, 25-33, 45, 46, and Appendices (Liebman)
  - F. Building Code Council - 2023 NC Electrical Code (230613 Item B-3) (Liebman)
  - IV. Review of Filings (Permanent Rules) for rules filed between December 21, 2023 through January 20, 2024
    - 1. Office of State Budget and Management
    - 2. Department of the Secretary of State (Ascher)
    - 3. Board of Examiners for Engineers and Surveyors (Wiggs)
    - 4. Building Code Council (Liebman)
  - V. Review of Log of Filings (Temporary Rules) for any rule filed within 15 business days prior to the RRC Meeting
  - VI. Existing Rules Review
    - 1. Review of Reports
      - 1. 15A NCAC 05C – Oil and Gas Commission
  - VII. Commission Business
    - 1. Closed session, to consult with attorneys regarding CRC v. RRC, EMC v. RRC, and other potential litigation
    - 2. Next meeting: March 27, 2024
- 

**Commission Review**  
**Log of Permanent Rule Filings**  
**December 21, 2023 through January 20, 2024**

**OFFICE OF STATE BUDGET AND MANAGEMENT**

The rules in Subchapter 3M provide for the uniform administration of State grants including rules about organization and structure (.0100); responsibilities of grantees and subgrantees (.0200); responsibilities of the Office of the State Controller (.0300); responsibilities of agencies (.0400); responsibilities of the office of State Auditor (.0500); responsibilities of the Office of State Budget and Management (.0600); contracting monitoring and oversight (.0700); and sanctions (.0800).

<u>Purpose</u>	09 NCAC 03M .0101
Amend*	
<u>Definitions</u>	09 NCAC 03M .0102
Amend*	
<u>Allowable Uses of Grants</u>	09 NCAC 03M .0201
Amend*	
<u>Recipient and Subrecipient Responsibilities</u>	09 NCAC 03M .0202
Amend*	
<u>Minimum Reporting Requirements for Recipients and Subrecipient...</u>	09 NCAC 03M .0205
Amend*	
<u>Agency Responsibilities</u>	09 NCAC 03M .0401
Amend*	
<u>Office of State Budget and Management Responsibilities</u>	09 NCAC 03M .0601
Amend*	
<u>Required Contract Provisions</u>	09 NCAC 03M .0703
Amend*	
<u>Noncompliance with Rules</u>	09 NCAC 03M .0801
Amend*	
<u>Recovery of State Funds</u>	09 NCAC 03M .0802
Amend*	

**SECRETARY OF STATE, DEPARTMENT OF THE**

The rules in Subchapter 7B are general requirements and include general provisions (.0100); fees paid to the division (.0200); initial appointment (.0300); forms (.0400); criminal records (.0500); denials, discipline, and enforcement (.0600); and reporting professional licenses, public offices, and notary commissions (.0700).

<u>Scope</u>	18 NCAC 07B .0101
Amend*	
<u>Definitions</u>	18 NCAC 07B .0102
Amend*	
<u>Operating Hours and General Contact Information</u>	18 NCAC 07B .0103
Amend*	
<u>ADA Accommodations</u>	18 NCAC 07B .0104
Adopt*	
<u>Obtaining Requested Information</u>	18 NCAC 07B .0105
Adopt*	
<u>Waiver</u>	18 NCAC 07B .0106
Amend*	
<u>Contents of Waiver Request</u>	18 NCAC 07B .0107
Adopt*	
<u>Factors Used in Considering Waiver Requests</u>	18 NCAC 07B .0108
Adopt*	
<u>Computation of Time Periods</u>	18 NCAC 07B .0109
Adopt*	
<u>Request to Department for Confidential Information</u>	18 NCAC 07B .0110
Amend*	
<u>Initial Application for Notary Commission Form</u>	18 NCAC 07B .0407
Adopt*	
<u>Affidavit of Moral Character</u>	18 NCAC 07B .0408
Adopt*	
<u>Application for Recommissioning as Notary Public</u>	18 NCAC 07B .0409
Adopt*	
<u>Notice of Changes Required by 18 NCAC 07D .0301</u>	18 NCAC 07B .0410
Adopt*	
<u>Notice of Changes Regarding Criminal History Record</u>	18 NCAC 07B .0411
Adopt*	
<u>Notice of Changes Regarding Professional Licenses, Notary...</u>	18 NCAC 07B .0412
Adopt*	
<u>Notice of Changes Regarding Findings or Admissions of Dec...</u>	18 NCAC 07B .0413
Adopt*	
<u>Application for Certification as Notary Instructor</u>	18 NCAC 07B .0414
Adopt*	
<u>Recommendation of Notary Instructor Applicant</u>	18 NCAC 07B .0415
Adopt*	
<u>Employer Affidavit Regarding Instructor Applicant Active ...</u>	18 NCAC 07B .0416
Adopt*	
<u>Student Evaluation of Notary Instructor Form</u>	18 NCAC 07B .0417
Adopt*	
<u>Application for Recertification as Notary Instructor</u>	18 NCAC 07B .0418
Adopt*	
<u>Crimes</u>	18 NCAC 07B .0501
Adopt*	

