

# ***NORTH CAROLINA REGISTER***

**VOLUME 40 • ISSUE 04 • Pages 403 – 448**

**August 15, 2025**

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**PUBLISHED BY**

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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.

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**NORTH CAROLINA REGISTER**  
Publication Schedule for January 2025 – December 2025

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
39:13	01/02/25	12/06/24	01/17/25	03/03/25	03/20/25	04/24/2025	05/01/25	09/29/25
39:14	01/15/25	12/19/24	01/30/25	03/17/25	03/20/25	04/24/2025	05/01/25	10/12/25
39:15	02/03/25	01/10/25	02/18/25	04/04/25	04/20/25	05/29/2025	06/01/25	10/31/25
39:16	02/17/25	01/27/25	03/04/25	04/21/25	05/20/25	06/26/2025	07/01/25	11/14/25
39:17	03/03/25	02/10/25	03/18/25	05/02/25	05/20/25	06/26/2025	07/01/25	11/28/25
39:18	03/17/25	02/24/25	04/01/25	05/16/25	05/20/25	06/26/2025	07/01/25	12/12/25
39:19	04/01/25	03/11/25	04/16/25	06/02/25	06/20/25	07/30/2025	08/01/25	12/27/25
39:20	04/15/25	03/25/25	04/30/25	06/16/25	06/20/25	07/30/2025	08/01/25	01/10/26
39:21	05/01/25	04/09/25	05/16/25	06/30/25	07/20/25	08/28/2025	09/01/25	01/26/26
39:22	05/15/25	04/24/25	05/30/25	07/14/25	07/20/25	08/28/2025	09/01/25	02/09/26
39:23	06/02/25	05/09/25	06/17/25	08/01/25	08/20/25	09/25/2025	10/01/25	02/27/26
39:24	06/16/25	05/23/25	07/01/25	08/15/25	08/20/25	09/25/2025	10/01/25	03/13/26
40:01	07/01/25	06/10/25	07/16/25	09/02/25	09/20/25	10/30/2025	11/01/25	03/28/26
40:02	07/15/25	06/23/25	07/30/25	09/15/25	09/20/25	10/30/2025	11/01/25	04/11/26
40:03	08/01/25	07/11/25	08/16/25	09/30/25	10/20/25	11/20/2025	12/01/25	04/28/26
40:04	08/15/25	07/25/25	08/30/25	10/14/25	10/20/25	11/20/2025	12/01/25	05/12/26
40:05	09/02/25	08/11/25	09/17/25	11/03/25	11/20/25	12/18/2025	01/01/26	05/30/26
40:06	09/15/25	08/22/25	09/30/25	11/14/25	11/20/25	12/18/2025	01/01/26	06/12/26
40:07	10/01/25	09/10/25	10/16/25	12/01/25	12/20/25	*01/29/2026	02/01/26	06/28/26
40:08	10/15/25	09/24/25	10/30/25	12/15/25	12/20/25	*01/29/2026	02/01/26	07/12/26
40:09	11/03/25	10/13/25	11/18/25	01/02/26	01/20/26	*02/26/2026	03/01/26	07/31/26
40:10	11/17/25	10/24/25	12/02/25	01/16/26	01/20/26	*02/26/2026	03/01/26	08/14/26
40:11	12/01/25	11/05/25	12/16/25	01/30/26	02/20/26	*03/26/2026	04/01/26	08/28/26
40:12	12/15/25	11/20/25	12/30/25	02/13/26	02/20/26	*03/26/2026	04/01/26	09/11/26

\*Dates not approved by RRC

## **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 Human Resources 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

**JOSH STEIN**  
GOVERNOR

July 16, 2025

## EXECUTIVE ORDER NO. 18

### DECLARATION OF A STATE OF EMERGENCY

**WHEREAS**, starting on or about July 6, 2025, portions of the central region of the State of North Carolina have been impacted by severe weather, including but not limited to Tropical Depression Chantal and multiple consecutive days of severe weather, which resulted in flooding and wind damage; and

**WHEREAS**, in anticipation of and in response to the impacts of Tropical Depression Chantal and additional severe weather, the North Carolina Division of Emergency Management (NCEM) activated the State Emergency Response Team on July 5, 2025, to support local governments, including monitoring storm developments, facilitating mutual aid, and coordinating the provision of necessary resources; and

**WHEREAS**, there have been multiple consecutive days of severe weather following the passage of Tropical Depression Chantal, which have caused significant damage and disruption in parts of central North Carolina, and the cumulative impacts of this repeated severe weather have overwhelmed the response and recovery efforts of local governments; and

**WHEREAS**, the impacts from multiple days of consecutive severe weather constitute a state of emergency as defined in N.C. Gen. Stat. §§ 166A-19.3(6) and 166A-19.3(20); and

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

**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 state of emergency, as defined in N.C. Gen. Stat. § 166A-19.3(6) exists in the following counties: Alamance, Caswell, Chatham, Davidson, Durham, Forsyth, Guilford, Lee, Moore, Orange, Person, Randolph, and Wake ("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").

**Section 3.**

I delegate to the Secretary of the North Carolina Department of Public Safety ("DPS"), or the Secretary's designee, all power and authority granted to and required of me by Article 1A of Chapter 166A of the North Carolina General Statutes to implement the Plan and deploy 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.

**Section 4.**

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

**Section 5.**

I further direct the Secretary, 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 6.**

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 7.**

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 8.**

This Executive Order is effective immediately and shall remain in effect for thirty (30) days, unless earlier terminated or extended.

**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 16th day of July in the year of our Lord two thousand and twenty-five.



Josh Stein  
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: HOMESTEADER LLC

Applicant's Address: 511 OLD HWY 33, NEW TAZEWELL, TN 37825

Application Date: 6-23-2025

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

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: Lakota Trailers Corp

Applicant's Address: 807 Lakota Lane, Bristol IN 46507

Application Date: 7/15/2025

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

Erik Smith-President

George Thomas-Secretary

Julianne Billington- CFO



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: SMC Acquisition Corp

Applicant's Address: 405 Kesco Drive, Bristol IN 46507

Application Date: 6/11/2025

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

Erik Smith-President

George Thomas-Secretary

Julianne Billington- CFO

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: Triple Crown Trailers GA, LLC

Applicant's Address: 1605 E. Parker Street  
Baxley, GA 31513

Application Date: 7/16/2025

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

Marty Lorick, owner/manager

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: Walton Trailer Sales Inc

Applicant's Address: 127 Garnet Lane, Jacksonville NC 28546

Application Date: 07/24/2025

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

-Anthony Walton, President

**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 10A – DEPARTMENT OF HEALTH AND HUMAN SERVICES

**Notice** is hereby given in accordance with G.S. 150B-21.2 and G.S. 150B-21.3A(c)(2)g. that the Radiation Protection Commission intends to repeal the rule cited as 10A NCAC 15 .0611, readopt with substantive changes the rules cited as 10A NCAC 15 .0601-.0607, and repeal through readoption the rules cited as 10A NCAC 15 .0608, and .0610.

Pursuant to G.S. 150B-21.17, the Codifier has determined it impractical to publish the text of rules proposed for repeal unless the agency requests otherwise. The text of the rule(s) are available on the OAH website at <http://reports.oah.state.nc.us/ncac.asp>.

**Link to agency website pursuant to G.S. 150B-19.1(c):**  
<https://info.ncdhhs.gov/dhsr/index.html>

**Proposed Effective Date:** May 1, 2026

### Public Hearing:

**Date:** October 2, 2025

**Time:** 10:00 a.m.

**Location:** Edgerton Building, 809 Ruggles Drive, Dorothea Dix Campus, Raleigh, North Carolina 27603

**Reason for Proposed Action:** The rules in 10A NCAC 15 regulate the use of radioactive materials and radiation machines in the State of North Carolina pursuant to G.S. 104E. Rules in Section .0600 of Chapter 15 regulate all registrants who use radiation machines in the state. Pursuant to G.S. 1050B-21.3A, Periodic Review and Expiration of Existing Rules, all rules are reviewed at least every 10 years, or they shall expire. As a result of the periodic review of the rules in Chapter 10A NCAC 15, Radiation Protection, 10A NCAC 15 Section .0600 had 10 rules, .0601 -.0608, and .0610, that were determined to be "Necessary With Substantive Public Interest". Rule .0601 - .0607 will be readopted, Rules .0608 and .0610 will be repealed through readoption, and .0611 will be repealed with the rulemaking action. The requirements in these rules were incorporated into the substantive changes in the proposed rules for readoption, therefore these three rules are not necessary. As mandated by G.S. 150B-19(4) the agency may not adopt a rule that repeats the content of a law, a rule, or a federal regulation. To comply with this mandate, the federal regulations in 21 CFR Subchapter J Parts 1000, 1001, 1002, 1010, and 1020. The federal regulations are being incorporated by reference, including subsequent amendments and editions. The federal regulations are being incorporated by reference into Rules 10A NCAC 15 .0607(b). The fiscal note was approved by OSBM July 10. There will be a substantial impact on the state and local government and will have a substantial economic impact.

**Comments may be submitted to:** Shanah Black, 809 Ruggles Drive, Edgerton Building; 2701 Mail Service Center, Raleigh, NC 27699; phone (919) 855-3481; email [DHSR.RulesCoordinator@dhhs.nc.gov](mailto:DHSR.RulesCoordinator@dhhs.nc.gov)

**Comment period ends:** November 3, 2025

### 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

## CHAPTER 15 - RADIATION PROTECTION

### SECTION .0600 - X-RAYS IN THE HEALING ARTS RADIATION MACHINES

Codifier's Note: 10 NCAC 03G .2700 was transferred to 15A NCAC 11 .0600 effective January 4, 1990. Recodification pursuant to G.S. 143B-279.3.

#### 10A NCAC 15 .0601 PURPOSE AND SCOPE

~~This Section establishes requirements for x ray equipment by or under the supervision of an individual authorized by and licensed, in accordance with state statutes, to engage in the healing arts or veterinary medicine. The provisions of this Section are in addition to, and not in substitution for, the provisions of Sections .0100, .0200, .0900, .1000, and .1600 of this Chapter.~~

(a) Before installing a radiation machine for use, the registration process shall be initiated in accordance with Section .0200 of this Chapter.

(b) This Section applies to all facilities and service providers using radiation machines for the following:

- (1) educational facilities that provide clinical training;
- (2) human and veterinary use; and
- (3) non-human use, used for forensic medicine, or used by service providers for demonstration purposes.
- (4) service providers company who provide operators to end users.

(c) This Section provides additional requirements for the use of radiation machines by or under the supervision of a licensed practitioner authorized by and licensed, in accordance with state statutes, to practice medicine and provide professional services in chiropractic, dentistry, podiatry, research, and veterinary medicine.

(d) This Section provides additional operator requirements to use a radiation machine.

(e) The requirements of this Section are in addition to the provisions in Sections .0100, .0200, .1000, .1100, and .1600 of this Chapter.

*Authority G.S. 104E-7.*

#### **10A NCAC 15 .0602 DEFINITIONS**

(a) As used in this Section, the following definitions shall apply:

- (1) "Accessible surface" means the external surface of the enclosure or housing provided by the manufacturer.
- (2) "Added filter" means the filter added to the inherent filtration.
- (3) "Aluminum equivalent" means the thickness of aluminum, type 1100 alloy, affording the same attenuation, under specified conditions, as the material in question. The nominal composition of type 1100 aluminum alloy is 99.00 percent minimum aluminum and 0.12 percent copper.
- (4) "Attenuation block" means a block or stack, having dimensions 20 cm by 20 cm by 3.8 cm, of type 1100 aluminum alloy or other materials having equivalent attenuation.
- (5) "Automatic exposure control" means a device which automatically controls one or more technique factors in order to obtain, at a preselected location(s), a required quantity of radiation. Phototimer is described separately.
- (6) "Beam axis" means a line from the source of x rays through the centers of the x ray fields.
- (7) "Beam limiting device" means a device which provides a means to restrict the dimensions of the x ray field.
- (8) "Cephalometric device" means a device intended for the radiographic visualization and measurement of the dimensions of the human head.
- (9) "Changeable filters" means any added filter which can be removed from the useful x ray beam through any electronic, mechanical or physical process.

- (10) "Contact therapy system" means that the x ray tube target is put within five centimeters of the surface being treated.
- (11) "Control panel" means that part of the x ray control upon which are mounted the switches, knobs, pushbuttons and other hardware necessary for manually setting the technique factors.
- (12) "Cooling curve" means the graphical relationship between heat units stored and cooling time.
- (13) "Dead man switch" means a switch so constructed that a circuit closing contact can be maintained only by continuous pressure on the switch by the operator.
- (14) "Diagnostic source assembly" means the tube housing assembly with a device attached.
- (15) "Diagnostic type protective tube housing" means a tube housing so constructed that the leakage radiation measured at a distance of one meter from the source does not exceed 100 mR in one hour when the tube is operated at its leakage technique factors.
- (16) "Diagnostic x ray system" means an x ray system designed for irradiation of any part of the human body for the purpose of diagnosis or visualization.
- (17) "Direct scattered radiation" means that radiation which has been deviated in direction by materials irradiated by the useful beam. (See also scattered radiation).
- (18) "Entrance exposure rate" means the roentgens per unit time at the point where the center of the useful beam enters the patient.
- (19) "Exposure" means the quotient of dQ by dm where "dQ" is the absolute value of the total charge of the ions of one sign produced in air when all the electrons, negatrons and positrons, liberated by photons in a volume element of air having mass "dm" are completely stopped in air. The special unit of exposure is the roentgen.
- (20) "Field emission equipment" means equipment which uses an x ray tube in which electron emission from the cathode is due solely to the action of an electric field.
- (21) "Filter" means material placed in the useful beam to preferentially attenuate selected radiations.
- (22) "Fluoroscopic imaging assembly" means a subsystem in which x ray photons produce a fluoroscopic image. It includes the image receptor(s) such as the image intensifier and spot-film device, electrical interlocks and structural material providing linkage between the image receptor and the diagnostic source assembly.
- (23) "General purpose radiographic x ray system" means any radiographic x ray system which, by

- design, is not limited to radiographic examination of specific anatomical regions.
- (24) "Gonad shield" means a protective barrier used to reduce exposure to the testes or ovaries.
- (25) "Half value layer (HVL)" means the thickness of specified material which attenuates the beam of radiation to an extent such that the exposure rate is reduced to one half of its original value. In this definition the contribution of all scattered radiation, other than any which might be present initially in the beam concerned, is deemed to be excluded.
- (26) "Healing arts mass screening" means the examination of human beings using x rays for the detection or evaluation of health indications when such tests are not specifically and individually ordered by a licensed practitioner of the healing arts who is legally authorized to prescribe such x ray tests for the purpose of diagnosis or treatment. It does not include the use of x ray tests as a requirement for hospital admission or as a condition of employment.
- (27) "Image intensifier" means a device, including housing, which converts an x ray pattern into a corresponding light image of higher energy density.
- (28) "Image receptor" means any device, such as fluorescent screen or radiographic film, which transforms incident x ray photons either into a visible image or into another form which can be made into a visible image by further transformations.
- (29) "Inherent filtration" means the filtration permanently in the useful beam; it includes the window of the x ray tube and any permanent tube or source enclosure.
- (30) "Installation" means the act of physical movement of a radiographic system from one location to another in conjunction with a change of ownership.
- (31) "Lead equivalent" means the thickness of lead affording the same attenuation, under specified conditions, as the material in question.
- (32) "Leakage radiation" means radiation emanating from a diagnostic or therapeutic source assembly except for:
- (A) the useful beam and
  - (B) radiation produced when the exposure switch or timer is not activated.
- (33) "Leakage technique factors" means the technique factors associated with the diagnostic or therapeutic source assembly (i.e., tube housing and beam limiting device) which are used in measuring leakage radiation. They are defined as follows:
- (A) for diagnostic source assemblies intended for capacitor energy storage equipment, the maximum rated peak tube potential and the maximum rated number of exposures in an hour for operation at the maximum rated peak tube potential with the quantity of charge per exposure being 10 millicoulombs (mC) or the minimum obtainable from the unit, whichever is larger;
  - (B) for diagnostic source assemblies intended for field emission equipment rated for pulsed operation, the maximum rated peak tube potential and the maximum rated number of x ray pulses in an hour for operation at the maximum rated peak tube potential; and
  - (C) for all other diagnostic or therapeutic source assemblies, the maximum rated peak tube potential and the maximum rated continuous tube current for the maximum rated peak tube potential.
- (34) "Light field" means that area of the intersection of the light beam from the beam limiting device and one of the set of planes parallel to and including the plane of the image receptor, whose perimeter is the locus of points at which the illumination is one fourth of the maximum in the intersection.
- (35) "Maximum line current" means the rms (root mean square) current in the supply line of an x ray machine operating at its maximum rating.
- (36) "Mobile equipment" (see x ray equipment).
- (37) "Peak tube potential" means the maximum value of the potential difference across the x ray tube during an exposure.
- (38) "Phototimer" means a method for controlling radiation exposures to image receptors by the amount of radiation which reaches a radiation monitoring device(s). The radiation monitoring device(s) is part of an electronic circuit which controls the duration of time the tube is activated (see also "Automatic exposure control").
- (39) "Portable equipment" (see x ray equipment).
- (40) "Position indicating device (PID)" means a device on dental x ray equipment used to indicate the beam position and to establish a definite source skin distance. It may or may not incorporate or serve as a beam limiting device.
- (41) "Primary protective barrier" means the material, excluding filters, placed in the useful beam, for radiation protection purposes, to reduce the radiation exposure.
- (42) "Protective apron" means an apron made of radiation attenuating materials used to reduce radiation exposure.
- (43) "Protective barrier" means a barrier of radiation attenuating material(s) used to reduce radiation

