

NORTH CAROLINA REGISTER

VOLUME 40 • ISSUE 10 • Pages 813 – 855

November 17, 2025

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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.

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

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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 th 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

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.

Notice of Application for a new Innovative Approval of a Wastewater System for On-site Subsurface Use

Pursuant to NCGS 130A-343(g), the North Carolina Department of Health and Human Services (DHHS) shall publish a Notice in the NC Register that a manufacturer has submitted a request for approval of a modification of a wastewater system, component, or device for on-site subsurface use. The following application has been submitted to DHHS:

- Application by: American Manufacturing Company, Inc
PO Box 97
Elkwood, VA 22718
For: Modifications to the Innovative Approvals for the American Perc-Rite Drip Systems
- Application by: Anua
PO Box 77457
Greensboro, NC 27417
For: Modifications to the Innovative Approvals for PuraFlo and Geoflow
- Application by: AquaPoint3
39 Tarklin Place
New Bedford, MA 02745
For: Modifications to the Innovative Approval for Bioclere
- Application by: AQWA, Inc
1908 Baldree Rd S
Wilson, NC 27893
For: Modifications to the Innovative Approval for the AQWA Drip System
- Application by: BioMicrobics, Inc
16002 W 110th St
Lenexa, KS 66219
For: Modifications to the Innovative Approval for the MicroFAST and High Strength FAST Systems
- Application by: Brunswick County Health Dept
PO Box 9
Bolivia, NC 28422
For: Modifications to the Innovative Approval for the Brunswick Bed in Fill System
- Application by: FujiClean USA, LLC
41-2 Greenwood Rd
Brunswick, ME 04011
For: Modifications to the Innovative Approval for the FujiClean System
- Application by: Hydro-Action Industries
PO Box 640
Plymouth, IN 46563
For: Modifications to the Innovative Approval for the Hydro-Action AN Series System
- Application by: Infiltrator Water Technologies, Inc
PO Box 768
Old Saybrook, CT 06475
For: Modifications to the Innovative Approvals for the Delta Drip Irrigation, Aquaworx, AES, EZflow, Flowtech, Infiltrator, and ADS Systems
- Application by: E-Z Treat Company
PO Box 176
Haymarket, VA 20168
For: Modifications to the Innovative Approvals for the E-Z Treat Advanced Pretreatment and Drip Irrigation Systems

Application by: Norweco, Inc
220 Republic St
Norwalk, OH 44870
For: Modifications to the Innovative Approval for the Norweco Singulair and Bio-Kinetic Systems

Application by: Orenco Systems, Inc
814 Airway Ave
Sutherlin, OR 97479
For: Modifications to the Innovative Approvals for the AdvanTex, AdvanTex AX-RT, and Intermittent Sand Filter Systems

Application by: Premier Tech Environment, Inc
1, avenue Premier
Riviere-du-Loup, G5R 6C1 Canada
For: Modifications to the Innovative Approval for the Ecoflo System

Application by: Prinsco
1717 16th St NE
Wilmar, MN 56201
For: Modifications to the Innovative Approval for the Prinsco System

Application by: On-Site Water Protection Branch
For: Modifications to the Innovative Approvals for Flow Equalization, Off-Site, and Tire Chip Systems

DHHS Contact: Wilson Mize
919-270-9665
Fax: 919-845-3973
wilson.mize@dhhs.nc.gov

These applications may be reviewed by contacting the applicant or Wilson Mize, Branch Head, at 5605 Six Forks Rd, Raleigh, NC, On-Site Water Protection Branch, Environmental Health Section, Division of Public Health. Draft proposed innovative approvals and proposed final action on the application by DHHS can be viewed on the On-Site Water Protection Branch web site: <http://ehs.ncpublichealth.com/oswp/>.

Written public comments may be submitted to DHHS within 30 days of the date of the Notice publication in the North Carolina Register. All written comments should be submitted to Wilson Mize, Branch Head, On-site Water Protection Branch, 1642 Mail Service Center, Raleigh, NC 27699-1642, wilson.mize@dhhs.nc.gov, or fax 919-845-3973. Written comments received by DHHS in accordance with this Notice will be taken into consideration before a final agency decision is made on the innovative subsurface wastewater system application.

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: 4- star Trailers, Inc
Applicant's Address: 10000 NW 10th Street
Oklahoma City, OK 73127

Application Date: 10/20/2025

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

Forrest W. Shifflett, President
Kenneth E. Hobbs, Vice President/ Owner
Kenneth R. Waller, Owner
Carolyn Waller, Secretary
Suzanne Cornaby, Asst. Secretary
Debra Waller, Asst. Secretary

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: Aston Martin Lagonda of North America, Inc

Applicant's Address: 11 W 42nd St, 22nd Floor
New York, NY 10036

Application Date: October 20, 2025

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

Pedro Mota, President

Noam Harel, Treasurer

Michael Marecki, Secretary

Note from the Codifier: The notices published in this Section of the NC Register include the text of proposed rules. The agency must accept written comments on any proposed rules for at least 60 days from the publication date, or until the date of any public hearing, whichever is longer. 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 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 .0502, and .2103-.2105.

Link to agency website pursuant to G.S. 150B-19.1(c):
<https://ncdoj.gov/law-enforcement-training/sheriffs/>

Proposed Effective Date: March 1, 2026

Public Hearing:

Date: December 3, 2025

Time: 9:00

Location: 1700 Tryon Park Dr., Raleigh NC 27610

Reason for Proposed Action: 12 NCAC 10B .0502 - This amendment addresses the costs associated with purchasing a "Basic Law Enforcement Training Manual."

12 NCAC 10B .2103 - This amendment defines the minimum training required for in-service firearms courses, make technical corrections, and deletes adoption by reference to the Specialized Firearms Instructor Training Manual.

12 NCAC 10B .2104 - This amendment sets out the requirements for Annual Qualification for deputy sheriffs and detention officers authorized to carry a handgun.

12 NCAC 10B .2105 - This amendment allows the sheriff to designate an authorized representative to obtain the surrendered weapon from an officer who fails to quality with their handgun.

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

Comment period ends: January 16, 2026

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

CHAPTER 10 - SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION

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

SECTION .0500 - MINIMUM STANDARDS OF TRAINING FOR DEPUTY SHERIFFS

12 NCAC 10B .0502 BASIC LAW ENFORCEMENT TRAINING COURSE FOR DEPUTIES

(a) The basic training course for deputy sheriffs consists of instruction designed to provide the trainee with the skills and knowledge to perform those tasks essential to function in law enforcement.

(b) The "Basic Law Enforcement Training Manual" as published by the North Carolina Justice Academy shall be used as the ~~as~~ basic curriculum for this Basic Law Enforcement Training Course. Copies of this manual may be obtained ~~at a cost of eighty-seven dollars and ten cents (\$87.10)~~ from the North Carolina Justice Academy, Post Office Box 99, Salemburg, North Carolina 28385-0099. The cost of the manual shall be determined by the Justice Academy based upon the current cost of manufacture and shipping.

(c) The rules governing Minimum Standards for Completion of Training, codified as Title 12, Subchapter 09B, Section .0200 of the North Carolina Administrative Code [<http://www.ncogh.com/rules/>] and adopted by the North Carolina Criminal Justice Education and Training Standards Commission, are hereby incorporated by reference, and shall include any later amendments and editions of the incorporated matter to apply to actions of the North Carolina Sheriffs' Education and Training Standards Commission. Copies of the incorporated materials may be obtained at no cost from the Criminal Justice Standards Division, North Carolina Department of Justice, 1700 Tryon Park Drive, Raleigh North Carolina 27602.

Authority G.S. 17E-4(a).

SECTION .2100 - DEPUTY SHERIFF' AND DETENTION OFFICERS' FIREARMS IN-SERVICE TRAINING REQUALIFICATION PROGRAM

12 NCAC 10B .2103 MINIMUM TRAINING REQUIREMENTS

~~(a) In order to be approved by the Commission, an In-Service Firearms Training and Requalification Program shall include in addition to conducting Annual Firearms Qualification, as prescribed in 12 NCAC 10B .2104, Specialized Firearms Instructor shall provide instruction on the following specified topics:~~

- (1) Use of Force: review the authority to use deadly force including relevant case law and materials.
- (2) Safety:
 - (a) Range rules and regulations;
 - (b) Handling of a firearm; and
 - (c) Malfunctions.
- (3) Review of Basic Marksmanship Fundamentals:
 - (a) Grip, stance, breath control trigger press and trigger squeeze reset;
 - (b) Sight ~~and~~ alignment/sight picture; and
 - (c) Nomenclature.
- (4) Operation and Maintenance of all authorized weapons.

~~(b) The Instructor shall teach the same training objectives for the topical areas listed in this Rule as specified in the Specialized Firearms Instructor Training Manual published by the North Carolina Justice Academy which is hereby incorporated by reference and shall automatically include any later amendments and editions of the referenced materials as the approved source for the above mandated topical areas. Copies of this publication may be obtained from the North Carolina Justice Academy, Post Office Drawer 99, Salemburg, North Carolina 28385. There is no cost per manual at the time of adoption of this Rule.~~

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

12 NCAC 10B .2104 ~~IN-SERVICE ANNUAL FIREARMS REQUALIFICATION QUALIFICATION~~ SPECIFICATIONS

~~(a) All deputy sheriffs and detention officers who are authorized by the sheriff to carry a handgun shall qualify a minimum of once each year with their each individual and department-approved service handgun. The course of fire shall not be less stringent than the "Basic Law Enforcement Training Course" requirements for firearms qualification. For the purpose of this specification, service handgun shall include any semi-automatic pistol or revolver.~~

(b) The Accuracy Qualification course of fire shall meet the following minimum requirements for Day Accuracy Qualification:

- (1) No fewer than thirty (30) rounds
- (2) Firing from the three (3), five (5), seven (7), ten (10), fifteen (15), and twenty-five (25) yard lines shall consist of no more than the following percentage of shots at each yard line:
 - (A) 3-yard line: 10 percent
 - (B) 5-yard line: 12 percent

- (C) 7-yard line: 30 percent
- (D) 10-yard line: 20 percent
- (E) 15-yard line: 25 percent
- (F) 25-yard line: 20 percent

(3) Firing at least two rounds from each of the following positions:

- (A) Standing
- (B) Kneeling
- (C) Barricade

(4) Firing at least two rounds dominant hand only

(5) Firing at least two rounds support hand only

(6) Fire after drawing from the holster

(7) At least one stage that includes a mandatory magazine change

(c) The Accuracy Qualification course of fire shall meet the following minimum requirements for Low-Light Accuracy Qualification:

- (1) No fewer than thirty (30) rounds
- (2) Firing from the three (3), five (5), seven (7), ten (10), and fifteen (15) yard lines shall consist of no more than the following percentage of shots at each yard line:
 - (A) 3-yard line: 13 percent
 - (B) 5-yard line: 26 percent
 - (C) 7-yard line: 24 percent
 - (D) 10-yard line: 24 percent
 - (E) 15-yard line: 24 percent.

(3) Firing at least two rounds from the following positions:

- (A) Standing
- (B) Kneeling

(4) Firing at least two rounds dominant hand only

(5) Firing at least two rounds support hand only

(6) Firing after drawing from the holster

(7) At least one stage that includes a mandatory magazine change

(8) At least one stage that includes the required use of a flashlight or weapon-mounted light

(9) At least one stage that includes the use of blue lights

(10) At least one stage that includes the use of low-beam headlights and blue lights.

(11) At least one stage that includes the use of headlights, blue lights, and all available lighting.

(d) All deputy sheriffs and detention officers shall successfully complete a Decision Making Qualification course for both day and low light at least once each calendar year.

(e) The Decision Making Qualification course shall meet the following minimum requirements:

(1) Day Decision Making Qualification:

- (A) No fewer than three decision points within the course
- (B) Required target discrimination decision (shoot/no-shoot)
- (C) Required articulation by the officer of a minimum of two decisions made during the course

(D) Shall contain a detailed diagram of the decision making course, with a written explanation of the course, and a scoring matrix outlining what constitutes passing and failing performance, which shall be maintained in an Annual Qualification file by the agency and made available for audit.

(2) Low-Light Decision Making Qualification:

- (A) No fewer than three decision points within the course
- (B) Required target discrimination decision (shoot/no-shoot)
- (C) Required use of a flashlight, weapon-mounted light, or other shooter-controlled light source
- (D) Required articulation by the officer of a minimum of two decisions made during the course.
- (E) Shall contain a detailed diagram of the decision making course, with a written explanation of the course, and a scoring matrix outlining what constitutes passing and failing performance, which shall be maintained in an Annual Qualification file by the agency, and made available for audit.

(f) If a deputy's or detention officer's handgun is replaced with another service handgun of the same make and model, they shall successfully complete the Day Accuracy Qualification with the new service handgun within 15 days of issuance.

~~(b)(g)~~ All deputy sheriffs and detention officers who are issued or otherwise authorized by the sheriff to carry use a shotgun, rifle, or automatic weapon shall qualify with each weapon respectively respectively, for both day and low-light use a minimum of at least once each calendar year. The course of fire shall not be less stringent than those set out in the "In Service Firearms Qualification Manual" as published by the North Carolina Justice Academy.

~~(e)(h)~~ The accuracy Qualifications qualification courses conducted pursuant to required by Paragraphs (a) and (b) of this Rule shall be completed with duty equipment and duty ammunition or ballistic equivalent ammunition to include including lead free ammunition that meets the same point of aim, point of impact, and felt recoil of the duty ammunition, for all weapons.

(i) All deputy sheriffs and detention officers who are issued or authorized to use a less-lethal weapon, that may also be classified as a firearm, shall qualify with each weapon, respectively, in compliance with the manufacturer's specifications or certification requirements.

(j) The accuracy qualification and decision making qualification courses required by Paragraphs (a) through (g) and (k) of this Rule, shall define low light for an outdoor range as beginning 30 minutes after sunset, based on the time provided by the U.S. Naval Observatory chart for the date of qualification, specific to the location of the outdoor range. For an indoor range, transition to

low-light environment occurs by cutting off the lighting and is not defined by a specific time.

~~(d)(k)~~ All deputy sheriffs and detention officers who are authorized by the sheriff to carry off duty handguns shall qualify with their off duty handgun a minimum of once each calendar year pursuant to 12 NCAC 10B ~~.2103~~ and .2104(a) and (b) with each handgun the officer carries off duty using ammunition approved by the sheriff.

~~(e)(l)~~ All deputy sheriffs and detention officers who are issued or have access to any weapons not stated in this Rule must qualify with these weapons once each calendar year using ammunition approved by the sheriff.

(m) To satisfy the requirements for all firearms accuracy qualifications, a deputy sheriff or detention officer shall attain a minimum qualification score of 80 percent accuracy with each weapon once in three attempts with no more than three attempts on each course of fire per day.

(n) To satisfy the requirements for all decision making qualification courses, a deputy sheriff or detention officer shall attain a passing score as outlined by the specific courses scoring matrix.

~~(f)(o)~~ In cases where reduced-sized targets are used to simulate actual distances, a modified course of fire may be used.

(p) Each Day Accuracy Qualification course and Low-Light Accuracy Qualification course:

- (1) Shall be completed successfully on a single day, once out of three attempts.
- (2) Failure to qualify within three attempts on a single day is deemed a failure.
- (3) Once qualification has begun, if a deputy sheriff or detention officer is unsuccessful at any qualification attempt and fails to complete three attempts in a single day, the officer is deemed to have failed to qualify.
- (4) No practice is allowed once qualification begins. Practice is not allowed until after the officer qualifies successfully or the third qualification attempt is completed.
- (5) Shall be completed with each weapon for which qualification is required
- (6) Each Qualification course may take place on different days; however, all three attempts to qualify for that course shall occur on that day.
- (7) Once a deputy sheriff or detention officer has failed to qualify in three attempts or failed to complete three attempts to qualify in a single day on any Qualification course, access to the weapon shall be restricted until such time the deputy sheriff or detention officer successfully qualifies with the weapon.

(q) Each Day Decision Making Qualification course and Low-Light Decision-Making Qualification course:

- (1) Shall be completed successfully on a single day, once out of three attempts.
- (2) Failure to qualify within three attempts on a single day is deemed a failure.
- (3) Once qualification has begun, if a deputy sheriff or detention officer is unsuccessful at any qualification attempt and fails to complete three

attempts in a single day, the officer is deemed to have failed to qualify.

- (4) No practice is allowed once qualification begins. Practice is not allowed until after the deputy sheriff or detention officer qualifies successfully or the third qualification attempt is completed.
- (5) Each qualification course may take place on different days; however, all three attempts to qualify for that course shall occur on that day.
- (6) Once a deputy sheriff or detention officer has failed to qualify in three attempts or failed to complete three attempts to qualify in a single day on any qualification course, access to the weapon shall be restricted until such time the officer successfully qualifies with the weapon.

~~(g) To satisfy the training requirements for all in-service firearms requalifications, a deputy sheriff or detention officer shall attain a minimum qualification score of 70 percent accuracy with each weapon once in three attempts with no more than three attempts on each course of fire per day.~~

~~(h) The "In Service Firearms Qualification Manual" as published by the North Carolina Justice Academy is hereby incorporated by reference, and shall automatically include any later amendments or editions of the referenced materials to apply as a minimum guide for conducting the annual in-service firearms qualification. Copies of the publication may be obtained from the North Carolina Justice Academy, Post Office Drawer 99, Salemburg, North Carolina 28385. There is no cost per manual at the time of adoption of this Rule.~~

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

12 NCAC 10B .2105 FAILURE TO QUALIFY

(a) Deputy sheriffs and detention officers who fail to qualify pursuant to Rule .2104 of this Section shall immediately surrender their weapons to the ~~sheriff, sheriff or authorized representative upon his request,~~ and shall have 30 days in which to obtain the qualification score required in 12 NCAC 10B .2104.

(b) Failure to qualify within the time period allowed in 12 NCAC 10B .2105(a) shall result in the summary suspension of the deputy sheriffs or detention officer's certification by the Commission.

(c) No deputy sheriff or detention officer summarily suspended under Paragraph (b) of this Rule and in compliance with 12 NCAC 10B .0206(a)(3) may work as a certified justice officer until:

- (1) the sheriff forwards to the Commission documentary evidence verifying that the officer has complied with the requirements of 12 NCAC 10B .2103 and .2104; and
- (2) the deputy sheriff or detention officer and the sheriff receive from the Commission documentation that the Commission has terminated the suspension and reinstated the certification to the deputy sheriff or detention officer.

(d) Any deputy sheriff or detention officer previously unauthorized to carry a weapon but whose status changed to "authorized to carry a weapon," must comply with the provisions

set out in 12 NCAC 10B .2103 and .2104; and may not carry a firearm until:

- (1) the sheriff forwards to the Commission documentary evidence verifying that the officer has complied with the requirements of 12 NCAC 10B .2103 and .2104; and
- (2) the deputy sheriff or detention officer and the sheriff receive from the Commission documentation that the Commission has amended the officer's status to "authorized to carry a weapon" and all certification files reflect the same.

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 amend the rules cited as 15A NCAC 10F .0301, .0303, .0310, .0329, .0354, and repeal the rule cited as 15A NCAC 10F .0368.