<u>Additional Requirements for an Individual Listing Convict...</u> Adopt*	18 NCAC 07B .0502
<u>Explanation of Convictions</u> Adopt*	18 NCAC 07B .0503
<u>Additional Documentation for Convictions</u> Adopt*	18 NCAC 07B .0504
<u>Requirements for Individual with Pending Criminal Charges</u> Adopt*	18 NCAC 07B .0505
<u>Notice to Department of Disposition of Pending Charge</u> Adopt*	18 NCAC 07B .0506
<u>Factors for Disciplinary Actions</u> Amend*	18 NCAC 07B .0601
<u>Denials</u> Amend*	18 NCAC 07B .0602
<u>Levels of Enforcement</u> Amend*	18 NCAC 07B .0603
<u>Letter of Caution</u> Amend*	18 NCAC 07B .0604
<u>Warning</u> Amend*	18 NCAC 07B .0605
<u>Suspension</u> Amend*	18 NCAC 07B .0606
<u>Restriction</u> Amend*	18 NCAC 07B .0607
<u>Mandatory Revocation</u> Adopt*	18 NCAC 07B .0608
<u>General</u> Amend*	18 NCAC 07B .0701
<u>Requirements Regarding Professional Licenses and Notarial...</u> Adopt*	18 NCAC 07B .0702
<u>Disciplinary Action Involving a Professional License or ...</u> Adopt*	18 NCAC 07B .0703
<u>Public Offices</u> Adopt*	18 NCAC 07B .0704
<u>Denials of Public Offices</u> Adopt*	18 NCAC 07B .0705
<u>Resignations from Public Offices</u> Adopt*	18 NCAC 07B .0706
<u>Disciplinary Action Involving a Public Office</u> Adopt*	18 NCAC 07B .0707
<p>The rules in Subchapter 7C concern the process to become a notary and renew a notary commission including general provisions (.0100); initial application for notary public appointment and commission (.0200); course of instruction (.0300); appointment and commissioning of notaries (.0400); remedies for failure to comply with application or commissioning requirements (.0500); steps for recommissioning (.0600); and attorney notaries (.0700).</p>	
<u>Scope</u> Adopt*	18 NCAC 07C .0101
<u>Definitions Related to Application and Recommissioning Pr...</u> Adopt*	18 NCAC 07C .0102
<u>Initial Application</u> Amend*	18 NCAC 07C .0201
<u>Timing</u>	18 NCAC 07C .0202