- exposure. Types of protective barriers are defined in other items of this Rule.
- (44) ~~"Protective glove" means a glove made of radiation attenuating materials used to reduce radiation exposure.~~
- (45) ~~"Qualified expert" means an individual who is registered pursuant to Rule .0205 of this Chapter.~~
- (46) ~~"Radiograph" means an image receptor on which the image has been created directly or indirectly by an x ray pattern and results in a permanent record.~~
- (47) ~~"Radiographic imaging system" means any system whereby a permanent or semi permanent image is recorded on an image receptor by the action of ionizing radiation.~~
- (48) ~~"Rating" means the operating limits as specified by the component manufacturer.~~
- (49) ~~"Recording" means producing a permanent form of an image resulting from x ray photons such as film and video tape.~~
- (50) ~~"Registrant", as used in this Section, means any person who owns or possesses and administratively controls an x ray system which is used to deliberately expose humans or animals to the useful beam of the system and is required by the provisions contained in Sections .0100 and .0200 of this Chapter to register with the agency.~~
- (51) ~~"Response time" means the time required for an instrument system to reach 90 percent of its final reading when the radiation sensitive volume of the instrument system is exposed to a step change in radiation flux from zero sufficient to provide a steady state mid-scale reading.~~
- (52) ~~"Scattered radiation" means radiation that, during passage through matter, has been deviated in direction. (See also "direct scattered radiation".)~~
- (53) ~~"Secondary protective barrier" means a barrier sufficient to attenuate the stray radiation to the required degree.~~
- (54) ~~"SID" means source image receptor distance.~~
- (55) ~~"Source" means the focal spot of the x ray tube.~~
- (56) ~~"Source image receptor distance (SID)" means the distance from the source to the center of the input surface of the image receptor.~~
- (57) ~~"Spot film" means a radiograph which is made during a fluoroscopic examination to permanently record conditions which exist during that fluoroscopic procedure.~~
- (58) ~~"Stationary equipment" (see x ray equipment).~~
- (59) ~~"Stray radiation" means the sum of leakage and scattered radiation.~~
- (60) ~~"Technique factors" means the conditions of operation. They are specified as follows:~~
- (A) ~~for capacitor energy storage equipment, peak tube potential in kV and quantity of charge in mAs;~~
- (B) ~~for field emission equipment rated for pulsed operation, peak tube potential in kV and number of x ray pulses; and~~
- (C) ~~for all other equipment, peak tube potential in kV and either tube current in mA and exposure time in seconds, or the product of tube current and exposure time in mAs.~~
- (61) ~~"Therapeutic type protective tube housing" means the tube housing with tube installed, and it includes high voltage and filament transformers and other appropriate elements when they are contained within that housing.~~
- (62) ~~"Transportation equipment" means x ray equipment which is installed in a vehicle or trailer.~~
- (63) ~~"Tube" means an x ray tube, unless otherwise specified.~~
- (64) ~~"Tube housing assembly" means the tube housing with tube installed. It includes high voltage and filament transformers and other appropriate elements when they are contained within the tube housing.~~
- (65) ~~"Tube rating chart" means the set of curves which specify the rated limits of operation of the tube in terms of the technique factors.~~
- (66) ~~"Useful beam" means the radiation which passes through the tube housing port and the aperture of the beam limiting device when the exposure switch or timer is activated.~~
- (67) ~~"Variable aperture beam limiting device" means a beam limiting device which has capacity for stepless adjustment of the x ray field size at the given SID.~~
- (68) ~~"Visible area" means that portion of the input surface of the image receptor over which incident x ray photons produce a visible image.~~
- (69) ~~"X ray control" means a device which controls input power to the x ray high voltage generator or the x ray tube. It includes equipment such as timers, phototimers, automatic brightness stabilizers and similar devices which control the technique factors of an x ray exposure.~~
- (70) ~~"X ray equipment" means an x ray system, subsystem or component thereof.~~
- (A) ~~"Mobile equipment" means x ray equipment mounted on a permanent base with wheels or casters for moving while completely assembled.~~
- (B) ~~"Portable equipment" means x ray equipment designed to be hand carried.~~
- (C) ~~"Stationary equipment" means x ray equipment which is installed in a fixed location.~~

- (71) "X ray field" means that area of the intersection of the useful beam and any one of the set of planes parallel to and including the plane of the image receptor, whose perimeter is the locus of points at which the exposure rate is one fourth of the maximum in the intersection.
- (72) "X ray high voltage generator" means a device which transforms electrical energy from the potential supplied by the x ray control to the tube operating potential. The device may also include means for transforming alternating current to direct current, filament transformers for the x ray tube(s), high voltage switches, electrical protective devices and other appropriate elements.
- (73) "X ray system" means an assemblage of components for the controlled production of x rays. It includes minimally an x ray high voltage generator, an x ray control, a tube housing assembly, a beam limiting device and the necessary supporting structures. Additional components which function with the system are considered integral parts of the system.
- (74) "X ray subsystem" means any combination of two or more components of an x ray system for which there are requirements specified in this Section.
- (75) "X ray tube" means an electron tube which is designed for the conversion of electrical energy into x ray energy.

(b) Other definitions applicable to this Section may be found in Sections .0100 and .0200 of this Chapter.

In addition to definitions found in Rules .0104, .0607(b)(3), (18), and (19), .1001, and .1601 of this Chapter, the following definitions shall apply to this Section:

- (1) "Added filter" means the filter added to the inherent filtration.
- (2) "Advanced practitioner" means an individual performing medical acts, tasks, or functions as a licensed nurse practitioner in accordance with G.S. 90-18.2 or a licensed physician assistant in accordance with G.S. 90-18.1.
- (3) "Area radiation survey" means the evaluation of radiation levels around a radiation machine installation and adjacent areas to ensure compliance to dose limits in accordance with Section .1601 of this Chapter.
- (4) "Cone beam computed tomography" is a volumetric imaging modality. Volumetric data are acquired using two-dimensional digital detector arrays and a cone-shaped x-ray beam (instead of fan-shaped) that rotates around the patient. Reconstruction algorithms can be used to generate images of any desired plane.
- (5) "Clinical training" means hands-on experience or clinical simulation to gain practical knowledge, experience, and skills.
- (6) "CT qualified expert (CT QE)" means an individual who is registered or is providing

service for a registered facility where they are employed, as required by Section .0200 of this Chapter. The individual shall have the following education and experience:

- (a) a master's or doctoral degree in physics, medical physics, biophysics, radiological physics, medical health physics, or equivalent disciplines from a college or university accredited by an agency recognized by the U.S. Department of Education, and three years of work experience in a clinical CT environment. The work experience shall be supervised and documented by a medical physicist certified in the specialty area of diagnostic medical physics by the American Board of Radiology, the Canadian College of Physicists in Medicine, or the American Board of Medical Physics;  
or
- (b) certification in the specialty area of diagnostic medical physics by the American Board of Radiology, the Canadian College of Physicists in Medicine, or the American Board of Medical Physics and shall abide by the certifying body's requirements for continuing education.

- (7) "Dead-man switch" means a switch so constructed that a circuit closing contact can be maintained only by continuous pressure on the switch by the operator.
- (8) "Dental assistant" means an individual who works for licensed dentists and meets the education, training, and experience defined by the NC Board of Dental Examiners.
- (9) "Dental handheld radiation machine" means a radiation machine used to take dental radiographs, is designed to be handheld during operation, is operated by an individual authorized to take dental radiographs and may be used in multiple locations.
- (10) "Dental hygienist" means an individual licensed by the NC Board of Dental Examiners to practice dental hygiene.
- (11) "Diagnostic imaging" means visualizing the inside of the body using radiation exposures to determine the cause of illness or injury or to confirm a diagnosis.
- (12) "Diagnostic-type protective tube housing" means a tube housing so constructed that the leakage radiation measured at a distance of one meter from the source does not exceed 100 mR in one hour when the tube is operated at its leakage technique factors.
- (13) "Diagnostic radiation machine" shall have the same meaning as "Diagnostic x-ray system" as defined in Rule .0607(b)(19) of this Section.



- (14) "Entrance exposure rate" means the roentgen per unit time at the point where the center of the useful beam enters the patient.
- (15) "Exposure control" shall have the same means as "control panel" as defined in Rule .0607(b)(19) of this Section.
- (16) "Extra-oral" means outside the mouth. An extraoral image is produced by exposing, to x-rays, an image receptor positioned outside the mouth.
- (17) "Filter" means material placed in the primary beam to preferentially attenuate selected radiation energies.
- (18) "General supervision" means the activity is performed under the qualified supervisor's overall direction and control, but the qualified supervisor's physical presence shall not be required during the activity.
- (19) "Inherent filtration" means the filtration permanently in the useful beam, including the window of the X-ray tube and any permanent tube or source enclosure.
- (20) "Intra-oral" means inside the mouth. An intraoral image is produced by exposing a film, plate, or sensor placed within the mouth to X-rays.
- (21) "Lead equivalent" means the thickness of lead affording the same attenuation, under specified conditions, as the material in question.
- (22) "Licensed dentist" means an individual licensed by the NC Board of Dental Examiners to practice dentistry.
- (23) "Letter of Acknowledgement" means the correspondence provided by the agency acknowledging receipt of a shielding design, in accordance with Rule .0204(b) of this Chapter.
- (24) "Mobile radiation machine" shall have the same meaning as "Mobile equipment" in Rule .0607(b)(19) of this Section.
- (25) "Notice of Registration" means the correspondence provided by the agency, to the person completing the registration process, containing the information submitted on the agency forms in accordance with Rules .0203 and .0205 of this Chapter.
- (26) "Optimal" means desirable or satisfactory.
- (27) "Panoramic" means an imaging technique for producing a curved image layer radiograph of maxillary and mandibular dental arches and their supporting structures. This is a curvilinear variant of conventional tomography.
- (28) "Personal supervision" means overall direction, control, and training of an individual by a qualified supervisor who shall be physically present during the activities performed by the supervised individual.
- (29) "Phototimer" means a method for controlling radiation exposures to image receptors by the amount of radiation that reaches a radiation monitoring device(s). The radiation monitoring device(s) is part of an electronic circuit which controls the duration of time the tube is activated. See also "Automatic exposure control" in Rule .0607(b)(19) of this Section.
- (30) "Portable radiation machine" shall have the same meaning as "Portable equipment" in Rule .0607(b)(19) of this Section.
- (31) "Position indicating device (PID)" means a device on dental radiation machines used to indicate the beam position and to establish a definite source-skin distance. It may or may not incorporate or serve as a beam-limiting device.
- (32) "Primary beam" shall have the same means as "useful beam" as defined in Rule .0607(b)(19) of this Section and is the beam used to make radiographic images.
- (33) "Protective apparel" garments made of a radiation attenuating material used to potentially reduce radiation exposure to an individual wearing the item.
- (34) "Qualified expert" means an individual registered in accordance with Rule .0205 of this Chapter.
- (35) "Radiation machine" as defined in Rule .0103(b)(10) of this Chapter, shall have the same meaning as "x-ray equipment" as defined in Rule .0607(b)(19) of this Section.
- (36) "Radiation subsystem" shall have the same meaning as X-ray subsystem in Rule .0607(b)(19) of this Section.
- (37) "Radiation system" shall have the same meaning as X-ray system in Rule .0607(b)(19) of this Section.
- (38) "Radiograph" means an image receptor on which the image has been created directly or indirectly by an x-ray pattern and results in a permanent record.
- (39) "Radiographic imaging system" means any system whereby a permanent or semi-permanent image is recorded on an image receptor by the action of ionizing radiation.
- (40) "Scattered radiation" means radiation that, during passage through matter, has been deviated in direction.
- (41) "Secondary protective barrier" means a barrier sufficient to attenuate stray radiation.
- (42) "Secondary radiation" means the sum of leakage and scattered radiation.
- (43) "Shielding design" means the floor plan and structural shielding specifications in accordance with current national standards, demonstrating the barriers which will attenuate radiation so that the dose limit requirements of Rules .1601(a)(8) and .1601(a)(15) of this Chapter are not exceeded.
- (44) "Stationary radiation machine" means a radiation machine, components, or system installed and used in a fixed location.

- (45) "Structural shielding" means materials incorporated into ceilings, floors, walls, or other structures to ensure the dose limit requirements of Rules .1601(a)(8) and .1601(a)(15) of this Chapter are not exceeded.
- (46) "Veterinarian" means a veterinarian licensed pursuant to General Statute Chapter 90, Article 11.
- (47) "Veterinary technician" means a veterinary technician registered pursuant to General Statute Chapter 90, Article 11.

*Authority G.S. 104E-7.*

**10A NCAC 15 .0603 GENERAL REQUIREMENTS  
FACILITY RESPONSIBILITIES**

**(a) Administrative controls**

- (1) The registrant shall be responsible for directing the operation of the X ray machines which he has registered with the agency. He or his agent shall assure that the following provisions are met in the operation of the X ray machine(s):
- (A) An X ray machine which does not meet the provisions of these Rules shall not be operated for diagnostic or therapeutic purposes, if so ordered by the agency in accordance with Rules .0109 and .0110 of this Chapter.
- (B) Individuals who will be operating the X ray equipment shall be instructed in the safe operating procedures and use of the equipment and demonstrate an understanding thereof to the registrant.
- (C) In the vicinity of each diagnostic X ray system's control panel, a chart shall be provided, which specifies for all usual examinations and associated projections which are performed by that system, a listing of information including patient's anatomical size versus technique factors to be utilized at a given source to image receptor distance. The chart shall also provide:
- (i) type and size of the film or film screen combination to be used,
- (ii) type and ratio of grid to be used, if any, and focal spot to film distance,
- (iii) type and placement of gonad shielding to be used.
- (D) Radiation protection program and rules shall be established and made available to each individual operating X ray equipment under his control. The operator shall be familiar with these rules.
- (E) Only the professional staff and ancillary personnel required for the

medical procedure or for training shall be in the room during the radiographic exposure. Other than the patient being examined:

- (i) All individuals shall be positioned such that no part of the body including the extremities which is not protected by 0.5 mm lead equivalent will be exposed to the primary beam.
- (ii) Professional staff and ancillary personnel shall be protected from the direct scatter radiation by protective aprons or whole body protective barriers of not less than 0.25 mm lead equivalent.
- (iii) Patients who cannot be removed from the room shall be protected from the direct scatter radiation by whole body protective barriers of 0.25 mm lead equivalent or shall be so positioned that the nearest portion of the body is at least six feet from both the tube head and the nearest edge of the image receptor.
- (iv) When a portion of the body of a non occupationally exposed professional staff or ancillary personnel is potentially subjected to stray radiation which would result in that individual receiving one fourth of the maximum permissible dose as defined in Rule .1604 of this Chapter, additional protective measures shall be employed.
- (v) Upon written application to the agency, the agency may waive the requirements in Subparts (a)(1)(E)(ii) and (a)(1)(E)(iii) of this Rule if the registrant demonstrates that such waiver is necessary for best management of patients and will not result in violation of the public and occupational dose limits established in the rules in this Chapter.
- (F) Gonad shielding of not less than 0.5 mm lead equivalent shall be used for potentially procreative patients during radiographic procedures in which the

- gonads are in the direct, or primary beam, except for cases in which this would interfere with the diagnostic procedures.
- (G) Individuals shall not be exposed to the primary beam except for healing arts purposes. Such exposures shall have been authorized by a licensed practitioner of the healing arts. This provision specifically prohibits deliberate exposure of an individual for training, demonstration or other nonhealing arts purposes.
- (H) When a patient or film must be provided with auxiliary support during a radiographic exposure:
- (i) Mechanical holding devices shall be used whenever medical circumstances permit. Written safety procedures, as required in Part (a)(1)(D) of this Rule shall indicate the requirements for selecting a holder;
  - (ii) If a human holder is required, radiation protection program as required in Part (a)(1)(D) of this Rule, shall indicate the instructions provided to the holder;
  - (iii) The human holder shall be protected as required in Part (a)(1)(E) of this Rule;
  - (iv) No individual shall be used routinely to hold patients or film.
- (I) Procedures and auxiliary equipment designed to minimize patient and personnel exposure commensurate with the needed diagnostic information shall be utilized. This includes, but is not limited to, the following requirements:
- (i) The speed of film or screen and film combinations shall be the fastest speed consistent with the diagnostic objective of the examinations.
  - (ii) The radiation exposure to the patient shall be the minimum exposure required to produce images of good diagnostic quality.
  - (iii) Portable or mobile equipment shall be used only for examinations where it is impractical for medical reasons to transfer the patient to a stationary radiographic installation.
- (J) All persons who are associated with the operation of an X-ray system are subject to the occupational exposure limits as defined in Rules .1604 and .1638 of this Chapter, and personnel monitoring procedures in Rule .1614 of this Chapter. In addition, when protective clothing or equipment is worn on portions of the body and a monitoring device(s) is required, at least one such monitoring device shall be utilized as follows:
- (i) When an apron is worn the monitoring device shall be worn at the collar outside the apron.
  - (ii) The dose to the whole body shall be recorded in the reports required in Rule .1640 of this Chapter. If more than one device is used, each dose shall be identified with the area where the device was worn on the body.
- (2) The registrant shall maintain at least the following information for each X-ray machine:
- (A) current registration information and other correspondence with the agency regarding that machine;
  - (B) records of surveys and calibrations;
  - (C) records of maintenance or modifications which affect the primary beam after the effective date of these Rules, along with the names of persons who performed the service.
- (b) Plans Review. Prior to construction or structural modification, the floor plans and equipment arrangement of all installations utilizing X-rays for diagnostic or therapeutic purposes shall be reviewed by a qualified expert. The registrant shall submit recommendations of the expert to the agency.
- (c) Radiation Survey
- (1) For installations of X-ray equipment after the effective date of this Rule, an area radiation survey shall be performed within 30 days following initial operation of each radiation machine to show compliance with Rule .0604(b) of this Section. This survey shall include:
    - (A) a drawing of the room in which a stationary X-ray system is located and radiation levels in adjacent areas; and
    - (B) the name of the person approved by the agency performing the survey and the date the survey was performed.