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: *April 1, 2026*

Public Hearing:

Date: *December 9, 2025*

Time: *2:00PM*

Location: *Virtual public hearing via Zoom, pre-registration is required:*

<https://ncwildlife->

[org.zoomgov.com/webinar/register/WN_84DgKIG-](https://ncwildlife-)

[SuuehB3dhnXgHA](https://ncwildlife-) or join by telephone toll free: (833) 568-8864, Webinar ID: 160 229 4773

Reason for Proposed Action: *Proposed amendments to 10F .0301 resolve ambiguities and clarify definitions, update agency contact information, reorganize restrictions into a single section, and alphabetize the definitions.*

Proposed amendments to 10F .0303 reduce the size of the no-wake zone in Broad Creek, remove no-wake zones in Battalina Creek, Tranters Creek, and Little Creek, incorporate the names and addresses of Boating Access Areas, and clarify designated agencies implementing placement of regulatory markers.

Proposed amendments to 10F .0310 incorporate Stumpy Point Boating Access Area and clarify designated agencies implementing placement of regulatory markers.

Proposed amendments to 10F .0329 remove the no-wake zone on High Rock Lake in a cove at Second Creek, incorporate the names and addresses of Boating Access Areas and bridges, and clarify designated agencies implementing placement of regulatory markers.

Proposed amendments to 10F .0354 remove the no-wake zone on part of Tranters Creek, incorporate the names and addresses of Boating Access Areas, and clarify designated agencies implementing placement of regulatory markers.

10F .0368 is proposed for repeal as the no-wake zone is unnecessary to mitigate hazards to boater safety. The no-wake zone along the shoreline has not been marked, visibility is not restricted, and there are no hazards to boaters.

Comments may be submitted to: Rulemaking Coordinator, 1701 Mail Service Center, Raleigh, NC 27699; email regulations@ncwildlife.gov

Comment period ends: January 16, 2026

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

CHAPTER 10 - WILDLIFE RESOURCES AND WATER SAFETY

SUBCHAPTER 10F - MOTORBOATS AND WATER SAFETY

SECTION .0300 - LOCAL WATER SAFETY REGULATIONS

15A NCAC 10F .0301 GENERAL PROVISIONS

(a) Definitions. The definitions used in G.S. 75A-2 shall apply in this Subchapter. In addition, the following definitions shall apply to all rules in this Section: ~~apply:~~

- (1) "Designated agency" means a subdivision of the State that the Commission designates for the purchase and placement of markers that conform to USATONS standards;
- (2) "Executive Director" means the Executive Director of the Commission;
- (3) "Mooring area" means an area on the water delineated by speed zone markers where vessels may be tied to objects anchored on the seabed;
- (4) "Placement of markers" means putting regulatory and information markers in areas specified by the Rules of this Section and includes the re-placement of dislocated markers and the replacement of missing markers.
- (5) "Regulatory Marker" and "Information Marker" means markers with an orange geometric shape against a white background, used to alert a mariner to warnings or regulatory matters, as defined in 33 CFR 62.33;
- (6) "Restricted area" means an area on the water that is marked to limit recreational activity and vessel speed;
- (7) "Safety Zone" means a water area or shore area where, for safety or environmental purposes, access is limited to authorized persons and vessels, as defined in 33 CFR 165.20.
- (8) "Swimming area" means an enclosed area on the water for swimming that is marked against entry by vessels; and
- (9) "USATONS" means the U. S. Aids to Navigation System, which prescribes regulatory markers and aids to navigation that mark navigable waters of the United States. The rules governing USATONS in 33 CFR 62, are hereby incorporated by reference including all subsequent amendments and editions and can be found free of charge online at www.ecfr.gov.
- (1) ~~"Executive Director" means the Executive Director of the Commission;~~
- (2) ~~"USATONS" means the U. S. Aids to Navigation System, which prescribes regulatory markers and aids to navigation that mark navigable waters of the United States. The rules governing USATONS in 33 CFR 62, are hereby incorporated by reference including all subsequent amendments and editions and can be found free of charge online at www.ecfr.gov;~~
- (3) ~~"Designated agency" means a subdivision of the State that the Commission designates for placement of markers that conform to USATONS standards;~~
- (4) ~~"Regulatory Marker" and "Information Marker" means markers with an orange geometric shape against a white background;~~

~~used to alert a mariner to warnings or regulatory matters, as defined in 33 CFR 62.33;~~

- (5) ~~"Swimming area" means an enclosed area on the water for swimming that is marked against entry by vessels;~~
- (6) ~~"Mooring area" means an area on the water delineated by speed zone markers where vessels may be tied to objects anchored on the seabed;~~
- (7) ~~"Restricted area" means an area on the water that is marked to limit recreational activity and vessel speed; and~~
- (8) ~~"Safety Zone" means a water area or shore area where, for safety or environmental purposes, access is limited to authorized persons and vessels, as defined in 33 CFR 165.20.~~

(b) Formal application for water safety rulemaking. Any subdivision of the State may, after public notice, apply to the Commission for rules on waters within the subdivision's territorial limits on an application provided by the Commission at www.ncwildlife.org. The completed application and supporting documents shall be mailed to the No Wake Zone Coordinator at North Carolina Wildlife Resources Commission, 1701 Mail Service Center, Raleigh, North Carolina 27699-1701 or submitted via email to nowakezonecoordinator@ncwildlife.org. nowakezonecoordinator@ncwildlife.gov. The application shall contain the following information:

- (1) the name of the subdivision of the State applying for water safety rulemaking;
- (2) the date of the application;
- (3) the contact person's name, telephone number, and mailing address;
- (4) descriptive information for the body of water;
- (5) location of the proposed no wake zone, marked swimming area, or other regulated area;
- (6) a statement that the subdivision of the State has given public notice of its intention to apply for rulemaking on waters within its territorial limits;
- (7) a resolution from the subdivision of the State requesting water safety rulemaking; and
- (8) an affirmation that the subdivision of the State or its designee will bear the cost for purchase and placement of markers that conform to USATONS standards.

~~(c) Marking Regulated Areas. The Commission may designate agencies for the placement of markers in areas established by rules in this Section. The designated agency or its designee shall be responsible for the purchase and placement of markers conforming to USATONS required to implement a water safety rule.~~

~~(d) Placement of Markers. Except where done by supervening federal authority, it shall be unlawful for anyone to place or maintain regulatory markers or navigational aids without authorization from the Commission; or to place information markers without permission from the Executive Director or his or her designee.~~

~~(e) Mooring Areas. The boundaries of mooring areas shall be defined by the placement of speed zone markers.~~

~~(f)(c)~~ (c) Swimming Areas. No vessel entry shall be permitted in the waters of marked swimming areas. Marked swimming areas shall meet the following requirements:

- (1) the enclosed swimming area in the water shall not exceed 5,000 square feet;
- (2) the enclosed area shall be marked with float lines that, in conjunction with the shoreline, form an enclosed area;
- (3) the swimming area shall not extend into a navigational channel or interfere with navigation of vessels;
- (2) float lines shall have white, international orange, or alternating white and international orange floats along their length at intervals of not less than one every 10 feet;
- (3) floats shall be buoyant enough to float at the surface of the water while attached to the float line, and no float shall exceed a size of 18 inches in length or diameter;
- (4) buoys or floating signs bearing the USATONS "boat exclusion area" symbol shall be attached to float lines to give warning to vessels approaching the swimming area from all directions; and
- (5) float lines and warning markers shall be anchored.

~~(g)(d)~~ (d) Safety Zones. Markers prohibiting entry or use by vessels and swimmers in waters surrounding impoundment structures and powerhouses associated with hydroelectric generating facilities shall be buoys or floating signs placed in the water. Markers shall meet USATONS standards in number and size to give warning of the restriction to vessels approaching from all directions.

~~(h)(e)~~ (e) Enforcement. If an agent of the Commission discovers markers and navigational aids that do not conform to USATONS standards, that are placed without lawful authority or permission, or that fail to mark the defined regulated area, written notice shall be served upon the individuals responsible for the improper placement of the markers or navigational aids. Individuals served a written notice of violation shall have 10 days to correct any deficiency before the Commission issues a citation.

~~(i)(f)~~ (f) Miscellaneous Restrictions.

- (1) Except for mooring buoys or markers that are specifically permitted by State or federal law, it shall be unlawful to tie a vessel to any waterway marker, as specified in 33 CFR 70.05.
- (2) It shall be unlawful for any unauthorized person to move, remove, damage, block, paint over, or tamper with any marker lawfully placed in the waters of North Carolina in conformity with these rules or USATONS standards.
- (3) Except where done by supervening federal authority, it shall be unlawful for anyone to place regulatory markers or navigational aids without authorization from the Commission; or to place information markers without permission from the Executive Director or his or her designee.

Authority G.S. 75A-15.

15A NCAC 10F .0303 BEAUFORT COUNTY

(a) Regulated Areas. This Rule ~~shall apply~~ applies to the following waters in Beaufort County:

(1) Aurora.

- (A) the waters within 50 yards of Smith Creek Boating Access Area on Smith Creek, 3484 NC Highway 33 E; and
- (B) the waters within 50 yards of Aurora Boating Access Area on South Creek, 1 Main Street.

(2) Belhaven.

- (A) the waters within 50 yards of Belhaven Boating Access Area on Pantego Creek, 135 West Water Street; and
- (B) the waters within 50 yards of Wrights Creek Boating Access Area on Pungo Creek, 1922 Wilkins Road.

(3) Chocowinity.

- (A) the portion of Blounts Creek north of a line 35 yards south-southeast of the Mouth of the Creek Bridge from a point on the east shore at 35.43333 N, 76.96985 W to a point on the west shore at 35.43267 N, 76.97196 W and south of a line 350 yards north-northeast of the Mouth of the Creek Bridge from a point on the east shore at 35.43553 N, 76.96962 W to a point on the west shore at 35.43679 N, 76.97011 W;
- (B) the canals at the eastern end of the peninsula between Chocowinity Bay and the Pamlico River at Fork Point and Whichard Beach, beginning at the canal entrance off Chocowinity Bay at a point a 35.50296 N, 77.03043 W and beginning at the canal entrance off the Pamlico River at a point at 35.50340 N, 77.02364 W; and
- (C) Blounts Creek south of a line 100 yards north of the Blounts Creek Boating Access Area at 350 Crisp Landing Road, from a point on the east shore at 35.40846 N, 76.96091 W to a point on the west shore at 35.40834 N, 76.96355 W, and north of a line 100 yards south of Cotton Patch Landing, from a point on the east shore at 35.40211 N, 76.96573 W to a point on the west shore at 35.40231 N, 76.96702 W.

(4) Washington.

- (A) the portion of Broad Creek south of a line from a point on the east shore at 35.49472 N, 76.95693 W to a point on the west shore at 35.49477 N, 76.96014 W and north of a line from a point on the east shore at 35.48894 N,

76.95052 W to a point on the west shore at 35.48660 N, 76.95879 W;

(B) the waters within 50 yards of Masons Landing Boating Access Area on Tranters Creek, 625 Clarks Neck Road; and

(C) the waters within 50 yards of Havens Garden Boating Access Area on Runyon Creek, 1053 East Main Street.

(5) the navigable portion of Nevil Creek extending

upstream from its mouth at the Pamlico River;
(4) the portion of Broad Creek south of a line from a point on the east shore at 35.49472 N, 76.95693 W to a point on the west shore at 35.49476 N, 76.96028 W and north of a line from a point on the east shore at 35.48485 N, 76.95178 W to a point on the west shore at 35.48495 N, 76.95619 W;

(2) the portion of Blounts Creek south of a line 100 yards north of the Blounts Creek Boating Access Area, from a point on the east shore at 35.40846 N, 76.96091 W to a point on the west shore at 35.40834 N, 76.96355 W, and north of a line 100 yards south of Cotton Patch Landing, from a point on the east shore at 35.40211 N, 76.96573 W to a point on the west shore at 35.40231 N, 76.96702 W;

(3) the waters of Battalina Creek, within the territorial limits of the Town of Belhaven;

(4) the navigable portion of Nevil Creek extending upstream from its mouth at the Pamlico River;

(5) the portion of Blounts Creek north of a line 35 yards south-southeast of the Mouth of the Creek Bridge from a point on the east shore at 35.43333 N, 76.96985 W to a point on the west shore at 35.43267 N, 76.97196 W and south of a line 350 yards north-northeast of the Mouth of the Creek Bridge from a point on the east shore at 35.43553 N, 76.96962 W to a point on the west shore at 35.43679 N, 76.97011 W;

(6) the portion of Tranters Creek east of a line from a point on the north shore at 35.56961 N, 77.09159 W to a point on the south shore at 35.56888 N, 77.09118 W and north of a line from a point on the east shore at 35.56714 N, 77.08941 W to a point on the west shore at 35.56689 N, 77.09029 W; and

(7) the waters of Little Creek beginning at a line near its mouth from a point on the east shore at 35.41917 N, 76.97102 W to a point on the west shore at 35.41900 N, 76.96940 W; and

(8) the canals at the eastern end of the peninsula between Chocowinity Bay and the Pamlico River at Fork Point and Whichard Beach, beginning at the canal entrance off of Chocowinity Bay at a point a 35.50296 N, 77.03043 W and beginning at the canal entrance off of the Pamlico River at a point at 35.50340 N, 77.02364 W.

(b) Speed Limit. No person shall operate a vessel at greater than no-wake speed within ~~any~~ of the regulated areas identified in Paragraph (a) of this Rule.

(c) Placement of Markers. ~~The Board of Commissioners of Beaufort County and the City Council of the City of Washington shall be the designated agencies for placement of the markers implementing this Rule, subject to the approval of the United States Coast Guard and United States Army Corps of Engineers.~~

- (1) the Board of Commissioners of Beaufort County shall be the designated agency implementing the portion of Parts (a)(3)(C) of this Rule south of the Blounts Creek Boating Access Area; and Parts (a)(2)(A) and (B), (a)(3)(A) and (B), and (a)(5) of this Rule;
- (2) the City of Washington shall be the designated agency implementing Parts (a)(4)(A) through (a)(4)(C) of this Rule; and
- (3) the North Carolina Wildlife Resources Commission shall be the designated agency implementing the portion of Part (a)(3)(C) of this Rule, the waters of Blounts Creek shore to shore from 100 yards north of the Blounts Creek Boating Access Area to 100 yards south of the Boating Access Area; and Parts (a)(1)(A) and (B) of this Rule.

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

15A NCAC 10F .0310 DARE COUNTY

(a) Regulated Areas. This Rule ~~shall apply~~ applies to the following waters in Dare County:

- (1) Manteo:
 - (A) the waters of Doughs Creek off Shallowbag Bay and the canals off Shallowbag Bay; and
 - (B) within 50 yards of the Bowsertown Boating Access Area on Croatan Sound at 35.89810 N, 75.67710 W.
- (2) Hatteras:
 - (A) the waters of Pamlico Sound otherwise known as Hatteras Harbor and Muddy Creek bounded on the north and south by the high-water mark, on the west by a straight line between channel markers number 20 and 17 at the entrance to Hatteras Harbor, and on the east by the mouth of Muddy Creek at Sandy Bay at a point at 35.22801 N, 75.68050 W; and
 - (B) Hatteras Ferry Terminal and United States Coast Guard basins ending at Coast Guard Beacon Number One in the Hatteras Channel.
- (3) Manns Harbor:
 - (A) Old Ferry Dock Road Canal, beginning at a point at 35.90654 N, 75.76916 W;
 - (B) within 50 yards of the Manns Harbor Boating Access Area on Croatan

Sound at 35.91020 N, 75.77150 W; and

- (C) within 50 yards of the Mashoes Boating Access Area on East Lake at 35.92820 N, 75.81470 W.
- (4) Nags Head:
 - (A) the canals of Old Nags Head Cove where the canal entrance meets Roanoke Sound beginning at a point at 35.94192 N, 75.62571 W; and
 - (B) the Roanoke Sound inlets at Pond Island on either side of W. Marina Drive extending north from U.S. Highway 64-264.
- (5) Wanchese:
 - (A) Wanchese Harbor otherwise known as Mill Landing Creek, beginning at its entrance from Roanoke Sound at a point at 35.84006 N, 75.61726 W; and
 - (B) the canal from its beginning where it connects with Roanoke Sound south of the dead-end road S.R. 1141 otherwise known as Thicket Lump Drive, extending northwest roughly parallel to S.R. 1141, S.R. 1142 otherwise known as The Lane, and S.R. 1143 otherwise known as Tink Tillet Road, then westward roughly parallel to N.C. Highway 345, and finally curving to the southwest roughly parallel to S.R. 1289 otherwise known as C B Daniels S.R. Road to its end.
- (6) Stumpy Point:
 - (A) Stumpy Point Canal shore to shore on Pamlico Sound, beginning 50 yards ~~west east~~ of the Stumpy Point Boating Access Area, 321 Bayview Drive; ~~and~~ the waters within 50 yards of the Stumpy Point Boating Access Area, 321 Bay View Drive, Stumpy Point; and
 - ~~(B)(C)~~ Stumpy Point Basin off Stumpy Point Bay, east of U.S. Highway 264 where it intersects Stumpy Point Bay at a point at 35.69591 N, 75.77264 W.
- (7) Rodanthe. Within 50 yards of the Rodanthe Boating Access Area in Roanoke Sound, 23170 Myrna Peters Road;
- (8) Town of Southern Shores. The canals and lagoons within the Town of Southern Shores north of U.S. Highway 158;
- (9) Colington Harbour. The waters in the canals of Colington Harbour Subdivision on Albemarle Sound;
- (10) Kitty Hawk. The waters in the canals of Kitty Hawk Landing Subdivision;
- (11) Washington Baum Bridge Boating Access Area. The waters within 150 yards north and

- south and 300 yards east of the Washington Baum Boating Access Area in Roanoke Sound, at 35.89380 N, 75.63710 W;
- (12) Kill Devil Hills:
- (A) Baum Bay Harbor, beginning at a point at 36.00572 N, 75.68105 W; and
- (B) the waters within 50 yards of the Avalon Beach Boating Access Area in Kitty Hawk Bay, 2025 Bay Drive.
- (13) Avon. The waters of Pamlico Sound shore to shore beginning at a line from a point on the east shore of Big Island at 35.36653 N, 75.50770 W westward to a point on the mainland at 35.36653 N, 75.50556 W, south to include the waters of the cove between North Albacore Lane and South Albacore Lane and the waters of Mill Creek, and ending east of a line from a point on the south shore of Big Island at 35.36500 N, 75.50820 W southward to a point on the mainland at 35.36358 N, 75.50826 W;
- (14) Jean Guite Creek. The waters of Jean Guite Creek from where it meets Kitty Hawk Bay at 36.04887 N, 75.72754 W, north to a line from a point on the east shore in Southern Shores at 36.10460 N, 75.74192 W to a point on the west shore in Martin's Point Subdivision at 36.10452 N, 75.73948 W;
- (15) Frisco. The waters of the marina canal and boat basin at Palmetto Shores Subdivision, shore to shore beginning at the canal's entrance at Pamlico Sound at a point at 35.25427 N, 75.60301 W; and
- (16) Cape Hatteras National Seashore. The waters of Motts Creek in Roanoke Sound, shore to shore at a line from a point on the north shore where the Oregon Inlet U.S. Coast Guard Station is located, to a point near the south shore of Motts Creek at 35.79270 N, 75.54903 W, then northward to include the waters at the Oregon Inlet Fishing Center and Marina, Oregon Inlet Public Boat Ramp, kayak launch area, and U. S. Coast Guard Station and Launch Area.