Amend*	
<u>Requirements for Applicants Residing Outside North Carolina</u>	18 NCAC 07C .0203
Amend*	
<u>Additional Requirements for Applicants Listing Convictions</u>	18 NCAC 07C .0204
Adopt*	
<u>Requirements for Applicant with Pending Criminal Charges</u>	18 NCAC 07C .0205
Adopt*	
<u>Requirements for Applicants Regarding Professional Licens...</u>	18 NCAC 07C .0206
Adopt*	
<u>Findings or Admissions of Liability Based on the Applica...</u>	18 NCAC 07C .0207
Adopt*	
<u>Findings that the Applicant Engaged in Official Misconduct</u>	18 NCAC 07C .0208
Adopt*	
<u>Findings of Unauthorized Practice of Law</u>	18 NCAC 07C .0209
Adopt*	
<u>Finding of False or Misleading Advertising</u>	18 NCAC 07C .0210
Adopt*	
<u>Courses Taught by Certified Notary Instructors</u>	18 NCAC 07C .0301
Adopt*	
<u>Notary Courses Taken by Formerly Commissioned Notaries</u>	18 NCAC 07C .0302
Adopt*	
<u>Presentation of Satisfactory Evidence of Identity in Conn...</u>	18 NCAC 07C .0303
Adopt*	
<u>Satisfactory Evidence Presented to Instructor</u>	18 NCAC 07C .0304
Adopt*	
<u>Retesting</u>	18 NCAC 07C .0305
Adopt*	
<u>Appointment</u>	18 NCAC 07C .0401
Amend*	
<u>Issuance of Certificates</u>	18 NCAC 07C .0402
Adopt*	
<u>Notice to Appointee</u>	18 NCAC 07C .0403
Adopt*	
<u>Commission Certificate</u>	18 NCAC 07C .0404
Amend*	
<u>Satisfactory Evidence of Identity</u>	18 NCAC 07C .0405
Amend*	
<u>Register of Deeds</u>	18 NCAC 07C .0406
Adopt*	
<u>Performing Traditional Notarial Acts</u>	18 NCAC 07C .0407
Adopt*	
<u>Term of Commission</u>	18 NCAC 07C .0409
Amend*	
<u>Term of Reappointment Commission</u>	18 NCAC 07C .0410
Adopt*	
<u>Notarial Acts Prohibited During Gaps Between Commission T...</u>	18 NCAC 07C .0411
Adopt*	
<u>Late Application</u>	18 NCAC 07C .0502
Amend*	
<u>Application After Recommissioning Denial Based on Failing...</u>	18 NCAC 07C .0504
Amend*	
<u>Application for Recommissioning within 12 months of Commiss...</u>	18 NCAC 07C .0505

Amend*	
<u>Recommissioning Educational Requirement</u>	18 NCAC 07C .0506
Adopt*	
<u>Application for Recommissioning More than 12 months after C...</u>	18 NCAC 07C .0507
Adopt*	
<u>Cancellation of Commission</u>	18 NCAC 07C .0508
Adopt*	
<u>Rescind Cancellation of Certificate of Appointment</u>	18 NCAC 07C .0509
Adopt*	
<u>Confirmation of Notary Status</u>	18 NCAC 07C .0510
Adopt*	
<u>Application Steps for Recommissioning</u>	18 NCAC 07C .0601
Amend*	
<u>Method of Taking Recommissioning Exam</u>	18 NCAC 07C .0602
Amend*	
<u>Course as Alternative to Recommissioning Exam</u>	18 NCAC 07C .0603
Amend*	
<u>Exam Length and Passing Score</u>	18 NCAC 07C .0604
Adopt*	
<u>Retaking Recommissioning Exam after Failure</u>	18 NCAC 07C .0605
Adopt*	
<u>Failure to Pass Exam within 30 Days</u>	18 NCAC 07C .0606
Adopt*	
<u>Individual Who Fails to Seek Recommissioning within One Year</u>	18 NCAC 07C .0607
Adopt*	
<u>Attorney Application for Initial Appointment</u>	18 NCAC 07C .0701
Adopt*	
<u>Recommissioning of Attorney Notaries</u>	18 NCAC 07C .0702
Adopt*	
<u>Attorneys who Fail to Take Notarial Oath Timely</u>	18 NCAC 07C .0703
Adopt*	
<u>Attorneys Seeking Registration or Reregistration as Elect...</u>	18 NCAC 07C .0704
Adopt*	
The rules in Subchapter 7D concern continuing obligations of notaries including general obligations (.0100); and notice to department of changes (.0300).	
<u>Scope</u>	18 NCAC 07D .0101
Adopt*	
<u>Response to Department Requests</u>	18 NCAC 07D .0102
Adopt*	
<u>Extension Request to Department</u>	18 NCAC 07D .0103
Adopt*	
<u>Department Response to Extension Request</u>	18 NCAC 07D .0104
Adopt*	
<u>Obligation to Give Notice of Changes in Primary Information</u>	18 NCAC 07D .0301
Amend*	
<u>Notice to Department of Pending Criminal Charges</u>	18 NCAC 07D .0302
Adopt*	
<u>Notice to Department of Criminal Charge Disposition</u>	18 NCAC 07D .0303
Adopt*	
<u>Notice to Department of Findings or Admissions of Deceit</u>	18 NCAC 07D .0304
Adopt*	