- (2) Any modification to the X-ray room or adjacent areas which could increase the radiation dosage to any individual shall require a new survey.
- (3) Records of this survey shall be maintained in accordance with Subparagraph (a)(2) of this Rule.

(a) The registrant shall not allow the operation of a radiation machine for diagnostic imaging not meeting the requirements of Rule .0607(b) of this Section.

(b) Mobile or portable radiation machines shall only be used for radiation exposures where transferring the patient to a stationary radiation machine is impractical for medical reasons. The use of a mobile or portable radiation machine as the primary method for diagnostic imaging at a permanent location, instead of a stationary radiation machine, is prohibited.

(c) If ordered by the agency, radiation machines are subject to impounding by an authorized representative of the agency in accordance with Rule .0107 of this Chapter.

(d) The registrant or their designee shall:

- (1) be responsible for directing the operation of the radiation machine(s) registered with the agency;
- (2) ensure the provisions of this Section are met during the operation of the radiation machine(s) under their control;
- (3) establish radiation protection procedures and make them readily available to individuals who operate the radiation machine(s);
- (4) ensure QC is performed if required by the manufacturer or registered service provider, in accordance with the instructions provided; and
- (5) establish procedures or provide equipment to operators to control the radiation area during radiographic exposures.

(e) Extraoral cephalometric, cone beam computed tomography (CBCT), and panoramic radiation machines designed for use in dental radiography or for facial diagnostic imaging and chiropractic or podiatry radiation machines shall meet shielding design requirements in Rule .0204(b) of this Chapter, shielding barrier requirements in Rule .0606(a) of this Section, and radiation machine requirements in Rule .0607 of this Section; and

(f) Dental intraoral handheld radiation machine additional requirements for maintenance and evaluation:

- (1) Maintenance shall be performed by a registered service provider following the manufacturer's specifications.
- (2) The machine shall be evaluated by a registered service provider, in accordance with Section .0200 of this Chapter, after the unit is dropped, visibly damaged, or as requested by the agency. Machines with signs of visible damage, or as requested by the agency, shall not be used until being evaluated by a registered service provider.

(g) Cone Beam Computed Tomography (CBCT) radiation machine additional requirements for system performance evaluations:

- (1) Maintain documentation of the established standards, tolerances, and testing results.

(2) Implement actions when the QC results are outside of the limits specified in the QC recommendations.

(3) The CBCT radiation machine shall be evaluated by a registered service provider, in accordance with Section .0200 of this Chapter, within 30 days of:

- (A) initial installation; and
- (B) when there is any change or replacement of components which, in the opinion of the registered service provider, could cause a change in the radiation output or image quality.

(4) The following information shall be readily available to CBCT operators:

- (A) instructions on performing routine QC, including the use of the CBCT phantom;
- (B) schedule of routine QC appropriate for the system and allowable variations set by the registered service provider, if required, for the indicated parameters; and
- (C) results of at least the most recent routine QC completed on the system.

(h) Dental Cone Beam Computed Tomography (CBCT) radiation machines shall not be used:

- (A) as the primary or initial imaging modality when a lower dose alternative is adequate for clinical purposes;
- (B) for the sole purpose of producing simulated bitewing, panoramic, or cephalometric images; or
- (C) for routine or serial orthodontic imaging.

(i) The uses of Cone Beam CT, Veterinary CT, CT simulation, and attenuation correction shall be exempt from Paragraphs (j) and (k) of this Rule.

(j) Computed Tomography (CT) radiation machine shall meet the following additional requirements for system performance evaluations.

- (1) Performance evaluations of the CT X-ray system shall be performed by, or under the general supervision of, a CT QE who assumes responsibility for the evaluation.
- (2) The performance evaluation of a CT X-ray system shall be performed within 30 days of installation and at least every 14 months.
- (3) Performance evaluation standards and tolerances shall meet the manufacturer's specifications or standards and tolerances for the CT X-ray system from the American College of Radiology (ACR) incorporated herein by reference, including subsequent amendments and editions. These standards and tolerances may be found at no charge on the ACR website at <https://www.acr.org>.

- (4) The performance evaluation shall include the following, as applicable to the design of the scanner:
- (A) geometric factors and alignment, including alignment light accuracy and table increment accuracy;
  - (B) image localization from a scanned projection radiograph (localization image);
  - (C) radiation beam width;
  - (D) image quality, including high-contrast (spatial) resolution, low-contrast resolution, image uniformity, noise, and artifact evaluation;
  - (E) CT number accuracy;
  - (F) image quality for acquisition workstation display devices; and
  - (G) a review of the results of the routine QC, as set forth in this Paragraph.
- (5) The performance evaluation shall also include the evaluation of radiation output and patient dose indices for the following clinical protocols, if performed:
- (A) pediatric head;
  - (B) pediatric abdomen;
  - (C) adult head; and
  - (D) adult abdomen.
- (6) Evaluation of radiation output shall be performed with a calibrated dosimetry system. The dosimetry system shall have been calibrated within the preceding two years by persons registered, in accordance with Section .0200 of this Chapter, to provide such services.
- (7) The performance evaluation shall be documented and maintained for inspection by the Agency. The documentation shall include the name of the CT QE performing or supervising and any other individuals participating in the evaluation under the general supervision of the CT QE. The documentation shall be retained for 14 months.

(k) Computed Tomography (CT) radiation machines shall meet the following additional requirements for routine quality control (QC)

- (1) A routine QC program for the CT radiation imaging system shall be developed by or have written approval by a CT QE and include:
  - (A) instructions for the routine QC;

- (B) intervals for QC testing;
- (C) acceptable tolerances for the QC tests;
- (D) use of a water equivalent phantom to evaluate each day of clinical use; noise, CT number accuracy, and artifacts; and
- (E) routine QC tests that may be performed in place of system performance evaluations after equipment repairs or maintenance. This shall include the process for obtaining approval from the CT QE prior to conducting testing.

- (2) The duties in the routine QC program, as described in Part (1) of this Paragraph, shall be conducted by individuals that meet the requirements of Rule .0604(j) of this Section, or individuals approved by the CT QE.
- (3) The routine QC shall be documented and maintained for inspection by the Agency. The records shall be retained for 14 months.

(l) Records shall be maintained by the registrant as follows:

- (1) For each radiation machine under the registrant's custody and control:
  - (A) the state notice of registration and other correspondence with the agency regarding the radiation machine;
  - (B) the shielding design and the corresponding letter of acknowledgment granted by the agency;
  - (C) the report of installation, receipt of sale, disposal notification, or transfer of ownership;
  - (D) an area radiation survey; and
  - (E) maintenance or modifications that affect the primary beam and documentation of service(s) performed, along with the names of those who performed the service.
- (2) For each individual operating a radiation machine, the operator license, certification, or training documentation.

(m) Records shall be available for agency review during inspection.

*Authority G.S. 104E-7; 104E-12(a).*

#### **10A NCAC 15 .0604      GENERAL REQUIREMENTS FOR ALL DIAGNOSTIC SYSTEMS OPERATOR REQUIREMENTS**

(a) In addition to other requirements of this Section, all diagnostic x ray systems shall meet the following requirements:

- (1) The control panel containing the main power switch shall bear the warning statement, legible and accessible to view: "WARNING: This x ray unit may be dangerous to patient and operator unless safe exposure factors and operation instructions are observed."
- (2) Equivalent wording may be used on battery powered generators; visual means shall be provided on the control panel to indicate whether the battery is in a state of charge adequate for proper operation.
- (3) The leakage radiation from the diagnostic source assembly measured at a distance of one meter in any direction from the source shall not exceed 100 millirem in one hour when the x-ray tube is operated at its leakage technique factors.

**PROPOSED RULES**

Compliance shall be determined by measurements averaged over an area of 100 square centimeters with no linear dimension greater than 20 centimeters.

- (4) The radiation emitted by a component other than the diagnostic source assembly shall not exceed two millirem in one hour at five centimeters from any accessible surface of the component when it is operated in an assembled x ray system under any conditions for which it was designed. Compliance shall be determined by measurements averaged over an area of 100 square centimeters with no linear dimension greater than 20 centimeters.

- (5) Beam Quality

(A) Half Value Layer

- (i) The half value layer (HVL) of the useful beam for a given x ray tube potential shall not be less than the appropriate value shown in the following table. "Specified Dental System" is any dental x ray system designed for use with intraoral image receptors and manufactured after December 1, 1980. "Other X Ray Systems" shall be all other x ray systems subject to this Section.

X Ray Tube Voltage	(kilovolt peak)	Minimum HVL (millimeters of Aluminum)	Minimum HVL (millimeters of Aluminum)
Designed operating range	Measured Operating Potential	Specified Dental Systems	Other X ray Systems
Below 50 -----	30	1.5	0.3
	40	1.5	0.4
	49	1.5	0.5
50 to 70 -----	50	1.5	1.2
	60	1.5	1.2
	70	1.5	1.5
Above 70 -----	71	2.1	2.1
	80	2.3	2.3
	90	2.5	2.5
	100	2.7	2.7
	110	3.0	3.0
	120	3.2	3.2
	130	3.5	3.5
	140	3.8	3.8
	150	4.1	4.1

If it is necessary to determine such half value layer at an x ray tube potential which is not listed in the table, linear interpolation or extrapolation may be made. Positive means shall be provided to insure that at least the minimum filtration needed to achieve the above beam quality requirements is in the useful beam during each exposure.

- (ii) The requirements of Subpart (a)(5)(A)(i) of this Rule shall be considered to be met if it can be demonstrated that the aluminum equivalent of the total filtration in the primary beam is not less than that shown in the following table:

Filtration Required versus Operating Voltage

Operating Voltage (kVp)	Minimum total filtration (inherent plus added) (millimeters aluminum equivalent)
Below 50	0.5 millimeters
50—70	1.5 millimeters
Above 70	2.5 millimeters

- (iii) ~~Notwithstanding the requirements of Subpart (a)(5)(A)(ii) of this Rule, all intraoral dental systems manufactured after December 1, 1980, shall have a minimum of 1.5 mm aluminum equivalent filtration permanently installed in the useful beam.~~
- (iv) ~~Beryllium window tubes shall have a minimum of 0.5 mm aluminum equivalent filtration permanently mounted in the useful beam.~~
- (v) ~~For capacitor energy storage equipment, compliance shall be determined with the maximum quantity of charge per exposure.~~
- (vi) ~~The required minimum aluminum equivalent filtration shall include the filtration contributed by all materials which are always present between the focal spot of the tube and the patient, such as a tabletop when the tube is mounted under the table and inherent filtration of the tube.~~
- (B) ~~For new x ray systems installed after the effective date of these Rules and which have variable kVp and selectable filtration for the useful beam, a device shall link the kVp selector with the filter(s), so that the minimum filtration is always present for the kVp selected.~~

- (6) ~~Where two or more radiographic tubes are controlled by one exposure switch, the tube or tubes which have been selected and their location shall be clearly indicated on the master control panel prior to initiation of the exposure.~~
- (7) ~~The tube housing assembly supports shall be adjusted such that the tube housing assembly will remain stable during an exposure unless the tube housing movement is a design function of the x ray system.~~
- (8) ~~The location of the focal spot may be indicated on a readily visible area of the x ray source housing in the plane parallel to the image receptor when the image receptor is perpendicular to the beam axis.~~

(9) ~~Technique Indicators~~

- (A) ~~The technique factors to be used during an exposure shall be indicated before the exposure begins, except when automatic exposure controls are used, in which case the technique factors which are set prior to the exposure shall be indicated.~~
- (B) ~~Indication of technique factors shall be visible from the operator's position except in the case of spot films made by the fluoroscopist.~~
- (C) ~~On equipment having fixed technique factors, the recommendation in Part (a)(9)(A) of this Rule may be met by permanent markings.~~

(b) ~~Structural Shielding~~

- (1) ~~For stationary diagnostic systems, except for intraoral dental systems which shall meet the requirements of Rule .0607(j) of this Section, structural shielding shall be provided to assure compliance with Rules .1604 and .1611 of this Chapter. The following shall be provided:~~
  - (A) ~~All wall, floor and ceiling areas exposed to the useful beam shall have primary barriers. Primary barriers in walls shall extend to a minimum height of 84 inches above the floor;~~
  - (B) ~~Secondary barriers in the wall, floor and ceiling areas not having a primary~~

- ~~barrier or where the primary barrier requirements are lower than the secondary barrier requirements; and~~
- (C) ~~A window of lead equivalent glass equal to that required by the adjacent barrier or a mirror system shall be provided large enough and so placed that the operator can see the patient without having to leave the protected area during exposures.~~

- (2) ~~When a mobile system is used routinely in one location, the structural shielding in that location shall meet the requirements for stationary diagnostic systems in Subparagraph (b)(1) of this Rule.~~

- (a) A radiation machine shall not be permitted for human, non-human, or veterinary use except when used in accordance with the operating requirements of Rule .0605 of this Section.
- (b) Operators shall be trained in the operational features and safe use of the radiation machines used.
- (c) Individuals who operate a radiation machine shall meet the requirements for the modality of use in Paragraphs (e),(f),(g),(h),(i) or (j) of this Rule no later than 36 months after the effective date of this Rule.
- (d) Individuals who operate a radiation machine for research purposes or for end-of-life imaging are exempt from the requirements in Paragraphs (e),(f),(g),(h),(i) or (j) of this Rule.
- (e) The uses of Cone Beam CT, Veterinary CT, CT Simulation, and CT attenuation correction shall be exempt from the requirement in Subparagraph (i) of this Rule.
- (f) Chiropractic

- (1) other than the chiropractor, individuals who operate a radiation machine for chiropractic patient care shall be certified by the North Carolina State Board of Chiropractic Examiners as a Certified Chiropractic Assistant – Level 2 in accordance with G.S. 90-143.2 and 21 NCAC 10 .0213;
- (2) be a Registered Technologist (RT) by the American Registry of Radiologic Technologists (ARRT) with an active registration in Radiography (R); or
- (3) be enrolled in a training program for radiography, and under the personal supervision of an individual who meets the

requirements of Subparagraphs (1) or (2) of this Paragraph.

(g) Dentistry

- (1) other than the dentist, individuals who operate dental radiation machines shall be a licensed dental hygienist;
- (2) shall meet radiography requirements for dental assistants as defined by the NC Board of Dental Examiners; or
- (3) shall be enrolled in a training program for radiography, and under the personal supervision of an individual who meets the requirements of Subparagraphs (1) or (2) of this Paragraph.

(h) Podiatry

- (1) other than the podiatrist, all podiatric radiation machine operators shall complete radiography training and pass an examination provided by the NC Foot and Ankle Society;
- (2) shall hold an active registration in Radiography (R) with the American Registry of Radiologic Technologists (ARRT); or
- (3) shall be enrolled in a training program for radiography, and under the personal supervision of an individual who meets the requirements of Subparagraphs (1) or (2) of this Paragraph.

(i) Radiography and Fluoroscopy

- (1) Radiography
  - (A) individuals who operate a radiation machine for plain radiography shall be a Registered Technologist (RT) by the American Registry of Radiologic Technologists (ARRT) with an active registration in Radiography (R); or
  - (B) shall be enrolled in an accredited radiography educational program and under the personal supervision of an individual who meets the requirements of Part (A) of this Paragraph.
- (2) Fluoroscopy
  - (A) individuals who operate fluoroscopy radiation machines shall be a physician as defined in Rule .0103(b)(8) of this Chapter or an advanced practitioner provider (APP) as defined in Rule .0602(2) of this Section under the personal supervision of a physician who has completed training in accordance with Paragraph (1) of this Rule;
  - (B) shall be an ARRT-registered RT and hold an active registration in Radiography (R); or
  - (C) shall be enrolled in an accredited educational program for radiography and under the personal supervision of an individual who meets the

requirements of Part (B) of this Subparagraph

(3) Angiography

- (A) individuals who operate fluoroscopy radiation machines shall be a physician as defined in Rule .0103(b)(8) of this Chapter;
- (B) shall be an ARRT-registered RT and hold an active registration in Radiography (R);
- (C) shall be a graduate of a post-secondary educational program in interventional cardiac and vascular technology and a Registered Cardiovascular Invasive Specialist (RCIS) or a Registered Cardiac Electrophysiology Specialist (RCES) by Cardiovascular Credentialing International (CCI); or
- (D) shall be enrolled in an accredited educational program and under the personal supervision of an individual who meets the requirements of Part (B) or (C) of this Subparagraph.