(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.

(c) Swimming Area. No person operating or responsible for the operation of a vessel shall permit it to enter the marked swimming area at Colington Island on the west shore, from a point where the canal enters the harbor at 36.01797 N, 75.72681 W, north 600 feet to a point at 36.01964 N, 75.72683 W and extending 300 feet west into Albemarle Sound.

(d) Placement of Markers. ~~The following agencies shall place markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers:~~

- (1) the Board of Commissioners of the Town of Manteo shall be the designated agency

- ~~implementing for the areas designated in~~ Part (a)(1)(A) of this Rule;
- (2) ~~the Board of Commissioners of Dare County for the areas designated in~~ shall be the designated agency implementing Paragraph (c), Subparagraphs (a)(2); Parts (a)(4)(A) and (B); Subparagraph (a)(5); (a)(9); (a)(13) through (15); and Parts (a)(3)(A); ~~(a)(6)(B); (a)(6)(A) and (C);~~ and (a)(12)(A) of this Rule;
- (3) ~~the Board of Commissioners of the Town of Southern Shores for the areas designated in~~ shall be the designated agency implementing Subparagraph (a)(8) of this Rule;
- (4) ~~the Board of Commissioners of the Town of Kitty Hawk for the area designated in~~ shall be the designated agency implementing Subparagraph (a)(10) of this Rule;
- (5) ~~the National Park Service shall place and maintain markers for the area designated in~~ be the designated agency implementing Subparagraph (a)(16) of this Rule; and
- (6) ~~the North Carolina Wildlife Resources Commission shall place and maintain markers for the areas designated in~~ be the designated agency implementing Subparagraphs (a)(7) and (a)(11); and Parts (a)(1)(B); (a)(3)(B) and (C); ~~(a)(6)(A); (a)(6)(B) and (a)(12)(B)~~ of this Rule.

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

15A NCAC 10F .0329 ROWAN COUNTY

(a) ~~Regulated Areas. This Rule shall apply to the portions of High Rock Lake and Tuckertown Lake within Rowan County.~~

(b) ~~Speed Limit Near Ramps. No person shall operate a vessel at greater than no wake speed within 50 yards of any public boat launching ramp while on the waters of the regulated areas described in Paragraph (a) of this Rule.~~

(c) ~~Speed Limit in Mooring Areas. No person shall operate a vessel at greater than no wake speed while within a marked mooring area on the regulated areas described in Paragraph (a) of this Rule.~~

(d) ~~Speed Limit in Specific Zones. No person shall operate a vessel at greater than no wake speed in the following locations on the regulated areas described in Paragraph (a) of this Rule:~~

- (1) ~~the waters within 50 yards of the Tamarac Shores Marina on Second Creek on High Rock Lake extending northeast of the marina 50 yards from the shoreline to a point at 35.61097 N, 60.30647 W, and including the waters of the cove north of the marina;~~
- (2) ~~the cove on the north side of Second Creek east of SR 2138 otherwise known as Poole Road on High Rock Lake, shore to shore, north of a line from a point on the east shore at 35.60800 N, 80.31985 W to a point on the west shore at 35.60741 N, 80.32106 W;~~
- (3) ~~the waters within 50 yards southeast and 50 yards northwest of the I-85 bridge over High Rock Lake, from a point southeast of the bridge~~

~~at 35.71930 N, 80.38873 W, to a point northwest of the bridge at 35.72012 N, 80.3990 W;~~

- ~~(4) the waters within 50 yards southeast and 50 yards northwest of the SR 2168 bridge otherwise known as the Goodman Lake Road bridge at Crane Creek on High Rock Lake, from a point southeast of the bridge at 35.55354 N, 80.35344 W, to a point northwest of the bridge at 35.66406 N, 80.35435 W;~~
- ~~(5) the waters within 50 yards northeast and 50 yards southwest of the SR 1002 bridge otherwise known as the Bringle Ferry Road bridge at Second Creek on High Rock Lake, from a point northeast of the bridge at 35.60916 N, 80.30626 W, to a point southwest of the bridge at 35.60840 N, 80.30693 W;~~
- ~~(6) the waters within 50 yards north and 50 yards south of SR 1004 bridge otherwise known as the Stokes Ferry Road bridge at Riles Creek on Tuckertown Lake, from a point north of the bridge at 35.50535 N, 80.21680 W, to a point south of the bridge at 35.50452 N, 80.21720 W;~~
- ~~(7) the waters within 50 yards northwest and 50 yards southeast of the N. C. Highway 8-49 bridge at Tuckertown Lake from a point northwest of the bridge at 35.50642 N, 80.18430 W, to a point southeast of the bridge at 35.50538 N, 80.18372 W; and~~
- ~~(8) the waters within 50 yards of the Rowan Shrine Club dock located at 35.66776 N, 80.31425 W on High Rock Lake.~~

~~(e) Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to enter any marked public swimming area on the waters of the regulated areas described in Paragraph (a) of this Rule.~~

~~(f) Placement of Markers. The Board of Commissioners of Rowan County shall be the designated agency for placement of markers implementing this Rule.~~

~~(a) Regulated Areas. This Rule applies to the following waters in Rowan County:~~

- ~~(1) High Rock Lake:~~
 - ~~(A) the waters within 50 yards of Tamarac Marina on Second Creek in Salisbury, extending northeast of the marina 50 yards from the shore northward, including the cove west of a point on the shore at 35.61116 N, 80.30701 W;~~
 - ~~(B) the waters 50 yards southeast and 50 yards northwest of the SR 2168 bridge, otherwise known as the Goodman Lake Road Bridge at Crane Creek in Salisbury, from a point southeast of the bridge at 35.66349 N, 80.35347 W to a point northeast of the bridge 35.66411 N, 80.35431 W;~~
 - ~~(C) the waters 50 yards northeast and 50 yards southwest of the SR 1002 bridge, otherwise known as the~~

Bringle Ferry Road Bridge at Second Creek in Salisbury, from a point northeast of the bridge at 35.60917 N, 80.30626 W, to a point southwest of the bridge at 35.60840 N, 80.30701 W; and

(D) the waters within 50 yards of the Rowan Shrine Club dock in Salisbury, at 6480 Long Ferry Road, Salisbury.

(2) Tuckertown Reservoir:

(A) the waters 50 yards north and 50 yards and 50 yards south of SR 1004 bridge otherwise known as the Stokes Ferry Road Bridge at Riles Creek, from a point north of the bridge at 35.50535 N, 80.21680 W, to a point south of the bridge at 35.50452 N, 80.21720 W;

(B) the waters 50 yards north and 50 yards south of the N.C. Highway 8-49 bridge, from a point north of the bridge at 35.50617 N, 80.18466 W, to a point south of the bridge at 35.50501 N, 80.18433 W; and

(C) the waters within 50 yards of the Flat Creek Boating Access Area, 450 Wildlife Access Road, Richfield.

(3) Yadkin River. The waters 50 yards southeast and 50 yards northwest of the I-85 bridge over Yadkin River, from a point southeast of the bridge at 35.71930 N, 80.38873 W, to a point northwest of the bridge at 35.72015 N, 80.39001 W; and

(4) South Yadkin River. The waters within 50 yards of the Crowther Boating Access Area, 965 Hannah Ferry Road, Salisbury.

(b) Speed Limit. No person shall operate a vessel at greater than no-wake speed within any regulated area described in Paragraph (a) of this Rule.

(c) Placement of Markers.

(1) the Board of Commissioners of Rowan County shall be the designated agency implementing Parts (a)(1)(A) and (D) of this Rule.

(2) Cube Hydro Carolinas shall be the designated agency implementing Parts (a)(1)(B) and (C), (a)(2)(A) and (B), and Subparagraph (a)(3) of this Rule.

(3) the North Carolina Wildlife Resources Commission shall be the designated agency implementing Part (a)(2)(C) and Subparagraph (a)(4) of this Rule.

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

15A NCAC 10F .0354 PITT COUNTY

~~(a) Regulated Areas. This Rule shall apply to the waters described in this Paragraph.~~ This Rule applies to the following waters in Pitt County:

- ~~(1) the waters of Tar River known as the waters of Hardee Creek in the City of Greenville.~~

surrounding the waters within 50 yards of the Greenville Boating Access Area at 940 Port Terminal Road, shore to shore, west of a line at its confluence with the main course of Tar River from a point on the north shore at 35.59878 N, 77.31168 W to a point on the south shore at 35.59813 N, 77.31157 W;

- (2) ~~the portion of Tranters Creek east of a line from a point on the north shore at 35.56961 N, 77.09159 W to a point on the south shore at 35.56888 N, 77.09118 W and north of a line from a point on the east shore at 35.56714 N, 77.08941 W to a point on the west shore at 35.56689 N, 77.09029 W; and~~

- (3)(2) the waters of Barber Creek at Wildwood Park in the City of Greenville shore to shore, north of its confluence with Tar River at a point at 35.60719 N, ~~77.32890 W, 77.32890 W;~~

- (3) the waters within 50 yards of the Falkland Boating Access Area on Tar River, 3013 NC Highway 222, Falkland; and

- (4) the waters within 50 yards of the Contentnea Creek Boating Access Area on Contentnea Creek, 510 Water Street, Grifton.

(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.

(c) Placement of Markers. ~~The following agencies shall be responsible for placement of the markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers:~~

- (1) ~~The Board of Commissioners of Pitt County for those waters in (a)(1) and (a)(2) of this Rule; and~~

- (2) ~~The City of Greenville for the waters listed in Subparagraph (a)(3) of this Rule.~~

- (1) the City Council of the City of Greenville shall be the designated agency implementing the portion of Subparagraph (a)(1) excluding the Greenville Boating Access Area, and Subparagraph (a)(2) of this Rule; and

- (2) the North Carolina Wildlife Resources Commission shall be the designated agency implementing the portion of Subparagraph (a)(1) the waters of Hardee Creek surrounding the Greenville Boating Access Area, and Subparagraphs (a)(3) and (4) of this Rule.

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

15A NCAC 10F .0368 TOWN OF NAGS HEAD

Authority G.S. 71A-15; 72A-3.

TITLE 21 - OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS

CHAPTER 02 - ARCHITECTURE AND REGISTERED INTERIOR DESIGNERS

Notice is hereby given in accordance with G.S. 150B-21.3A(c)(2)g. that the Board of Architecture and Registered Interior Designers intends to readopt with substantive changes the rules cited as 21 NCAC 02 .0106, .0108, .0109, .0401- .0406, .0501, .0601, .0603- .0605, .0609, .0610, .0701- .0705, .0903, readopt without substantive changes the rules cited as 21 NCAC 02 .0101, .0107, .0201, .0203- .0206, .0210, .0213- .0215, .0217, .0302, .0303, .0306, .0901, .0904-.0910, repeal through readoption the rules cited as 21 NCAC 02 .0607 and .0608.

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>.

Pursuant to G.S. 150B-21.2(c)(1), the text of the rule(s) proposed for readoption without substantive changes are not required to be published. The text of the rules are available on the OAH website: <http://reports.oah.state.nc.us/ncac.asp>.

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

Proposed Effective Date: June 1, 2026

Public Hearing:

Date: December 16, 2025

Time: 10:00 a.m.

Location:

<https://us02web.zoom.us/j/85840836521?pwd=ZgFhFWMAQej8fWncW4tZYjg5lvs59.1&from=addon> / Meeting ID: 858 4083 6521 Passcode: 394893

Reason for Proposed Action: 21 NCAC 02 .0101 - Sets forth the physical address for the Board

21 NCAC 02 .0106 - Sets forth the Board's adoption of its seal, as required by GS 83A-5(c)

21 NCAC 02 .0107 - Sets forth the location at which Board forms may be found on the internet

21 NCAC 02 .0108 - Establishes fees authorized by GS 83A-4

21 NCAC 02 .0109 - Provides the definition of terms used throughout Chapter 02, Title 21 of the NC Administrative Code

21 NCAC 02 .0201 - Codifies the type of information that must be submitted to the Board related to the credential holder's contact information and legal compliance

21 NCAC 02 .0203 - Codifies the Board's standards for professional conduct, as authorized by GS 83A-6(a)

21 NCAC 02 .0204 - Codifies the manner in which different types of entities that may be registered with the Board to engage in the practice of architecture or registered interior design

21 NCAC 02 .0205 - Clarifies that licensees or registrants shall not engage in dishonest conduct by use of a misleading or deceptive business name

21 NCAC 02 .0206 - Implements GS 83A-10 regarding the standards for professional conduct when sealing work

21 NCAC 02 .0210 - Provides definition around the term "Incompetence" as used in GS 83A-15(a)(2)

21 NCAC 02 .0213 - Codifies the application process for renewals of licensure and registration

21 NCAC 02 .0214 - Codifies the application process for initial and renewal licensure for entities engaged in the practice of architecture or interior design

21 NCAC 02 .0215 - Establishes the process by which architectural and interior design firms located in other jurisdictions may practice within North Carolina

21 NCAC 02 .0217 - Codifies the process by which an architect may request status as an Architect Emeritus, as defined by GS 83A-1

21 NCAC 02 .0302 - Codifies the standards for the licensure examination in architecture as set forth in GS 83A -7

21 NCAC 02 .0303 - Codifies the process by which architects licensed in other jurisdictions may obtain licensure in North Carolina

21 NCAC 02 .0306 - Clarifies the process by which interior designers may obtain registration with the Board

21 NCAC 02 .0401 - Codifies the process by which a person may petition the Board for rulemaking

21 NCAC 02 .0402 - Codifies the process by which the Board shall conduct rulemaking hearings

21 NCAC 02 .0403 - Codifies the manner in which a person may request placement on the interested parties list for rulemaking notices

21 NCAC 02 .0404 - Codifies the manner in which a person may present information to the Board at a public hearing for rulemaking

21 NCAC 02 .0405 - Codifies the manner in which the Board's presiding officer shall conduct a public hearing for rulemaking

21 NCAC 02 .0406 - Codifies the method by which records related to rulemaking shall be maintained by the Board

21 NCAC 02 .0501 - Codifies the process by which the Board shall consider a request for declaratory ruling

21 NCAC 02 .0601 - Codifies the process by which allegations of violations of law are reviewed by the Board

21 NCAC 02 .0603 - Codifies the process by which an individual may petition the Board for an administrative hearing

21 NCAC 02 .0604 - Codifies the process by which the Board will review requests for an administrative hearing

21 NCAC 02 .0605 - Codifies the process used by the Board when issuing notices of hearing

21 NCAC 02 .0607 - Repeals the process by which a person may petition to intervene in a contested case hearing

21 NCAC 02 .0608 - Repeals the process by which a Board may consider a petition to intervene in a contested case hearing

21 NCAC 02 .0609 - Codifies the process by which the Board may accept written stipulations during a contested case proceeding or informal disposition of a contested case

21 NCAC 02 .0610 - Codifies the process by which a Board member may be recused or disqualified from participation in Board business

21 NCAC 02 .0701 - Codifies the process by which the Board may consider motions for continuance during a contested case proceeding

21 NCAC 02 .0702 - Codifies the manner in which the Board shall take oral testimony during a contested case proceeding

21 NCAC 02 .0703 - Codifies the manner in which the Board shall accept requests for subpoenas

21 NCAC 02 .0704 - Codifies the process by which the Board issues a written final decision following a contested case hearing

21 NCAC 02 .0705 - Codifies the process by which the Board will render a written final decision following receipt of a proposal for decision from the NC Office of Administrative Hearings

21 NCAC 02 .0901 - Codifies that the scope of Section .0900 of this Chapter sets forth continuing education requirements for licensees and registrants

21 NCAC 02 .0903 - Codifies the documentation necessary to establish continuing professional competency for licensees and registrants to renew their credential

21 NCAC 02 .0904 - Codifies the manner in which the Board may audit records related to continuing professional competency

21 NCAC 02 .0905 - Codifies the records that a licensee or registrant must maintain to show continuing professional competency

21 NCAC 02 .0906 - Codifies exemptions to continuing professional competency education for certain credential holders

21 NCAC 02 .0907 - Codifies the licensure reinstatement process for credential holders

21 NCAC 02 .0908 - Codifies the professional competency education requirements for non-resident credential holders

21 NCAC 02 .0909 - Codifies the certification requirements for continuing professional competency education necessary for renewal of credentials

21 NCAC 02 .0910 - Codifies the manner in which non-compliance with professional competency education requirements will impact licensure status

Comments may be submitted to: Cathe M. Monte Carlo, 434 Fayetteville St., Suite 2005, Raleigh, NC 27601; phone (919) 268-7293; email cathe@ncbarch.org

Comment period ends: January 30, 2026

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**

Interior Designer Individual	\$260.00
Interior Design Firm	\$300.00

All fees paid to the Board are non-refundable.

Authority G.S. 55B-10; 83A-4; 83A-11.

CHAPTER 02 - BOARD OF ARCHITECTURE AND REGISTERED INTERIOR DESIGNERS

SECTION .0100 - GENERAL PROVISIONS

21 NCAC 02 .0101 AUTHORITY: NAME AND LOCATION OF BOARD (READOPTIO WITHOUT SUBSTANTIVE CHANGES)

21 NCAC 02 .0106 SEAL OF BOARD

The official seal adopted by the Board is the Great Seal of the State of North Carolina as set forth in G.S. 147-26 with the inscription of the Board name on the perimeter.

Authority G.S. 83-5; 83A-6.

21 NCAC 02 .0107 FORMS (READOPTIO WITHOUT SUBSTANTIVE CHANGES)

21 NCAC 02 .0108 FEES

The fees required by the Board are set forth below:

Initial License to Practice Architecture:

By Exam	\$55.00
By Reciprocity	\$155.00
Architecture Firm License	\$100.00

Annual License to Practice Architecture Renewal:

Individual	\$55.00
Firm	\$125.00

Late Renewal Penalty for Individual Architects and Firms:

Up-to-30 days	\$55.00
30 days to 1 year	\$110.00 <u>\$100.00</u>

Reinstatement of Expired License:

Individual Architect	\$260.00
Architecture Firm	\$300.00

Initial Registration to Practice Interior Design:

For NCIDQ Certified Individual	\$155.00
Firm Registration	\$100.00
Addition of Interior Design Firm Registration for Currently Licensed Architecture Firms	\$50.00

Annual Registration to Practice Interior Design Renewal:

Individual	\$55.00
Firm	\$125.00

Late Renewal Penalty for Interior Designers and Interior Design Firms:

Up-to-30 days	\$55.00
30 days to 1 year	\$110.00 <u>\$100.00</u>

Reinstatement of Expired Registration

21 NCAC 02 .0109 DEFINITIONS

In addition to the statutory definitions in G.S. 83A-1, as used in these Rules, the following terms shall have the following meanings:

- (1) "Delinquent" is the status of a license registration that has not been renewed in accordance with Rule .0213(b) of this Chapter for individuals and Rule .0214(c) of this Chapter for firms.
- (2) "Fictitious name" is any assumed name, style, or designation other than the proper legal name of the entity as registered with the Secretary of State. The surname of a person, standing alone or coupled with words that describe the business, is not a fictitious business name. The inclusion of words that suggest additional owners, such as "Company," "& Company," "& Sons," "& Associates," makes the name an assumed or fictitious name. For partnerships, the last name of all partners ~~must~~ shall be listed, or the fictitious name definition applies.
- (3) "Procurement" means purchasing or pricing of materials to construct a building or structure.
- (4) "Direct Supervision" as used in North Carolina G.S. 83A-15(a)(1)b means responsible control as defined in Rule .0203 of this Chapter.
- (5) "Continuing Competency" as used in G.S. 83A-6(a) means continuing education obtained post licensure or registration that enables an architect or registered interior designer to increase or update knowledge of and competence in technical and professional subjects related to the practice of architecture and interior design to safeguard the public's health, safety, and welfare.
- (6) "Health, ~~safety or~~ safety, or welfare" (HSW) as used in G.S. 83A-6(a) means technical and professional subjects that according to these rules safeguard the public and that are necessary for the proper evaluation, design, construction and utilization of buildings and the built environment.
- (7) "Architect-of-record" or "Designer-of-record" means persons or entities whose seals appear on plans, specifications, and contract documents.