<u>Notice to Department of Changes to Professional License, ...</u> Adopt*	18 NCAC 07D .0305
<u>Notice to Department of Official Misconduct</u> Adopt*	18 NCAC 07D .0306
<u>Notice to Department of False or Misleading Advertising</u> Adopt*	18 NCAC 07D .0307
<u>Notice to Department Regarding Unauthorized Practice of Law</u> Adopt*	18 NCAC 07D .0308

The rules in Subchapter 7E concern notary instructor requirements including notary instructor application requirements (.0100); instructor applicant verification of experience (.0200); notary instruction education (.0300); consequences of failing instructor's exam (.0400); notary instructor teaching obligations (.0600); notary instructor continuing obligations (.0700); notary instructor requests for approval of instructional aids (.0800); notary instructor obligations to students (.0900); notary instructor evaluation (.1000); notary instructor recertification (.1100); and instructor application denials (.1200).

<u>Instructor Certification - Scope and Definitions</u> Amend*	18 NCAC 07E .0101
<u>Conditions for Becoming Notary Instructor</u> Adopt*	18 NCAC 07E .0102
<u>Nomination by Eligible Institution</u> Adopt*	18 NCAC 07E .0103
<u>Exemption and Failure to Pay</u> Amend*	18 NCAC 07E .0104
<u>General Requirements</u> Amend*	18 NCAC 07E .0105
<u>Mandatory Department Denial of Instructor Application</u> Amend*	18 NCAC 07E .0106
<u>Department Rejections of Applications</u> Repeal*	18 NCAC 07E .0107
<u>Verification that Instructor Applicant Continues to Meet ...</u> Amend*	18 NCAC 07E .0108
<u>Change in Instructor's Eligible Institution</u> Adopt*	18 NCAC 07E .0109
<u>Other Verifications</u> Repeal*	18 NCAC 07E .0111
<u>Recommendations</u> Amend*	18 NCAC 07E .0112
<u>Instructors as Registered Electronic Notaries</u> Adopt*	18 NCAC 07E .0113
<u>Evidence of Active Experience as a Notary</u> Amend*	18 NCAC 07E .0201
<u>Journal as Evidence of Active Experience</u> Adopt*	18 NCAC 07E .0202
<u>Minimum Contents of Notary Journal Submitted as Evidence ...</u> Amend*	18 NCAC 07E .0204
<u>Employer Affidavit as Evidence of Experience</u> Adopt*	18 NCAC 07E .0205
<u>Employer Affidavit Regarding Notarial Acts for Employer</u> Adopt*	18 NCAC 07E .0206
<u>Employer Affidavit May Include Recommendation</u> Adopt*	18 NCAC 07E .0207
<u>Submittal of Employer Affidavit as Evidence of Experience</u> Amend*	18 NCAC 07E .0209

<u>Alternative Affidavits as Evidence of Experience</u> Amend*	18 NCAC 07E .0212
<u>Affidavit of Experience from Nonfamily Member</u> Adopt*	18 NCAC 07E .0213
<u>Alternative Evidence of Affidavit from Instructor Applicant</u> Adopt*	18 NCAC 07E .0214
<u>Instructor Course Requirement</u> Adopt*	18 NCAC 07E .0301
<u>Notary Instructor Certification and Recertification Exam ...</u> Amend*	18 NCAC 07E .0302
<u>Oral Presentation Requirement for Instructor Applicant</u> Amend*	18 NCAC 07E .0303
<u>Notary Instructor Oral Presentation Passing Score</u> Adopt*	18 NCAC 07E .0304
<u>Factors Relating to Voice</u> Adopt*	18 NCAC 07E .0306
<u>Factors Relating to Verbal Skill</u> Adopt*	18 NCAC 07E .0307
<u>Factors Relating to Physical Appearance and Mannerisms</u> Adopt*	18 NCAC 07E .0308
<u>Factors Relating to Professional Qualities of the Instructor</u> Adopt*	18 NCAC 07E .0309
<u>Factors Relating to Selection and Use of Training Aids</u> Adopt*	18 NCAC 07E .0310
<u>Factors Relating to Sequence</u> Adopt*	18 NCAC 07E .0311
<u>Factors Relating to Emphasis, Examples, and Summarization</u> Adopt*	18 NCAC 07E .0312
<u>Retaking Written Certification or Recertification Exam</u> Adopt*	18 NCAC 07E .0401
<u>Consequence of Failing to Pass Written Instructor Exam</u> Adopt*	18 NCAC 07E .0402
<u>Scheduling Additional Oral Presentation Upon Failure+</u> Adopt*	18 NCAC 07E .0403
<u>Repeat Oral Presentation</u> Adopt*	18 NCAC 07E .0404
<u>Evaluation of Repeat Oral Presentation</u> Adopt*	18 NCAC 07E .0405
<u>Consequence of Failing to Pass Second Oral Presentation</u> Adopt*	18 NCAC 07E .0406
<u>Consequence of Failing to Recertify</u> Adopt*	18 NCAC 07E .0407
<u>Minimum Instructional Duties of Certified Notary Instructors</u> Amend*	18 NCAC 07E .0601
<u>Adherence to Curriculum</u> Adopt*	18 NCAC 07E .0602
<u>Proctoring Exam</u> Adopt*	18 NCAC 07E .0603
<u>Submission of Grades to Department</u> Adopt*	18 NCAC 07E .0604
<u>Reporting Suspected Cheating</u> Adopt*	18 NCAC 07E .0605