(j) Computed Tomography (CT)

- (1) individuals who operate a CT radiation machine for diagnostic imaging shall hold an active Computed Tomography (CT) registration with the ARRT; or
- (2) shall be enrolled in an accredited educational program and under the personal supervision of an individual who meets the requirements of Subparagraph (1) of this Paragraph.

(k) Dual Energy X-Ray Absorptiometry (DEXA or DXA)

- (1) Individuals who operate a DEXA or DXA radiation machine for diagnostic measurement of bone density or body composition as ordered by a physician or APP shall be:
  - (A) an ARRT-registered technologist with an active registration in Bone Densitometry (DB);
  - (B) a Certified Bone Densitometry Technologist (CBDT) by the International Society for Clinical Densitometry (ISCD); or
  - (C) enrolled in an accredited educational program and under the personal supervision of an individual who meets the requirements of Part (A) or (B) of this Subparagraph.
- (2) All individuals who operate a DEXA or DXA radiation machine shall receive training specific to the radiation machine used and training in basic principles of radiation protection prior to using the radiation machine.

(l) Veterinary Imaging

- (1) other than the veterinarian, all veterinary radiation machine operators shall be:
  - (A) under the personal supervision of a veterinarian;



- (B) be a veterinary technician; or
- (C) under the personal supervision of a veterinary technician.

- (2) other than a veterinarian, all veterinary radiation machine operators shall be employed or engaged by a veterinarian or the owner of a veterinary facility registered in accordance with Section .0200 of this Chapter.

(m) For individuals other than radiologists, instruction and training to operate fluoroscopic and angiographic radiation machines by physicians and APPs shall include:

- (1) radiation quantities and units;
- (2) biological effects of ionizing radiation and recognition of symptoms of acute localized exposure;
- (3) radiation dose management and optimization of image quality; and
- (4) equipment features.

(n) Training records for each operator of a radiation machine shall be maintained and available for agency review during inspection.

*Authority G.S. 104E-7.*

#### **10A NCAC 15 .0605 ~~FLUOROSCOPIC X-RAY~~ SYSTEMS OPERATING REQUIREMENTS**

~~All fluoroscopic X-Ray systems shall meet the following requirements:~~

- (1) ~~Limitation of primary beam~~
  - (a) ~~The fluoroscopic tube shall not produce X Rays unless the primary protective barrier is in position to intercept the entire primary beam at all times.~~
  - (b) ~~The entire cross section of the primary beam shall be intercepted by the primary protective barrier of the fluoroscopic image assembly at any SID.~~
  - (c) ~~Limitation to the Imaging Surface~~
    - (i) ~~The X Ray field produced by fluoroscopic equipment without image intensification shall not extend beyond the entire visible area of the image receptor. This requirement applies to field size during both fluoroscopic procedures and spot filming procedures.~~
    - (ii) ~~Image intensified fluoroscopy and spot filming shall comply with the following:~~
      - (A) ~~During fluoroscopic or spot filming procedures, neither the length nor the width of the X Ray field in the plane of~~

~~the image receptor shall exceed the visible area of the image receptor by more than three percent of the SID. The sum of the excess length and the excess width shall be no greater than four percent of the SID.~~

- (B) ~~Compliance shall be determined with the beam axis perpendicular to the image receptor. For rectangular X Ray fields used with circular image reception, the error in alignment shall be determined along the length and width dimensions of the X Ray field which pass through the center of the visible area of the image receptor.~~

- (iii) ~~In addition to other requirements of this Rule, equipment manufactured after the effective date of these Rules shall comply with the following:~~

- (A) ~~Means shall be provided between the source and the patient for adjustment of the X-Ray field size in the plane of the film to the size of that portion of the film which has been selected on the spot film selector. This adjustment shall be automatically accomplished except when the X-Ray field size in the plane of the film is smaller than that of the selected portion of the film.~~

- (B) ~~It shall be possible to adjust the X Ray field size in the plane of the film to a size smaller than the selected portion of the film. The minimum field size at the greatest SID, shall be equal to or less than five centimeters by five centimeters.~~
- (C) ~~The center of the X-Ray field in the plane of the film shall be aligned with the center of the selected portion of the film to within two percent of the SID.~~
- (2) ~~X-Ray production in the fluoroscopic mode shall be controlled by a device which requires continuous pressure by the fluoroscopist for the entire time of any exposure. When recording serial fluoroscopic images, the fluoroscopist shall be able to terminate the X Ray exposure(s) at any time, but means may be provided to permit completion of any single exposure of the series in process.~~
- (3) ~~Entrance exposure rates shall be limited as required in the following:~~
- (a) ~~Fluoroscopic equipment shall not be operated at any combination of tube potential and current which will result in an exposure rate in excess of ten roentgens per minute at the point where the center of the primary beam enters the patient, except:~~
- (i) ~~during recording of fluoroscopic images; or~~
- (ii) ~~when provided with optional high level control, the equipment shall not be operable at any combination of tube potential and current which will result in an exposure rate in excess of five roentgens per minute at the point where the center of the beam enters the patient unless the high level control is activated. Special means of activation of high level controls, such as additional pressure applied continuously by the operator, shall be required to avoid~~
- ~~accidental use. A continuous signal audible to the fluoroscopist shall indicate that the high level control is being employed.~~
- (b) ~~In addition to the other requirements of this Rule equipment manufactured after August, 1974, which does not incorporate an automatic exposure control (e.g., automatic brightness control or ionization chamber control) shall not be operated at any combination of tube potential and current which will result in an exposure rate in excess of five roentgens per minute at the point where the center of the primary beam enters the patient except during the recording of fluoroscopic images or when provided with an optional high level control.~~
- (e) ~~Compliance with the provisions of Item (3) of this Rule shall be determined as follows:~~
- (i) ~~Movable grids and compression devices shall be removed from the primary beam during the measurement.~~
- (ii) ~~If the source is below the table, the exposure rate shall be measured one centimeter above the tabletop or cradle.~~
- (iii) ~~If the source is above the table, the exposure rate shall be measured at 30 centimeters above the tabletop with the end of the beam limiting device or spacer positioned as closely as possible to the point of measurement.~~
- (iv) ~~In a C arm type fluoroscope, the exposure rate shall be measured 30 centimeters from the input surface of the fluoroscopic imaging assembly.~~
- (d) ~~Periodic measurement of entrance exposure rate limits shall comply with the following:~~
- (i) ~~Such measurements shall be made every two years or after any maintenance of the system which might affect the exposure rate.~~
- (ii) ~~Results of these measurements shall be available or posted where any~~

- fluoroscopist may have ready access to them and shall be in the record required in Rule .0603(a)(2)(B) of this Section. Results of the measurements shall include the exposure rate, as well as the physical factors used to determine all data; the name of the person approved by the agency performing the measurements and the date the measurements were performed.
- (iii) Entrance exposure rate shall be determined with the attenuation block in Rule .0602(a) in the primary beam.
- (4) Radiation transmitted through the primary protective barrier of the fluoroscopic imaging assembly shall comply with the following requirements:
- (a) The exposure rate resulting from transmission through the primary protective barrier with the attenuation block in the primary beam, combined with radiation from the image intensifier, if provided, shall not exceed two milliroentgens per hour at ten centimeters from any accessible surface of the fluoroscopic imaging assembly beyond the plane of the image receptor for each roentgen per minute of entrance exposure rate.
- (b) Measurements to determine compliance with Sub item (4)(a) of this Rule shall be in accordance with the following:
- (i) The exposure rate resulting from transmission through the primary protective barrier combined with radiation from the image intensifier shall be determined by measurements averaged over an area of 100 square centimeters with no linear dimension greater than 20 centimeters;
- (ii) If the source is below the tabletop, the measurement shall be made with the input surface of the fluoroscopic imaging assembly, positioned 30 centimeters above the tabletop.
- (iii) If the source is above the tabletop and the SID is variable, the measurement shall be made with the end of the beam limiting device or spacer as close to the tabletop as it can be placed, provided that it shall not be closer than 30 centimeters;
- (iv) Movable grids and compression devices shall be removed from the primary beam during the measurement;
- (v) The attenuation block shall be positioned in the primary beam ten centimeters from the point of measurement of entrance exposure rate and between this point and the input surface of the fluoroscopic imaging assembly.
- (5) During fluoroscopy and cinefluorography, X-Ray tube potential and current shall be continuously indicated.
- (6) The source skin distance shall not be less than:
- (a) 38 centimeters on stationary fluoroscopes;
- (b) 30 centimeters on all mobile fluoroscopes, or
- (c) 20 centimeters for image intensified fluoroscopes during surgical application.
- (7) Fluoroscopic timers shall meet the following requirements:
- (a) Means shall be provided to preset the cumulative on time of the fluoroscopic tube. The maximum cumulative time of the timing device shall not exceed five minutes without resetting.
- (b) A signal audible to the fluoroscopist shall indicate the completion of any preset cumulative on time. Such signal shall continue to sound while X-Rays are produced until the timing device is reset.
- (8) Mobile fluoroscopes, in addition to the other requirements of this Rule, shall provide image intensification.
- (9) Scattered radiation shall be controlled in accordance with the following requirements:
- (a) A shielding device of at least 0.25 mm lead equivalent for covering the Bucky slot during fluoroscopy shall be provided.
- (b) A shield of at least 0.25 mm lead equivalent, such as overlapping protective drapes or hinged or sliding panels, shall be provided to intercept scattered radiation which would

~~otherwise reach the fluoroscopist and others near the machine.~~

- (e) ~~Upon application to the agency with adequate justification, exceptions from Sub-items (9)(a) or (9)(b) of this Rule may be made in some special procedures where a sterile field will not permit the use of the normal protective barriers or where the protective barriers would interfere with the procedures.~~

(a) Radiation machines shall only be operated by individuals who meet the operator requirements of Rule .0604 of this Section.

(b) Exposures of individuals to the primary beam:

- (1) Individuals shall not be exposed to the primary beam except for diagnostic imaging purposes. Such exposures shall have been authorized by a licensed practitioner as defined in Rule .0103(7) of this Chapter.
- (2) Students or candidates in training under the personal supervision of an individual that meets the requirements of Rule .0604 of this Chapter shall not be permitted to perform radiographic imaging unless such exposures have been authorized by a licensed practitioner as defined in Rule .0103(7) of this Chapter.
- (3) Deliberate exposure of an individual for training, demonstration, or other non-diagnostic imaging purposes is prohibited.
- (4) Radiation exposures for non-human use, used for forensic medicine, or by service providers for demonstration purposes are exempt from Subparagraphs (b)(1) and (2) of this Rule.

(c) The radiation exposure to the patient shall be the minimum exposure required to produce images of optimal diagnostic quality.

(d) Individuals who operate radiation machines shall:

- (1) be familiar with the radiation protection program procedures established in accordance with Rule .0603(d)(3) of this Section;
- (2) use collimation to limit the primary beam to the area of clinical interest or to the image receptor, whichever is smaller;
- (3) use technique factors and dose reduction technologies, according to patient sizes and clinical indication, to optimize patient dose while maintaining optimal image quality;
- (4) use mechanical holding devices, whenever medical circumstances permit, when a patient or image receptor must be provided with auxiliary support during a radiation exposure; and
- (5) control the area during radiation exposures.

(e) Except for dental handheld radiation machines, individuals who operate radiation machines shall not hold either the X-Ray tube housing or the collimating device during radiation exposures.

(f) No occupational worker shall be designated as the individual who always holds patients or image receptors during radiation

exposures. Operators of veterinary radiation machines are exempt from this Rule.

(g) If a human holder is required, they shall be provided with instructions:

- (1) for supporting the patient during the radiation exposure;
- (2) to wear a lead apron equivalent to 0.25 mm or greater for protection from scatter radiation during the exposure; and
- (3) to avoid extremity exposure to the primary beam, or to wear protective gloves equivalent to 0.5 mm of lead or more.

(h) Except for Dual Energy X-Ray Absorptiometry (DEXA or DXA) and intraoral dental handheld radiation machine operators, only the professional staff and individuals required for the medical procedure or those in training shall be in the room of the patient being examined during the radiographic and fluoroscopic exposures.

(1) All individuals other than the patient being examined shall be:

- (A) positioned such that no part of the body, including the extremities, which are not protected by 0.5 mm lead equivalent or greater material will be exposed to the primary beam; and
- (B) protected from scatter radiation by protective apparel or whole-body protective equipment of 0.25 mm lead equivalent or greater material.

(2) When a mobile or portable radiation machine is used during radiographic or fluoroscopy exposures, patients other than the individual examined who cannot be removed from the room shall be protected from the scatter radiation by:

- (A) protective apparel or equipment; or
- (B) be positioned so that the nearest portion of the body is six feet or greater from both the tube head and the nearest edge of the image receptor.

(i) CT operators shall have the following made readily accessible during the use of the CT radiation machine and while performing routine QC:

- (1) instructions on performing routine QC;
- (2) a schedule of routine QC;
- (3) any allowable variations set by the CT QE for the indicated parameters;
- (4) the results of the most recent routine QC completed on the system; and
- (5) established scanning protocols.

(j) Intraoral dental radiation machine operators shall use patient and film holding devices when the techniques permit.

(k) Intraoral dental handheld radiation machine operators shall ensure the following additional requirements are met:

- (1) When making an exposure, all individuals other than the patient undergoing the procedure remain at a distance greater than six feet from the patient.

- (2) Use an individual monitoring device. When protective apparel is required in accordance with Subparagraph (k)(3) of this Rule, the individual monitoring device shall be used in accordance with Paragraph (m) of this Rule.
- (3) Wear protective apparel of 0.25 mm or greater lead equivalent material when the backscatter shield is not parallel to the operator while making an exposure.
- (l) Veterinary radiation machine operators shall ensure the following additional requirements are met.
  - (1) A dead-man type of exposure switch shall be provided, tethered with a cord of a length so that the operator can stand out of the primary beam and six feet or greater from the animal during all X-Ray exposures or behind a protective barrier adequate to assure compliance with dose limit requirements of Rules .1601(a)(8) and .1601(a)(15) of this Chapter are not exceeded.
  - (2) No individual other than the operator shall be in the X-ray room while exposures are being made unless such an individual's assistance is required.
- (m) When protective apparel or equipment is used and an individual monitoring device(s) is required, at least one such monitoring device shall be used as follows:
  - (1) The individual monitoring device shall be worn at the collar, outside the apparel.
  - (2) If protective equipment is used in place of protective apparel, the individual radiation monitoring device shall be worn on the torso.
  - (3) A fetal monitoring device shall be worn at the waist. If protective apparel is worn, the individual radiation monitoring device shall be worn under the protective apparel at the waist.
  - (4) The dose to the whole body shall be recorded in the reports in accordance with Rule .1601(a)(53) of this Chapter. If more than one device is used, each dose shall be identified with the area where the device was worn on the body.