Authority G.S. 83A-6.

SECTION .0200 - PRACTICE OF ARCHITECTURE

21 NCAC 02 .0201 ARCHITECT, REGISTERED INTERIOR DESIGNER, FIRM OR PARTNERSHIP

CONTACT INFORMATION AS ON FILE WITH THE BOARD (READOPTIOIN WITHOUT SUBSTANTIVE CHANGES)

21 NCAC 02 .0203 RULES OF PROFESSIONAL CONDUCT (READOPTIOIN WITHOUT SUBSTANTIVE CHANGES)

21 NCAC 02 .0204 FORMS OF PRACTICE (READOPTIOIN WITHOUT SUBSTANTIVE CHANGES)

21 NCAC 02 .0205 NAME OF FIRM (READOPTIOIN WITHOUT SUBSTANTIVE CHANGES)

21 NCAC 02 .0206 REQUIREMENT FOR AND USE OF PROFESSIONAL SEAL BY AN ARCHITECT OR REGISTERED INTERIOR DESIGNER (READOPTIOIN WITHOUT SUBSTANTIVE CHANGES)

21 NCAC 02 .0210 INCOMPETENCE (READOPTIOIN WITHOUT SUBSTANTIVE CHANGES)

21 NCAC 02 .0213 INDIVIDUAL LICENSES AND REGISTRATIONS (READOPTIOIN WITHOUT SUBSTANTIVE CHANGES)

21 NCAC 02 .0214 FIRM PRACTICE OF ARCHITECTURE AND REGISTERED INTERIOR DESIGN (READOPTIOIN WITHOUT SUBSTANTIVE CHANGES)

21 NCAC 02 .0215 OUT OF STATE FIRMS (READOPTIOIN WITHOUT SUBSTANTIVE CHANGES)

21 NCAC 02 .0217 ARCHITECT EMERITUS (READOPTIOIN WITHOUT SUBSTANTIVE CHANGES)

SECTION .0300 - EXAMINATION PROCEDURES

21 NCAC 02 .0302 ARCHITECTURAL LICENSURE BY EXAMINATION (READOPTIOIN WITHOUT SUBSTANTIVE CHANGES)

21 NCAC 02 .0303 ARCHITECTURE LICENSURE BY RECIPROCITY (READOPTIOIN WITHOUT SUBSTANTIVE CHANGES)

21 NCAC 02 .0306 INTERIOR DESIGNER REGISTRATION (READOPTIOIN WITHOUT SUBSTANTIVE CHANGES)

SECTION .0400 - RULES: PETITIONS: HEARINGS

21 NCAC 02 .0401 RULE-MAKING PETITIONS

A person may petition the Board to adopt a new rule or change or amend an existing rule by sending a rule-making petition in writing to the Board at the Board's address set out in Rule .0101. The petition must be titled "Petition for Rule-making" and must shall include the following information:

- (1) the name and address of the person submitting the petition;
- (2) a citation to any rule for which a change or repeal is requested;
- (3) a draft of any proposed rule or amended rule;
- (4) an explanation of why the new rule, amendment, or repeal is requested and the effects of the new rule, amendment, or repeal on the Board's procedure or the persons regulated by the Board;
- (5) any other information the person submitting the petition considers relevant.

~~(b) The Board must decide whether to grant or deny a petition for rule making within 120 days of receiving the petition. In making its decision, the Board will consider the information submitted with the petition and any other relevant information.~~

~~(c) When the Board denies a petition for rule making, it must send written notice of the denial to the person who submitted the request. The notice must state the reason for the denial. When the Board grants a rule making petition, it must initiate rule making proceedings and send written notice of the proceedings to the person who submitted the request.~~

Authority G.S. ~~150B-6;~~ 150B-20.

21 NCAC 02 .0402 NOTICE OF RULE-MAKING HEARINGS

Upon a determination to hold a rule-making proceeding, either in response to a petition or otherwise, the Board shall give notice to all interested persons pursuant to the procedure established in Article ~~3A~~ 2A of Chapter 150B of the North Carolina General Statutes.

Authority G.S. 83A-6; ~~150B-12;~~ 150B-20; 150B-21.1; 150B-21.2.

21 NCAC 02 .0403 NOTICE MAILING LIST

Any person desiring to be placed on the mailing list for Board rule-making notices ~~may~~ shall file such request in writing, furnishing his name and mailing address to the Board. The letter of request ~~should~~ shall state those subject areas within the authority of the Board for which the person wants notice. ~~The Board may require reasonable postage and stationery cost to be paid by persons receiving such notice.~~

Authority G.S. 83A-6; ~~150B-12;~~ 150B-20; 150B-21.1; 150B-21.2.

21 NCAC 02 .0404 SUBMISSION OF DATA

Any person desiring to present data, views or arguments on a proposed rule ~~must comply with the statement of procedure as contained in the Notice of Hearing for the rule~~ may do so at the public hearing conducted in accordance with Article 2A of Chapter 150B of the North Carolina General Statutes. Any person desiring to make an oral presentation to the Board prior to or at the hearing is encouraged to submit a written copy of the presentation to the Board prior to or at the hearing.

Authority G.S. 83A-6; ~~150B-12;~~ 150B-20; 150B-21.1; 150B-21.2.

21 NCAC 02 .0405 PRESIDING OFFICER: POWERS AND DUTIES

The presiding officer at a rule-making hearing shall ~~have complete control of the proceedings, including recognition of the~~ recognize speakers, time allotments allot time for presentations, the right to question speakers, direction of and direct the discussion and management of the hearing. The presiding officer, ~~at all times, officer shall take care~~ ensure that each person participating in the hearing is given ~~a fair~~ an opportunity to present views, data and comments.

Authority G.S. 83A-6; ~~150B-12;~~ 150B-20; 150B-21.1; 150B-21.2.

21 NCAC 02 .0406 RECORD OF PROCEEDINGS

A record of all rule-making proceedings will be maintained in the Board office for as long as the rule is in effect. This record shall ~~contain: the original petition (if any), the notice, all written comments submitted, statements of explanation made to any interested party, and the minutes of the proceedings.~~ contain all items required by G.S. 150B-21.2(i). The Board's Executive Director shall be the custodian of records related to rule-making by the Board.

Authority G.S. 83A-6; 150B-12; 150B-21.2.

SECTION .0500 - DECLARATORY RULINGS

21 NCAC 02 .0501 PROCEDURE FOR DECLARATORY RULING

(a) The Board shall decide whether to grant or deny a request to make a declaratory ruling on the validity of a rule or on the applicability of particular facts to a statute or to a rule or order of the Board within 60 days of receiving the petition. ~~The Board shall deny a request for a declaratory ruling when the Board deems the petition undesirable.~~ The Board ~~will ordinarily~~ shall refuse to grant a petition for a declaratory ruling when there has been a similar factual determination in a contested case or one is likely to be made in a pending contested case or investigation.

(b) The Board will presume that its current rules are valid unless this presumption is rebutted by persuasive evidence as offered in the petition for the declaratory ruling. When the Board determines that a rule is invalid, the Board shall initiate rule-making proceedings and send written notice of the proceeding to the person who submitted the request.

Authority G.S. 83A-6; ~~150B-17;~~ 150B-4.

SECTION .0600 - ADMINISTRATIVE HEARINGS: PROCEDURES

21 NCAC 02 .0601 PROFESSIONAL STANDARDS COMMITTEE

(a) The Professional Standards Committee ("Committee") shall be appointed by the President of the Board. Complaints regarding violations of the law or board rules shall be referred to the Committee.

(b) The Committee shall determine whether a complaint warrants further investigation or, if proven, constitutes probable cause and justifies contested case proceedings.

(c) If probable cause is found by the Committee, the staff and board counsel shall serve a Notice of Hearing for a contested case proceeding. ~~However, a Consent Agreement resolving the complaint may be negotiated and recommended to the Board by the Committee, either before or after service of the Notice of Hearing.~~

(d) If probable cause is not found, the Committee ~~may~~ shall dismiss such a matter with or without prejudice.

Authority G.S. 83A-6; 83A-14; 83A-15; 150B-41.

21 NCAC 02 .0603 REQUEST FOR HEARING

(a) Any time an individual believes he is a person aggrieved by the Board's administrative action, but has not received notice of a right to an administrative hearing, that individual may file a ~~formal~~ request for a ~~hearing.~~ hearing, in accordance with Paragraph (c) of this Rule.

(b) ~~Before an individual may file a request,~~ filing a request for a hearing, that individual is encouraged to exhaust all reasonable efforts to resolve the issue informally with the Board.

(c) ~~Subsequent to such informal action, if still dissatisfied,~~ To request a hearing the individual shall submit a written request to the Board's office, with the request bearing the notation: REQUEST FOR ADMINISTRATIVE HEARING. The request must contain the following information:

- (1) name and address of the petitioner;
- (2) a concise statement of the action taken by the Board which is challenged;
- (3) a concise statement of the way in which the petitioner has been aggrieved; and
- (4) a clear and specific statement of request for a hearing.

~~(d) The request shall be acknowledged promptly and, if deemed appropriate by the Board in accordance with Rule .0604 of this Section, a hearing will be scheduled.~~

Authority G.S. 83A-6; 150B-11; 150B-38.

21 NCAC 02 .0604 GRANTING OR DENYING HEARING REQUESTS

(a) The Board shall grant a request for a hearing if it determines that the party requesting the hearing is a "person aggrieved" within the meaning of G.S. 150B-2(6).

(b) The denial of request for a hearing shall be issued no later than 60 days after the submission of the request. Such denial shall contain a statement of the reasons for the denial of the request.

~~(c) Approval of a request for a hearing will be signified by the issuing of a notice as required by General Statutes 150B-38(b) and explained in Rule .0605 of this Section.~~

Authority G.S. 83A-6; 150B-11; 150B-38.

21 NCAC 02 .0605 NOTICE OF HEARING

The Board shall ~~give~~ serve the party or parties in a contested case ~~a with written~~ with written notice of hearing not less than ~~45~~ 30 days before the hearing. Said notice shall contain the following information, in addition to the items specified in G.S. 150B-38(b):

- (1) the name, position, address and telephone number of a person at the offices of the Board

to contact for further information or discussion;
and

- (2) the date, time, and place for a pre-hearing conference, if ~~any~~; and any.
- (3) ~~any other information deemed relevant to informing the parties as to the procedure of the hearing.~~

~~(b) The Board shall give notice to all parties with a notice of hearing either personally or by certified mail or, if those methods are unavailable, in accordance with G.S. 1A-1, Rule 4(j1). In the event that notice is accomplished by certified mail, the delivery date on the return receipt shall be the date of the service of notice.~~

~~(c) If the Board determines that the public health, safety or welfare requires such action, it may issue an order summarily suspending a license or registration. Upon service of the order, the licensee or registrant to whom the order is directed shall immediately cease the practice of architecture in North Carolina. The Board shall promptly give notice of hearing pursuant to G.S. 150B-38 following service of the order. The suspension shall remain in effect pending issuance by the Board of a final agency decision pursuant to G.S. 150B-42.~~

Authority G.S. 83A-6; 150B-3(c); 150B-11; 150B-38.

21 NCAC 02 .0607 PETITION FOR INTERVENTION

Authority G.S. 83A-6; 150B-11; 150B-38.

21 NCAC 02 .0608 TYPES OF INTERVENTION

Authority G.S. 83A-6; 150B-11; 150B-38.

21 NCAC 02 .0609 INFORMAL PROCEDURES

(a) The Board and the party or parties may agree in advance to simplify the hearing ~~by: decreasing the number of issues to be contested at the hearing; accepting the validity of certain proposed evidence; accepting the findings in some other case with relevance to the case at hand; or agreeing to such other matters as may expedite the hearing.~~ by entering into written stipulations that:

- (1) decrease the number of issues to be contested at the hearing;
- (2) accept the admissibility or authenticity of certain proposed evidence; and
- (3) accept findings of fact or conclusions of law.

(b) Informal disposition may be made of any contested case or any issue therein by stipulation, agreement, or consent order at any ~~time after Notice of Hearing or during the proceedings.~~ time.

Authority G.S. 83A-6; ~~150B-11~~; 150B-22; 150B-38.

21 NCAC 02 .0610 DISQUALIFICATION OF BOARD MEMBERS

(a) Self-disqualification. If for any reason a Board member determines that personal bias or other factors render that member unable to ~~conduct the hearing and perform all duties in participate in Board business in~~ an impartial manner, or gives the appearance that the member is unable to conduct Board business in an

impartial manner, that Board member shall voluntarily decline to participate in the hearing or decision.

(b) Petition for Disqualification. If for any reason any party in a contested case believes that a Board member is personally biased or otherwise unable to conduct the hearing and perform all duties in an impartial manner, the party may file a sworn, notarized affidavit with the Board. The title of such affidavit must bear the notation: AFFIDAVIT OF DISQUALIFICATION OF BOARD MEMBER IN THE CASE OF (name of case).

(c) Contents of Affidavit. The affidavit must state all facts the party deems to be relevant to the disqualification of the Board member.

(d) Timeliness of Affidavit. An affidavit of disqualification will be considered timely if filed ~~ten~~ 10 days before commencement of the hearing. Any other affidavit will be considered timely provided it is filed at the first opportunity after the party becomes aware of facts which give rise to a reasonable belief that a Board member may be disqualified under this Rule.

(e) Procedure for Determining Disqualification:

- (1) The Board will appoint a Board member to investigate the allegations of the affidavit.
- (2) The investigator will report to the Board the findings of the investigation.
- (3) The Board shall decide whether to disqualify the challenged individual.
- (4) The person whose disqualification is to be determined will not participate in the decision but may be called upon to furnish information to the other members of the Board.
- (5) A record of proceedings and the reasons for any decision reached will be maintained as part of the contested case record.
- (6) When a Board member is disqualified prior to the commencement of the hearing or after the hearing has begun, such hearing will continue with the remaining members sitting provided that the remaining members still constitute a majority of the Board.
- (7) If disqualification of a Board member leaves less than a majority of the Board, the Board shall petition the Office of Administrative Hearings to appoint an administrative law judge to hear the contested case pursuant to G.S. 150B-40(e).
- (8) Where a petition for disqualification is filed less than ~~ten~~ 10 days before or during the course of a hearing, the hearing shall continue with the challenged Board member sitting. Petitioner shall have the opportunity to present evidence supporting his or her petition, and the petition and any evidence relative thereto presented at the hearing shall be made a part of the record. The Board, before rendering its decision, shall decide whether the evidence justifies disqualification. In the event of disqualification, the disqualified member will not participate in further deliberation or decision of the case.

Authority G.S. 83A-6; 150B-11; 150B-38; 150B-40.

**SECTION .0700 - ADMINISTRATIVE HEARINGS:
DECISIONS: RELATED RIGHTS**

**21 NCAC 02 .0701 CONTINUANCES FAILURE TO
APPEAR**

~~(a) The presiding officer may grant continuances and adjournments only in compelling circumstances.~~

~~(b) Should a party fail to appear at a hearing or fail to appear following the granting of a continuance adjournment, the hearing shall be conducted in the party's absence.~~

Motions for a continuance of a hearing shall be reviewed in accordance with the North Carolina Rules of Civil Procedure as set forth in G.S. 1A-1, Rule 40(b). The Board is not required to grant a motion to continue. All motions for continuance shall be addressed to the presiding officer. In determining whether good cause exists as set forth in G.S. 1A-1, Rule 40, the presiding officer shall consider the ability of the party requesting a continuance to proceed without a continuance. Motions for a continuance shall be in writing and shall be received in the office of the Board no less than seven calendar days before the hearing date. A motion for a continuance shall be denied if a continuance has been previously granted unless the reason for the motion could not have been ascertained earlier.

Authority G.S. 83A-6; G.S. 1A-1, Rule 40(b); 150B-11; 150B-38; 150B-40.

21 NCAC 02 .0702 WITNESSES

Any party may be a witness and may present testimony of witnesses on the party's behalf at the hearing. All oral testimony at the hearing shall be under oath or affirmation and shall be recorded or transcribed. At the request of a party or upon the Board's own motion, the presiding officer may exclude witnesses from the hearing room so that they cannot hear the testimony of other witnesses.

Authority G.S. 83A-6; ~~150B-11~~; 150B-38; 150B-40.

21 NCAC 02 .0703 SUBPOENAS

(a) Requests for subpoenas for the attendance and testimony of witnesses or for the production of documents, either at a hearing or for the purposes of discovery, shall be made in writing to the Board, shall identify any document sought with sufficient particularity, and shall include the full name and home or business address of all persons to be subpoenaed and, if known, the date, time, and location in which the witness is commanded to appear. The Board shall issue the requested subpoenas within five business days of its receipt of the written request.

(b) Subpoenas shall contain:

- (1) the caption of the case;
- (2) the name and address of the person subpoenaed;
- (3) the date, hour, and location of the hearing in which the witness is commanded to appear;
- (4) a particularized description of the books, papers, records or objects the witness is directed to bring with him to the hearing, if any;

- (5) the identity of the party on whose application the subpoena was issued;
- (6) the date of issue;
- (7) the signature of one of the members of the Board or the Board's Secretary; and
- (8) a "return of service." The "return of service" form, as filled out pursuant to Paragraph (c) of this rule shall include:

- (A) the name and capacity of the person serving the subpoena,
- (B) the date on which service was made,
- (C) the person on whom service was made,
- (D) the manner in which service was made, and
- (E) the signature of the person making service.

~~(c) The subpoena shall be issued in duplicate, with a "return of service" form attached to each copy. A person serving the subpoena shall fill out the "the "return of service" form, as required in Subparagraph (b)(8) of this Rule for each copy and return one copy of the subpoena, with the attached "return of service" form completed, to the Board. Subpoenas shall be served in a manner set forth in Rule 45 of the N.C. Rules of Civil Procedure.~~

(d) Any person receiving a subpoena from the Board may object thereto by filing a written objection to the subpoena with the Board's office.