<u>Response to Complaints</u>	18 NCAC 07E .0701
Amend*	
<u>Instructor Conduct</u>	18 NCAC 07E .0702
Adopt*	
<u>Request for Variance from Approved Instructional Aids</u>	18 NCAC 07E .0801
Adopt*	
<u>Variance Request - Exemplar Required</u>	18 NCAC 07E .0802
Adopt*	
<u>Variance Request - Explanation of Value</u>	18 NCAC 07E .0803
Adopt*	
<u>Variance Request - Approval of Criteria</u>	18 NCAC 07E .0804
Adopt*	
<u>Prerequisite for Instructor Application Signature</u>	18 NCAC 07E .0901
Adopt*	
<u>Instructor Verification of Student Name</u>	18 NCAC 07E .0902
Adopt*	
<u>Retesting Students Who Fail Notary Course Exam</u>	18 NCAC 07E .0903
Adopt*	
<u>Notice to Department of Retesting</u>	18 NCAC 07E .0904
Adopt*	
<u>Student Evaluations of Instructors</u>	18 NCAC 07E .1001
Amend*	
<u>Departmental Use of Student Evaluations</u>	18 NCAC 07E .1002
Adopt*	
<u>Ineligibility for Recertification as Notary Instructor</u>	18 NCAC 07E .1101
Amend*	
<u>Notary Public Instructor Recertification Requirements</u>	18 NCAC 07E .1102
Amend*	
<u>Notary Instructor Certification Equivalence</u>	18 NCAC 07E .1103
Amend*	
<u>Notary Instructor Recertification Course Oral Presentation</u>	18 NCAC 07E .1104
Adopt*	
<u>Notary Instructor with Lapse in Certification</u>	18 NCAC 07E .1105
Adopt*	
<u>Application Denial - Failure to Notify Department of Changes</u>	18 NCAC 07E .1202
Adopt*	
<u>Application Denial - Termination for Cause</u>	18 NCAC 07E .1203
Adopt*	
<u>Application Denial - Failure to Submit Exam Grades</u>	18 NCAC 07E .1204
Adopt*	
<u>Application Denial - Disciplinary Action</u>	18 NCAC 07E .1205
Adopt*	

## **ENGINEERS AND SURVEYORS, BOARD OF EXAMINERS FOR**

The rules in Chapter 56 concern the organization of the board (.0100); instructional programs (.0300); records and reports of the board, retention and dispositions (.0400); professional engineer (.0500); professional land surveyor (.0600); rules of professional conduct (.0700); firm registration (.0800); general business entities (.0900); temporary permit (.1000); seal (.1100); rulemaking proceedings (.1200); board disciplinary procedures (.1300); contested cases (.1400); fees (.1500); standards of practice for land surveying in North Carolina (.1600); and continuing professional competency (.1700).

<u>Application Procedure: Individual</u>	21 NCAC 56 .0502
--	------------------

Amend\*

Rules of Professional Conduct

21 NCAC 56 .0701

Amend\*

**BUILDING CODE COUNCIL**

2024 North Carolina Energy Conservation Code

221213 Item B-6

Amend\*

2024 North Carolina Fuel Gas Code

230613 Item B-2

Amend\*

2024 North Carolina Mechanical Code

230613 Item B-1

Amend\*