*Authority G.S. 104E-7.*

**10A NCAC 15 .0606      SYSTEMS OTHER THAN FLUOROSCOPIC AND DENTAL INTRAORAL AREA REQUIREMENTS**

~~(a) Unless specifically provided otherwise by the rules in this Chapter, the requirements in this Rule shall apply to all x ray systems, except for fluoroscopic and dental intraoral x ray systems. The useful beam of x ray systems subject to provisions of this Rule shall be limited to the area of clinical interest or the image receptor, whichever is smaller.~~

- ~~(1) General purpose stationary and mobile x ray systems shall meet the following special requirements:~~
  - ~~(A) There shall be provided a means for stepless adjustment of the size of the x ray field. The minimum field size at~~

- ~~a SID of 100 centimeters shall be equal to or less than five centimeters by five centimeters.~~
- ~~(B) Means shall be provided for visually defining the perimeter of the x ray field. The total misalignment of the edges of the visually defined field with the respective edges of the x ray field along either the length or width of the visually defined field shall not exceed two percent of the distance from the source to the center of the visually defined field when the surface upon which it appears is perpendicular to the axis of the x ray beam.~~
- ~~(C) Notwithstanding Parts (a)(1)(A) and (B) of this Rule, equipment manufactured before August 1, 1974 may employ fixed cones and diaphragms or variable collimators without beam defining lights.~~
- ~~(2) In addition to the requirements of Subparagraph (a)(1) of this Rule, all stationary x ray systems, except equipment originally manufactured before the effective date of this Rule, shall meet the following requirements:~~
  - ~~(A) Means shall be provided to indicate when the axis of the x ray beam is perpendicular to the plane of the image receptor, to align the center of the x ray field with respect to the center of the image receptor to within two percent of the SID, and to indicate the SID to within two percent;~~
  - ~~(B) The beam limiting device shall numerically indicate the field size in the plane of the image receptor to which it is adjusted;~~
  - ~~(C) Indication of field size dimensions and SID's shall be specified in inches or centimeters and shall be such that aperture adjustments result in x ray field dimensions in the plane of the image receptor which correspond to those of the image receptor to within two percent of the SID when the beam axis is perpendicular to the plane of the image receptor.~~
- ~~(3) Radiographic equipment designed for only one image receptor size at a fixed SID shall be provided with means to limit the field at the plane of the image receptor to dimensions no greater than those of the image receptor and to align the center of the x ray field with the center of the image receptor to within two percent of the SID.~~
- ~~(4) Special purpose x ray systems shall meet the following requirements:~~

- (A) ~~These systems shall be provided with means to limit the x ray field in the plane of the image receptor so that such field does not exceed each dimension of the image receptor by more than two percent of the SID when the axis of the x ray beam is perpendicular to the plane of the image receptor.~~
  - (B) ~~Such systems shall also be provided with means to align the center of the x ray field with the center of the image receptor to within two percent of the SID.~~
  - (C) ~~The requirements in Parts (a)(4)(A) and (B) of this Rule may be met with a system that meets the requirements for a general purpose x ray system as specified in Subparagraph (a)(1) of this Rule or, when alignment means are also provided, as follows:~~
    - (i) ~~an assortment of removable, fixed aperture, beam limiting devices sufficient to meet the requirement for each combination of image receptor size and SID for which the unit is designed, where each device has clear and permanent markings to indicate the image receptor size and SID for which it is designed; or~~
    - (ii) ~~a beam limiting device having multiple fixed apertures sufficient to meet the requirement for each combination of image receptor size and SID for which the unit is designed, where the device has permanent, clearly legible, markings indicating image receptor size and SID for which the unit is designed, where the device has permanent, clearly legible, markings indicating image receptor size and SID for which each aperture is designated and indicating which aperture is in position for use.~~
- ~~(b) Radiation exposure control devices shall meet the following requirements:~~
- (1) ~~Means shall be provided to terminate the exposure after a preset time interval, preset product of current and time, a preset number of pulses or a preset radiation exposure to the image receptor. In addition:~~
    - (A) ~~Termination of exposure shall cause automatic resetting of the timer to its initial setting or to zero except during serial radiography, and~~
    - (B) ~~It shall not be possible to make an exposure when the timer is set to a zero or "off" position if either position is provided.~~
- ~~(2) Control over x ray exposures shall be in accordance with the following requirements:~~
- (A) ~~A control shall be incorporated into each x ray system such that the operator can terminate an exposure at any time except for serial radiography where means may be provided to permit completion of any single exposure of the series in process.~~
  - (B) ~~Each x ray control shall be located in such a way as to meet the following criteria:~~
    - (i) ~~For stationary x ray systems, the control shall be permanently mounted in a protected area so that the operator is required to remain in that protected area during the entire exposure; and~~
    - (ii) ~~The x ray control shall provide visual indication observable at or from the operator's protected position whenever x rays are produced. In addition, except for equipment originally manufactured before the effective date of this Rule, a signal audible to the operator shall indicate that the exposure has terminated.~~
- ~~(3) When an automatic exposure control (e.g., phototimer) is provided the following requirements shall be met, except equipment originally manufactured before the effective date of this Rule:~~
- (A) ~~Indication shall be made on the control panel when this mode of operation is selected;~~
  - (B) ~~When the x ray tube potential is equal to or greater than 50 kVp, the minimum exposure time for field emission equipment rated for pulsed operation shall be equal to or less than a time interval equivalent to two pulses;~~
  - (C) ~~The minimum exposure time for all equipment other than that specified in Part (b)(3)(B) of this Rule shall be~~

equal to or less than 1/60 second or a time interval required to deliver five mAs, whichever is greater;

- (D) Either the product of peak x ray tube potential, current and exposure time shall be limited to not more than 60 kWs per exposure or the product of x ray tube current and exposure time shall be limited to not more than 600 mAs per exposure except when the x ray tube potential is less than 50 kVp, in which case the product of x ray tube current and exposure time shall be limited to not more than 2000 mAs per exposure; and

- (E) A visible signal shall indicate when an exposure has been terminated at the limits described in Part (b)(3)(D) of this Rule and manual resetting shall be required before further automatically timed exposures can be made.

- (4) When four timer tests are performed at identical timer setting equal to 5.0 seconds or less, the average time period (T) shall be greater than five times the difference between the maximum period (Tmax) and the minimum period (Tmin) in accordance with the formula:

$$T > 5(T_{\max} - T_{\min})$$

(e) Source skin or source image receptor distance shall meet the following requirement:

All radiographic systems shall be provided with a durable, securely fastened means to limit the source skin distance to at least 30 centimeters. This is considered to be met when the collimator or cone provides the required limits.

(d) The exposure produced shall be reproducible to within the following criteria:

When all technique factors are held constant, the coefficient of variation shall not exceed 0.10. This shall be deemed to be met if, when four exposures at identical technique factors are made, the value of the average exposure (E) is greater than five times the difference between the maximum exposure (Emax) and the minimum exposure (Emin) in accordance with the formula:

$$E > 5(E_{\max} - E_{\min})$$

(e) Standby radiation from capacitor energy storage equipment, when the exposure switch or timer is not activated, shall not exceed a rate of two milliroentgens per hour at five centimeters from any accessible surface of the diagnostic source assembly with the beam limiting device fully open.

(f) Linearity

- (1) When the equipment allows a choice of x ray tube current settings, the average ratios of exposure to the indicated milliamperere seconds product, i.e., mR/mAs, obtained at any two consecutive tube current settings shall not differ by more than 0.10 times their sum, i.e., /mean

of  $x_1 - x_2 / < \text{minus } 0.10 \text{ mean of } (x_1 + x_2)$ , where the mean of  $x_1$  and  $x_2$  are the average mR/mAs values obtained at each of two consecutive tube current settings.

- (2) Compliance shall be determined at the most commonly used mA stations by measuring mR/mAs at those stations and at one adjacent station to each.

(g) Timer accuracy

- (1) For indicated values of 0.10 seconds and above, the measured value shall be within plus or minus 15 percent of the indicated values for equipment manufactured before August 1, 1974.

- (2) For equipment manufactured after August 1, 1974, the deviation of measured values from indicated values shall not exceed the limits specified for that system by its manufacturer.

(a) Structural barriers shall be installed so that the dose limits of Rules .1601(a)(8) and .1601(a)(15) of this Chapter are not exceeded.

- (1) Stationary radiation machine systems shall be installed in areas with the following:

(A) primary protective barriers for all walls, floor, ceiling, or other structures that will intercept the primary beam;

(B) secondary protective barriers in the walls, doors, floor, and ceiling areas or other structures that will intercept and attenuate leakage and scatter radiation; and

(C) a window, to include a frame and lead-equivalent glass, meeting the same structural barriers as required by the adjacent barrier, or a mirror system shall be provided so the operator can see the patient from behind the protective barrier during radiation exposures.

- (2) Intraoral dental handheld radiation machines shall be used in a controlled area, as defined in Rule .1601(a)(3) of this Chapter and controlled by separating adjacent uncontrolled areas six feet or greater from the patient.

(b) The exposure switch for radiation machines shall be installed meeting the following requirements:

- (1) Stationary radiation machine systems shall have the exposure switch permanently mounted:

(A) behind a protected barrier 40 inches (1 meter) from the edge of the control booth; or

(B) so that the operator is required to remain behind the protective barrier area during the entire radiation exposure.

- (2) Dental intraoral radiation machines shall have the exposure switch permanently installed so that the operator is required to be:

- (A) behind a protective barrier height of 7 feet (2.3 meters) or greater; or
- (B) located 6 feet (1.8 meters) or greater from the tube housing assembly.
- (3) Mobile, portable, and veterinary radiation machines shall have an exposure switch that allows the operator to stand six feet or greater from the tube during radiation exposures.
- (c) Stationary CT radiation machine operators shall maintain aural communication with the patient while the operator is required to remain behind a protective barrier at the control panel.
- (d) Use of video monitors that do not have a direct power source is prohibited.
- (e) Any mobile or portable radiation machine used in one location or used as a primary imaging system shall have structural shielding in that location that meets the requirements for stationary diagnostic radiation machines for stationary diagnostic imaging systems in Subparagraph (a)(1) of this Rule.
- (f) An area radiation survey shall be performed for installations of radiation machines within 30 days following the initial use to show compliance with Paragraph (a) of this Rule.
  - (1) This survey shall include:
    - (A) a scaled drawing of the room in which the stationary radiation machine system is located;
    - (B) radiation levels in adjacent areas; and
    - (C) the name of the person, approved by the agency performing the survey, and the date the survey was performed.
  - (2) Any modification that could increase the radiation dosage for any individual to the following shall require a new survey:
    - (A) radiation machine configuration;
    - (B) radiation output; or
    - (C) occupancy factors if the x-ray room or adjacent areas are changed.
  - (3) Area radiation survey records shall document compliance with dose limits in accordance with Rules .1601(a)(8) and (15) of this Chapter.
  - (4) Records of the area radiation survey shall be maintained in accordance with Rule .0603(m) of this Section.
- (g) Technique Charts or imaging protocols for each radiation machine not equipped with an operational anatomic programming or phototimer option shall be readily available to the operator of the radiation machine(s). If pediatric and adult patients are imaged, a chart is required for both and shall include the following information:
  - (1) patient's anatomical size;
  - (2) technique factors to be used;
  - (3) source to image receptor distance used; and
  - (4) type of image receptor.
- (h) Each area, as defined in Rule .1601(a)(3) of this Chapter, where a radiation machine is used shall be conspicuously posted with a sign, in accordance with the requirements of Rule .1601(a)(34) of this Chapter, bearing the words "CAUTION – RADIATION AREA", or words having a similar meaning.
- (i) Exemptions apply to the following:

- (1) intraoral dental radiation machines from Parts (a)(1)(A) and (C) of this Rule.
- (2) Dual Energy X-Ray Absorptiometry (DEXA or DXA) and veterinary radiation machines from Subparagraph (b)(1) of this Rule.
- (3) dental handheld radiation machines from Subparagraph (b)(2) of this Rule.
- (4) radiation machines used for intraoral, particle accelerators, or used for treatment planning from Paragraph (d) of this Rule; and
- (4) dental radiation machines from Subparagraph (g)(3) of this Rule.

*Authority G.S. 104E-7.*

**10A NCAC 15 .0607      INTRAORAL DENTAL RADIOGRAPHIC SYSTEMS RADIATION MACHINE REQUIREMENTS**

- (a) In addition to the provisions of Rules .0603 and .0605 of this Section, the requirements of this Rule apply to x ray equipment and associated facilities used for dental radiography. Criteria for extraoral dental radiographic systems are covered in Rule .0606 of this Section.
- (b) X ray systems designed for use with an intraoral image receptor shall be provided with means to limit source skin distance to not less than:
  - (1) 18 centimeters, if operated above 50 kilovolts peak; or
  - (2) ten centimeters, if operated at or below 50 kilovolts peak.
- (c) The size of the direct radiation beam shall be limited in accordance with the following rules:
  - (1) Radiographic systems designed for use with an intraoral image receptor shall be provided with means to limit the x ray beam such that:
    - (A) If the source skin distance (SSD) is 18 centimeters or more, the x ray field at the SSD shall be containable in a circle having a diameter of no more than seven centimeters; and
    - (B) If the SSD is less than 18 centimeters, the x ray field at the SSD shall be containable in a circle having a diameter of no more than six centimeters.
  - (2) Effective February 1, 1981, equipment manufactured prior to August 1974 shall be equipped with a lead line open position indicating device with at least 0.79 mm lead.
- (d) The timing device shall comply with the following requirements:
  - (1) Termination of the exposure after a preset interval;
  - (2) Termination of exposure shall cause automatic resetting of the timer to its initial setting or to zero;
  - (3) It shall not be possible to make an exposure when the timer is set to a zero or "off" position if either position is provided; and



- (4) When four timer tests are performed at identical timer settings equal to five seconds or less, the average time period (T) shall be greater than five times the difference between the maximum period (Tmax) and the minimum period (Tmin) in accordance with the formula:

$$T > 5(T_{\text{max}} - T_{\text{min}})$$

- (5) Effective February 1, 1983, intraoral dental radiographic systems shall be equipped with an electronic timer.

- (6) Timer accuracy

- (A) For indicated values of 0.10 seconds and above, the measured value shall be within plus or minus 15 percent of the indicated values for equipment manufactured before August 1, 1974.
- (B) For equipment manufactured after August 1, 1974, the deviation of measured values from indicated values shall not exceed the limits specified for that system by its manufacturer.

- (e) The exposure switch shall comply with the following requirements:

- (1) A control shall be incorporated into each x ray system such that an exposure can be terminated at any time, except for exposures of one half second or less.
- (2) Each x ray control shall be located in such a way as to meet the following criteria:
- (A) For stationary x ray systems installed after the effective date of this Rule, the exposure switch shall be permanently mounted in a protected area (e.g., corridor outside the room) so that the operator is required to remain in that protected area during the entire exposure.
- (B) For stationary x ray systems without a protected area and installed before the effective date of this Rule, the exposure switch shall be such that the operator shall stand at least six feet away from the tube and out of the direct beam.
- (C) For mobile and portable x ray systems the switch shall meet the requirements of Part (e)(2)(B) of this Rule.
- (3) For equipment manufactured after August 1, 1974, the x ray control shall provide visual indication observable at or from the operator's protected position whenever x-rays are produced. In addition, a signal audible to the operator shall indicate that the exposure has terminated.

- (f) The exposure produced shall be reproducible to within the following criteria:

When all technique factors are held constant, the coefficient of variation shall not exceed 0.10. This shall be deemed to be met if, when four exposures at identical technique factors are made, the value of the average exposure (E) is greater than five times the difference between the maximum exposure (Emax) and the minimum exposure (Emin) in accordance with the formula:

$$E > 5(E_{\text{max}} - E_{\text{min}})$$

- (g) Patient and film holding devices shall be used when the techniques permit.

- (h) Neither the tube housing nor the position indicating device shall be hand held during an exposure.

- (i) Dental fluoroscopy without image intensification shall not be used.

- (j) Structural shielding

- (1) All wall, floor and ceiling areas shall have protective barriers sufficient to meet the requirements of Rules .1604 and .1611 of this Chapter.

- (2) When intraoral x ray systems are installed in adjacent rooms or areas, protective barriers as specified in Subparagraph (j)(1) of this Rule shall be provided between the rooms or areas.

- (a) All radiation machines shall be:

- (1) registered with the agency in accordance with Rule .0203(a) of this Chapter; and
- (2) installed according to the manufacturer's specifications.

- (b) Each diagnostic radiographic and fluoroscopic radiation machine and associated components shall comply with the following provisions of 21 CFR Subchapter J, Diagnostic x-ray systems and their major components, which are hereby incorporated by reference, including subsequent amendments and editions. The following parts of 21 CFR Subchapter J apply:

- (1) Part 1000, "General;"
- (2) Subpart A 1000.1, "General Provisions - General;"
- (3) Subpart A 1000.3(a) through (1), and (n) through (s), "Definitions;"
- (4) Subpart A 1000.15, "Examples of electronic products subject to the Radiation Control for Health and Safety Act of 1968;"
- (5) Part 1002, "Records and Reports;"
- (6) Subpart A 1002.1(a) and (c)(4), "Applicability;"
- (7) Subpart D 1002.31, "Preservation and inspection of records;"
- (8) Part 1003, "Notification of Defects of Failures to Comply;"
- (9) Subpart A 1003.1, "Applicability;"
- (10) Subpart A 1003.2, "Defect in an electronic product;"
- (11) Subpart C 1003.21, "Notification by the manufacturer to affected persons;"
- (12) Part 1010, "Performance Standards for Electronic Products - General;"
- (13) Subpart A 1010.1, "Scope;"

- (14) Subpart A 1010.2 (a),(b), and (d), "Certification;"
- (15) Subpart A 1010.3, "Identification;"
- (16) Subpart A 1010.4(a) and (d), "Variances;"
- (17) Part 1020, "Performance Standards for Ionizing Radiation Emitting Products;"
- (18) Section 1020.20, "Cold-cathode gas discharge tubes;"
- (19) Section 1020.30, "Diagnostic x-ray systems and their main components;"
- (20) Section 1020.31, "Radiographic equipment;"
- (21) Section 1020.32, "Fluoroscopic equipment;"  
and
- (22) Section 1020.33, "Computed tomography (CT) equipment;"

(c) The regulations incorporated by reference in Paragraph (b) of this Rule are available free of charge at <https://www.ecfr.gov/current/title-21/chapter-I/subchapter-J> for Subparagraphs (b)(1) through (b)(22) of this Rule.

(d) Diagnostic radiation machines and their associated components used on humans and certified in accordance with Paragraph (b)(17) of this Rule shall be maintained to ensure compliance with standards in accordance with Paragraph (b) of this Rule.

(e) Radiation machines that do not meet the requirements of Paragraph (b)(1) of this Rule shall not be sold, installed, or used in this state prior to the agency completing a review of the radiation machine in accordance with Rule .0212(a) of this Chapter.

(f) All radiation machines shall meet the following additional requirements:

- (1) The tube housing shall remain stable during radiation exposures unless tube housing movement is a designed function of the radiation machine.
- (2) All position locking, holding, and centering devices on radiation machine components and systems shall function as intended by the manufacturer.

(g) Veterinary. Radiation machines used in veterinary medicine are exempt from Paragraph (c) of this Rule. The requirements of this paragraph shall apply only to veterinary medicine radiographic installations. Veterinary radiation machine installations shall meet the following requirements:

- (1) The protective tube housing shall be of the diagnostic type.
- (2) Diaphragms or cones shall be provided for collimating the useful beam to the area of the image receptor and shall provide the same degree of protection as is required in the housing.
- (3) The total filtration permanently in the useful beam shall not be less than 0.5 millimeters aluminum equivalent for machines operating up to 50 kVp, 1.5 millimeters aluminum equivalent for machines operating between 50-70 kVp, and 2.5 millimeters aluminum equivalent for machines operating above 70 kVp.