(e) Such objection shall include a concise, but complete, statement of reasons why the subpoena should be revoked or modified. ~~These reasons may include lack of relevancy of the evidence sought or any other reason sufficient in law for holding the subpoena invalid, such as that the evidence is privileged, that appearance or production would be so disruptive as to be unreasonable in light of the significance of the evidence sought or other undue hardship.~~

(f) Any such objection to a subpoena ~~must~~ shall be served on the party who requested the subpoena simultaneously with the filing of the objection with the Board.

(g) The party who requested the subpoena, in such time as may be granted by the presiding officer, may file a written response to the objection. The written response shall be served by the requesting party on the objecting witness simultaneously with filing the response with the Board.

(h) After receipt of the objection and response thereto, if any, the presiding officer shall issue a notice to the party who requested the subpoena and the party challenging the subpoena, and may notify any other party or parties, of an open hearing, to be scheduled as soon as practicable, at which time evidence and testimony may be presented, limited to the narrow questions raised by the objection and response.

(i) After the close of such hearing, ~~a majority of the Board members hearing the contested case~~ the Board shall rule on the challenge and issue a written decision. A copy of the decision shall be issued to all parties and made a part of the record.

Authority G.S. 83A-6; 150B-38; 150B-39.

21 NCAC 02 .0704 FINAL AGENCY DECISION

~~In all cases heard by the Board of Architecture and Registered Interior Designers, the~~ The Board will issue its written final decision within 60 days after its next regularly scheduled meeting following the close of the hearing. This decision will be the prerequisite "final agency decision" for the right to judicial review. ~~contested case hearing, in accordance with G.S. 150B-42.~~

Authority G.S. 83A-6; ~~150B-11~~; 150B-38; 150B-42.

21 NCAC 02 .0705 PROPOSALS FOR DECISIONS

(a) When an administrative law judge conducts a hearing pursuant to G.S. 150B-40(e), a "proposal for decision" shall be rendered ~~within 45 days of the hearing pursuant to the Rules of to the Board by the N.C. Office of Administrative Hearings.~~ The parties may file written exceptions to this "proposal for decision" and submit to the Board their own proposed findings of fact and conclusions of law. The exceptions and alternative proposals must shall be received submitted to the Board within ten 10 days after the party has received the "proposal for decision" as drafted by the administrative law judge. been served with the "proposal for decision."

(b) ~~Any exceptions to the procedure during the hearing, the handling of the administrative law judge, rulings on evidence, or any other matter must~~ shall be written and shall refer specifically to pages of the record or otherwise precisely identify the occurrence to which exception is taken. The exceptions must be filed with the Board within ten days of the receipt of the proposal for decision. ~~The written exceptions must shall bear the notation: EXCEPTIONS TO THE PROCEEDINGS IN THE CASE OF (name of case).~~

(c) Any party may present oral argument to the Board upon ~~request.~~ request, pursuant to G.S. 150B-40(e). ~~The requests must be included with the written exceptions.~~

(d) Upon receipt of request for further oral argument, ~~notice will be issued promptly~~ the Board shall issue notice to all parties designating the time and place for such oral argument.

(e) ~~Giving due consideration to the proposal for decision and the exceptions and arguments of the parties, the Board may adopt the proposal for decision or may modify it as the Board deems necessary.~~ The Board's final decision rendered will shall be a part of the record and a copy thereof given to all parties. shall be served on the parties in accordance with G.S. 150B-42. ~~The decision as adopted or modified becomes the "final agency decision" for the right to judicial review. Said decision will be rendered by the Board within 60 days of the next regularly scheduled meeting following the oral arguments, if any. If there are no oral arguments presented, the decision will be rendered within 60 days of the next regularly scheduled Board meeting following receipt of the written exceptions.~~

Authority G.S. 83A-6; ~~150B-11~~; 150B-38; 150B-40.

SECTION .0900 - CONTINUING EDUCATION

21 NCAC 02 .0901 SCOPE (READOPTION WITHOUT SUBSTANTIVE CHANGES)

21 NCAC 02 .0903 REQUIREMENTS

(a) Every licensee and registrant shall obtain 12 contact hours of continuing education for each calendar year. "Contact Hour" means 50 minutes contact.

(b) The contact hours shall be obtained in structured educational activities intended to increase or update the architect's or registered interior designer's knowledge and competence in technical and professional architectural and interior design subjects & related to safeguarding public health, safety, and ~~welfare("HSW").~~ welfare ("HSW"). "Structured educational activities" are activities in which at least 75 percent of an activity's content and instructional time is devoted to HSW subjects related to the practice of architecture, including courses of study or other activities under the areas identified as HSW by individuals or organizations, whether delivered by direct contact or distance learning methods.

(c) Licensees and registrants shall not carry forward any contact hours into the subsequent period.

(d) Licensees and registrants shall certify completion of the contact hours for the previous calendar year with annual renewal.

Authority G.S. 83A-6(a)(4); 83A-6(a)(5); 83A-11.

21 NCAC 02 .0904 DETERMINATION OF CREDIT (READOPTION WITHOUT SUBSTANTIVE CHANGES)

21 NCAC 02 .0905 RECORD KEEPING (READOPTION WITHOUT SUBSTANTIVE CHANGES)

21 NCAC 02 .0906 CONTINUING EDUCATION EXCEPTIONS (READOPTION WITHOUT SUBSTANTIVE CHANGES)

21 NCAC 02 .0907 REINSTATEMENT (READOPTION WITHOUT SUBSTANTIVE CHANGES)

21 NCAC 02 .0908 CONTINUING EDUCATION RECIPROCITY (READOPTION WITHOUT SUBSTANTIVE CHANGES)

21 NCAC 02 .0909 DOCUMENTATION AND AUDITS (READOPTION WITHOUT SUBSTANTIVE CHANGES)

21 NCAC 02 .0910 NON-COMPLIANCE (READOPTION WITHOUT SUBSTANTIVE CHANGES)

CHAPTER 03 – NORTH CAROLINA BOARD OF ATHLETIC TRAINER EXAMINERS

Notice is hereby given in accordance with G.S. 150B-21.3A(c)(2)g. that the Board of Athletic Trainer Examiners intends to readopt without substantive changes the rules cited as 21 NCAC 03 .0101, .0102, .0201, .0202, .0301-.0304, .0310, .0401, and .0501.

Pursuant to G.S. 150B-21.2(c)(1), the text of the rule(s) proposed for readoption without substantive changes are not required to be published. The text of the rules are available on the OAH website: <http://reports.oah.state.nc.us/ncac.asp>.

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

Proposed Effective Date: June 1, 2026

Public Hearing:

Date: December 10, 2025

Time: 9:00 a.m.

Location: 1046 Washington Street, Raleigh, NC 27605 and Zoom

Reason for Proposed Action: Re-adoption of the following rules following the periodic review:

21 NCAC 03 .0101, 21 NCAC 03 .0102, 21 NCAC 03 .0201, 21 NCAC 03 .0202, 21 NCAC 03 .0301, 21 NCAC 03 .0302, 21 NCAC 03 .0303, 21 NCAC 03 .0304, 21 NCAC 03 .0310, 21 NCAC 03 .0401 and 21 NCAC 03 .0501

Comments may be submitted to: Paola Learoyd, PO Box 10769, Raleigh, NC 27605; phone (919) 821-4980; email executivedirector@ncbate.org

Comment period ends: January 16, 2026

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

**CHAPTER 03 – NORTH CAROLINA BOARD OF
ATHLETIC TRAINER EXAMINERS**

SECTION .0100 - LICENSURE

**21 NCAC 03 .0101 APPLICATION FOR
LICENSURE (READOPTION WITHOUT SUBSTANTIVE
CHANGES)**

**21 NCAC 03 .0102 GOOD MORAL CHARACTER
(READOPTION WITHOUT SUBSTANTIVE CHANGES)**

SECTION .0200 - FEES

**21 NCAC 03 .0201 FEES (READOPTION WITHOUT
SUBSTANTIVE CHANGES)**

**21 NCAC 03 .0202 SUSPENSION OF AUTHORITY
AND ESCROW OF FUNDS (READOPTION WITHOUT
SUBSTANTIVE CHANGES)**

SECTION .0300 - RENEWAL OF LICENSE

**21 NCAC 03 .0301 RENEWAL REQUEST FORM
(READOPTION WITHOUT SUBSTANTIVE CHANGES)**

**21 NCAC 03 .0302 CONTINUING EDUCATION
(READOPTION WITHOUT SUBSTANTIVE CHANGES)**

**21 NCAC 03 .0303 LAPSED LICENSE
(READOPTION WITHOUT SUBSTANTIVE CHANGES)**

**21 NCAC 03 .0304 BOARD APPROVAL OF
COURSES (READOPTION WITHOUT SUBSTANTIVE
CHANGES)**

**21 NCAC 03 .0310 ARMED SERVICES EXTENSION
FOR CREDENTIAL (READOPTION WITHOUT
SUBSTANTIVE CHANGES)**

SECTION .0400 - DISCIPLINARY PROCEDURES

**21 NCAC 03 .0401 DISCIPLINARY ACTIONS
(READOPTION WITHOUT SUBSTANTIVE CHANGES)**

SECTION .0500 - ATHLETIC TRAINER PROTOCOL

**21 NCAC 03 .0501 MINIMUM REQUIREMENTS
(READOPTION WITHOUT SUBSTANTIVE CHANGES)**

CHAPTER 29 - LOCKSMITH LICENSING BOARD

Notice is hereby given in accordance with G.S. 150B-21.2 that the Locksmith Licensing Board intends to adopt the rules cited as 21 NCAC 29 .0103-.0107, .0505-.0507, .0705, and amend the rules cited as 21 NCAC 29 .0502, and .0802.

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

Proposed Effective Date: April 1, 2026

Public Hearing:**Date:** December 3, 2025**Time:** 12:00 p.m.**Location:** 2710 Wycliff Road, Suite 220, Raleigh, NC 27607

Reason for Proposed Action: On July 30, 2025, the Administrative Director received from Mr. Kenneth Wayne, a licensee of the Board, a petition for rulemaking requesting three (3) rule amendments and eight (8) rule adoptions. On August 7, 2025, the Administrative Director received an additional petition for rulemaking from the same licensee requesting one (1) rule adoption. The petitions proposed amendments to rules 21 NCAC 29 .0502 and 21 NCAC 29 .0802. In addition, the petitions proposed adoption of rules regarding requirements for license renewal notifications, Board newsletters, publication of licensee information, master key systems, advertising, Board legislative activity, Board meeting accessibility, and the issuance of credentials. At its meeting on October 1, 2025, the Board granted the petitions and approved the initiation of rulemaking.

Comments may be submitted to: Barden Culbreth, P.O. Box 10972, Raleigh, NC 27605; phone (919) 838-8782; email director@nclocksmithboard.org

Comment period ends: January 16, 2026

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 .0100-GENERAL**21 NCAC 29 .0103 NEWSLETTER
COMMUNICATION**

(a) The Board shall publish and distribute an electronic newsletter to all licensees at least three times per calendar year, but no more than six times per calendar year.

(b) The newsletter shall contain relevant updates, regulatory changes, continuing education opportunities, and other information pertinent to the locksmith profession in North Carolina.

Authority G.S. 74F-6(2); 74F-6(10).

**21 NCAC 29 .0104 PUBLIC LICENSEE
INFORMATION**

(a) The Board shall ensure that its public-facing licensee verification system provides readily accessible and useful information to the public when a licensee number is entered.

(b) This information shall include, but not be limited to: the licensee's company name (if applicable), physical address of any storefront, primary business phone number, confirmation of current licensure status, license expiration date, and an indication of whether all requirements to operate a business in North Carolina (such as tax ID and general liability insurance) have been met, to the extent such information is collected and verified by the Board and is permissible for public disclosure under North Carolina law.

(c) The Board shall regularly review and update the information provided through this system to ensure its accuracy and utility for public safety and consumer confidence.

Authority G.S. 74F-6(2); 74F-6(11).

**21 NCAC 29 .0105 LEGISLATIVE
TRANSPARENCY AND NOTIFICATION**

(a) The Board shall notify all licensees of any legislative bill it proposes or actively supports related to locksmithing in North Carolina.

(b) This notification shall be sent electronically to the email address on file with the Board within a reasonable timeframe, not to exceed 10 business days, of the bill's official introduction or public endorsement of the Board.

(c) The notification shall include the bill number, a brief summary of its contents, and the information on how licensee can access the full text of the bill and track its progress.

Authority G.S. 74F-6(2); 74F-6(10).

**21 NCAC 29 .0106 BOARD MEETING
TRANSPARENCY AND ACCESSIBILITY**

(a) The Board shall ensure that all public meetings are video recorded.

(b) The video recording shall be made publicly available online through the Board's official website within a reasonable timeframe, not to exceed 10 business days, following the conclusion of each meeting.

(c) The purpose of making these recordings available is to provide licensees and the general public with transparent access to Board deliberations and decisions for informational purposes.

(d) At its discretion, the Board may consider allowing viewing of these video recordings to count towards a portion of the continuing education credit system, provided clear criteria for verification of viewing and educational value are established.

Authority G.S. 74F-6(2); 74F-6(10).

21 NCAC 29 .0107 ISSUANCE OF CREDENTIALS

The Board shall issue the official signed license certificate and the photo identification card simultaneously to each approved licensee. Both legal documents shall be delivered in a single, physical mailing to the licensee's address of record, ensuring a consistent and unified process.

Authority G.S. 74F-6(2), 74F-10(a), 74F-11.

SECTION .0500 - CODE OF ETHICS**21 NCAC 29 .0502 FAIR BUSINESS PRACTICES**

(a) Locksmiths shall conduct all business in compliance with all applicable local, State, and federal laws.

(b) Locksmiths shall analyze security problems and advance the best practicable solution for the protection of the client.

(c) Locksmiths shall refrain from associating themselves with or allowing the use of their name (personal or professional) by any enterprise that in any way supports fraud or misrepresentation.

(d) Locksmiths shall not misrepresent the features of any product or service they offer. Examples include the following:

- (1) Representing to a client that non-restricted or widely available keys (whether stamped "Do Not Duplicate" or not) provide any measure of assurance against unauthorized duplication; or
- (2) Selling a used product as new.

(e) Locksmiths shall avoid using any improper means of soliciting business. Examples of prohibited practices include:

- (1) Affixing stickers to permanent fixtures such as doors or door frames or in any way defacing the property of any person without his or her express written consent.
- (2) Installing stickers or any other promotions in such fashion that they falsely represent that the locksmith or company has previously serviced the hardware in that location.
- (3) Installing or supplying hardware that curtails the customer's ability to choose a different company or technician for product support or service, unless the locksmith obtains the customer's express written consent.
- (4) Modifying the customer's hardware in any fashion that will curtail the customer's ability to choose a different company or technician for later product support or service or cause him or her to incur additional expense by doing so, unless the locksmith obtains the customer's express written consent.
- (5) Direct solicitation in violation of a non-compete agreement, such as an employee offering competing bids to customers of his or her employer.
- (6) Using a name in advertising that is similar enough to a competitor's name to cause confusion among consumers.

(f) Locksmiths shall register with the Board the business name(s) that they utilize to engage in locksmith services. All advertising for locksmith services and documents related to locksmith

services in North Carolina shall be in the registered name(s) of the licensed locksmith.

(g) Locksmiths shall not use, or allow the use of, any physical address in advertising (including but not limited to websites, online directories, or physical signage) that is not a genuine, regularly staffed business location or a verifiable registered office, if such use is intended to deceive customers into believing the locksmith operates from a storefront or fixed location when they primarily operate as a mobile service. All advertising shall accurately represent the nature of the locksmith's business operations and physical presence.

(h) Any licensed locksmith operating a retail store, brick-and-mortar shop, or other fixed physical location for the purpose of providing locksmith services to the public shall display permanent, clearly visible signage at the entrance or on the exterior of the premises. This signage shall prominently feature the registered business name associated with the licensed locksmith or locksmith company, allowing consumers to easily identify and confirm the physical existence of the business at that location.

Authority G.S. ~~74F-6~~; 74F-6(2); 74F-12.

21 NCAC 29 .0505 MASTER KEY SYSTEM INFORMATION OWNERSHIP

(a) For any master key system or biting list created for a client's property, the information contained within such system or list shall be deemed the intellectual property of the client.

(b) Upon a written request from the client or their authorized representative, a license shall turn over all records pertaining to the master key system or biting list for that client's property within a reasonable amount of time not to exceed [e.g. 10 business days] from the date of the request.

(c) This Rule is intended to ensure the continuity and integrity of a client's security system and to protect their proprietary information.

Authority G.S. 74F-6(2); 74F-6(13); 74F-15(a)(3).

21 NCAC 29 .0506 ADVERTISING BY EXEMPT ENTITIES

(a) Any person or entity, including those otherwise exempt from the licensing requirements of the North Carolina Locksmiths Board, who advertises or offers locksmith services for compensation to the general public in North Carolina, shall be subject to the advertising standards set forth in the Board's rules. This includes, but is not limited to, the mandatory display of a valid North Carolina Locksmith number in all such advertisements, as explicitly required by G.S. 74F-12(b). Failure to comply with these advertising standards by any person or entity, regardless of their licensing status, constitutes a violation of Board Rules and Chapter 74F of the General Statutes, and may result in appropriate enforcement actions by the Board as permitted by G.S. 74F-15 and other applicable law.

(b) For the purposes of this Rule, "locksmith services" shall include, but not be limited to, the programming of vehicle keys, replacements of keys for high-security systems, or any other services that falls within the statutory definition of locksmithing as defined in G.S. 74F.

(c) This Rule clarifies that while certain entities may be exempt from the requirement to hold a locksmith license, such exemption does not grant immunity from the advertising regulations when performing or offering services that constitute locksmithing.

Authority G.S. 74F-6(2); 74F-6(13); 74F-12; 74F-15(a)(3).

21 NCAC 29 .0507 CLARIFICATION OF BUSINESS AND ADVERTISING REQUIREMENTS FOR LOCKSMITHS OFFERING SERVICES TO THE PUBLIC

(a) A licensed locksmith, including one employed by an entity otherwise exempt under G.S. 74F-16 (such as an institutional locksmith or an employee of a private company), who performs or offers to perform locksmith services to the public, whether full-time, part-time, or on the side, shall be deemed to be operating a locksmith business and shall comply with all applicable North Carolina laws and regulations governing the operation of a business.

(b) Such compliance shall include, but is not limited to, obtaining all necessary tax identification numbers (e.g., federal EIN), sales and use tax permits, general liability insurance, and any required local business licenses.

(c) Furthermore, any advertising, solicitation, or representation of locksmith services to the public by such a locksmith shall explicitly include their North Carolina locksmith license number, as required by G.S. 74F-12 and 21 NCAC 29 .0502(a)(1), regardless of the scale or frequency of such services.

(d) The exemptions provided in G.S. 74F-16 apply solely to locksmith services performed within the scope of employment for the exempt entity and do not extend to services offered or performed independently to the general public for compensation.

Authority G.S. 74F-6(2); 74F-6(13); 74F-12; 74F-15(a)(3).

SECTION .0700 – LICENSE RENEWAL REQUIREMENTS

21 NCAC 29 .0705 LICENSE RENEWAL NOTIFICATION

(a) The Board shall, as a courtesy, send an electronic reminder notification to each licensee at the email address on file with the Board at least 60 days prior to the expiration date of their license.

(b) Licensees are responsible for ensuring the Board has their current and accurate contact information, including a valid email address. Failure to receive a reminder notification does not relieve the licensee of their obligation to renew their license by the expiration date.

Authority G.S. 74F-6(2); 74F-6(11); 74F-10(a).

SECTION .0800 – CONTINUING EDUCATION

21 NCAC 29 .0802 REQUIREMENTS

(a) Every licensee shall obtain 16 contact hours of continuing education during each 3-year renewal cycle, except:

- (1) Persons exempted from eight contact hours in Rule .0805 of this Section; and
- (2) Persons who:
 - ~~(A)~~ are at least 62 years of age;

- ~~(B)~~(A) have at least 15 years of experience as locksmiths;
- ~~(C)~~(B) have been North Carolina licensed locksmiths for at least nine years; and
- ~~(D)~~(C) are not subject to an investigation by the Board.

(b) The contact hours of continuing education shall be in technical and professional subjects related to the practice of locksmithing.

(c) Licensees shall not carry forward any contact hours of continuing education into the subsequent renewal period.

(d) Licensees shall verify completion of the contact hours of continuing education for the previous license period on their application for license renewal.

Authority G.S. ~~74F-6~~; 74F-6(2); 74F-6(3); 74F-6(6).

* * * * *

CHAPTER 29 - LOCKSMITH LICENSING BOARD

Notice is hereby given in accordance with G.S. 150B-21.2 that the Locksmith Licensing Board intends to amend the rules cited as 21 NCAC 29 .0201, .0202, .0204, .0206, and .0501.

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

Proposed Effective Date: April 1, 2026

Public Hearing:

Date: December 3, 2025

Time: 12:00 p.m.

Location: 2710 Wycliff Road, Suite 220, Raleigh, NC 27607

Reason for Proposed Action: 21 NCAC 29 .0201 – To revise the manner in which examination fees are assessed

21 NCAC 29 .0202 – To codify the contents of an application to take the examination administered by the Board, as set forth in GS 74F-7

21 NCAC 29 .0204 – To clarify examination testing procedures

21 NCAC 29 .0206 – To codify the manner in which a request for a testing accommodation may be submitted to the Board

21 NCAC 29 .0501 – To clarify the manner in which an apprentice locksmith must practice under the training and supervision of a licensed locksmith, as set forth in GS 74F-7.1

Comments may be submitted to: Barden Culbreth, P.O. Box 10972, Raleigh, NC 27605; phone (919) 838-8782; email director@nclocksmithboard.org

Comment period ends: January 16, 2026

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 0200 - EXAMINATION

21 NCAC 29 .0201 EXAMINATION FEE

(a) ~~The Board shall charge the examination fee as follows: Applicants seeking to take the Locksmith licensing examination shall remit to the Board, along with the application as set forth in Rule .0202 of this Section, a fee of two hundred dollars (\$200.00).~~

- (1) ~~Two hundred dollars (\$200.00) for first time test takers;~~
- (2) ~~Fifty dollars (\$50.00) for second time applicants who fail to pass pursuant to 21 NCAC 29 .0203; and~~
- (3) ~~Two hundred dollars (\$200.00) for third and subsequent test takers.~~

(b) The applicant may take the examination at a commercial testing center that charges a fee. ~~However, the examination fee required in this Rule shall not be affected and the Board shall not be responsible for any additional fee assessed by the testing center. The applicant, and not the Board, shall bear the cost of any fees assessed by the commercial testing center.~~

Authority G.S. 74F-6; 74F-9.

21 NCAC 29 .0202 APPLICATION REQUIREMENTS

(a) Applicants must register for an examination on the form prescribed by the Board. The application must be submitted to the Board's office at least 15 days before the requested examination date.

(b) To apply for a license, an individual must submit the following to the Board:

- (1) all fees as set forth in Rule .0201 of this Section; and
- (2) a completed license application, as described in Paragraph (c) of this Rule.

(c) A license application for an individual shall contain the following:

- (1) the person's name;

- (2) the person's place of birth, date of birth, social security number, and citizenship status;
- (3) the person's current physical address, mailing address, telephone number, email address, and website;
- (4) the person's out-of-state licenses or certifications held, if any;
- (5) a list of all addresses at which the applicant has lived during the past five years;
- (6) the name, email, home address, and length of relationship of two disinterested character references;
- (7) whether the applicant possesses a valid motor vehicle operator's permit and, if so, the license number, and issuing state;
- (8) whether the applicant:
 - (A) has ever been involuntarily dismissed, fired, or allowed to resign in lieu of firing as a result of theft, embezzlement, or any alleged act that, if true, could have resulted in criminal prosecution;
 - (B) has ever been charged, convicted, or pled guilty to a criminal offense other than a minor traffic violation in any state;
 - (C) has ever been convicted or pled guilty at a court-martial while a member of the Armed or Reserved Forces;
 - (D) has ever been denied any license or had any license revoked in any state, including North Carolina;
 - (E) has ever served in any branch of the US Military Services, and, if so, a copy of the applicant's Form DD-214 or equivalent;
- (9) the applicant's affirmation that all answers and statements in the application and supporting documents provided are true and accurate to the best of the applicant's knowledge. That the applicant understands the Board may verify and investigate such information, and that any material omission, misrepresentation, or falsification is grounds for the Board's denial of the license application or revocation of a license;
- (10) the applicant's agreement that he or she has fully read the obligations of a licensee and will abide by the North Carolina Locksmith Licensing Act and the rules duly promulgated by the Board;
- (11) the applicant's signature and the date;
- (12) the applicant's signed and notarized authorization for release of records related to the applicant's military, education, and employment history;
- (13) the business name and trade name, address, website, and federal Employer Identification Number ("EIN") of the businesses under which

- the applicant is providing locksmith services;
and
 (14) a signed electronic fingerprint submission to authorize the North Carolina State Bureau of Investigation to perform a national criminal history record check.

Authority G.S. 74F-6; 74F-7.

21 NCAC 29 .0204 REQUIREMENTS OF EXAMINEES

- (a) Applicants at an examination session shall present a government-issued photo ID identification card to the examination proctor before the beginning of the examination session.
- (b) The applicant shall not bring books, calculators, or other items that may compromise the security and validity of the exam, such as a study guide or objects that are disruptive into the examination room.
- (c) ~~Cellphones shall be turned off during the examination.~~ Electronic devices shall not be allowed in the examination room during the examination. Applicants shall not speak with ~~others~~ anyone except the proctor during the examination session.
- (d) Applicants shall obey instructions from the proctor regarding when to begin and cease work on the examination.
- (e) Applicants shall be excused from the room during the examination only with permission from the proctor.
- (f) Failure to abide by any of the Paragraphs of this Rule shall result in invalidation of the applicant's examination results.
- (g) Applicants shall not make any written markings on the examination book provided by the proctor.
- (h) The applicant shall exit the examination room if the proctor determines that the applicant is disrupting the examination or failing to abide by any of the Paragraphs of this Rule. If an applicant is asked to exit the examination room, examination fees shall not be refunded.
- (i) Applicants shall be informed of the results of the examination by email. Examination results shall not be provided by the proctored at the testing site.

Authority G.S. 74F-6; 74F-7.

21 NCAC 29 .0206 SPECIAL ADMINISTRATION

- (a) Applicants with disabilities as defined by the Americans with Disabilities Act of 1990 (ADA), which is hereby incorporated by reference, including subsequent amendments and editions, available at no cost at www.ada.gov, and documented by a licensed medical professional shall be administered the NC Locksmith Licensing Exam under conditions that shall minimize the effect of the disabilities on their testing performance. Special test administrations shall be as comparable as possible to a standard ~~administration and shall be granted upon request of the applicant and Board approval.~~ testing administration.
- (b) Applicants desiring to request testing accommodations under the ADA shall provide the following information to the Board at least 30 days prior to the desired testing date:
- (1) the type of accommodation requested;
 - (2) a description of the limitations caused by the applicant's medical conduction;

- (3) the manner in which the applicant's limitations impact the applicant's ability to take the examination required for licensure by the Board;
- (4) whether the applicant previously has been provided with a testing accommodation in the past; and
- (5) medical certification from the applicant's treating healthcare provider attesting to the accuracy of the information provided by the applicant as set forth in Paragraph (b) of this Rule.

- (c) The Board shall approve the requested testing accommodations if the Board determines that the requested testing accommodation constitutes a reasonable accommodation under ADA.

Authority G.S. 74F-6; 74F-7.

SECTION .0500 - CODE OF ETHICS

21 NCAC 29 .0501 OBLIGATION OF LICENSED LOCKSMITHS

- (a) By applying for and accepting a license issued by the Board, all licensees become obligated to comply with the provisions of this Section. Failure to comply ~~may result~~ shall be grounds for in disciplinary action by the Board.
- (b) The obligations of this Chapter extend to all employees of licensed individuals and licensed individuals shall be responsible for the actions of their employees. The term "employee" shall mean every person engaged in ~~employment under a contract of hire or apprenticeship;~~ employment, express or implied, oral or written, including non-citizens, and also minors, whether lawfully or unlawfully employed.
- (c) A licensed locksmith shall employ all apprentices under their supervision. A licensed locksmith shall provide direct control and supervision for all apprentice locksmiths in their employ. A licensed locksmith is responsible for the instruction and training of their apprentice locksmiths in locksmith services and locksmith tools as defined in G.S. 74F-4. A licensed locksmith is responsible for the quality of their apprentice locksmith's services.
- (d) A licensed locksmith shall dispatch an apprentice locksmith to the location where locksmith services are to be performed. A licensed locksmith shall be aware of the name and location of the client, the locksmith services required to be performed, the apprentice locksmith's ability to perform the locksmith services required, and the fee charged by the apprentice locksmith for the locksmith services performed.
- (e) Upon request, an apprentice locksmith shall provide to the Board the contact information for their supervising licensed locksmith.
- (f) A licensed locksmith shall report to the Board any gross negligence, incompetency, or misconduct of an apprentice locksmith.
- (g) A licensed locksmith and apprentice locksmith shall identify themselves and their company or business name truthfully while providing locksmith services.

Authority G.S. 74F-3; 74F-6; 74F-7.1; 74F-16.

CHAPTER 58 - REAL ESTATE COMMISSION

Notice is hereby given in accordance with G.S. 150B-21.2 that the Real Estate Commission intends to amend the rule cited as 21 NCAC 58A .0112.

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

Proposed Effective Date: *Subject to Legislative Review*

Public Hearing:

Date: *December 17, 2025*

Time: *8:30 a.m.*

Location: *North Carolina Real Estate Commission, 1313 Navaho Drive, Raleigh, NC 27609*

Reason for Proposed Action: *Amend this rule to comply with S.L. 2025-52 and to eliminate the preprinted offer or sales contract form requirements contained in Paragraphs (a)(8) and (9).*

Comments may be submitted to: *Melissa Vuotto, PO Box 17100, Raleigh, NC 27619; email Public.Comment@ncrec.gov*

Comment period ends: *January 16, 2026*

Rule(s) is automatically subject to legislative review: *S.L. 2025-52*

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

SUBCHAPTER 58A – REAL ESTATE BROKERS

SECTION .0100 - GENERAL BROKERAGE

21 NCAC 58A .0112 OFFERS AND SALES CONTRACTS

(a) A broker acting as an agent in a real estate transaction shall not use a preprinted offer or sales contract form unless the form describes or specifically requires the entry of the following information:

- (1) the names of the buyer and seller;
- (2) a legal description of the real property sufficient to identify and distinguish it from all other property;
- (3) an itemization of any personal property to be included in the transaction;
- (4) the purchase price and manner of payment;
- (5) any portion of the purchase price that will be paid by a promissory note, including the

amount, interest rate, payment terms, whether or not the note is to be secured, and any other terms contained in the promissory note deemed material by the parties;

- (6) any portion of the purchase price that is to be paid by the assumption of an existing loan, including the amount of such loan, costs to be paid by the buyer or seller, the interest rate and number of discount points and a condition that the buyer must be able to qualify for the assumption of the loan and must make every reasonable effort to qualify for the assumption of the loan;
- (7) the amount of earnest money, if any, the method of payment, the name of the broker or firm that will serve as escrow agent, an acknowledgment of earnest money receipt by the escrow agent, and the criteria for determining disposition of the earnest money, including disputed earnest money, consistent with Commission Rule .0116 of this Subchapter;
- (8) ~~any loan that must be obtained by the buyer as a condition of the contract, including the amount and type of loan, interest rate and number of discount points, loan term, and who shall pay loan closing costs, and a condition that the buyer shall make every reasonable effort to obtain the loan;~~
- (9) ~~a general statement of the buyer's intended use of the property and a condition that such use must not be prohibited by private restriction or governmental regulation;~~
- (10)(8) the amount and purpose of any special assessment to which the property is subject and the responsibility of the parties for any unpaid charges;
- (11)(9) the date for closing and transfer of possession;
- (12)(10) the signatures of the buyer and seller;
- (13)(11) the date of offer and acceptance;
- (14)(12) a provision that title to the property must be delivered at closing by general warranty deed and must be fee simple marketable title, free of all encumbrances except ad valorem taxes for the current year, utility easements, and any other encumbrances specifically approved by the buyer or a provision otherwise describing the estate to be conveyed with encumbrances, and the form of conveyance;
- (15)(13) the items to be prorated or adjusted at closing;
- (16)(14) who shall pay closing expenses;
- (17)(15) the buyer's right to inspect the property prior to closing and who shall pay for repairs and improvements, if any;
- (18)(16) a provision that the property shall at closing be in substantially the same condition as on the date of the offer (reasonable wear and tear excepted), or a description of the required property condition at closing;

~~(19)~~(17) a provision setting forth the identity of each real estate agent and firm involved in the transaction and disclosing the party each agent and firm represents; and

~~(20)~~(18) any other provisions or disclosures required by statute or rule.

(b) A broker acting as an agent in a real estate transaction shall ~~not use a preprinted offer or sales contract form containing transaction:~~

- (1) ~~any provision may use a preprinted offer or sales contract form containing provisions concerning the payment of a commission or compensation, including the forfeiture of earnest money, to any broker or firm; or and~~
- (2) ~~shall not use a preprinted offer or sales contract form containing~~ any provision that attempts to disclaim the liability of a broker for his or her representations in connection with the transaction.

A broker or anyone acting for or at the direction of the broker shall not insert or cause such provisions or terms to be inserted into any such preprinted form, even at the direction of the parties or their attorneys.

(c) The provisions of this Rule shall apply only to preprinted offer and sales contract forms which a broker acting as an agent in a real estate transaction proposes for use by the buyer and seller. Nothing contained in this Rule shall be construed to prohibit the buyer and seller in a real estate transaction from altering, amending or deleting any provision in a form offer to purchase or contract nor shall this Rule be construed to limit the rights of the buyer and seller to draft their own offers or contracts or to have the same drafted by an attorney at law.

Authority G.S. 93A-3(c).

Notice is hereby given in accordance with G.S. 150B-21.2 that the Real Estate Commission intends to adopt the rule cited as 21 NCAC 58A .0513, and amend the rules cited as 21 NCAC 58A .0302, .0503, and .1803.

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

Proposed Effective Date: *March 1, 2026*

Public Hearing:

Date: *December 17, 2025*

Time: *8:30 a.m.*

Location: *North Carolina Real Estate Commission, 1313 Navaho Drive, Raleigh, NC 27609*

Reason for Proposed Action: *21 NCAC 58A .0302 - License Application Fee*

Amend this Rule to increase the initial license application fee by \$5.00, from \$100 to \$105.

21 NCAC 58A .0503 – License Renewal Fee

Amend this Rule to increase the renewal fee by \$5.00, from \$45 to \$50.

21 NCAC 58A .0513 – License Cancellation

Adopt this Rule to allow a licensee to voluntarily cancel their license.

21 NCAC 58A .1803 - Requirements for Licensure; Application and Fee

Amend this Rule to increase the original limited commercial license application fee by \$5.00, from \$100 to \$105, and to clarify the application form contents and process.

Comments may be submitted to: *Melissa Vuotto, PO Box 17100, Raleigh, NC 27619; email Public.Comment@ncrec.gov*

Comment period ends: *January 16, 2026*

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

SUBCHAPTER 58A – REAL ESTATE BROKERS

SECTION .0300 – APPLICATION FOR LICENSE

21 NCAC 58A .0302 LICENSE APPLICATION AND FEE

(a) The fee for an original application of a broker or firm license shall be one hundred five dollars ~~(\$100.00)~~. **(\$105.00).**

(b) An applicant shall update information provided in connection with a license application in writing to the Commission or submit a new application form that includes the updated information without request by the Commission to ensure that the information provided in the application is current and accurate. Upon the request of the Commission, an applicant shall submit updated information or provide additional information necessary to complete the application within 45 days of the request or the license application shall be canceled.

(c) The license application of an individual shall be canceled if the applicant fails to:

- (1) pass a scheduled license examination within 180 days of filing a complete application pursuant to Rule .0301 of this Section; or
- (2) appear for and take any scheduled examination without having the applicant's examination postponed or absence excused pursuant to Rule .0401 of this Subchapter.

(d) If an applicant seeks to withdraw their application for licensure after a Notice of Hearing is issued by Commission staff, an applicant shall file a Motion to Withdraw with the Commission that states the applicant's reason for withdrawal. The Commission shall issue an Order of Withdrawal and may prohibit the applicant from re-applying for licensure for a period of up to two years from the date of the Order if the applicant fails to show good cause for the withdrawal. For purposes of this Rule, good cause may include:

- (1) an incapacitating illness of the applicant or applicant's attorney;
- (2) a naturally occurring disaster; or
- (3) an undue hardship on the applicant.

(e) If an applicant is denied licensure following a hearing, the Commission shall order that the applicant be prohibited from re-applying for licensure for a period of up to two years from the date of the application.

Authority G.S. 93A-4; 93A-6(b)(1); 93A-9; 93B-8.1(b5).

SECTION .0500 - LICENSING

21 NCAC 58A .0503 LICENSE RENEWAL

(a) All real estate licenses issued by the Commission under G.S. 93A, Article 1 shall expire on June 30 following issuance. Any broker desiring renewal of his or her license shall renew on the Commission's website within 45 days prior to license expiration and shall submit a renewal fee of ~~forty-five dollars (\$45.00)~~ fifty dollars (\$50.00).

(b) During the renewal process, every individual broker shall provide an email address to be used by the Commission. The email address may be designated by the broker as private in order to be exempt from public records disclosures pursuant to G.S. 93A-4(b2).

(c) During the renewal process, every designated broker-in-charge shall disclose:

- (1) each federally insured depository institution lawfully doing business in this State where the trust account(s) for the broker-in-charge or the entity for which the broker-in-charge is designated is held, if applicable; and
- (2) any criminal conviction or occupational license disciplinary action that occurred within the previous year.

Authority G.S. 93A-3(c); 93A-4; 93A-6; 93A-38.5.