- (4) A device shall be provided to terminate the exposure after a preset time or exposure.
- (5) A dead-man type of exposure switch shall be provided, together with an electrical cord of sufficient length, so that the operator can stand out of the useful beam and at least six feet from the animal during all x-ray exposures or behind a protective barrier adequate to assure compliance with dose limit requirements of Rules .1601(a)(8) and .1601(a)(15) of this Chapter.

*Authority G.S. 104E-7.*

**10A NCAC 15 .0608 THERAPEUTIC X-RAY INSTALLATIONS: LESS THAN ONE MEV**

*Authority G.S. 104E-7;104E-12(a).*

**10A NCAC 15 .0610 VETERINARY MEDICINE RADIOGRAPHIC INSTALLATIONS**

*Authority G.S. 104E-7;104E-12(a).*

**10A NCAC 15 .0611 COMPUTED TOMOGRAPHY (CT) X-RAY SYSTEMS**

*Authority G.S. 104E-7;104E-11; 104E-12.*

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**TITLE 12 – DEPARTMENT OF JUSTICE**

*Notice is hereby given in accordance with G.S. 150B-21.2 that the Sheriffs' Education and Training Standards Commission intends to amend the rules cited as 12 NCAC 10B .0403, and .0407.*

**Link to agency website pursuant to G.S. 150B-19.1(c):**  
*ncdoj.gov*

**Proposed Effective Date:** *December 1, 2025*

**Public Hearing:**

**Date:** *September 2, 2025*

**Time:** *10:00 a.m.*

**Location:** *1700 Tryon Park Dr. Raleigh, NC 27610*

**Reason for Proposed Action:** *12 NCAC 10B .0403 - This rule modifies the Probationary Certification requirements to allow the issuance of probationary certification prior to completion of BLET and adds clarifying language as to the authority of these officers to exercise the powers of a deputy sheriff until such training has been completed.*

*12 NCAC 10B .0407 - This rule modifies the requirements for issuance of certification to a former sheriff by removing the requirement of serving for a minimum of four years if the former sheriff has specified qualifying conditions.*

**Comments may be submitted to:** Robin Pendergraft, 1700 Tryon Park Dr., Raleigh, NC 27610; phone (919) 779-8213; email [rpendergraft@ncdoj.gov](mailto:rpendergraft@ncdoj.gov)

**Comment period ends:** October 14, 2025

**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

**CHAPTER 10 - SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION**

**SUBCHAPTER 10B - N.C. SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION**

**SECTION .0400 - CERTIFICATION OF JUSTICE OFFICERS**

**12 NCAC 10B .0403 PROBATIONARY CERTIFICATION REQUIREMENT**

(a) For certification as a deputy sheriff, ~~the applicant must successfully complete Basic Law Enforcement Training as described in 12 NCAC 10B .0502 and 12 NCAC 09B .0205, and sheriff or detention officer,~~ a Report of Appointment (Form F-4) ~~must shall~~ be submitted to the Division. For certification as a telecommunicator, a Report of Appointment (Form F-4T) shall be submitted to the Division.

~~(b) For certification as a detention officer, a Report of Appointment (Form F-4) must be submitted to the Division.~~

~~(c) For certification as a telecommunication officer, a Report of Appointment (Form F-4T) must be submitted to the Division.~~

~~(d)~~(b) Report of Appointment forms ~~must shall~~ be submitted to the Division by the employing agency no later than 10 days after the deputy sheriff has taken the Oath of Office, or the detention officer or the telecommunicator has been appointed.

~~(e)(c)~~ The Division shall forward the justice officer's certification to the ~~appointing~~ employing agency.

(f)(d) No deputy sheriff or detention officer probationary certification shall be issued by the Division prior to the applicant meeting the conditions set forth in this Paragraph. As an additional requirement for probationary certification, the applicant shall meet the following requirements:

- (1) If the applicant for probationary certification is authorized by the sheriff to carry a firearm pursuant to the provisions of ~~12 NCAC 10B .2104, Rule .2104 of this Subchapter,~~ the employing agency shall submit evidence of satisfactory completion of the employing agency's in-service firearms training and ~~requalification~~ qualification program pursuant to ~~12 NCAC 10B .2000 and .2100; Section .2100 of this Subchapter;~~ or
- (2) If the applicant for probationary certification is not authorized by the sheriff to carry a firearm pursuant to the provisions of ~~12 NCAC 10B .2104, Rule .2104 of this Subchapter,~~ the employing agency shall notify the Division, in writing, that the applicant is not authorized by the sheriff to carry a firearm.

(e) After documentation has been submitted to the Division pursuant to Paragraph (a) of this rule, a deputy sheriff who has not completed Basic Law Enforcement Training is only authorize to exercise the powers of a deputy sheriff when such action is:

- (1) While accompanied by and under the direct supervision of the sheriff or designee; or
- (2) While accompanied by and under the direct supervision of another deputy sheriff or law enforcement officer who has successfully completed Basic Law Enforcement Training; or
- (3) Necessary to:
  - (A) Defend themselves or another from what the deputy sheriff believes to be imminent use of deadly force; or
  - (B) Prevent serious bodily harm to themselves or another; or
  - (C) Prevent the escape from custody a person the deputy sheriff believe is attempting to escape by means of a deadly weapon, or who by this conduct or any other means indicates an imminent threat of death or serious physical injury to injury to others unless apprehended without delay; or a convicted of a felony; or
- (4) Taken when the deputy sheriff has probable cause to believe in their presence:
  - (A) a felony; or
  - (B) a breach of the peace; or
  - (C) a crime involving physical injury to another person; or
  - (D) a crime involving theft or destruction of property is being committed.

*Authority G.S. 17E-4; 17E-7.*

**12 NCAC 10B .0407 CERTIFICATION OF FORMER SHERIFF**

(a) The Division shall issue a General Certification to any person as either a deputy sheriff, a detention officer, or telecommunicator who has previously served as an elected or appointed sheriff for a minimum of eight years, if the person:

- (1) applies to the Commission within one year of ceasing to serve as an elected or appointed sheriff; and
- (2) left the office of sheriff in good standing.

(b) The Division shall issue a General Certification to any person as either a deputy sheriff, a detention officer, or telecommunicator who has previously served as an elected or appointed sheriff ~~for a minimum of four years~~, if the person:

- (1) applies to the Commission within one year of ceasing to serve as an elected or appointed sheriff;
- (2) held a General Certification as deputy sheriff, detention officer, or telecommunicator with the North Carolina Sheriffs' Education and Training Standards Commission or has held a General Certification as a sworn officer with the North Carolina Criminal Justice Commission, with a break in service not to exceed one year prior to serving as an elected or appointed sheriff; and
- (3) left the office of sheriff in good standing.

(c) In order for an officer to be certified under this Rule, the employing agency shall:

- (1) comply with the Report of Appointment form requirement of Rule .0403 of this Section;
- (2) submit to the Division, a copy of the Oath of Office for applicants requesting certification as a deputy sheriff; and
- (3) submit to the Division verification that the applicant meets the requirement of this Rule .0407(a)(2).

*Authority G.S. 17E-4; 17E-7.*

**TITLE 15A – DEPARTMENT OF ENVIRONMENTAL QUALITY**

*Notice is hereby given in accordance with G.S. 150B-21.2 that the Wildlife Resources Commission intends to adopt the rule cited as 15A NCAC 10D .0295.*

**Link to agency website pursuant to G.S. 150B-19.1(c):**  
<https://www.ncwildlife.gov/hunting/regulations/proposed-regulations>

**Proposed Effective Date:** *December 1, 2025*

**Public Hearing:**

**Date:** *September 23, 2025*

**Time:** *2:00PM*

**Location:** *Virtual public hearing via Zoom, pre-registration is required: <https://ncwildlife->*

*org.zoomgov.com/webinar/register/WN\_YzvznmTIQWq9j6gKo1akLw or join by telephone toll free: (833) 568-8864, Webinar ID: 160 056 5111*

**Reason for Proposed Action:** *The proposed rule will establish Paynes Branch Game Land. Adding this property to the Game Land Program as a three day per week area will provide recreational opportunities for hunters, trappers, wildlife viewers, and other outdoor recreationists. Additionally, this rule will establish requirements related to deer seasons and prohibit horseback riding and target shooting.*

**Comments may be submitted to:** *Rulemaking Coordinator, 1701 Mail Center Service Center, Raleigh, NC 27699; email [regulations@ncwildlife.gov](mailto:regulations@ncwildlife.gov)*

**Comment period ends:** *October 14, 2025*

**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

**CHAPTER 10 - WILDLIFE RESOURCES AND WATER SAFETY**

**SUBCHAPTER 10D - GAME LANDS REGULATIONS**

**SECTION .0200 - USE OF GAME LANDS**

**15A NCAC 10D .0295 PAYNES BRANCH GAME LAND IN FORSYTH AND STOKES COUNTIES**

Paynes Branch Game Land is a Three Days per Week Area, in which the following applies:

- (1) Antlered or antlerless deer may be taken the first open day of the All Lawful Weapons Season for Deer With Visible Antlers through the second Wednesday thereafter.

- (2) Target shooting is prohibited.  
 (3) Horseback riding is prohibited.

*Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.*

\*\*\*\*\*

*Notice is hereby given in accordance with G.S. 150B-21.2 that the Wildlife Resources Commission intends to amend the rule cited as 15A NCAC 10F .0307.*

**Link to agency website pursuant to G.S. 150B-19.1(c):**  
<https://www.ncwildlife.gov/hunting/regulations/proposed-regulations>

**Proposed Effective Date:** *December 1, 2025*

**Public Hearing:**

**Date:** *September 25, 2025*

**Time:** *2:00PM*

**Location:** *Virtual public hearing via Zoom, pre-registration is required:*  
[https://ncwildlife-org.zoomgov.com/webinar/register/WN\\_2qTvaWFVT76J2DTzJ5](https://ncwildlife-org.zoomgov.com/webinar/register/WN_2qTvaWFVT76J2DTzJ5)  
*D-1A or join by telephone toll free: (833) 568-8864, Webinar ID: 161 368 6962*

**Reason for Proposed Action:** *Wildlife Resources Commission staff were notified last fall of safety concerns and enforcement challenges surrounding vessel liveries on Lake Norman. Lack of regulations codified in Rule has made it difficult to enact and enforce regulations on vessel liveries, leading to lack of action against liveries and increased safety concerns among lake users. A temporary rule was adopted to address concerns during the boating season.*

*Permanently codifying vessel livery safety requirements in Rule will clarify standards for livery companies, facilitate and streamline enforcement activities, and improve public safety.*

*The proposed changes are identical to the temporary rule currently in effect and are identified with italicized text.*

**Comments may be submitted to:** *Rulemaking Coordinator, 1701 Mail Service Center, Raleigh, NC 27699; email [regulations@ncwildlife.gov](mailto:regulations@ncwildlife.gov)*

**Comment period ends:** *October 14, 2025*

**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

## CHAPTER 10 - WILDLIFE RESOURCES AND WATER SAFETY

### SUBCHAPTER 10F - MOTORBOATS AND WATER SAFETY

#### SECTION .0300 - LOCAL WATER SAFETY REGULATIONS

#### 15A NCAC 10F .0307 CATAWBA, IREDELL, LINCOLN, AND MECKLENBURG COUNTIES

(a) Regulated Area. This Rule shall apply to Lake Norman in Catawba, Iredell, Lincoln, and Mecklenburg counties:

- (1) within 50 yards of the shoreline at Jetton Park in Mecklenburg County, from a point on the west side of the park at 35.47082 N, 80.90427 W, south and around the point at 35.46703 N, 80.90360 W, then northeast to a point at 35.47262 N, 80.89727 W;
- (2) Bluff Point Cove in Cornelius shore to shore, east of a line from a point 50 yards west of the south shore of the cove mouth at 35.45327 N, 80.89520 W to a point 50 yards west of the north shore of the cove mouth at 35.45487 N, 80.89440 W; and
- (3) the cove immediately north of the inlet of Hager Creek in Iredell County, north of a line from a point on the north shore at 35.55760 N, 80.94730 W southwest to a point on the island at the inlet of Hager Creek at 35.55695 N, 80.94971 W, and east of a line from the same point on the island northwest to a point on the north shore at 35.55754 N, 80.95029 W.

(b) Speed Limit. No person shall operate a vessel at greater than no wake speed within the regulated areas described in Paragraph (a) of this Rule and as set forth in G.S. 75A-14.1.

~~(c) Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to enter any marked swimming area on the waters of Lake Norman.~~

~~(d)~~ (c) Placement and Maintenance of Markers. The Lake Norman Marine Commission shall be the designated agency for placement and maintenance of navigational aids and regulatory markers on the waters of Lake Norman.

(d) Vessel Liveries. Vessel liveries operating on Lake Norman shall conduct the following activities with each vessel renter prior to relinquishing control of the vessel:

- (1) a pre-rental vessel inspection to ensure that safety equipment required by Rule .0201 of this Subchapter is on board and accessible; and
- (2) provide and review instruction on safe operation of the vessel rented including review of navigation rules in G.S. 75A-6.1, operating restrictions in G.S. 75A-10, an electronic or waterproof navigational map of Lake Norman, and the U.S. Coast Guard's U.S. Aids to Navigation System pamphlet.

Both parties shall sign and date documentation verifying adherence to these requirements on the date the rental begins. The vessel livery shall maintain a copy of this documentation for a period of two years from the date of rental which shall be made available to law enforcement officers upon request. The vessel renter shall have a copy of the documentation on the vessel and available for law enforcement upon demand during the term of the rental.

*Authority G.S. 75A-3; 75A-15.*

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*Notice is hereby given in accordance with G.S. 150B-21.2 and G.S. 150B-21.3A(c)(2)g. that the Wildlife Resources Commission intends to adopt the rule cited as 15A NCAC 10G .0406, readopt with substantive changes the rules cited as 15A NCAC 10G .0402, .0405, and repeal through readoption the rules cited as 15A NCAC 10G .0401, and .0403.*

*Pursuant to G.S. 150B-21.17, the Codifier has determined it impractical to publish the text of rules proposed for repeal unless the agency requests otherwise. The text of the rule(s) are available on the OAH website at <http://reports.oah.state.nc.us/ncac.asp>.*

**Link to agency website pursuant to G.S. 150B-19.1(c):**  
<https://www.ncwildlife.gov/hunting/regulations/proposed-regulations>

**Proposed Effective Date:** *December 1, 2025*

**Public Hearing:**

**Date:** *September 24, 2025*

**Time:** *2:00PM*

**Location:** *Virtual public hearing via Zoom, pre-registration is required: [https://ncwildlife-org.zoomgov.com/webinar/register/WN\\_tXDoObI6RR-bY7H6X-atug](https://ncwildlife-org.zoomgov.com/webinar/register/WN_tXDoObI6RR-bY7H6X-atug) or join by telephone toll free: (833) 568-8864, Webinar ID: 161 077 0713*

**Reason for Proposed Action:** *The 10G rules were determined to be "necessary with substantive interest" as part of the period review and are required to be readopted. Proposed changes to Rules within 15A NCAC 10G .0400 provide minor updates to the program framework for Wildlife Service Agents. Highlights include updates to language throughout for improved clarity and*

*conciseness, updates to wildlife service agent terms and conditions, and updates to the information and conditions required for application.*

**Comments may be submitted to:** *Rulemaking Coordinator, 1701 Mail Service Center, Raleigh, NC 27699; email [regulations@ncwildlife.gov](mailto:regulations@ncwildlife.gov)*

**Comment period ends:** *October 14, 2025*

**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**

**CHAPTER 10 - WILDLIFE RESOURCES AND WATER SAFETY**

**SUBCHAPTER 10G - DISTRIBUTION AND SALE OF HUNTING: FISHING: AND TRAPPING LICENSE**

**SECTION .0400 - WILDLIFE SERVICE AGENTS**

**15A NCAC 10G .0401 PURPOSE OF WILDLIFE SERVICE AGENTS**

*Authority G.S. 113-134; 113-270.1.*

**15A NCAC 10G .0402 APPOINTMENT OF WILDLIFE SERVICE AGENTS**

(a) Wildlife Service Agents are official license and vessel agents of the Commission who are authorized to issue hunting, fishing and other licenses, permits, applications, vessel registrations, and items pursuant to G.S. 113-270.1, the Wildlife Service Agent Agreement and the Rules of this Section.

(b) ~~Any~~ An individual authorized to act on behalf of a business operating from a fixed location in North Carolina may apply to the Commission for appointment as a Wildlife Service Agent by

completing an application provided by the Commission. Agent by completing the Wildlife Service Agent application available at [ncwildlife.gov](http://ncwildlife.gov). Information required from the applicant shall include:

- (1) business name, physical address, email, county, phone number, agent type, description of services, and operational dates and hours; and
- (2) business owner name, address, date of birth, driver's license number, and length of business ownership.