21 NCAC 58A .0513 LICENSE CANCELLATION

(a) A broker seeking to voluntarily cancel their real estate license shall file a license cancellation notice by logging into the broker's online portal located on the Commission's website.

(b) The license cancellation shall be granted if the broker's license does not have a pending complaint or disciplinary action with the Commission. If the license cancellation is granted, the broker's license shall be permanently cancelled effective as of the date the notice was filed pursuant to Paragraph (a) of this Rule.

(c) A license cancelled pursuant to this Rule shall be ineligible for reinstatement.

Authority G.S. 93A-3(c).

SECTION .1800 - LIMITED NONRESIDENT COMMERCIAL LICENSING

21 NCAC 58A .1803 REQUIREMENTS FOR LICENSURE; APPLICATION AND FEE

(a) A person desiring to obtain a broker license under this Section shall demonstrate to the ~~Real Estate~~ Commission that:

- (1) he or she is a resident of a state or territory of the United States other than North Carolina;
- (2) he or she is licensed as a real estate broker or salesperson in a qualifying state ~~and that said license is~~ on active status and not in abeyance for any reason. If licensed as a salesperson, he or she shall also demonstrate that he or she is acting under the supervision of a broker in accordance with the applicable governing statutes or regulations in the qualifying state; and
- (3) he or she possesses the requisite honesty, truthfulness, integrity, and moral character for licensure as a broker in North Carolina.

A person applying for licensure under this Section shall not be required to show that the state or territory where he or she is currently licensed offers reciprocal licensing privileges to North Carolina brokers.

~~(b) A person desiring to be licensed under this Section shall submit an application on a form prescribed by the Commission and shall show the Commission that he or she has satisfied the requirements set forth in Paragraph (a) of this Rule. In connection with his or her application a person applying for licensure under this Rule shall provide the Commission with a certification of license history from the qualifying state where he or she is licensed. He or she shall also provide the Commission with a report of his or her criminal history from the service designated by the Commission.~~ An applicant for licensure under this Section shall be required to update his or her application as required by ~~Rule .0302(e)~~ Rule .0302(b) of this Subchapter.

~~(c) The fee for persons applying for licensure under this Section shall be one hundred dollars (\$100.00) and shall be paid in the form of a certified check, bank check, cashier's check, money order, or by credit card. Once paid, the application fee shall be non-refundable. The fee for a limited commercial license shall be one hundred five dollars (\$105.00).~~

~~(d) If the Commission has received a complete application and the required application fee and if the Commission is satisfied that~~

~~the applicant possesses the moral character necessary for licensure, the Commission shall issue to the applicant a limited nonresident commercial real estate broker license. An individual seeking licensure as a limited commercial broker shall submit an application that is available on the Commission's website and shall include the applicant's:~~

- (1) legal name;
- (2) place of business name, mailing address, and phone number;
- (3) residence mailing address and telephone number;
- (4) email address;
- (4) social security number and date of birth;
- (5) qualification for license application;
- (6) real estate license history;
- (7) criminal offenses, military courts-martial convictions, professional license disciplinary actions, including the jurisdiction, file number, and explanation of each offense;
- (8) liens or unpaid judgments;
- (9) certification the applicant has read the Real Estate Licensing in North Carolina brochure that is available on the Commission's website; and
- (10) declaration and signature.

(e) In addition to the application required by Paragraph (d) of this Rule, the applicant shall submit:

- (1) the limited commercial license application fee pursuant to Paragraph (c) of this Rule; and
- (2) a certification of license history from the qualifying state issued within the previous six months; and
- (3) a criminal records report from a Commission-designated criminal reporting service obtained within six months prior to application submission.

Authority G.S. 93A-4; 93A-9.

Notice is hereby given in accordance with G.S. 150B-21.2 that the Real Estate Commission intends to amend the rules cited as 21 NCAC 58G .0103; 58H .0101, and .0210.

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

Proposed Effective Date: *July 1, 2026*

Public Hearing:

Date: *December 17, 2025*

Time: *8:30 a.m.*

Location: *North Carolina Real Estate Commission, 1313 Navaho Drive, Raleigh, NC 27609*

Reason for Proposed Action: *21 NCAC 58G .0103 - Definitions Amend this Rule to clarify the definition of 'principal office.'*
21 NCAC 58H .0101 - Definitions
21 NCAC 58H .0210 – Limitation, Denial, Withdrawal, or Termination of Education Provider Certification

Amend these Rules, 58H .0101 and .0210, to require students to be visible on camera while participating in synchronous learning courses.

Comments may be submitted to: *Melissa Vuotto, PO Box 17100, Raleigh, NC 27619; email Public.Comment@ncrec.gov*

Comment period ends: *January 16, 2026*

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**

SUBCHAPTER 58G – NORTH CAROLINA REAL ESTATE COMMISSION

SECTION .0100 – GENERAL

21 NCAC 58G .0103 DEFINITIONS

The following definitions apply throughout this Chapter and to all forms prescribed pursuant to this Chapter:

- (1) "Branch Office" means any office in addition to the principal office of a broker that is operated in connection with the broker's real estate business.
- (2) "BIC" means a broker-in-charge pursuant to G.S. 93A-2(a1).
- (3) "BIC Eligible" means a broker's license status who has satisfied the broker-in-charge qualification requirements and filed application pursuant to G.S. 93A-4.2 and 21 NCAC 58A .0110.
- (4) "Commission" means the North Carolina Real Estate Commission.
- (5) "Commission's website" means www.ncrec.gov.

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| <p>(6) "Day" means calendar day unless the rule expressly states otherwise. The first day counted is the day following the act, event, or transaction that triggered the tolling of the designated time period.</p> <p>(7) "Fee" means a payment made to the Commission by a bank check, certified check, money order, debit card, credit card, or other electronic means and is nonrefundable once the payment has been processed.</p> <p>(8) "Firm" means a partnership, corporation, limited liability company, association, or other business entity, except for a sole proprietorship.</p> <p>(9) "Form" means an original form template provided by the Commission and completed by the submitting party.</p> <p>(10) "Office" means any place of business where acts are performed for which a real estate license is required or where monies received by a broker acting in a fiduciary capacity are handled or records for such trust monies are maintained.</p> <p>(11) "Principal Office" means the office <u>physical address</u> designated in the Commission's records by the qualifying broker of a licensed firm or the broker-in-charge of a sole proprietorship.</p> | <p>(8) "Instructor development program" means courses of instruction designed to assist real estate instructors in the performance of Prelicensing, Postlicensing, or continuing education instructor duties or in the development of teaching skills.</p> <p>(9) "Learning objective" means a statement of what a student will be able to do after completing a unit or course. A learning objective shall be structured in accordance with Bloom's Taxonomy.</p> <p>(10) "License Examination Performance Record" means the percentage of an instructor's or education provider's students who, within 30 days of completing a Prelicensing course pursuant to 21 NCAC 58H .0207(a), take and pass the license examination, as defined in 21 NCAC 58A .0402, on their first attempt.</p> <p>(11) "Postlicensing course" means any one of the courses comprising the 90 hour Postlicensing education program pursuant to G.S. 93A-4(a1) and 21 NCAC 58A .1902.</p> <p>(12) "Prelicensing course" means a single course consisting of at least 75 hours of instruction on subjects prescribed by the Commission pursuant to G.S. 93A-4(a).</p> <p>(13) "Public education provider" means any proprietary business or trade school licensed by the State Board of Community Colleges under G.S. 115D-90 or approved by the Board of Governors of the University of North Carolina that conducts approved real estate courses.</p> <p>(14) "Syllabus" means a document that includes each topic and subtopic addressed during the course and for each topic and subtopic describes the scope and depth of coverage, timing, and references to course materials, and also demonstrates opportunities for student interactions throughout the course, such as discussion boards, chat areas, group activities, and quizzes.</p> <p>(15) "Synchronous distance learning" means the instructor and students are separated only by distance and not time, allowing for real-time monitoring of student <u>attendance and participation. For purposes of this Subchapter, a student shall be visible on camera in order to meet the attendance requirements set forth in Rule .0207 of this Section or 21 NCAC 58A .1705.</u></p> <p>(16) "Update Courses" means the General Update Course and the Broker-in-Charge Update Course.</p> <p>(17) "Unit" means a segment of distance education that is based upon a topic or subtopic in the course syllabus that lasts no longer than one hour.</p> |
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Authority G.S. 93A-3(c).

SUBCHAPTER 58H - REAL ESTATE EDUCATION

SECTION .0100 – GENERAL

21 NCAC 58H .0101 DEFINITIONS

The following definitions apply throughout this Subchapter and to all forms prescribed pursuant to this Chapter:

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| <p>(1) "Assessment" means a quiz or evaluation that tests a student's mastery of the learning objective.</p> <p>(2) "Blended learning" means any combination of distance education, synchronous distance learning, and in-person methods of instruction.</p> <p>(3) "Branch location" means any location in addition to the principal address of an education provider that offers Prelicensing or Postlicensing Courses.</p> <p>(4) "Continuing education" means a continuing education elective or Update Course.</p> <p>(5) "Distance education" means a method of instruction accomplished through the use of media whereby teacher and student are separated by distance and time.</p> <p>(6) "End-of-course examination" means an examination administered at the conclusion of a course that tests students' knowledge and mastery of all course subjects mandated by the Commission prescribed course syllabus.</p> <p>(7) "Instructional hour" means 50 minutes of instruction and 10 minutes of break time.</p> | <p>(8) "Instructor development program" means courses of instruction designed to assist real estate instructors in the performance of Prelicensing, Postlicensing, or continuing education instructor duties or in the development of teaching skills.</p> <p>(9) "Learning objective" means a statement of what a student will be able to do after completing a unit or course. A learning objective shall be structured in accordance with Bloom's Taxonomy.</p> <p>(10) "License Examination Performance Record" means the percentage of an instructor's or education provider's students who, within 30 days of completing a Prelicensing course pursuant to 21 NCAC 58H .0207(a), take and pass the license examination, as defined in 21 NCAC 58A .0402, on their first attempt.</p> <p>(11) "Postlicensing course" means any one of the courses comprising the 90 hour Postlicensing education program pursuant to G.S. 93A-4(a1) and 21 NCAC 58A .1902.</p> <p>(12) "Prelicensing course" means a single course consisting of at least 75 hours of instruction on subjects prescribed by the Commission pursuant to G.S. 93A-4(a).</p> <p>(13) "Public education provider" means any proprietary business or trade school licensed by the State Board of Community Colleges under G.S. 115D-90 or approved by the Board of Governors of the University of North Carolina that conducts approved real estate courses.</p> <p>(14) "Syllabus" means a document that includes each topic and subtopic addressed during the course and for each topic and subtopic describes the scope and depth of coverage, timing, and references to course materials, and also demonstrates opportunities for student interactions throughout the course, such as discussion boards, chat areas, group activities, and quizzes.</p> <p>(15) "Synchronous distance learning" means the instructor and students are separated only by distance and not time, allowing for real-time monitoring of student <u>attendance and participation. For purposes of this Subchapter, a student shall be visible on camera in order to meet the attendance requirements set forth in Rule .0207 of this Section or 21 NCAC 58A .1705.</u></p> <p>(16) "Update Courses" means the General Update Course and the Broker-in-Charge Update Course.</p> <p>(17) "Unit" means a segment of distance education that is based upon a topic or subtopic in the course syllabus that lasts no longer than one hour.</p> |
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Authority G.S. 93A-4; 93A-32; 93A-33; 93A-38.5.

SECTION .0200 - REAL ESTATE EDUCATION PROVIDERS

21 NCAC 58H .0210 LIMITATION, DENIAL, WITHDRAWAL, OR TERMINATION OF EDUCATION PROVIDER CERTIFICATION

(a) The Commission may limit, deny, or withdraw certification of an education provider or suspend, revoke, or deny renewal of the certification of an education provider upon finding that an education provider:

- (1) was found by a court or government agency of competent jurisdiction to have violated any state or federal law;
- (2) made any false statements or presented any false, incomplete, or incorrect information in connection with an application;
- (3) failed to provide or provided false, incomplete, or incorrect information in connection with any report the education provider is required to submit to the Commission;
- (4) presented to its students or prospective students false or misleading information relating to its instructional program, to the instructional programs of other institutions, or related to employment opportunities;
- (5) collected money from students but refused or failed to provide the promised instruction;
- (6) failed to submit the per student fee as required by G.S. 93A-4(a2) or 93A-38.5(e).
- (7) refused at any time to permit authorized representatives of the Commission to inspect the education provider's facilities or audit its courses;
- (8) or education director violated the rules of this Subchapter or was disciplined by the Commission under G.S. 93A-6;
- (9) obtained or used, or attempted to obtain or use, in any manner or form, North Carolina real estate license examination questions;
- (10) failed to provide to the Commission, within 30 days of the Commission's request during an investigation or application process, a written plan describing the changes the education provider made or intends to make in its instructional program including instructors, course materials, methods of student evaluation, and completion standards to improve the performance of the education provider's students on the license examination;
- (11) provided the Commission a fee that was dishonored by a bank or returned for insufficient funds;
- (12) has had its Certificate of Authority revoked by the NC Secretary of State pursuant to G.S. 55-15-30;
- (13) has been subject to a revenue suspension or suspended by the NC Secretary of State pursuant to G.S. 105-230;

- (14) has been administratively dissolved by the NC Secretary of State pursuant to G.S. 57D-6-06;
- (15) failed to utilize course materials pursuant to Rule .0205 of this Section;
- (16) failed to submit reports pursuant to Rule .0207 of this Section;
- (17) provided false, incomplete, or misleading information relating to real estate licensing, education matters, or the broker's education needs or license status;
- (18) discriminated in its admissions policy or practice against any person on the basis of age, sex, race, color, national origin, familial status, handicap status, or religion; ~~or~~
- (19) failed to ensure that synchronous distance learning students were visible on camera pursuant to Rule .0101 of this Section; or
- ~~(19)~~(20) refused or failed to comply with the provisions of this Subchapter.

(b) A broker shall be subject to discipline pursuant to G.S. 93A-6 if the broker engages in dishonest, fraudulent, or improper conduct in connection with the operations of an education provider if that broker:

- (1) has an ownership interest in the education provider;
- (2) is the education director; or
- (3) is an instructor for an education provider.

(c) If an education provider's annual License Examination Performance Record fails to exceed 40 percent in each of the previous two license years and the education provider was certified by the Commission during the entire two years, the Commission shall limit the education provider's certification such that the education provider shall not offer prelicensing or postlicensing courses. Said limitation shall be effective July 1st of the calendar year following the Commission's determination. The education provider shall be eligible to have the limitation removed one year after the limitation is imposed provided that the education provider has:

- (1) provided a written plan describing the changes the education provider has made or intends to make in its instructional program to improve the performance of the students on the license examination;
- (2) consulted with a designated Commission staff member to review the written plan and needs for improvement; and
- (3) employed an instructor with no limitations to teach prelicensing and postlicensing courses.

(d) A limited education provider is eligible to renew its certification; however, a renewal shall not remove the limitations provided under Paragraph (c) of this Rule.

(e) When ownership of a certified education provider is transferred and the education provider ceases to operate as the certified entity, the certification is not transferable and shall terminate on the effective date of the transfer. All courses shall be completed by the effective date of the transfer. The transferring owner shall report course completion(s) to the Commission. The new entity shall obtain an original certification for each location where the education provider will conduct courses as required by

G.S. 93A-34 and Rule .0202 of this Section prior to advertising courses, registering students, accepting tuition, conducting courses, or otherwise engaging in any education provider operations.

Authority G.S. 93A-4(d); 93A-34(c); 93A-35(c); 93A-38.

TITLE 25 – OFFICE OF STATE HUMAN RESOURCES

Notice is hereby given in accordance with G.S. 150B-21.2 that the State Human Resources Commission intends to repeal the rule cited as 25 NCAC 01H .0631.

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://oshr.nc.gov/hr-governance/state-human-resources-commission/proposed-rulemaking>

Proposed Effective Date: March 1, 2026

Public Hearing:

Date: December 2, 2025

Time: 10 a.m.

Location:

<https://ncgov.webex.com/ncgov/j.php?MTID=m80b96c6829c2c79abaa412a7386fb8a3>

Reason for Proposed Action: Some portions of this rule are inconsistent with the changes in law made by Session Law 2025-34. Specifically:

Subparagraphs .0631(d)(1) and (2) discuss “vacancy-specific qualifications as determined by the agency.” This is now inconsistent with Session Law 2025-34, which specifies that the minimum qualifications are set in the class specification, and “Any additional qualifications, knowledge, skills, and abilities listed in the specific vacancy announcement shall be interpreted as management preferences rather than as mandatory minimum qualifications that must be met.” N.C.G.S. § 126-14.2(b), as amended by Section 3 of Session Law 2025-34. This inconsistent rule text needs to be repealed.

Subparagraph .0631(d)(3) states that critical classifications (also known as continuous postings or evergreen postings) are to be approved by the State Human Resources Commission. This is now inconsistent with Session Law 2025-34, which gives this approval authority to the employing agency or institution going forward. N.C.G.S. § 126 14.3(3), as amended by Section 4 of Session Law 2025-34.

The remaining text of the rule is unnecessary. Paragraphs (a), (b), (c), and (e) of the rule are covered by the Recruitment and Posting of Vacancies Policy. Paragraph (f) refers to a process that no longer exists – OSHR having to approve hiring decisions before they take place.

Repealing Rule .0631 would leave in place the substantive requirements that applicants be selected based on their minimum qualifications. This is because the Recruitment & Posting of Vacancies Policy cover the same ground, and Section 11 of Session Law 2025-34 provides a rulemaking exception that clearly allows requirements of this type to be stated in policy rather than in rule.

Comments may be submitted to: Denise Mazza, 333 Fayetteville St, Raleigh, NC, 27601, Raleigh, NC 27603; phone (984) 236-0823; email denise.mazza@nc.gov

Comment period ends: January 16, 2026

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

CHAPTER 01 - OFFICE OF STATE HUMAN RESOURCES

SUBCHAPTER 1H - RECRUITMENT AND SELECTION

SECTION .0600 - GENERAL PROVISIONS

25 NCAC 01H .0631 POSTING AND ANNOUNCEMENT OF VACANCIES

Authority G.S. 96-29; 126-3(b); 126-4(4); 126-7.1; 126-14.

Notice is hereby given in accordance with G.S. 150B-21.2 that the State Human Resources Commission intends to repeal the rules cited as 25 NCAC 01K .0210, .0212, .0311-.0314, .0316, .0317, .0320-.0324, .0401-.0404, .0501, .0502, .0612, and .0613.

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://oshr.nc.gov/hr-governance/state-human-resources-commission/proposed-rulemaking>

Proposed Effective Date: March 1, 2026

Public Hearing:

Date: December 2, 2025

Time: 9:00 a.m.

Location:

<https://ncgov.webex.com/ncgov/j.php?MTID=m687b0da14f24aa4ff6105f55f8f2556c>

Reason for Proposed Action: *As background, NC Sess. Law 2025-34, SB 124, An Act to Reduce Barriers to State Employment and to Modernize the State Human Resources System, became law on July 1, 2025. The bill amends General Statute § 150B-2(8a) to change the definition of “Rule” in the Administrative Procedure Act to exclude: “Job classification standards, job qualifications, and salaries and policies established for State and local government positions under the jurisdiction of the State Human Resources Commission, so long as those standards, qualifications, salaries, and policies directly affect only applicants for employment, current employees, or the resolution of matters related to past employment.”*

Consequently, OSHR is reviewing all existing rules to determine if the rule is necessary or still relevant or if existing policy already exists. In the case of the rules listed above, they are all either covered by an existing policy or are outdated and no longer necessary.

Comments may be submitted to: Denise Mazza, 333 Fayetteville St, Raleigh, NC, 27601, Raleigh, NC 27603; phone (984) 236-0823; email denise.mazza@nc.gov

Comment period ends: January 16, 2026

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

CHAPTER 01 - OFFICE OF STATE HUMAN RESOURCES

SUBCHAPTER 01K – PERSONNEL TRAINING

25 NCAC 01K .0210 OFFICE OF STATE HUMAN RESOURCES LEARNING AND ORGANIZATIONAL DEVELOPMENT TEAM OBJECTIVES

Authority G.S. 126-4.

25 NCAC 01K .0212 OFFICE OF STATE HUMAN RESOURCES LEARNING AND DEVELOPMENT FACILITIES

Authority G.S. 126-4.

25 NCAC 01K .0311 PURPOSE

Authority G.S. 126-4.

25 NCAC 01K .0312 ELIGIBILITY

Authority G.S. 126-4.

25 NCAC 01K .0313 APPROVED COURSES

Authority G.S. 126-4.

25 NCAC 01K .0314 ACADEMIC LEAVE

Authority G.S. 126-4.

25 NCAC 01K .0316 ACADEMIC COSTS

Authority G.S. 126-4.

25 NCAC 01K .0317 REIMBURSEMENT OF ACADEMIC COSTS

Authority G.S. 126-4.

25 NCAC 01K .0320 EXCEPTIONAL SITUATIONS

Authority G.S. 126-4.

PROPOSED RULES

**25 NCAC 01K .0321 COURSES TAKEN AT
AGENCY/UNIVERSITY REQUEST***Authority G.S. 126-4.***25 NCAC 01K .0322 EXTENDED ACADEMIC LEAVE***Authority G.S. 126-4.***25 NCAC 01K .0323 CERTIFICATION/LICENSING***Authority G.S. 126-4.***25 NCAC 01K .0324 ADMINISTRATION
RESPONSIBILITY***Authority G.S. 126-4.***SECTION .0400 - USE OF NON-STATE GOVERNMENT
EDUCATION AND TRAINING SOURCES****25 NCAC 01K .0401 POLICY STATEMENT***Authority G.S. 126-4(10); N.C.G.S. c. 143, Article 3C.***25 NCAC 01K .0402 DETERMINATION OF NEED
FOR TRAINING***Authority G.S. 126-4.***25 NCAC 01K .0403 SELECTION OF NON-
GOVERNMENT SOURCES***Authority G.S. 126-4.***25 NCAC 01K .0404 PROCEDURE FOR APPROVAL
OF NON-STATE SOURCES***Authority G.S. 126-4; 143-64.20; 143-64.24.***SECTION .0500 - APPRENTICESHIP TRAINING****25 NCAC 01K .0501 POLICY STATEMENT***Authority G.S. 126-4.***25 NCAC 01K .0502 APPOINTMENT PROVISIONS***Authority G.S. 126-4.***25 NCAC 01K .0612 INTERIM PERFORMANCE
MANAGEMENT RULES***Authority G.S. 126-4.***25 NCAC 01K .0613 FISCAL YEAR 1989/90
PERFORMANCE PAY FUNDS***Authority G.S. 126-4.*

RULES REVIEW COMMISSION

This Section contains information for the meeting of the Rules Review Commission November 20, 2025 at 1711 New Hope Church Road, RRC Commission Room, Raleigh, NC. Anyone wishing to submit written comments on any proposed permanent rule before the Commission should submit those comments pursuant to 26 NCAC 05 .0103. Anyone wishing to submit written comments on any proposed permanent rule before the Commission should submit those comments pursuant to 26 NCAC 05 .0104. Anyone wishing to address the Commission should comply with 26 NCAC 05 .0105 and .0106.

RULES REVIEW COMMISSION MEMBERS

Appointed by Senate

Bill Nelson (2nd Vice-Chair)
Jeanette Doran
John Hahn
Jeff Hyde
Wyatt Dixon, III

Appointed by House

Jake Parker (Chair)
Paul Powell (1st Vice-Chair)
Wayne R. Boyles, III
Christopher Loutit
Randy Overton

COMMISSION COUNSEL

Seth M. Ascher	984-236-1934
Travis Wiggs	984-236-1929
Christopher S. Miller	984-236-1935

RULES REVIEW COMMISSION MEETING DATES

November 20, 2025	January 29, 2026
December 18, 2025	February 26, 2026

AGENDA

RULES REVIEW COMMISSION

***Thursday, November 20, 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. Approval of the minutes from the last meeting
- III. Follow-up matters
 1. Commission for Public Health -10A NCAC 43D .0201, .0202, .0203, .0204, .0205, .0207, .0304, .0410, .0411, .0501, .0702, .0707, .0708, .0709, .0804, .0902, .0904, .0905, .0906, .0907, .0908, .0909, .0911 (Ascher)
 2. Coastal Resources Commission - 15A NCAC 07H .0508 (Ascher)
- IV. Review of Log of Filings (Permanent Rules) for rules filed September 21, 2025 through October 20, 2025
 1. Sheriffs' Education and Training Standards Commission (Ascher)
 2. Wildlife Resources Commission (Wiggs)
 3. Board of Dental Examiners (Miller)
 4. Board of Examiners of Electrical Contractors (Miller)
 5. Board of Funeral Service (Miller)
 6. Board of Examiners for Engineers and Surveyors (Miller)
 7. State Human Resources Commission (Miller)
- V. Log of Filings (Temporary Rules) for any rule filed within 15 business days before the RRC Meeting
 1. Licensing Board of General Contractors – 21 NCAC 12A .0202 (Miller)
- VI. Existing Rules Review
 - Review of Reports
 1. 07 NCAC 13H - Department of Natural and Cultural Resources (Ascher)
 2. 10A NCAC 14A - DHHS - Secretary & Medical Care Commission (Wiggs)
 3. 10A NCAC 14E, 14G, 14H, 14J - DHHS - Division of Health Service Regulation (Wiggs)
 4. 10A NCAC 46, 48 - Commission for Public Health (Wiggs)
 5. 13 NCAC 15, 20 - Department of Labor (Ascher)
 6. 25 NCAC 01E, 01K, 01L, 01M, 01N - State Human Resources Commission (Ascher)

- Readoptions
- 1. 04 NCAC 19 – Commerce - Rural Economic Development (Wiggs)
- 2. 07 NCAC 04M, 04N, 04O, 04P, 04Q, 04R, 04T- Historical Commission (Wiggs)
- 3. 07 NCAC 04S - Tryon Palace Commission (Wiggs)
- 4. 12 NCAC 10B - Sheriffs' Education and Training Standards Commission (Wiggs)
- 5. 14B NCAC 15A - Alcoholic Beverage Control Commission (Wiggs)
- 6. 19A NCAC 03 - Transportation – Division of Motor Vehicles (Wiggs)
- 7. 21 NCAC 07 – Cemetery Commission (Wiggs)

VII. Commission Business

- Closed session, to consult with attorneys regarding CRC v. RRC and CJETS v. RRC
 - Next meeting: Thursday, December 18, 2025
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**Commission Review
Log of Permanent Rule Filings
September 21, 2025 through October 20, 2025**

SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION

The rules in Subchapter 10B govern the commission organization and procedure (.0100); enforcement rules (.0200); minimum standards for employment as a justice officer (deputy or jailer) (.0300); certification of justice officers (.0400); standards and accreditation for justice officers schools, training programs, and the instructors (.0500-.0900); certificate and awards programs for sheriffs, deputies, justice officers, jailers, reserve officers, and telecommunicators (.1000-.1700); in-service training (.2000); firearms in-service training and re-qualification (.2100); and forms (.2200).

<u>Probationary Certification Requirement</u>	12	NCAC	10B	.0403
Amend*				
<u>Certification of a Former Sheriff</u>	12	NCAC	10B	.0407
Amend*				
<u>Department Head Responsibilities - Critical Incident Repo...</u>	12	NCAC	10B	.0412
Adopt*				
<u>General Provisions</u>	12	NCAC	10B	.1002
Amend*				
<u>Intermediate Law Enforcement Certificate</u>	12	NCAC	10B	.1004
Repeal*				
<u>Advanced Law Enforcement Certificate</u>	12	NCAC	10B	.1005
Repeal*				
<u>How to Apply</u>	12	NCAC	10B	.1006
Amend*				
<u>General Provisions</u>	12	NCAC	10B	.1202
Amend*				
<u>Intermediate Detention Officer Professional Certificate</u>	12	NCAC	10B	.1204
Repeal*				
<u>Advanced Detention Officer Professional Certificate</u>	12	NCAC	10B	.1205
Repeal*				
<u>How to Apply</u>	12	NCAC	10B	.1206
Amend*				
<u>General Provisions</u>	12	NCAC	10B	.1402
Amend*				
<u>Intermediate Reserve Deputy Sheriff Certificate</u>	12	NCAC	10B	.1404
Repeal*				
<u>Advanced Reserve Deputy Sheriff Certificate</u>	12	NCAC	10B	.1405
Repeal*				

<u>How to Apply</u> Amend*	12	NCAC	10B	.1406
<u>Eligibility for Professional Certificates</u> Amend*	12	NCAC	10B	.1602
<u>Intermediate Telecommunicator Certificate</u> Repeal*	12	NCAC	10B	.1604
<u>Advanced Telecommunicator Certificate</u> Repeal*	12	NCAC	10B	.1605
<u>How to Apply</u> Amend*	12	NCAC	10B	.1606
<u>Military and Military Spouse Transferees</u> Amend*	12	NCAC	10B	.1901

WILDLIFE RESOURCES COMMISSION

The rules in Chapter 10 are promulgated by the Wildlife Resources Commission and concern wildlife resources and water safety. The rules in Subchapter 10B are hunting and trapping rules and cover general hunting and wildlife provisions (.0100), hunting specific animals (.0200), trapping (.0300), tagging furs (.0400), chronic wasting disease management (.0500).

<u>White-Tailed Deer</u> Amend*	15A	NCAC	10B	.0203
<u>Squirrels</u> Amend*	15A	NCAC	10B	.0206
<u>CWD Surveillance Areas Defined</u> Adopt*	15A	NCAC	10B	.0502
<u>Surveillance Area</u> Amend*	15A	NCAC	10B	.0503
<u>Primary Surveillance Area</u> Adopt*	15A	NCAC	10B	.0504

The rules in Subchapter 10C cover inland fishing including jurisdictional issues involving the Marine Fisheries Commission (.0100); general rules (.0200); game fish in inland fishing waters (.0300); nongame fish in inland fishing waters (.0400); primary nursery areas (.0500); anadromous fish spawning areas (.0600); game fish in coastal fishing waters (.0700); and joint fishing waters (.0800).

<u>Public Mountain Trout Waters</u> Amend*	15A	NCAC	10C	.0205
<u>Spawning Areas</u> Amend*	15A	NCAC	10C	.0208
<u>Possession of Certain Fishes</u> Amend*	15A	NCAC	10C	.0211
<u>Largemouth Bass</u> Amend*	15A	NCAC	10C	.0305
<u>Mountain Trout</u> Amend*	15A	NCAC	10C	.0316
<u>White Bass</u> Amend*	15A	NCAC	10C	.0318
<u>Smallmouth Bass</u> Amend*	15A	NCAC	10C	.0321
<u>Alabama Bass and Spotted Bass</u> Amend*	15A	NCAC	10C	.0322
<u>Trout</u> Amend*	15A	NCAC	10C	.0325

The rules in Chapter 10 are promulgated by the Wildlife Resources Commission and concern wildlife resources and water safety. The rules in Subchapter 10D are game lands rules.

<u>General Regulations Regarding Use</u> Amend*	15A	NCAC	10D	.0102
<u>Fishing on Game Lands</u> Amend*	15A	NCAC	10D	.0104
<u>Bladen Lakes State Forest Game Land in Bladen County</u> Amend*	15A	NCAC	10D	.0205
<u>Butner-Falls of Neuse Game Land in Durham, Granville, and...</u> Amend*	15A	NCAC	10D	.0211
<u>Buxton Woods Game Land in Dare County</u> Amend*	15A	NCAC	10D	.0212
<u>Wayne Bailey-Caswell Game Land in Caswell County</u> Amend*	15A	NCAC	10D	.0215
<u>Chowan Game Land in Chowan County</u> Repeal*	15A	NCAC	10D	.0217
<u>Chowan Swamp Game Land in Bertie, Gates, and Hertford Cou...</u> Amend*	15A	NCAC	10D	.0218
<u>Goose Creek Game Land in Beaufort and Pamlico Counties</u> Amend*	15A	NCAC	10D	.0229
<u>Gull Rock Game Land in Hyde County</u> Amend*	15A	NCAC	10D	.0232
<u>Holly Shelter Game Land in Pender County</u> Amend*	15A	NCAC	10D	.0236
<u>Johns River Game Land in Burke County</u> Amend*	15A	NCAC	10D	.0239
<u>Jordan Game Land in Chatham, Durham, Orange, and Wake Cou...</u> Amend*	15A	NCAC	10D	.0240
<u>Juniper Creek Game Land in Brunswick and Columbus Counties</u> Amend*	15A	NCAC	10D	.0241
<u>Mayo Game Land in Person County</u> Amend*	15A	NCAC	10D	.0249
<u>Pee Dee River Game Land in Anson, Montgomery, Richmond, a...</u> Amend*	15A	NCAC	10D	.0258
<u>Pisgah Game Land in Avery, Buncombe, Burke, Caldwell, Hay...</u> Amend*	15A	NCAC	10D	.0260
<u>Roanoke River Wetlands in Bertie, Halifax, Martin, and No...</u> Amend*	15A	NCAC	10D	.0265
<u>Robeson Game Land in Robeson County</u> Repeal*	15A	NCAC	10D	.0267
<u>Sandhills Game Land in Hoke, Moore, Richmond, and Scotlan...</u> Amend*	15A	NCAC	10D	.0271
<u>Shocco Creek Game Land in Franklin, Halifax, Nash, and Wa...</u> Amend*	15A	NCAC	10D	.0275
<u>South Mountains Game Land in Burke, Cleveland, McDowell, ...</u> Amend*	15A	NCAC	10D	.0276
<u>Suggs Mill Pond Game Land in Bladen and Cumberland Counties</u> Amend*	15A	NCAC	10D	.0278
<u>Thurmond Chatham Game Land in Alleghany and Wilkes Counties</u> Amend*	15A	NCAC	10D	.0283
<u>Whitehall Plantation Game Land in Bladen and Pender County</u>	15A	NCAC	10D	.0291

Amend*

North Bend Game Land in Burke County

15A NCAC 10D .0294

Amend*

The rules in Subchapter 10H concern activities regulated by the Commission including controlled hunting preserves for domestically raised waterfowl and game birds (.0100), holding wildlife in captivity (.0300), commercial trout ponds (.0400), fish propagation (.0700), falconry (.0800), game bird propagators (.0900), taxidermy (.1000), furbearer propagation (.1100), controlled fox hunting preserves (.1200), reptiles and amphibians (.1300), wildlife captivity and rehabilitation (.1400), wildlife and alligator control agents (.1500) field trials and dog training (.1700) and commercial activity permitting (.1800)..

Definitions and General Requirements for Captivity License

15A NCAC 10H .1401

Amend*

Captivity License for Rehabilitation

15A NCAC 10H .1402

Amend*

Captivity License for Holding

15A NCAC 10H .1403

Amend*

Minimum Standards Captivity License for Holding

15A NCAC 10H .1404

Amend*

Captivity License Revocation and Enforcement

15A NCAC 10H .1405

Amend*

Form an Captivity Licenses

15A NCAC 10H .1406

Amend*

DENTAL EXAMINERS, BOARD OF

The rules in Subchapter 16Q concern general anesthesia and sedation including definitions (.0100); general anesthesia (.0200); parenteral conscious sedation (.0300); enteral conscious sedation (.0400); renewal of permits (.0500); reporting and penalties (.0600); and penalty for non-compliance (.0700).

Update Course for General Anesthesia and Moderate Conscio...

21 NCAC 16Q .0105

Adopt*

Credentials and Permits for Moderate Conscious Sedation

21 NCAC 16Q .0301

Amend*

ELECTRICAL CONTRACTORS, BOARD OF EXAMINERS OF

The rules in Chapter 18 are from the State Board of Examiners of Electrical Contractors. The rules in Chapter 18B are from the Board of Electrical Contractors including general provisions (.0100); examinations and qualifications (.0200); terms and definitions applicable to licensing (.0300); licensing requirements (.0400); reciprocal licensing agreements with other states (.0700); special restricted licenses (.0800); violations and contested case hearings (.0900); forms, certificates, and publications of the board (.1000); and continuing education courses and requirements (.1100).

Bona Fide Employee

21 NCAC 18B .0306

Amend*

FUNERAL SERVICE, BOARD OF

The rules in Subchapter 34D are preneed funeral contract rules including general provisions (.0100); licensing (.0200); operations (.0300); and preneed recovery fund (.0400).

Preneed Sales License

21 NCAC 34D .0202

Amend*

ENGINEERS AND SURVEYORS, BOARD OF EXAMINERS FOR

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

<u>Expirations and Renewals of Certificates</u> Amend*	21	NCAC	56	.0505
<u>Requirements for Licensing</u> Amend*	21	NCAC	56	.0601
<u>Expirations and Renewals of Certificates</u> Amend*	21	NCAC	56	.0606
<u>Rules of Professional Conduct</u> Amend*	21	NCAC	56	.0701
<u>Annual Renewal and 30-Day Reporting of Violations and Cha...</u> Amend*	21	NCAC	56	.0804

STATE HUMAN RESOURCES COMMISSION

The rules in Subchapter 1E cover employee benefits including general leave provisions (.0100); vacation leave (.0200); sick leave (.0300); workers compensation leave (.0700); military leave (.0800); holidays (.0900); miscellaneous leave (.1000); other types of leave without pay (.1100); community involvement (.1200); the voluntary shared leave program (.1300); family and medical leave (.1400); child involvement leave (.1500); community services leave (.1600); administrative leave (.1700) incentive leave (.1800); and paid parental leave (.1900).

<u>Compensatory Time</u> Amend*	25	NCAC	01E	.1006
<u>Policy</u> Amend*	25	NCAC	01E	.1801
<u>Definitions</u> Amend*	25	NCAC	01E	.1802
<u>Eligibility Requirements</u> Amend*	25	NCAC	01E	.1804
<u>Transfer</u> Amend*	25	NCAC	01E	.1808
<u>Use of Leave</u> Amend*	25	NCAC	01E	.1809

Commission Review

Log of Temporary Rule Filings

November 01, 2025 through November 07, 2025

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> Amend*	21	NCAC	12A	.0202
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