~~(b) Application. Applications for Wildlife Service Agent appointment shall contain the business name, address, county agent contact information, bank account information, business hours, and any other information requested by the Commission that is reasonably necessary to determine the fitness of the applicant to serve as a Wildlife Service Agent.~~

~~(d)(c) Qualifications and Requirements. Applicants Business owners shall meet the following requirements to qualifications in order to be appointed qualify as a Wildlife Service Agent. Agent unless otherwise approved by the Executive Director or his or her designee to maintain adequate service to the public in a geographic area:~~

- ~~(1) Businesses shall operate from a fixed location in North Carolina and shall sell a minimum of one thousand dollars (\$1,000) in transaction sales annually. This minimum requirement may be waived by the Executive Director if he finds the applicant's services necessary to maintain adequate agent services to the public in that geographic area.~~
- ~~(2)(1) An applicant shall have a minimum of one year's experience in operating the business for which the application is made or other equivalent business experience or training experience; In those cases where other equivalent business experience or training is accepted in lieu of the minimum one year's experience, the applicant shall submit financial statements of the business so that the solvency of the business can be judged.~~
- ~~(3)(2) Applicants shall provide a bank account for the purpose of transferring net proceeds from all Wildlife Service Agent transactions to the Commission's account in the State Treasury every week via an electronic transfer of funds. Commission; and~~
- ~~(3) no criminal convictions for financial crimes within the five years prior to application.~~

~~(d) The qualifications as provided by Paragraphs (b) and (c) of this Rule shall be met prior to appointment. Failure to comply with the qualifications and requirements as provided by Paragraph (c) of this Rule, throughout the term of the appointment, may result in termination of the agent appointment. All agents are subject to monitoring of their performance by the Customer Support Section of the Commission.~~

(d) Upon approval of the application by the Commission, Wildlife Service Agents shall:

- (1) have a computer, printer and internet access at their business location;

- (2) provide a voided check or withdrawal slip for the bank account to be used to transfer funds to the Commission;
- (3) complete online training provided by the Commission or a contracted third-party vendor; and
- (4) sign and submit the Wildlife Service Agent Agreement.

(e) Wildlife Service Agent Agreements and appointments are non-transferable and valid only for the owner and business named on the executed agreement.

*Authority G.S. 113-134; 113-270.1.*

## **15A NCAC 10G .0403 WILDLIFE SERVICE AGENT AGREEMENT**

*Authority G.S. 113-134; 113-270.1.*

## **15A NCAC 10G .0405 WILDLIFE SERVICE AGENT TERMS AND CONDITIONS**

(a) A Wildlife Service Agent's Agent shall comply with the following appointment and service is subject to the following terms and conditions:

- (1) ~~Public Service. Wildlife Service Agents shall serve all persons individuals seeking assistance with matters related to the duties of a Wildlife Service Agent. Agent during regular business hours.~~
- (2) ~~Training. New Wildlife Service Agents shall attend a training session at a location specified by the Commission prior to activation of agent status and prior to receiving any equipment or supplies from the Commission. transfer funds and records to the Commission as specified in the Wildlife Service Agent Agreement;~~
- (3) ~~Activation of Agent Status. Upon completion of training and receipt of equipment and supplies, Wildlife Service Agents shall have their equipment set up and ready for operation 10 days after the date they receive the equipment and supplies.~~
- (4)(3) ~~Application. Each Wildlife Service Agent shall notify the Commission of any changes to the original application for appointment such as business name, address, agent contact information, bank account information, business hours and other information related to agent appointment, within five business days of it's the change.~~
- (5)(4) ~~Business Change of Ownership, Location, or Management. If the ownership of the business, location or management changes, then the Agreement becomes null and void. Written provide written notice of any a change in business ownership, location, or management shall be sent to the Commission at least 10 business days prior to the change along with an application for a new Wildlife Service~~

Agreement, if desired, pursuant to the rules in this Section. ~~desired.~~

- (6)(5) ~~maintain five thousand dollars (\$5,000) in Agent transaction sales at the business location annually. Cancellation. A Wildlife Service Agent may cancel the Agreement at any time by sending written notice to the Commission. The Commission shall instruct resigning agents on the procedures for returning all equipment and supplies and to settle their account. Upon resignation of appointment as a Wildlife Service Agent, the former agent must return all consigned equipment and supplies to the Commission and settle the agent financial account within 10 days of the resignation letter's date.~~

(b) ~~A Wildlife Service Agent may cancel the Agreement by sending written notice to the Commission. Consigned equipment and supplies shall be returned to the Commission and the financial account shall be settled within 10 business days of the date of resignation letter receipt.~~

(b) ~~Suspension. The Commission shall temporarily suspend any Wildlife Service Agent appointment for:~~

- (1) ~~Failure to deposit sufficient funds one or two times to cover the electronic transfer of funds each week.~~
- (2) ~~Failure to operate as a public convenience as specified in the Agreement one or two times.~~
- (3) ~~Failure to provide proper and correct information one or two times about wildlife transactions and related issues to customers as documented by customer complaints or agency inspections.~~
- (4) ~~Failure to submit or return all required documentation for transactions as outlined in the Agreement one or two times.~~

~~Temporary suspension is effective immediately upon communication of that fact to the Wildlife Service Agent. Such communication shall state the grounds for temporary suspension and that the agent may request a hearing within 5 working days if he contests the grounds for temporary suspension. If the initial notification is not in writing, it shall be followed by written notice of temporary suspension containing the same information. If the Commission determines it is necessary to protect State property, an employee of the Commission may enter the premises and impound all property and supplies issued or entitled to by the Commission such as equipment, moneys, record books, reports, license forms, other documents and materials pertinent to the agent being suspended. The Commission must make the impounded property, or copies of it, available to the agent during the period of temporary suspension. If a hearing is requested, it shall be before the Executive Director or his designee and shall be held at a location specified by the Executive Director.~~

~~Temporary suspension remains in effect until the hearing. A temporary suspension may not last longer than 30 days, but additional suspensions may be imposed if, at the end of the suspension period, the agent has not corrected the deficiency or deficiencies that resulted in the suspension. A Wildlife Service Agent may at any time after a hearing appeal his suspension to the~~

~~Commission. A new suspension shall comply with the provisions of this Paragraph.~~

(e) ~~Termination. The Commission shall terminate any Wildlife Service Agent appointment for any of the deficiencies listed below unless it determines that such deficiency may be corrected; is not likely to be repeated during the term of the current agreement, and not maintaining the Agent Agreement will result in insufficient Commission services to the public in the area served by the Agent. Deficiencies that may result in termination include:~~

- (1) ~~Failure to comply with the terms and conditions as outlined in the wildlife service agreement.~~
- (2) ~~Failure to deposit sufficient funds three or more times to cover the electronic transfer of funds each week.~~
- (3) ~~Failure to meet the minimum transaction sales requirement of one thousand dollars (\$1,000) annually.~~
- (4) ~~Failure to operate as a public convenience as specified in the Agreement three or more times.~~
- (5) ~~Failure to provide proper and correct information three or more times about wildlife transactions and related issues to customers as documented by customer complaints or agency inspections.~~
- (6) ~~Failure to submit or return all required documentation for transactions as outlined in the Agreement three or more times.~~

~~Notice of termination of the appointment may be sent to the Wildlife Service Agent in lieu of or in addition to temporary suspension. The notice must state the grounds for termination of the appointment and the agent's right to a hearing if he has not previously been afforded one. If the appointment is to be terminated, the notice must state the effective date and hour of termination. If the agent has not been previously afforded a hearing, the agent is entitled to a hearing within 14 days before the Executive Director or his designee to be held at a location specified by the Executive Director. If the Executive Director upholds the decision to terminate the appointment, an agent may appeal his termination to the Commission. Pending the hearing and any appeal from it, the termination is held in abeyance, but no transaction may be made once the agent's termination effective date and time have passed.~~

~~Upon termination of appointment as a Wildlife Service Agent, the former agent must return all consigned equipment and supplies to the Commission and settle the agent financial account within 10 days of the date of receiving written notice from the Commission. Employees of the Commission may conduct inspections and audits when terminating an agent.~~

~~The Executive Director or his designee holding any hearing under this Paragraph must keep a written record of evidence considered and findings made. Upon appeal to the Commission, the Commission Chairman or another presiding officer must cause such a written record of evidence and findings to be made and kept.~~

~~No person denied appointment or whose appointment was terminated under this Paragraph may apply again for an appointment as a Wildlife Service Agent for two years. Upon application, the Commission may not grant the appointment as a~~



~~Wildlife Service Agent unless the applicant produces evidence, convincing to the Commission, that he meets all standards and qualifications and will comply with all requirements of statutes and rules pertaining to Wildlife Service Agents.~~

~~(d)(c) Use of customer identifying information. Customer identifying information for customers of the Commission is protected by G.S. 143-254.5. A Wildlife Service Agents Agent shall not use or disclose any customer identifying information specified in G.S. 143-254.5 to any third party without written authorization of from the Commission. Wildlife Service Agents shall not use such customer identifying information for any purpose other than the processing of Commission transactions requested by the customer. Failure to abide by provisions in this Paragraph is grounds for termination of the agency.~~

*Authority G.S. 113-134; 113-270.1.*

**15A NCAC 10G .0406 APPOINTMENT TERMINATION**

(a) The Commission may audit Wildlife Service Agent transactions. Agents shall comply with Commission requests for records and information within 10 business days of the request.

(b) The Commission may suspend or terminate Wildlife Service Agent appointment for violation of provisions of G.S. 113-270.1, the rules of this Section, or the Wildlife Service Agent Agreement. The determination of whether to suspend or revoke appointment shall be based on the severity and frequency of the violation, and may include failure to:

- (1) operate as a public convenience as specified in the Agreement;
- (2) provide correct information about wildlife transactions to customers as documented by customer complaints or agency inspections;
- (3) submit or return required documentation for transactions;
- (4) comply with the terms and conditions specified in Rule .0405 of this Section;
- (5) deposit sufficient funds to cover electronic transfers; and
- (6) meet the five thousand dollar (\$5,000) annual Agent transaction requirement.

(c) Upon termination of appointment, a Wildlife Service Agent shall return consigned equipment and supplies to the Commission and settle the agent financial account within 10 business days of receipt of written of termination notice from the Commission.

(d) Individuals denied appointment or whose appointment is terminated shall not reapply for appointment for two years.

*Authority G.S. 113-134; 113-270.1.*

**TITLE 21 - OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS**

**CHAPTER 25 - INTERPRETER AND TRANSLITERATOR BOARD**

*Notice is hereby given in accordance with G.S. 150B-21.2 that the Interpreter and Transliterator Licensing Board intends to amend the rule cited as 21 NCAC 25 .0202.*

**Link to agency website pursuant to G.S. 150B-19.1(c):**  
<https://ncitlb.org/>

**Proposed Effective Date:** *December 1, 2025*

**Public Hearing:**

**Date:** *September 10, 2025*

**Time:** *10:00 AM*

**Location:**

<https://us02web.zoom.us/j/87550997514?pwd=fUPAJxEx9c8bca bxJhapZx4SMXwFBL.1>

**Reason for Proposed Action:** *This proposed rule would add another pathway to licensure, the Utah assessment would be accepted for provisional and full licensure.*

**Comments may be submitted to:** *Caitlin Schwab, 701 Exposition Place, Ste 206, Raleigh, NC 27615; email [ncitlb@caphill.com](mailto:ncitlb@caphill.com)*

**Comment period ends:** *October 14, 2025*

**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 .0200 – LICENSING**

**21 NCAC 25 .0202 THE APPLICATION PACKAGE AND REQUIREMENTS FOR LICENSURE**

(a) An applicant for licensure shall submit the following materials to the Board:

- (1) A completed, signed, and dated application;
- (2) A clear, two-inch by two-inch, passport-style photograph of the head and shoulders of the

- applicant, made within two years of the date of application;
- (3) A legible, fully-completed finger print card obtained from a local law enforcement agency;
  - (4) The applicant's signed, written consent to a criminal record check;
  - (5) One or more cashier's checks, certified checks or money orders made payable to the North Carolina Interpreter and Transliterator Licensing Board in the amounts charged by the Department of Public Safety for all necessary local, State and federal criminal record checks; and
  - (6) A cashier's check, certified check or money order made payable to the North Carolina Interpreter and Transliterator Licensing Board in the amount specified by Rule .0203 of this Section.
- (b) Upon application to the Board and payment of the required fees under Rule .0203(a) of this Section, the Board shall grant an Applicant a full license as an interpreter or transliterator if the applicant meets all of the following qualifications:
- (1) Is 18 years of age or older.
  - (2) Is of good moral character presumptively established by the applicant's eligibility under Rule .0302 of this Chapter. If the Board determines there is probable cause to question an applicant's moral character, and after notice to the applicant and a hearing, the Board shall deny a license if there is clear and convincing evidence the applicant lacks good moral character, including possessing the characteristics of honesty, maturity, discipline, attention to detail, and respect for the rights of others, as more fully discussed and interpreted 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 Scott Dillingham's Application*, 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.
  - (3) Meets one of the following criteria:
    - (A) Is nationally certified by the Registry of Interpreters for the Deaf, Inc., (RID).
    - (B) Holds a valid Testing, Evaluation and Certification Unit, Inc. (TECUnit) national certification in cued language transliteration.
    - (C) Holds a current Cued Language Transliterator State Level Assessment (CLTSLA) level 3 or above classification.
    - (D) Holds a Board for Evaluation of Interpreters (BEI) assessment of Advanced or above.
    - (E) A Deaf Interpreter who holds a Board for Evaluation of Interpreters (BEI) intermediary certificate level IV or above.
    - (F) Holds a Utah Certified Interpreter certification of professional.
    - (G) Holds a Utah Certified Deaf Interpreter certification.
  - (c) Upon application to the Board and payment of the required fees under Rule .0203(a) of this Section, the Board shall grant an Applicant a one-time provisional license as an interpreter or transliterator if the applicant meets all of the following qualifications:
    - (1) Is 18 years of age or older.
    - (2) Is of good moral character presumptively established by the applicant's eligibility under 21 NCAC 25 .0302. If the Board determines there is probable cause to question an applicant's moral character, and after notice to the applicant and a hearing, the Board shall deny a license if there is clear and convincing evidence the applicant lacks good moral character, including possessing the characteristics of honesty, maturity, discipline, attention to detail, and respect for the rights of others, as more fully discussed and interpreted 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 Scott Dillingham's Application*, 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.
    - (3) Completes two continuing education units approved by the Board. These units must be completed for each renewable year.
    - (4) Holds at least a two-year associate degree in interpreting from a post-secondary institution and satisfies one the following:
      - (A) Holds a quality assurance North Carolina Interpreter Classification System (NCICS) level C classification.
      - (B) Holds a valid National Association of the Deaf (NAD) level 2 or 3 certification.
      - (C) Holds a current Educational Interpreter Performance Assessment (EIPA) level 3.5 or above classification.
      - (D) Holds a Board for Evaluation of Interpreters (BEI) assessment of Basic.
      - (E) A Deaf Interpreter who holds a Board for Evaluation of Interpreters (BEI) intermediary certificate level III.

**(F) Holds a Utah Certified Interpreter certification of novice.**

(d) Upon application to the Board, payment of the required fees under Rule .0203(a) of this Section, and meeting the requirements for a provisional license under Subparagraphs (c)(1) and (2) of this Rule, the Board shall also issue a provisional license to any of the following categories of persons seeking a one-time provisional license:

- (1) A deaf interpreter who completes 16 hours of training in interpreting coursework or workshops provided by the North Carolina Division of Services for the Deaf and Hard of Hearing, including role and function or ethics, and 20 hours in the 12 months immediately preceding the date of application in the provision of interpreting services.
- (2) An oral interpreter who completes a total of 40 hours of training in interpreting coursework or workshops related to oral interpreting.
- (3) A cued language transliterator who holds a current TECUnit Cued language Transliterator State Level Assessment (CLTSLA) level 2 or above classification.
- (4) A person providing interpreting or transliterating services who has a recognized credential from another state's licensing body in the field of interpreting or transliterating.
- (5) An interpreter or transliterator who has accumulated at least 200 hours per year in the provision of interpreting or transliterating services, in this State or another state, totaling at least 400 hours for the two years immediately preceding the date of the application. An applicant must provide documentation of hours when applying for a provisional license under this category, subject to verification by the Board.

*Authority G.S. 90D-6; 90D-7; 90D-10; S.L. 2002-182, s. 7, as amended by S.L. 2003-56.*

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**CHAPTER 56 - ENGINEERS AND SURVEYORS**

*Notice is hereby given in accordance with G.S. 150B-21.2 that the Board of Examiners for Engineers and Surveyors intends to amend the rule cited as 21 NCAC 56 .0501.*

**Link to agency website pursuant to G.S. 150B-19.1(c):**  
www.ncbels.org

**Proposed Effective Date:** January 1, 2026

**Public Hearing:**

**Date:** September 24, 2025

**Time:** 9:00 am

**Location:** Board Office, 4601 Six Forks Rd, Ste 310, Raleigh, N.C. 27609

**Reason for Proposed Action:** *The Board seeks to amend 21 NCAC 56 .0501 to update definitions related to educational and experience requirements for licensure as a Professional Engineer as well as to eliminate a minimum experience requirement for full-time engineering faculty members seeking licensure as a Professional Engineer.*

**Comments may be submitted to:** *S. Wesley Tripp III, 4601 Six Forks Rd, Ste 310, Raleigh, NC 27609; phone (919) 791-2000; email wtripp@ncbels.org*

**Comment period ends:** *October 14, 2025*

**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. 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 .0500 - PROFESSIONAL ENGINEER**

**21 NCAC 56 .0501 REQUIREMENTS FOR LICENSING**

(a) Education. Pursuant to G.S. 89C-13, ~~The the~~ Board shall consider the education of an applicant in determining eligibility for ~~licensing certification as an Engineer Intern or licensure~~ as a Professional Engineer. ~~The Certain terms used by the Board for concerning~~ the educational requirements ~~found in G.S. 89C-13(a1) G.S. 89C-13~~ to be eligible to be licensed as a Professional Engineer are defined as follows:

- (1) ~~"Engineering curriculum of four or more years approved by the Board" is defined as "An EAC/ABET accredited program" is a program that has been~~ accredited by the Engineering Accreditation Commission (EAC) of the Accreditation Board for Engineering and Technology (ABET). ~~This program is incorporated by reference including subsequent amendments and editions. This material is~~

- available— at —[www.abet.org/accreditation-criteria-policies-documents/](http://www.abet.org/accreditation-criteria-policies-documents/)— at no cost, or for inspection at the office of the North Carolina Board of Examiners for Engineers and Surveyors. Copies may be obtained at the Board office at a cost of five dollars (\$5.00) per copy. A list of accredited programs can be found on ABET's website at <https://www.abet.org>.
- (2) ~~"Engineering or related science curriculum of four or more years other than ones approved by the Board" is defined as "An engineering curriculum or related science curriculum of four years or more" is a curriculum, although not accredited by ABET, of technical courses that contains engineering or scientific principles. This also includes a bachelor's degree in engineering technology, whether or not accredited by the Engineering Technology Accreditation Commission (ETAC) of ABET.~~
- (3) ~~"A master's degree in engineering from an institution that offers EAC/ABET accredited programs" and "an earned doctoral degree in engineering from an institution that offers EAC/ABET accredited programs" are graduate degrees in engineering from an institution which offers EAC/ABET accredited undergraduate programs.~~
- (4) ~~Educational programs "approved by the Board as being of satisfactory standing" include foreign degrees equivalent to the NCEES Engineering Education Standard. A copy of the applicable standard is available at <https://ncees.org/ncees-services/credentials-evaluations/>. Foreign degrees shall be considered substantially equivalent only after the Board obtains an evaluation report from the Credentials Evaluations Service of the National Council of Examiners for Engineering and Surveying (NCEES) evaluating the foreign degree.~~
- (3) ~~"Equivalent education satisfactory to the board" is defined as:~~
- (A) ~~A graduate degree in Engineering from an institution where the same discipline undergraduate engineering program has been accredited by ABET (EAC) shall be considered equivalent to an engineering curriculum of four or more years approved by the Board.~~
- (B) ~~A bachelor's degree in Engineering Technology, whether or not accredited by the Technology Accreditation Commission (TAC) of ABET, shall be considered equivalent to an engineering or related science curriculum of four or more years other than one approved by the Board.~~
- (C) ~~Foreign degrees shall be considered equivalent only after receipt of an~~
- evaluation report that the degree is substantially equivalent to an EAC/ABET accredited engineering curriculum from the Center for Professional Engineering Education Services, an affiliate of the National Council of Examiners for Engineering and Surveying (NCEES), or from the American Association of Collegiate Registrars and Admissions Officers (AACRAO). The Board shall equate the degree to an EAC/ABET accredited engineering curriculum of four or more years approved by the Board in Subparagraph (a)(1) of this Rule if it receives a substantially equivalent evaluation.
- (b) Experience. Pursuant to G.S. 89C-13, ~~The~~ the Board shall consider the experience of an applicant ~~shall be considered in determining eligibility for certification as an Engineer Intern or licensure whether an applicant is eligible to be licensed as a Professional Engineer.~~
- (1) Required Experience. In evaluating ~~the work experience required,~~ experience, the Board shall consider ~~the~~ an applicant's total experience record and ~~the its progressive nature of the record.~~ nature. Experience shall be of a progressive engineering nature obtained after graduation from a program that meets the criteria set forth in G.S. 89C-13 and defined in Paragraph (a) of this Rule. Not less than half of required engineering experience shall be of a professional grade and character, and shall be performed under the responsible charge of a licensed Professional Engineer, or if not, the applicant shall submit a written explanation to the Board explaining why the experience should be considered acceptable. The Board shall approve the experience on a case-by-case basis if it is satisfied of the grade and character of the progressive experience. Experience gained under the technical supervision of an unlicensed individual shall be considered based upon the engineering education and experience credentials of the unlicensed supervisor. Experience gained in the armed services, typically while serving in an engineering or engineering related group, shall be accepted only if substantially equivalent to civilian work.
- (2) Definition. The word "progressive" in the terms "progressive nature of the record," "progressive engineering experience," "progressive land surveying," "progressive engineering nature," or "progressive experience on engineering projects" "Progressive experience" means requires that during the period of time provided as experience, that an applicant made a practical utilization of acquired knowledge and demonstrated continuous improvement,

growth, and development ~~have been shown~~ in the utilization of that knowledge as revealed in the complexity and technical detail of the work product or work record. The applicant shall show continuous assumption of greater individual responsibility for the work product over that period of time. The progressive experience on engineering projects shall be of a grade and a character that shows the Board that the applicant is competent to practice engineering.

(3) Credit for Experience. In evaluating progressive engineering experience, the Board shall give credit for experience in the following areas of work:

- (A) Graduate schooling or research in an engineering program resulting in award of a master's degree from an institution that offers EAC/ABET-accredited programs – one year;
- (B) Graduate schooling or research in an engineering program resulting in award of an earned doctoral degree in engineering from an institution that offers EAC/ABET-accredited programs – two years, with or without a master's degree, but this includes the one year for the master's degree, if obtained;
- (C) Progressive land surveying - maximum two years; and
- (D) Teaching of engineering subjects at the university level in an engineering program offering a four-year or more degree approved by the Board.

The Board shall not accept combinations of the categories in this Subparagraph as fulfilling all the necessary statutory experience

~~requirements. Every applicant for licensure as a Professional Engineer, as part of the total experience requirement, shall show a minimum of one year experience of a progressive engineering nature in industry, government, or under a licensed Professional Engineer offering service to the public.~~

~~Full time engineering faculty members who teach in an engineering program offering a four year or more degree approved by the Board may request and shall be granted waiver of the minimum one year experience in industry, government, or private practice if they demonstrate consulting or research work of at least one year's duration, which was pursued to completion of the project, and that is of a progressive engineering nature. The faculty applicant shall document the work to evidence that the work meets the Board's requirement.~~

(4) An exception to the requirement in Subparagraph (b)(1) of this Rule that experience be obtained after graduation is for long-established practice of 20 years or more, as provided for in G.S. 89C-13(a3).

(5) Other experience is considered if it is:

- (A) Experience obtained prior to graduation as part of an ABET accredited engineering program shown on the transcript, with a maximum credit of one year; or
- (B) Experience obtained in a foreign country that is performed under direct supervision of a Professional Engineer licensed with a member Board of the National Council of Examiners for Engineering and Surveying (NCEES).

*Authority G.S. 89C-10; 89C-13.*

*This Section contains information for the meeting of the Rules Review Commission on August 28, 2025 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)  
John Hahn  
Jeff Hyde  
Wyatt Dixon, III  
Bill Nelson

**Appointed by House**

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

**COMMISSION COUNSEL**

Seth M. Ascher            984-236-1934  
Travis Wiggs             984-236-1929

**RULES REVIEW COMMISSION MEETING DATES**

August 28, 2025            October 30, 2025  
September 25, 2025      November 20, 2025

**AGENDA****RULES REVIEW COMMISSION**

**Thursday, August 28, 2025, 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. Oath of Office for Commissioners
- III. Approval of the minutes from the last meeting
- IV. Follow-up matters
  1. Private Protective Services Board - 14B NCAC 16 .0701, .0707, .0801, . 1203, .1301, .1307, .1401, .1501, .1502 (Ascher)
  2. Commission for Public Health - 15A NCAC 18C .1540 (Wiggs)
- V. Review of Log of Filings (Permanent Rules) for rules filed June 21, 2025 through July 20, 2025
  1. State Board of Elections (Ascher)
  2. Department of Insurance (Wiggs)
  3. Department of Labor (Wiggs)
  4. Private Protective Services Board (Wiggs)
  5. Alarm Systems Licensing Board (Wiggs)
  6. State Board of Education (Wiggs)
  7. Licensing Board for General Contractors (Wiggs)
  8. Board of Dental Examiners (Wiggs)
  9. Office of Administrative Hearings
- VI. Review of Log of Filings (Temporary Rules) for any rule filed within 15 business days prior to the RRC Meeting
- VII. Existing Rules Review
  - Review of Reports
    1. 02 NCAC 57 - Tobacco Trust Fund Commission (Ascher)
    2. 11 NCAC 05A, D, 07 - Office of State Fire Marshal (Wiggs)
    3. 11 NCAC 05B, C - Fire and Rescue Commission (Ascher)
    4. 15A NCAC 02G, 02I, 02L, 02N, 02O, 02P - Environmental Management Commission (Ascher)

5. 17 NCAC 04 - Department of Revenue (Wiggs)
  6. 19A NCAC 01, 04, 05, 06 - Department of Transportation (Wiggs)
  7. 21 NCAC 22 - Hearing Aid Dealers and Fitters Board (Ascher)
  8. 21 NCAC 48 - Board of Physical Therapy Examiners (Wiggs)
- Readoptions

VIII. Commission Business

- Proposed 2026 RRC meeting schedule
  - Closed session, to consult with attorneys regarding CRC v. RRC and CJETS v. RRC; and BRIAN LIEBMAN, in his official capacity as CODIFIER OF RULES
  - Next meeting: Thursday, September 25, 2025
- 

**Commission Review**  
***Log of Permanent Rule Filings***  
***June 21, 2025 through July 20, 2025***

**ELECTIONS, STATE BOARD OF**

The rules in Chapter 21 are department rules concerning reporting (.0100) political committees and referendum committees (.0200); use of contributions (.0300); examinations (.0400); and disclosure requirements for media advertisements (.0500).

<u>Reporting of Independent Expenditures</u>	08	NCAC 21	.0102
Amend*			
<u>Electronic Filing</u>	08	NCAC 21	.0106
Amend*			
<u>Reporting Periods</u>	08	NCAC 21	.0108
Adopt*			
<u>Inactive Status for a Candidate or Committee</u>	08	NCAC 21	.0204
Adopt*			

The rules in chapter 22 cover general rules for petitions (.0100); verification of petition (.0200); petitions to be recognized as a political party (.0300); petitions to be on the ballot as an unaffiliated candidate (.0400); petitions to qualify as a write-in candidate (.0500); petitions to be a candidate without the payment of a filing fee (.0600).

<u>Petitions</u>	08	NCAC 22	.0101
Adopt*			
<u>Definitions</u>	08	NCAC 22	.0102
Adopt*			
<u>Initiation of Petitions</u>	08	NCAC 22	.0103
Adopt*			
<u>Petition Signature Sheets</u>	08	NCAC 22	.0104
Adopt*			
<u>Petition Circulators</u>	08	NCAC 22	.0105
Adopt*			
<u>Submission of Signature Sheets</u>	08	NCAC 22	.0106
Adopt*			
<u>Copies of Signature Sheets and Return of Original...</u>	08	NCAC 22	.0107
Adopt*			
<u>Petition Signature Verification by County Boards of Elect...</u>	08	NCAC 22	.0201
Adopt*			
<u>Petition Signature Verification Determinations</u>	08	NCAC 22	.0202
Adopt*			

<u>Counting of Signatures Towards A Petition's Signature Req...</u> Adopt*	08	NCAC 22	.0203
<u>New Party Petitions</u> Adopt*	08	NCAC 22	.0301
<u>Prospective Party Name</u> Adopt*	08	NCAC 22	.0302
<u>Changes in Prospective Party State Chair's Information</u> Adopt*	08	NCAC 22	.0303
<u>Continuing A New Party Petition</u> Adopt*	08	NCAC 22	.0304
<u>General Purpose and Intent of The New Party</u> Adopt*	08	NCAC 22	.0305
<u>Sufficiency of New Party Elections</u> Adopt*	08	NCAC 22	.0306
<u>Unaffiliated Candidate Petitions</u> Adopt*	08	NCAC 22	.0401
<u>Processing Unaffiliated Candidate Petitions</u> Adopt*	08	NCAC 22	.0402
<u>Write-In Candidate Petitions</u> Adopt*	08	NCAC 22	.0501
<u>Processing Write-In Candidate</u> Adopt*	08	NCAC 22	.0502
<u>In Lieu of Filing Fee Petition</u> Adopt*	08	NCAC 22	.0601

## **INSURANCE, DEPARTMENT OF**

The rules in chapter 24 cover general provisions (.0100).

<u>Definitions: License Application</u> Adopt*	11	NCAC 24	.0101
<u>Fees</u> Adopt*	11	NCAC 24	.0102
<u>Financial Statements</u> Adopt*	11	NCAC 24	.0103
<u>Determination of Financial Responsibility</u> Adopt*	11	NCAC 24	.0104
<u>Claim Processing by PBMs</u> Adopt*	11	NCAC 24	.0105
<u>Payment of Claims</u> Adopt*	11	NCAC 24	.0106
<u>General Administration</u> Adopt*	11	NCAC 24	.0107
<u>Claims Processing</u> Adopt*	11	NCAC 24	.0108

## **LABOR, DEPARTMENT OF**

The rules in 01D cover human trafficking awareness (.0100).

<u>Training on Human Trafficking</u> Adopt*	13	NCAC 01D	.0101
<u>Human Trafficking Awareness Signage</u>	13	NCAC 01D	.0102



Adopt\*

### **PRIVATE PROTECTIVE SERVICES BOARD**

The rules in Chapter 16 are from the Private Protective Services Board and cover organization and general provisions (.0100); licenses and trainee permits (.0200); security guard patrol and guard dog service (.0300); private investigator: electronic countermeasures (.0400); polygraph (.0500); psychological stress evaluator (PSE) (.0600); unarmed security guard registration (.0700); armed security guard firearm registration permit (.0800); trainer certificate (.0900); recovery fund (.1000); training and supervision for private investigator associates (.1100); continuing education (.1300); armed armored car service guards firearm registration permit (.1400); close personal protection (.1500); digital forensics examiner (.1600); and training and supervision for digital forensics examiner (D.F.E) associates (.1700).

<u>Definitions</u>	14B NCAC 16 .0103
Amend*	
<u>Prohibited Acts</u>	14B NCAC 16 .0105
Amend*	
<u>Advertising</u>	14B NCAC 16 .0116
Adopt*	
<u>Declaratory Ruling Procedures</u>	14B NCAC 16 .0117
Adopt*	
<u>Experience Requirements for a Polygraph License</u>	14B NCAC 16 .0501
Amend*	
<u>Polygraph Trainee Permit Requirements</u>	14B NCAC 16 .0502
Amend*	
<u>Polygraph Examination Requirements</u>	14B NCAC 16 .0503
Amend*	

### **ALARM SYSTEMS LICENSING BOARD**

The rules in Chapter 17 are from the N.C. Alarm Systems Licensing Board and cover the organization and general provisions (.0100); provisions for licensees (.0200); provisions for registrants (.0300); the recovery fund (.0400); and continuing education for licensees (.0500).

<u>Declaratory Ruling Procedures</u>	14B NCAC 17 .0109
Adopt*	

### **EDUCATION, STATE BOARD OF**

The rules in Chapter 6 cover elementary and secondary education including transportation, personnel, curriculum, textbooks, testing, students, public relations, and federal programs. The rules in Subchapter 6B concern the student transportation system.

<u>Local Rules And Regulations</u>	16 NCAC 06B .0103
Readopt with Changes*	
<u>Supervisory And Safety Practices</u>	16 NCAC 06B .0107
Readopt with Changes*	

### **GENERAL CONTRACTORS, LICENSING BOARD FOR**

The rules in Subchapter 12A concern general provisions including organization and responsibilities of the board (.0100); licensing requirements (.0200); application procedure (.0300); examination (.0400); license (.0500); board disciplinary procedures (.0700); contested cases (.0800); and homeowners recovery fund (.0900).

<u>Classification</u>	21 NCAC 12A .0202
Amend*	

<u>Application for Licensure</u>	21	NCAC 12A .0303
Amend*		
<u>Character References</u>	21	NCAC 12A .0308
Repeal*		
<u>Improper Practice</u>	21	NCAC 12A .0701
Amend*		

The rules in Subchapter 12B concern the general provisions (.0100); providers (.0200); courses (.0300); and instructors (.0400) for continuing education.

<u>Renewal and Expiration of Instructor Approval</u>	21	NCAC 12B .0402
Amend*		

## **DENTAL EXAMINERS, BOARD OF**

The rules in Subchapter 16A concern the organization of the board of dental examiners.

<u>Definitions</u>	21	NCAC 16A .0101
Amend*		

The rules in Subchapter 16F concern professional corporations.

<u>Designation of Responsible Dentist Manager</u>	21	NCAC 16F .0111
Adopt*		

The rules in Subchapter 16V concern unprofessional conduct.

<u>Unprofessional Conduct by a Dentist, Practice Owner, or R...</u>	21	NCAC 16V .0103
Adopt*		

## **ADMINISTRATIVE HEARINGS, OFFICE OF**

The rules in Chapter 3 are from the Hearings Division and cover procedure (.0100); mediated settlement conferences (.0200); simplified procedures for medicaid applicant and recipient appeals (.0400); and electronic filing (.0500).

<u>General</u>	26	NCAC 03 .0101
Amend*		
<u>Definitions and Construction</u>	26	NCAC 03 .0102
Amend*		